



CIRCUIT  ORPHANS' COURT FOR \_\_\_\_\_, MARYLAND

City/County

Located at \_\_\_\_\_ Telephone \_\_\_\_\_

Court Address

Case No. \_\_\_\_\_

In the Matter of

Name of Minor

Docket Reference

**PETITION BY PARENT (APPOINTMENT OF STANDBY GUARDIAN)  
(Md. Code, Estates & Trusts Art., § 13-903, Md. Rule 10-402)**

**NOTE:** Use this form to ask the court to appoint an adult to be standby guardian of your minor child(ren) should you become mentally incapacitated or die within two years of filing this petition.

- **Mentally incapacitated:** Your attending physician determines you have a mental impairment that causes a chronic and substantial inability to understand the nature and consequences of decisions about the care of your child(ren). Because of the incapacity, you cannot care for your child(ren).

File this petition in the circuit or orphans' court in the county where your minor child(ren) lives or is physically present. Ask the proposed standby guardian(s) to complete the Prospective Guardian Information Sheet (CC-GN-023), and attach it to your petition. **The court will not appoint the standby guardian unless it finds that there is a significant risk that you will become mentally incapacitated or die within two years of filing this petition.**

I, \_\_\_\_\_, whose age is \_\_\_\_\_, whose date of birth is \_\_\_\_\_

Your name

Age

\_\_\_\_\_, whose address is \_\_\_\_\_

Date of birth

Address

\_\_\_\_\_, whose telephone number is \_\_\_\_\_,

Telephone number

and whose e-mail address (if available) is \_\_\_\_\_, ask the court

E-mail address

to appoint \_\_\_\_\_ as standby guardian(s) of

Name(s) of proposed standby guardian(s)

the person  the property  the person and property of:

Name(s) of Child(ren)

Date of Birth

Gender

Address

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

should I  become mentally incapacitated  die  become mentally incapacitated or die, whichever happens first.

**Joining party.** Complete this section if you are not the petitioner named above, you also have parental rights over the minor child(ren) listed above, and you want to join this petition for appointment of a standby guardian.

I, \_\_\_\_\_, whose age is \_\_\_\_\_, whose date of birth is \_\_\_\_\_,  
Name of joining parent Age  
\_\_\_\_\_, whose address is \_\_\_\_\_,  
Date of birth Address  
\_\_\_\_\_, whose telephone number is \_\_\_\_\_,  
Telephone number  
and whose e-mail address (if available) is \_\_\_\_\_, join this petition.  
E-mail address

I/We state that:

1. I am/We are the \_\_\_\_\_ of the minor child(ren) listed above.  
Your relationship to the minor child(ren)

2. Complete this section if it applies.

The minor child(ren) has/have the following siblings, for whom I am/we are NOT asking the court to appoint me as standby guardian:

<u>Name(s) of Child(ren)</u>	<u>Date of Birth</u>	<u>Address</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Complete this section if it applies.

\_\_\_\_\_, who is/are  
Name(s) of minor child(ren)  
at least 14 years of age, expressed the following wishes regarding standby guardianship:

4. Complete this section if you are asking the court to appoint a standby guardian of the PERSON who would make non-financial decisions (e.g., housing, medical care, education, clothing, food, and everyday needs).

The proposed guardian of the person is \_\_\_\_\_,  
Name of proposed standby guardian of the person  
whose age is \_\_\_\_\_, whose date of birth is \_\_\_\_\_, whose address is \_\_\_\_\_,  
Age Date of birth Address  
\_\_\_\_\_, whose telephone number is \_\_\_\_\_,  
Telephone number  
\_\_\_\_\_ and whose e-mail address (if available) is \_\_\_\_\_.  
E-mail address

Their relationship to the minor child(ren) is \_\_\_\_\_, and  
Relationship to the child(ren)  
they (*select one*):

have not been convicted of or charged with a crime listed in Code, Estates & Trusts Article, § 11-114, and no charge for such a crime is currently pending against them.

