

Minor Guardianship Preparedness Checklist

Guidance for Petitioning for Guardianship of a Minor in Florida

Guardianship of a minor may be necessary when a child’s parents are unable or unavailable to provide proper care due to death, incapacity, abandonment, or other serious concerns. This checklist will help you gather what you need to petition the court and ensure the child is protected and cared for.

STEP ONE

Understand When Guardianship Is Needed

- ☐ A parent is deceased, missing, or incapacitated and unable to care for the child.
- ☐ There is abuse, neglect, or abandonment involved.
- ☐ The parent agrees to transfer custody or is deemed unfit by the court.

STEP TWO

Gather Documentation

- ☐ Child’s birth certificate and Social Security card.
- ☐ Death certificate or documentation of parental incapacity (if applicable).
- ☐ Any custody agreements, court orders, or prior legal documents.
- ☐ Letters of support from family, teachers, or professionals familiar with the child’s needs.

STEP THREE

File the Petition with the Court

- ☐ Work with an attorney to file a Petition for Appointment of Guardian of a Minor.
- ☐ You may also need to file additional documents including consent forms or notices to other interested parties.
- ☐ A background check and home study may be required depending on the case.

STEP FOUR

Prepare for the Court Hearing

- ☐ Be ready to explain why guardianship is in the best interest of the child.
- ☐ Bring documentation and witnesses who can support your case.
- ☐ Understand the difference between guardianship of the person and of the property if both are involved.

STEP FIVE

Know Your Responsibilities as Guardian

- ☐ You will be responsible for the child’s health, education, housing, and overall well-being.
- ☐ Annual reports to the court may be required, especially if managing the child’s finances.
- ☐ Guardianship can last until the child turns 18, unless otherwise modified by the court.