**DETERMINATION BY COURT THAT A PERSON MAY ACT AS GUARDIAN OR APPOINTMENT OF GUARDIAN AD LITEM**

Supplement 1

INSTRUCTIONS

1. Specific Instructions
2. This form is to be used when the Court determines, in accordance with O.C.G.A.
§ 53-11-2 (a) or O.C.G.A. § 29-9-2 (b), that for the purpose of a particular proceeding, the natural guardian, if any, or the testamentary guardian, if any, or the duly constituted conservator, if any, or the duly constituted guardian, if any, has no conflict of interest and thus may serve as guardian for purposes of the proceeding for a party who is not sui juris, who is unborn, or who is unknown.
3. This form may also be used whenever a Georgia Probate Court Standard Form does not contain a section concerning the appointment of a guardian ad litem, but the appointment of a guardian ad litem (or a determination by the Court that a person may act as guardian) is necessary.

Note: More than one guardian ad litem will be appointed, if necessary to represent parties who are not sui juris and who may have adverse interests.

1. General Instructions

General instructions applicable to all Georgia Probate Court Standard Forms are available in each Probate Court or at www.gaprobate.gov, labeled GPCSF 1.

**IN THE PROBATE COURT OF BIBB COUNTY**

**STATE OF GEORGIA**

**IN RE: ESTATE OF )**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, ) ESTATE NO. \_\_\_\_\_\_\_\_\_\_\_\_\_**

**DECEASED/MINOR/ADULT WARD/ )**

**ALLEGED INCAPACITATED ADULT )**

**ORDER TO APPOINT GUARDIAN AD LITEM**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*[Name of Petition]*

The Court hereby finds that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, who is (an adult ward) (a minor) (unborn) (unknown) (an alleged incapacitated adult), is in need of representation by a guardian ad litem

*[Initial if applicable]*

\_\_\_\_\_\_\_ This Court hereby determines that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, as (natural guardian) (testamentary guardian) (conservator) (guardian) has no conflict of interest.

THEREFORE, IT IS HEREBY ORDERED that

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

*Name Address Telephone Number*

is appointed as guardian ad litem for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, for the purpose of this proceeding and that said guardian ad litem be duly served with a copy of the above-referenced Petition, Order for Service of Notice, Notice and notice of this appointment, and that upon said guardian ad litem’s acceptance of same, said guardian ad litem shall

*[Initial all that apply]*

 \_\_\_\_\_\_ (a) Attend the hearing and make answer hereto (and) (or)

 \_\_\_\_\_\_ (b) File a written report with the Court.

This appointment is limited to this proceeding only, and it shall cease when a final order is entered on this Petition.

 SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.

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

 Sarah S. Harris Probate Judge

**IN THE PROBATE COURT OF BIBB COUNTY**

**STATE OF GEORGIA**

**IN RE: ESTATE OF )**

 **)**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, ) ESTATE NO. \_\_\_\_\_\_\_\_\_\_\_\_\_**

**DECEASED/MINOR/ADULT WARD/ )**

**ALLEGED INCAPACITATED ADULT )**

**ACCEPTANCE AND ACKNOWLEDGMENT OF SERVICE OF**

**GUARDIAN AD LITEM AS TO PETITION**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*[Name of Petition]*

I hereby accept the foregoing appointment and acknowledge service and notice of the proceedings as provided by law.

This **\_\_\_\_\_\_\_** day of **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**, 20**\_\_\_\_**.

Signature of Guardian Ad Litem (GAL): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Typed/printed name of GAL: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

Telephone Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sworn to and subscribed before me

this **\_\_\_\_\_** day of **\_\_\_\_\_\_\_\_\_\_\_\_\_**, 20**\_\_\_**.

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

NOTARY/CLERK OF PROBATE COURT

My Commission Expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**IN THE PROBATE COURT OF BIBB COUNTY**

**STATE OF GEORGIA**

**IN RE: ESTATE OF )**

 **)**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, ) ESTATE NO. \_\_\_\_\_\_\_\_\_\_\_\_\_**

**DECEASED/MINOR/ADULT WARD/ )**

**ALLEGED INCAPACITATED ADULT )**

**ANSWER OF GUARDIAN AD LITEM**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*[Name of Petition]*

Now comes the guardian ad litem for **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**, in the referenced case and answers as follows:

This **\_\_\_\_\_\_\_** day of **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**, 20**\_\_\_\_**.

Signature of Guardian Ad Litem (GAL): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Typed/printed name of GAL: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

Telephone Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sworn to and subscribed before me

this **\_\_\_\_\_** day of **\_\_\_\_\_\_\_\_\_\_\_\_\_**, 20**\_\_\_**.

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

NOTARY/CLERK OF PROBATE COURT

My Commission Expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_