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**STIPULATION AND
ORDER TO TERMINATE
GUARDIANSHIP OVER
A MINOR**

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**GENERAL
INFORMATION SHEET**

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**STIPULATION AND ORDER TO TERMINATE GUARDIANSHIP
OVER A MINOR**

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 Stipulation?

A stipulation is an agreement between the parties in a case. If the judge approves that agreement he/she will sign an Order to make the agreement binding. A Stipulation and Order allows the parties to resolve their case without going to a hearing. For example, in this packet, you and the other guardian (if any) and the child's parents are agreeing to terminate the guardianship. If the judge approves the agreement, you will not need to have a hearing.

How do I ask the judge to sign the order terminating (stopping) the guardianship?

The first step in terminating a guardianship of a minor child by stipulation is to have all of the guardian(s) and parents sign the stipulation before a Notary Public. If the child is 14 years of age or older, the child must also sign the stipulation. After the document has been signed, you will need to give it to the judge to review. After the judge has signed the order terminating the guardianship, 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", and the manager of the care facility where the ward lives (if applicable).

The procedure for submitting your request to the judge for review 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 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 may witness your signature instead of a notary public.

Please see the Definitions that are part of this packet to learn more about the terms used in this explanation.

When can I use this set of forms?

You can use this Stipulation and Order to Terminate Guardianship if:

- The guardian(s) and both of the child's parents are willing to sign this Stipulation and Order to terminate the guardianship. If the ward is at least 14 years old, he/she will also have to sign the stipulation.

NOTE: The judge may decide not to sign a Stipulation and Order if it is not signed by both of the child's parents. If you cannot get a parent to sign the Stipulation (i.e., the identity or location of the parent is unknown), the judge may want to have a hearing before deciding whether or not to terminate the guardianship. In other words, you can use this package, but you may need to have a hearing.

- The child will return to the custody of a parent or other person who had legal custody of the child when the guardianship took place. In other words, the parent must have had a court order granting legal custody or custody because of the law; being on the birth certificate is not enough to establish legal custody.
- The parent who will have the child agrees to assume legal responsibility for the child

What forms and information should be in this packet?

This packet should contain the following documents:

- General Information Sheet
- Stipulation and Order
- Notice of Entry of Order and Certificate of Mailing

1 Code:
2 (Your name) _____
3 (Address) _____
4 _____
5 (Telephone) _____

In Proper Person

7 IN THE _____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8 IN AND FOR THE COUNTY OF _____

9 In the Matter of the Guardianship)
10 of the Person of:)
11 _____)
12 A Minor.)
13 _____)

CASE NO. _____

DEPT. NO. _____

STIPULATION AND ORDER

15 COMES NOW the Co-Guardian(s), (names) _____ and
16 _____, both in Proper Person, and hereby stipulate and
17 agree to the following.

19 1. That a guardianship over the minor ward (name) _____
20 is no longer necessary because _____.

22 2. That the guardianship over the minor ward (name) _____
23 should be terminated.

24 3. That (name of parent(s)) _____ will have physical custody
25 of the minor ward. Prior to the guardianship, (name of parent(s)) _____
26 had physical custody of the minor ward. By terminating this guardianship, (name of parent(s)) _____

27 NOTE: must be same as the custody arrangement that was in effect immediately prior to the

1 guardianship) _____ knows that he/she/they will be responsible for the
2 welfare and well-being of the ward. The minor ward will reside at (address of parent)
3 _____.

4 **4. (CHECK ONLY ONE BOX)**

5 That both of the minor ward's parents will sign this stipulation and order.

6 **OR**

7 That (name of parent) _____ will sign this stipulation
8 and order. The signature of the minor ward's (mother/father) _____ cannot be
9 obtained because _____.

10 DATED this _____ day of (month) _____, (year) _____.

11 (Signature) _____
12 (Name) _____
13 (Address) _____
14 _____
15 (Telephone) _____

16 In Proper Person

17 **VERIFICATION OF FIRST PARENT**

18 STATE OF NEVADA)
19)
20 COUNTY OF _____)

21 I, (name of first parent) _____, being first duly sworn
22 under penalty of perjury, hereby depose and say:
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That I am the mother/ father of the minor ward in the within action; that I have read the foregoing Stipulation and Order and know the contents thereof; that the same is true of my knowledge except as to those matters therein stated upon information and belief and as to those matters, I believe them to be true.

(Signature)

SIGNED and SWORN to before me by (name of first parent) _____

on the ____ day of _____, _____.

NOTARY PUBLIC
OR

DEPUTY CLERK

ACKNOWLEDGMENT OF FIRST PARENT

STATE OF NEVADA)
)
COUNTY OF _____)

On this ____ day of _____, _____, before me, the undersigned Notary Public in and for the said County and State, personally appeared (name of first parent) _____ known to me to be the person described in and who executed the foregoing instrument, and who acknowledged to me that he/ she did so freely and

1 voluntarily and for the uses and purposes therein mentioned.

