

**PETITION TO TERMINATE GUARDIANSHIP OVER AN ESTATE OR
A PERSON AND AN ESTATE**

GENERAL INFORMATION SHEET

IMPORTANT

**THIS PACKET IS IN NO WAY INTENDED TO SUBSTITUTE FOR THE
ADVICE OF A PRIVATE ATTORNEY**

Private Counsel Is Always Recommended For Legal Matters

The law allows any person to represent themselves in a legal action. However, filing an action with the court and representing yourself in the courtroom can be a complicated legal procedure and this packet does not attempt to address all the legal issues involved in bringing your matter before the court. This packet is created to help you access the legal system without the assistance of an attorney.

When representing yourself, you are responsible for understanding the law that governs your case and for filing the proper legal documents. The laws and rules are set out in the Nevada Revised Statutes, The Rules of Civil Procedure, and the local rules governing the jurisdiction in which you are filing your documents.

When you sign these documents and present them for filing with the court, it is assumed by the court that you have carefully read the documents, that you understand all the terms in the documents, that you agree with all the provisions in the documents, and that you are aware of all the consequences those provisions may produce.

Before filling in any portion of the following documents, read all the materials included in this packet regarding guardianship, including the definitions of terms.

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What is a Guardianship?

A guardianship is a legal relationship between two people. It is used when someone cannot take care of himself or his property. The person who needs assistance is the “proposed ward”. If guardianship is granted, that person will be the “ward”. The person who is going to take care of the ward is the “proposed guardian”. After the guardianship is granted, that person is the “guardian”.

When can a guardianship be stopped?

A guardianship may be stopped (“terminated”) if it is no longer necessary. Anyone, including the ward, may ask the Court to terminate the guardianship.

How do I ask the Court to terminate a court-ordered guardianship in Nevada?

In general, in you must file a Petition to Terminate Guardianship in the county where the guardianship was granted. You will need to mail notice to everyone who received notice when the original Petition for Appointment of Guardian was filed. Typically, the following people and business are entitled to notice: relatives within the “second degree of consanguinity”, the manger care facility where the ward lives (if applicable), and the Department of Veterans Affairs (if the ward is receiving money from the Department). You do this by mailing copies of the Petition to Terminate Guardianship and the Citation to Appear and Show Cause to them or by personally serving the Petition and the Citation. If you choose to mail the documents, the mailing must be by certified mail, return receipt requested (the green cards that are mailed back after the person picks up the mail). If you cannot find some of the people entitled to notice, you may ask the court to serve them by publishing the Citation in the newspaper. You must receive the judge’s permission to do this.

You will need to have a court hearing before the judge will decide whether to grant your request to terminate the guardianship. If the guardianship is terminated, you will need to mail notice that the order terminating guardianship was filed to the same people who received notice of the petition.

The procedure for filing paperwork and setting hearings varies from county to county. Please call the clerk’s office for the county in which you plan to file the petition and ask

about that court's procedural requirements. If you are filing in Washoe County or Clark County, you may call the Self-Help Centers for those counties to learn more about the procedures in those courts. The telephone number numbers are:

Family Court Self-Help Center (Washoe County): (775) 325-6731
Family Law Self-Help Center (Clark County) (702) 455-1500

Please Note: If a document must be notarized, a clerk at the court house may witness your signature instead of a notary public.

When can I use this set of forms?

You can use this Petition to Terminate Guardianship if:

- There is a guardianship case in the county where you want to file this Petition to Terminate Guardianship;
- You want to terminate the guardianship over an estate or both the person and their estate.

Note: You cannot use this packet to terminate a guardianship over a person only.

Note: This packet can be used for both minor ward(s) or an adult ward.

- At least one of the guardians and/or the ward do not want to terminate the guardianship or the ward was at least 18 years old (an adult) when the guardianship began.

Note: If the ward was an adult when the guardianship began, you must be able to provide the Court with a doctor's affidavit or certificate stating that the ward is not incompetent and is able to handle his/her affairs in daily living or proof that the ward has died.

What forms and information should be in this packet?

This packet should contain the following documents:

- General Information Sheet
- Two Petitions to Terminate Guardianship; you need to decide which petition to use. One petition is used when the guardian wants to terminate the guardianship. The other petition is used when someone other than the guardian wants to terminate the guardianship

- Citation to Appear and Show Cause
- Notice of Hearing

Note: You will use either the Citation to Appear and Show Cause or the Notice of Hearing. You will not use both forms. Use the Notice of Hearing if the guardian wants to terminate the guardianship and the ward is still alive. For all other situations, use the Citation to Appear and Show Cause.

- Affidavit of Service
- Order Terminating Guardianship
- Notice of Entry of Order and Certificate of Mailing