

Request to Terminate a Guardianship

Step 1	<p>Complete the following forms in blue or black ink:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> GC-020 Notice of Hearing <input checked="" type="checkbox"/> GC-255 Petition for Termination of Guardianship <input checked="" type="checkbox"/> GC-260 Order Terminating Guardianship <input checked="" type="checkbox"/> FL-105 Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) <input checked="" type="checkbox"/> Attachment PB-4005 Referral for Court Investigator & Questionnaire – Guardianship <input checked="" type="checkbox"/> Attachment PB-4014 Authorization for Release of Information
Step 2	<p>Copies: Make 2 copies, in addition to the original.</p>
<p>Step 3</p> <p style="font-size: small;">If you are the parent, there is no filing fee.</p>	<p>File: Turn in the original and copies of forms at the Probate Clerk’s Office, 191 North First Street, San Jose, CA 95113</p> <p>The Clerk’s Office opens at 8:30am Monday-Friday, closing times are subject to change, visit www.scscourt.org or call 408-882-2100 for current office hours.</p> <p>Filing is FREE If you are the child(ren)’s parent.</p> <p>If you are NOT the child(ren)’s parent, there is a filing fee. If you cannot afford the filing fee, fill out the fee waiver forms FW-001-GC and FW-003-GC.</p> <p>Your forms will be file-stamped, you will be given a court hearing date and your copies will be returned to you. If you submit a fee waiver, you may have to return later to pick up your forms.</p>
Step 4	<p>Serve: After the filed copies are returned to you, make enough copies to have an adult, not you, mail a filed copy of following forms to every person who must be served:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> 1 Filed copy of (GC-255) Petition of Termination of Guardianship) <input checked="" type="checkbox"/> 1 Filed copy of (GC-020) Notice of Hearing <p>The law says you must serve the following people by mail:</p> <ul style="list-style-type: none"> ■ all grandparents ■ the current guardian ■ mother ■ the child if s/he is 12 or older ■ father ■ any of the child(ren)’s brothers or sisters who are 12 or older. <p>After papers are mailed, the server (person who mailed the forms) must complete the <i>Proof of Service by Mail</i> on page 2 of your copy of the <i>Notice of Hearing</i>. Service must be completed at least 15 days before the hearing.</p> <p>Make a copy of <i>Proof of Service by Mail</i> (on page 2 of the <i>Notice of Hearing</i>) and file it with the court at least 5 days before the court hearing. There is no fee to file this form. Keep a copy for yourself.</p>
Step 5	<p>When you come to court:</p> <p>Bring a copy of all the papers in your case and any papers which help to prove the information in your Petition. If you have any witnesses, they should also be present.</p>

HOW CAN I GET HELP?

Here are some ways to get help:

- Go to <http://www.calbar.ca.gov/Public>, then click on “Lawyer Referral services” to hire or consult with a private attorney.
- For free legal advice and information, see our “Do-It-Yourself Resources” flyer. Go to www.scscourt.org, click on “Self-Help” then “Self-Help Flyers”.
- The Self-Help Center/Family Law Facilitator – See our information flyer:
 - Contact us: Go to www.scscourt.org then click “**Contact the Self-Help Center**”. Walk-in assistance is limited to emergencies so contact us remotely first.
 - Obtain Forms: Go to www.scscourt.org then click “**Complete Forms at Home**”
 - Form Review: Email your forms as a PDF file to SHCDocReview@scscourt.org.
 - Note: We **cannot** help people who have attorneys.

Superior Court, County of Santa Clara
Self-Help Center/Family Law Facilitator's Office
201 N. First Street, San Jose, CA 95113
408-882-2926