

**\*\*\* INSTRUCTIONS \*\*\***  
**PLEASE read the following instructions,**  
**by not providing the required information,**  
**your hearing may be denied or the hearing date postponed.**

## **Petition for Appointment of Guardian of Minor(s)** **Presented by pro se Petitioner(s)**

### **Completing the Petition:**

- ❑ An example of the Petition is located on our website [www.eriecountygov.org](http://www.eriecountygov.org). At the home page click on "Register of Wills" under "Other Records" and then click on "forms". You can then print and fill out the Petition and provide ALL requested information. You may include additional information to meet your needs and circumstances. It is important you include all information and forms as requested within said petition. If you have any legal questions, you will need to consult an attorney.
- ❑ Sign and date the Petition in ALL applicable places. You will need to provide complete addresses for the biological/adoptive parents. Consents to the guardianship by the biological/adoptive parents must be signed and attached, if possible. Consent of Minor who is 14 years of age or older must also be signed and attached.

**\*\* PLEASE NOTE: YOUR CASE WILL NOT MOVE FORWARD WITHOUT BEING FILED AT THE REGISTER OF WILLS \*\***

### **Motion Court & obtaining a Hearing Date:**

- ❑ You must present the Petition in Motion Court in front of the Orphans' Court Motion Judge in order to obtain a signed Rule to Show Cause Order.
- ❑ Motion Court is held Monday through Thursday *promptly* at 9:00 a.m. Our office can advise which Judge has Motion Court that day. The Motion Court Judge will sign the Rule to Show Cause, which permits the scheduling of a hearing.
- ❑ Subsequently, take the original of the Petition along with three (3) copies to the Office of Court Administration (Room #205) in order to get a hearing date. You will need copies of the Petition to serve on all interested parties (including the minor(s) biological and/or adoptive parent(s) and/or current guardian(s)).
- ❑ Bring the fully completed Petition **including signed and completed Rule to Show Cause, along with copies** to the Register of Wills. You will pay the filing fee as follows: \$50.00 for the Petition (\$10.00 per additional child), \$35.50 JCP fee and \$5.00 Automation fee.

**Service of the Petition & Rule to Show Cause:**

- ❑ You **must** serve the Petition for Guardianship and Rule to Show Cause scheduling the hearing date on all interested parties (including the minor(s) biological and/or adoptive parent(s) and/or current guardian(s)).
- ❑ Proof of Service and/or Acceptance of Service of the Petition and Rule to Show Cause **must** be filed **prior** to the hearing and a copy presented to the Judge at the time of the hearing. (See attached Certificate of Service)

**Guardianship Hearing:**

- ❑ Please arrive on time for your scheduled hearing.
- ❑ **The minor(s) must be present at the hearing.**
- ❑ If the guardianship is granted at the guardianship hearing, you will need either a certified copy of that order (\$1.25 each) or a Guardianship certificate (\$5.00 each) that confirms you are the guardian of that child(ren).

**Important:**

**Failure to comply with these instructions may result in the guardianship being denied and/or the hearing rescheduled.**

IN RE: \_\_\_\_\_ : IN THE COURT OF COMMON PLEAS  
: OF ERIE COUNTY, PENNSYLVANIA  
: \_\_\_\_\_ : ORPHANS' COURT DIVISION  
: \_\_\_\_\_, Minor(s) : No. \_\_\_\_\_

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the Petition for Guardianship and Rule to Show Cause scheduling the guardianship hearing were served on the following individuals *(name and address where served)* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and in the following manner *(describe manner of service and attach any proof of service)*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Respectfully submitted,

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Petitioner)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Petitioner)