2 WITNESS my hand and official seal.

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4

NOTARY PUBLIC
OR

5

DEPUTY CLERK

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7

VERIFICATION OF SECOND PARENT

8

9 STATE OF NEVADA)

10)

10 COUNTY OF _____)

11

12 I, (name of second parent) _____, being first duly sworn

13 under penalty of perjury, hereby depose and say:

14 That I am the mother/ father of the minor ward in the within action; that I have read
15 the foregoing Stipulation and Order and know the contents thereof; that the same is true of my
16 knowledge except as to those matters therein stated upon information and belief and as to those
17 matters, I believe them to be true.

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19 _____
(Signature)

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21 SIGNED and SWORN to before me by (name of second parent) _____

22 on the ____ day of _____, ____.

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24 _____
NOTARY PUBLIC
OR

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26 _____
DEPUTY CLERK

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ACKNOWLEDGMENT OF SECOND PARENT

STATE OF NEVADA)
)
COUNTY OF _____)

On this ____ day of _____, _____, before me, the undersigned Notary Public in and for the said County and State, personally appeared (name of second parent) _____ known to me to be the person described in and who executed the foregoing instrument, and who acknowledged to me that he/ she did so freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

NOTARY PUBLIC
OR

DEPUTY CLERK

VERIFICATION OF FIRST GUARDIAN

STATE OF NEVADA)
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COUNTY OF _____)

I, (name of first guardian) _____, being first duly sworn under penalty of perjury, hereby depose and say:

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That I am the guardian of the minor ward in the within action; that I have read the foregoing Stipulation and Order and know the contents thereof; that the same is true of my knowledge except as to those matters therein stated upon information and belief and as to those matters, I believe them to be true.

(Signature)

SIGNED and SWORN to before me by (name of first guardian) _____

on the ____ day of _____, _____.

NOTARY PUBLIC

OR

DEPUTY CLERK

ACKNOWLEDGMENT OF FIRST GUARDIAN

STATE OF NEVADA)

)

COUNTY OF _____)

On this ____ day of _____, _____, before me, the undersigned

Notary Public in and for the said County and State, personally appeared (name of first guardian)

_____ known to me to be the person described in and who executed

the foregoing instrument, and who acknowledged to me that he/ she did so freely and

1 voluntarily and for the uses and purposes therein mentioned.

2 WITNESS my hand and official seal.

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NOTARY PUBLIC
OR

DEPUTY CLERK

VERIFICATION OF SECOND GUARDIAN
(IF NOT APPLICABLE, WRITE "N/A")

STATE OF NEVADA)

COUNTY OF _____)

I, (name of second guardian) _____, being first duly
sworn under penalty of perjury, hereby depose and say:

That I am the co-guardian _____ in the within action; that I
have read the foregoing Stipulation and Order and know the contents thereof; that the same is true
of my knowledge except as to those matters therein stated upon information and belief and as to
those matters, I believe them to be true.

(Signature)

SIGNED and SWORN to before me by (name of second guardian) _____

on the ____ day of _____, ____.

NOTARY PUBLIC
OR

DEPUTY CLERK

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ACKNOWLEDGMENT OF SECOND GUARDIAN

STATE OF NEVADA)
)
COUNTY OF _____)

On this ____ day of _____, _____, before me, the undersigned
Notary Public in and for the said County and State, personally appeared (name of second guardian)
_____ known to me to be the person described in and who
executed the foregoing instrument, and who acknowledged to me that he/ she did so freely
and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

NOTARY PUBLIC
OR

DEPUTY CLERK

1 Code:
2 (Your name) _____
3 (Address) _____
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5 _____
6 (Telephone) _____
7 In Proper Person

7 IN THE ____ DISTRICT COURT OF THE STATE OF NEVADA
8 IN AND FOR THE COUNTY OF _____
9

10 In the Matter of the Guardianship)
11 of the Person only)
12 Estate only)
13 Person and Estate)
14 of:)
15 _____)
16 _____)
17 _____)
18 A(n) Minor.)
19 Adult.)

CASE NO. _____
DEPT. NO. _____

20
21 **NOTICE OF ENTRY OF ORDER**

22 **TO:** The persons listed on Exhibit 1, attached hereto
23 **PLEASE TAKE NOTICE** that (title on Order) _____
24 was entered in the above-entitled matter on (date) _____, a copy of
25 which is attached hereto.

26 DATED this ____ day of _____, _____.

27 _____
28 (Your signature)

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CERTIFICATE OF MAILING

I hereby certify that service of the Notice of Entry of Order was made this ____ day of _____, _____, by depositing copies of same in United States mail in (city) _____, Nevada, addressed to the persons listed on Exhibit 1, attached hereto.

(Your signature)

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EXHIBIT 1

<u>Name of Person/Organization Entitled to Notice</u>	<u>Relationship to Ward</u>	<u>Address</u>
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
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Name of Person/Organization
Entitled to Notice

Relationship to Ward

Address

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Name of Person/Organization
Entitled to Notice

Relationship to Ward

Address

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