

PETITION FOR TERMINATION OF GUARDIANSHIP AND /OR CONSERVATORSHIP & RELEASE RESTRICTED FUNDS



PINAL COUNTY

**HOW TO PETITION TO TERMINATE GUARDIANSHIP and/or
CONSERVATORSHIP RELEASE RESTRICTED FUNDS AND
DISCHARGE CONSERVATOR**

INSTRUCTIONS AND FORMS

**Provided as a Public Service by
Amanda Stanford
Clerk of the Superior Court**

PETITION FOR TERMINATION OF GUARDIAN AND/OR CONSERVATORSHIP, RELEASE OF FUNDS AND DISCHARGE CONSERVATOR

How to assemble these documents:

This packet contains general information and instructions on how to file Petition for Termination of Conservator and Release Funds. Be sure the documents are in the following order:

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You have permission to use these forms for any lawful purpose. They shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents and that you contact an attorney to assist you in completing these forms if you have any questions.

INSTRUCTIONS AND PROCEDURES

HOW TO FILE A PETITION FOR TERMINATION OF GUARDIANSHIP AND/OR CONSERVATORSHIP; RELEASE OF FUNDS AND DISCHARGE OF CONSERVATOR

1. **Introduction:** You were appointed Guardian and/or Conservator of a minor through Pinal County Superior Court and the child has now reached the age of eighteen. Therefore you wish to terminate the Guardianship and/or Conservatorship and have any restricted funds released to the former minor as his or her sole and separate property.
2. **Complete the paperwork, Petition for Termination of Guardianship and/or Conservatorship; Release Restricted Funds Packet:** Fill out all the forms completely and in **black ink**:
 - PETITION FOR TERMINATION GUARDIANSHIP AND/OR OF CONSERVATORSHIP; RELEASE OF RESTRICTED FUNDS AND DISCHARGE CONSERVATOR. The Conservator should fill out completely the Petition for Termination of Guardianship and/or Conservatorship.
 - ACKNOWLEDGEMENT OF MINOR TO TERMINATE CONSERVATORSHIP. The former minor must complete this form **ONLY** if a conservator has been appointed. Signature of the minor must be notarized.
 - ORDER TO TERMINATE GUARDIANSHIP AND/OR CONSERVATORSHIP; RELEASE FUNDS DISCHARGE CONSERVATOR Complete the information of person filing document at the top of the page. Fill in the name of the former minor in the caption. The judge will fill out the rest of the document at the appropriate time.
 - RECEIPT OF RESTRICTED FUNDS BY A FORMER MINOR. Use this form **ONLY** if there is a restricted account. The former minor will complete this form after he or she has received the funds from the restricted account.
3. **Take the Original and Copies to the Clerk to be filed:** Take the all **originals** documents: **to the Clerk of the Superior Court**, for filing:

Visit our website for office locations or feel free to give us a call.

Contact Information for all Offices

Toll Free: 888.431.1311 • Local: 520.509.3555 or 311 • Fax: 520.866.5320

www.coscpinalcountyaz.gov/office.html

4. The Clerk will file the **originals documents** and the file and documents will be forwarded to the judge for review and signing of the Order.
5. **Purchase a Certified Copy of the Order** When the Order is signed, a certified copy of the Order will need to be purchased. The former minor take the certified copy of the Order and present it to the bank, so that the bank will release the restricted funds. There is a \$26.00 certification fee plus \$0.50 per page copy charge to purchase a certified copy. Please provide a self addressed stamped envelope for the certified copy to be mailed out.
6. **Filing of Receipt of Restricted Fund by Former Minor.** Once the former minor receives the funds; he or she must complete the Receipt of Restricted Funds by Former Minor and file the document with the Clerk of Superior Court.

OTHER HELP: If you still have questions about this procedure, you can ask a lawyer for legal advice. You can look up a lawyer in the telephone book under "attorneys."

Name of Person Filing: _____
 Street Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Email Address: _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

In the Matter of (check one or both)
 Guardianship Conservatorship

CASE NUMBER: GC _____

**PETITION FOR TERMINATION OF
 (check all that apply)**

- Guardianship of a Minor
- Conservatorship of a Minor
- Release of Restricted Funds and Discharge of Conservator

 Minor

HONORABLE: _____

Pursuant to A.R.S. §14-5430, Petitioner, _____ States as follows:

1. INFORMATION ABOUT MY APPOINTMENT:

On or about _____, the Honorable _____, Judge of the Superior Court, issued an Order appointing _____ as Guardian Conservator Guardian Conservator of _____, a minor.

