

MINOR TEMPORARY GUARDIANSHIPS

Someone will need to file a Petition seeking to be appointed the guardian. This petition can be found online at www.gaprobate.org, form number 28. This person must be someone other than a parent. This person must have actual physical custody of the child. If they do not have the child living with them, then the petition can not be filed. The petitioner/guardian must live here in Lumpkin County. If the guardian does not live here in Lumpkin County, then the Petition should be filed in the county/state in which they live.

If there is more than one child, the same Petition can be used if all children have the same parents. If they only have one common parent, then a separate petition should be used.

All Petitioners will be required to complete a Criminal Background Check.

PLEASE NOTE THAT:

- The Petitioner is the one seeking guardianship of the child.
- We will need a certified copy of the child's birth certificate.
- The names of the mother and father should be listed, regardless of the fact that they have had their rights terminated, they don't see the child, never been a part of the child's life, etc.
- If one or both of the parents are going to sign, they must sign page 5, print their address and telephone number, and have it notarized.
 - By signing this relinquishment, the parents are relinquishing all of their parental rights to the Guardian. In order to have their rights reinstated, they must file a Petition to Terminate the Temporary Guardianship. Once this Petition is filed, if the Guardian is in agreement, then the Guardianship will be terminated upon all parties signing the Petition to Terminate. If the Guardian is not in agreement, then the case will be transferred to Juvenile Court and scheduled for a hearing, to determine the best place for the child.
- If either or both parents do not sign, they must be served.
 - If they have a known address in the State of Georgia, they will be served by Sheriff's Service. We will need their physical address. Once they are served, they will have ten days to file an objection.
 - If they have a known address in another State, they will be served by Certified Mail/Return Receipt. We will need their mailing address. They will have 14 days from the date the notice is mailed to file an objection.
 - If their address is unknown, they will be served by publication. We will need to know only their name. The Citation will be published two weeks in The Dahlonega Nugget.
 - If any objections are filed, then this case is closed, as Probate Court cannot hear contested custody matters.

COSTS

Filing Fees

\$145.00 payable to Probate Court

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| If Sheriff's Service is required | \$50, per person, payable to that County's Sheriff's Office |
| If Publication Service is required | \$60 payable to The Dahlonega Nugget |