

IN THE CHANCERY COURT OF _____ COUNTY, MISSISSIPPI
_____ JUDICIAL DISTRICT

IN THE MATTER OF THE _____ CAUSE NO. _____
GUARDIANSHIP OF _____
_____, A MINOR
BY PETITIONER(S) _____

ORDER FOR APPOINTMENT OF GUARDIAN(S) OF A MINOR
UNDER § 93-20-202

THE COURT, having considered the sworn Petition for Appointment of Guardian(s) of a Minor Under § 93-20-202, filed by Petitioner _____, and the testimony and other evidence presented at a hearing on said Petition,

THE COURT FINDS:

- A. Petitioner(s) is/are entitled to file the Petition under § 93-20-202;
- B. Petitioner(s) has/have given Notice of Hearing to all interested parties as required by law except those interested parties who signed a Waiver of Notice of Hearing and any and all Waivers have been filed with this Court;
- C. Venue is proper in this county;
- D. The above captioned person is a minor born on _____.
- E. The Court is satisfied that the appointment is in the minor's best interest, and each parent of the minor, after being fully informed of the nature and consequences of guardianship, consents;
- F. Petitioner(s) _____
is/are qualified to serve as the Guardian for the minor.

IT IS ORDERED AND ADJUDGED:

1. APPOINTMENT OF GUARDIAN(S):

The Court appoints _____ as Guardian(s) of the minor captioned above, subject to the following duties and limitations pursuant to §§ 93-20-206 and 93-20-209:

- A. Duties of the Guardian(s): Pursuant to § 93-20-208, the Guardian(s) has/have the duties and responsibilities of a parent regarding the minor's support, care, education, health, safety, and welfare. A guardian must act in the minor's best interest and exercise reasonable care, diligence and prudence.

Specifically, a guardian for a minor must:

- 1. Become personally acquainted with the minor and maintain sufficient contact with the minor to know and report to the court the minor's abilities, limitations, needs, opportunities, and physical and mental health;
- 2. Take reasonable care of the minor's personal effects and bring a proceeding for a conservatorship if necessary to protect other property of the minor;

3. Expend funds of the minor that have been received by the guardian for the minor's current needs for support, care, education, health, safety, and welfare;
4. Conserve any funds of the minor not expended for the minor's future needs, but if a conservator is appointed for the minor, pay the funds as directed by the court to the conservator to be conserved for the minor's future needs;
5. Report the condition of the minor and account for funds and other property of the minor in the guardian's possession or subject to the guardian's control, as required by court rule or ordered by the court on application of a person interested in the minor's welfare;
6. Inform the court of any change in the minor's dwelling or address; and
7. In determining what is in the minor's best interest, take into account the minor's preferences to the extent actually known or reasonably ascertainable by the guardian.

B. Limitations:

The Guardian is empowered with the powers enumerated in § 93-20-209, with the following exception(s):

Apply for and receive funds up to the amount set forth in § 93-20-431 (\$25,000.00) and benefits otherwise payable for the support of the minor to the minor's parent, guardian, or custodian under a statutory system of benefits or insurance or any private contract, devise, trust, conservatorship, or custodianship. (A mark in this box means that the Guardian must immediately report any income by the minor from any source to the Court and may not dispose, disburse, or spend said funds without further Court Order.)

Other exception: _____

2. BOND: No bond shall be required of the guardian(s) until further Court Order.

3. ACCEPTANCE OF APPOINTMENT: The petitioner(s) accept his/her appointment upon his/her taking of the Oath as prescribed by law and the Court's entrance of this Order. The Clerk of the Court shall issue Letters of Guardianship to the Guardian(s) as directed herein, to include any limitations as set forth. The Guardian(s) shall file a customary Certificate of Fiduciary in accordance with § 93-20-108, but is permitted to omit the averment of having discussed the duties and responsibilities of his/her office as fiduciary, but shall instead aver that he/she has read and reviewed said duties and responsibilities.

4. ANNUAL REPORT OF GUARDIAN(S): The Guardian(s) shall report every _____ years/months to the Court on the status of the minor and need to continue the appointment, as required by § 93-20-208(2)(e).

5. RIGHTS RETAINED BY NATURAL PARENTS:

6. Each parent of the minor is entitled to, and the Guardian(s) shall provide, notice that:

- (a) The location of the minor's residency has changed;
- (b) The Court has modified or limited the powers of the guardian(s); or
- (c) The Court has removed the guardian(s).

7. OTHER ORDERS OF THE COURT: _____

SO ORDERED AND ADJUDGED, in open Court, this the _____ day of 20____.

CHANCELLOR
Chancery Court of _____ County,
Mississippi