2. The Minor's date of birth is _____.

3. REASON FOR TERMINATION OF THE GUARDIANSHIP AND/OR CONSERVATORSHIP: (check one box)

The need for the Guardianship and/or Conservatorship has terminated because the minor reached the age of 18, on _____ (date). **OR**

The need for the Guardianship and/or Conservatorship has terminated because the rights of the parents are no longer terminated or suspended by circumstances, or by parental consent or by prior court order because (explain): _____

The need for the Guardianship and/or Conservatorship has terminated because the minor has died. The date of death was _____ (Attach copy of death certificate)

Complete the information for number 4, 5, and 6 for conservatorships only. That said conservator was deemed appropriate for the reason that the Protected Person was a minor, who owns money or property, which required management or protection, which could not otherwise be provided without a conservatorship.

4. The following accounts are restricted and cannot be release without a court order:

<u>Account Number</u>	<u>Financial Institution and Branch</u>
_____	_____
_____	_____
_____	_____

5. **REQUEST ABOUT RESTRICTED FUNDS:** (check one box)

- I ask that the minor's restricted funds be released to the minor in this matter because he or she is now an adult entitled to control the funds currently held for his or her benefit by the Conservator.
- I ask that the minor's restricted funds be released to the minor's estate because the minor has died.

6. Conservator has not made any withdrawals from or distributions of the aforementioned restricted account(s) without prior approval of this court.

WHEREFORE, the Petitioner, _____, requests the Court, waive notice and hearing, to find as follows:

A. **FOR GUARDIANSHIP:** Terminating the Guardianship and discharging me as Guardian.

B. **FOR CONSERVATORSHIP:**

- 1) Terminating the Conservatorship;
- 2) Directing the release of funds in the sum of \$_____, along with all interest which may have accrued, to _____, the former minor as the party's sole and separate as requested in the Petition;
- 3) Requiring proof that the funds have been released to the former minor or his or her estate within 30 days after entry of an order; and,
- 4) Discharging me as Conservator.

OATH AND VERIFICATION OF PETITIONER:

STATE OF ARIZONA)
 PINAL COUNTY) ss.

I, being duly sworn and under oath, state that I have read this Petition. All the statements in the Petition are true and correct and complete to the best of my knowledge and belief.

 (Date)

 (Signature of Petitioner)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20 _____

My Commission Expires:

 (Deputy Clerk/Notary Public)

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
 Representing Self (No Attorney) or Represented by Attorney
If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

In the Matter of (check one or both)
 Guardianship Conservatorship

CASE NUMBER: GC _____

**ACKNOWLEDGMENT OF MINOR TO TERMINATE
CONSERVATORSHIP AND RELEASE FUNDS**

Minor

HONORABLE: _____

I, _____, the former minor in the above-captioned Guardian /
Conservatorship hereby acknowledges the Conservator's petition to terminate the Conservatorship and release
the court restricted funds to me.

Dated this _____ day of _____, 20 _____

(Former Minor's Signature)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20 _____

My Commission Expires:

(Deputy Clerk/Notary Public)

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

In the Matter of (check one or both)
 Guardianship Conservatorship

CASE NUMBER: GC

ORDER TO TERMINATE

Guardianship
 Conservatorship; Release Funds; Discharge of
Conservator

Minor

HONORABLE: _____

The above-captioned matter having come before this Court upon the Petition of the Conservator, and the Court finding that good cause exists and relief should be issued, hereby finds as follows:

1. That the minor, _____, has reached the age of 18.
2. That notice has been waived.
3. That _____ be discharged from all duties as Guardian Conservator
 Guardian Conservator of _____, former minor.

IT IS THEREFORE ORDERED:

- A. The Guardian Conservator Guardian Conservator is terminated as to this minor.
- B. Discharging _____ as Guardian and/or Conservator.
- C. Upon receipt of a certified copy of this order, the following accounts shall be released to
_____:

<u>Account Number</u>	<u>Financial Institution and Branch</u>
_____	_____
_____	_____
_____	_____

- D. The conservator will be discharged and the file will be closed as to this minor upon the minor filing a receipt, or other evidence, that the funds have been distributed as ordered.
- E. _____

DONE IN OPEN COURT this _____ day of _____, 20 _____

(Judge of the Superior Court)

Name of Person Filing: _____
 Street Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Email Address: _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

In the Matter of the Conservatorship of: _____ CASE NUMBER: GC _____

**RECEIPT OF RESTRICTED FUNDS BY A
 FORMER MINOR**

 Minor HONORABLE: _____

Pursuant to this Court's Order Terminating Conservatorship, Releasing Restricted Funds and Discharging Conservator, I hereby acknowledge receipt of all assets to which I am entitled. In particular, I have received the following assets:

DATE RECEIVED	DESCRIPTION OF ASSET	VALUE OF AMOUNT
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF ARIZONA)
 County of Pinal)ss.

 (Former Minor's Signature)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20 _____

My Commission Expires: _____

 (Deputy Clerk/Notary Public)