*For a listing of crimes in § 11-114 see page 4 of form CC-GNIN-001  
(<https://mdcourts.gov/sites/default/files/court-forms/family/forms/ccgnin001.pdf/ccgnin001.pdf>)*

were convicted of a crime listed in Md. Code, Estates & Trusts Article, § 11-114, namely (select all that apply):

- \_\_\_\_\_, a felony, in \_\_\_\_\_ in the \_\_\_\_\_.  
Name(s) of felony Year Name of court
- \_\_\_\_\_, a crime of violence defined in  
Name(s) of crime of violence  
§ 14-101 of the Criminal Law Article, in \_\_\_\_\_ in the \_\_\_\_\_.  
Year Name of court
- assault in the second degree, in \_\_\_\_\_ in the \_\_\_\_\_.  
Year Name of court
- \_\_\_\_\_, a sexual offense in the third or fourth  
Type(s) of sexual offense  
degree, in \_\_\_\_\_ in the \_\_\_\_\_.  
Year Name of court

The following good cause exists for the court to appoint them as standby guardian:

were charged with a crime listed in Md. Code, Estates & Trusts Article, § 11-114, namely (select all that apply):

- \_\_\_\_\_ a felony, in \_\_\_\_\_, in \_\_\_\_\_.  
Name(s) of felony Year City/State  
This charge  is  is not still pending.
- \_\_\_\_\_, a crime of violence defined in § 14-101 of the  
Name(s) of crime of violence  
Criminal Law Article, in \_\_\_\_\_, in \_\_\_\_\_.  
Year City/State  
This charge  is  is not still pending.
- assault in the second degree, in \_\_\_\_\_, in \_\_\_\_\_.  
Year City/State  
This charge  is  is not still pending.
- \_\_\_\_\_ a sexual offense in the third or fourth degree, in \_\_\_\_\_,  
Type(s) of sexual offense Year  
in \_\_\_\_\_. This charge  is  is not still pending.  
City/State

The following good cause exists for the court to appoint them as standby guardian:

I/We ask the court to grant the proposed standby guardian of the person the authority to (*check all that apply*):

- provide for the child(ren)'s physical and mental well-being, including food and shelter.
- make educational decisions and take educational actions on behalf of the child(ren), including enrolling them in school, picking them up from school, making special education decisions, and obtaining educational records.
- make medical treatment decisions for the child(ren), including determining and consenting to medical, psychological, and dental treatment, obtaining information and medical and hospital records, authorizing hospital admissions and discharges, and consulting with health care providers.
- make domestic and international travel arrangements for the child(ren), accompany the child(ren) on trips, and make related arrangements including hotel and other accommodations.
- receive and use public benefits and child support payable on behalf of the minor child(ren).
- take any other action required for the child(ren) as I/we might or could take in the best interest of the child(ren).

Special instructions or limitations (if any):

5. Complete this section if you are asking the court to appoint a standby guardian of the PROPERTY who would make financial decisions (e.g., paying for the child(ren)'s personal needs, applying for benefits, paying taxes).

The proposed guardian of the property is \_\_\_\_\_,  
Name of proposed standby guardian of the property

whose age is \_\_\_\_\_, and date of birth is \_\_\_\_\_, whose address is \_\_\_\_\_,  
Age Date of birth Address

\_\_\_\_\_ , whose telephone number is \_\_\_\_\_,  
Telephone number

\_\_\_\_\_ , and whose e-mail address (if available) is \_\_\_\_\_.  
E-mail address

Their relationship to the minor child(ren) is \_\_\_\_\_,  
Relationship to the child(ren)

and they (*select one*):

- have not been convicted of or charged with a crime listed in Code, Estates & Trusts Article, § 11-114, and no charge for such a crime is currently pending against them.
- were convicted of a crime listed in Md. Code, Estates & Trusts Article, § 11-114, namely (*select all that apply*):
  - \_\_\_\_\_, a felony, in \_\_\_\_\_ in the \_\_\_\_\_.  
Name(s) of felony Year Name of court
  - \_\_\_\_\_, a crime of violence defined in § 14-101 of the  
Name(s) of crime of violence  
Criminal Law Article, in \_\_\_\_\_ in the \_\_\_\_\_.  
Year Name of court
  - assault in the second degree, in \_\_\_\_\_ in the \_\_\_\_\_.  
Year Name of court
  - \_\_\_\_\_ a sexual offense in the third or fourth degree, in \_\_\_\_\_  
Type(s) of sexual offense Year  
in the \_\_\_\_\_.  
Name of court

The following good cause exists for the court to appoint them as standby guardian:

were charged with a crime listed in Md. Code, Estates & Trusts Article, § 11-114, namely (select all that apply):

\_\_\_\_\_, a felony, in \_\_\_\_\_, in \_\_\_\_\_.

