

Instructions for Petition to Withdraw Funds

NOTICE: If your circumstance is complicated or you are uncertain that the forms meet your needs, seek legal advice. For assistance in finding an attorney, you may visit the Pima County Law Library's Legal Resource page.

Be advised that it is the rare circumstance in which the court will approve any expenditure of funds of a minor for the general living expenses of a family. It is the duty of parents to provide the necessities of life to their minor children. Expenditure of funds of a minor must be directly linked to a clear benefit for the minor.

Forms:

To petition the Court to allow you to withdraw funds from a minor's conservatorship account, you will need the following documents:

- a. Petition to Withdraw Funds
- b. Order Authorizing Withdrawal of Funds of Minor along with a 9"x12" manila envelope with a Confidential Filing Label affixed to it
- c. Financial Affidavit of Parent and Conservator Requesting Withdrawal of Funds (needed only when the conservator is a parent of the minor)
- d. Notice of Hearing
- e. Receipt for Expenditure

Procedure:

1. If you choose to print a blank form and write answers, be sure to write legibly using an ink pen. Fill in all spaces. If a space does not apply, write "N/A" in the space for the answer.
2. The form is designed for the simple case where no notice is necessary. If notice to others is necessary (for example, to the other parent or to the minor if over 14 years old), you must provide that party a copy of the Petition and completed Notice of Hearing (after the Court sets a hearing date) and then you must file a Proof of Notice with the Clerk of the Court before the hearing.
3. Complete the Petition to Withdraw Funds and a Notice of Hearing.
4. If you are a parent asking for withdrawal of your child's funds, complete the Financial Affidavit of Parent and Conservator Requesting Withdrawal of Funds.
5. Prepare an Order Authorizing Withdrawal of Funds of Minor to submit with the Petition. Because bank account numbers are confidential, the Order must be submitted with a 9"x12" manila envelope with a completed Confidential Filing Label affixed to it.

6. Mail the completed forms plus one copy, along with one manila envelope for the Order, to:

Attn: Probate Division
Clerk of Superior Court
110 W. Congress
Tucson, Arizona 85701

You may also deliver the documents in person to the Clerk at the above address. If you want the Court to send the Notice of Hearing back to you once a hearing is set, include one self-addressed, stamped envelope.

7. The Clerk charges a fee for certain filings. The Clerk's web site, <http://www.cosc.co.pima.az.us/>, provides fee information, phone and e-mail contacts for your convenience. Fees are subject to change. Check with the Clerk's office to verify actual fee amounts.
8. Appear at the hearing at the time and date set by the Court.
9. After you receive the funds and use them for the authorized purpose, file a Receipt for Expenditure with the Clerk of the Court and provide a copy for the Judge or Commissioner.