Name(s) of felony Year City/State  
This charge  is  is not still pending.

\_\_\_\_\_, a crime of violence defined in § 14-101 of the  
Name(s) of crime of violence  
Criminal Law Article, in \_\_\_\_\_, in \_\_\_\_\_.

Year Name of court  
This charge  is  is not still pending.

assault in the second degree, in \_\_\_\_\_, in \_\_\_\_\_.

Year City/State  
This charge  is  is not still pending.

\_\_\_\_\_ a sexual offense in the third or fourth degree,  
Type(s) of sexual offense  
in \_\_\_\_\_, in \_\_\_\_\_. This charge  is  is not still pending.  
Year City/State

The following good cause exists for the court to appoint them as standby guardian:

I/We ask the court to grant the proposed standby guardian of the property the authority to (check all that apply):

- apply funds from the guardianship estate for the minor child(ren)'s clothing, support, care, protection, welfare, and education.
- apply for, receive, and use public benefits and child support payable on behalf of the minor child(ren).

Special instructions or limitations (if any):

The following is all property in which the minor child(ren) has interest, including an absolute interest, a joint interest, or an interest less than absolute (attach additional sheets if needed).

<u>Property</u>	<u>Location</u>	<u>Value</u>	<u>Sole owner, joint owner (specific type), life tenant, trustee, custodian agent, etc.</u>
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

6. Appointment of the proposed standby guardian(s) is in the best interest of the minor because:

7. There is a significant risk that \_\_\_\_\_ Name of parent  
will become incapacitated or die within two years of filing this petition. Explain:

8. Complete this section if another person has parental rights over the minor child(ren) (e.g., a biological parent or legal guardian) but does not join this petition.

9. (Select one):

Another person has parental rights over the minor child(ren), but their identity is unknown.

The following efforts were made to identify and locate them:

\_\_\_\_\_ has parental rights over the minor child(ren). Their relationship to the minor child(ren) is \_\_\_\_\_ Relationship

is \_\_\_\_\_ Address

is unknown and the following efforts were made to locate them (select all that apply):

- contacted last known place of employment.
- called the last known phone number.
- emailed the last know email address.
- searched the internet and social media sites.
- contacted their family members or friends.

other (describe):

Their reasons for not joining this petition are  not known  as follows (if known):

10. (Select one):

- I am able to appear in court for the hearing on this petition.
- I am unable to appear in court for the hearing on this petition because:

11. Complete this section if it applies.

I/We believe that notice to the minor child(ren) is unnecessary or not in the best interest of the minor child(ren) for the following reasons:

**FOR THESE REASONS, I/we ask the court to:**

1. Complete this section if it applies. Appoint \_\_\_\_\_  

Name of proposed guardian of the person

as standby guardian of the person of \_\_\_\_\_  

Name(s) of minor child(ren)
2. Complete this section if it applies. Appoint \_\_\_\_\_  

Name of proposed guardian of the property

as standby guardian of the property of \_\_\_\_\_  

Name(s) of minor child(ren)
3. Complete this section if it applies. Appoint \_\_\_\_\_  

Name of proposed guardian of the property

as standby guardian of the person and property of \_\_\_\_\_  

Name(s) of minor child(ren)
4. Issue an order requiring interested persons and any other persons directed by the court to show cause why my/our request should not be granted.
5. Grant any other and further relief as may be required.

I/We solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.

Date	Signature
Street Address	Printed Name
City, State, Zip	Telephone Number
E-mail	Fax