

# Proposed Guardian's Affidavit Pursuant to A.R.S. §14-5106



## Packet # 6



These forms must not be used to engage in the unauthorized practice of law. The court is not responsible for (1) actions taken by the users of these forms or (2) the users' reliance upon the instructions or information provided.

# General Instructions for Completing this Packet



You may use fillable forms available online at: <http://www.azcourts.gov/selfservicecenter/Self-Service-Forms/Filing-for-Minor-Guardianship> or print the attached form and complete by hand. If you are filling out this form by hand, please use ink.

This packet contains the following form that must be filled out and submitted to the Court:

- **Proposed Guardian’s Affidavit Pursuant to A.R.S. §14-5106**

## Caption

**Personal information** – Fill in your name, street address, city, state, ZIP code, telephone number.

**Case No.** – Leave this blank. The clerk will fill in this information for you when you file your Affidavit.

**Matter of the Guardianship of** – Enter the name of the minor.

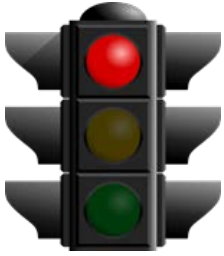
Next you will need to fill in your name as the proposed appointee. When you enter your name here, understand that all of your answers for the following eleven statements must be accurate and honest.

Under number 1 (a) and (b), fill in your answer to both these questions.

## True and False Statements:

Read each statement carefully. Take your time and clearly check either TRUE or FALSE for statements 2-11.

**If you mark any of the true/false statements as false, you must attach a separate paper to this affidavit and explain why that statement is false.**



**DO NOT SIGN** this form except in front of a Notary Public. When you file the petition with the Court, the clerk may act as a Notary and may notarize your paperwork for free. You must call the Clerk of the Court at **(520) 724-3200** ahead of time and ensure that a Notary will be available at the Courthouse. A Notary will require a valid, government-issued picture ID (such as a driver's license) so that they can verify your identity.

**The Notary Public will date the document and sign on their signature line. They will also fill out the line stating when their Commission Expires.**

Your Name: \_\_\_\_\_  
Your Address: \_\_\_\_\_  
Your City, State, ZIP: \_\_\_\_\_  
Your Telephone No: \_\_\_\_\_  
Representing Self, Without an Attorney

**IN THE SUPERIOR COURT OF ARIZONA, PIMA COUNTY**

In the Matter of the Guardianship of: \_\_\_\_\_ )  
\_\_\_\_\_ )  
\_\_\_\_\_ )  
\_\_\_\_\_ )  
\_\_\_\_\_ )  
\_\_\_\_\_ )  
\_\_\_\_\_ )  
Minor(s) \_\_\_\_\_ )

Case No. \_\_\_\_\_

**PROPOSED GUARDIAN'S AFFIDAVIT  
PURSUANT TO A.R.S. §14-5106**

\_\_\_\_\_  
Judge/Commissioner

STATE OF ARIZONA \_\_\_\_\_ )  
\_\_\_\_\_ ) ss.  
COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_, the proposed appointee, declare under penalty of perjury that each of the following statements is true, except for those marked F (false) and explained in an Exhibit attached to and incorporated into this statement:

1. a. The nature of my relationship to the proposed ward is:  
  
b. I met the proposed ward under the following circumstances:

(Mark True or False)

- | T                        | F                        |       |  |
|--------------------------|--------------------------|-------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 2.    | I have not been convicted of a felony in any jurisdiction.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 3.    | I have not acted as guardian or conservator for another person within three years of the filing of the petition in this matter.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 4.    | I have a working knowledge of the powers and duties imposed on a guardian and conservator.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 5.    | I have not acted in a fiduciary capacity pursuant to a power of attorney for anyone within three years of the filing of the petition in this matter.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. a. | I am not, to the best of my knowledge, listed in the Elder Abuse Registry at the Office of the Arizona Attorney General.   |
| <input type="checkbox"/> | <input type="checkbox"/> | b.    | To the best of my knowledge, no enterprise in which I have an interest is listed in the Elder Abuse Registry at the Offices of the Arizona Attorney General.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 7.    | Within three years of the filing of the petition in this case, I have not failed to file any report of guardian or conservatorship accounting later than three months following receipt of a notice of delinquency.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 8.    | I have never been removed as a guardian or conservator.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. a. | I have never received anything of value exceeding a total of one hundred dollars in any one year by gift, devise, or bequest from an individual or the estate of an individual to whom I was not related by blood or marriage and for whom I served at any time as guardian, conservator, trustee, or attorney-in-fact.                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | b.    | No enterprise in which I have an interest has ever received anything of value exceeding a total of one hundred dollars in any one year by gift, devise, or bequest from an individual or the estate of an individual to whom I am not related by blood or marriage and for whom I have ever served as guardian, conservator, trustee, or attorney-in-fact. |
| <input type="checkbox"/> | <input type="checkbox"/> | 10.a. | To the best of my knowledge, I am not named as a personal representative, trustee, devisee, or other type of beneficiary for any individual to whom I am not related by blood or marriage and for whom I have ever served as guardian, conservator, trustee, or attorney-in-fact.  |

- b. To the best of my knowledge, no enterprise in which I have an interest is named as a personal representative, trustee, devisee, or other type of beneficiary for any individual to whom I am not related by blood or marriage and for whom I have ever served as guardian, conservator, trustee, or attorney-in-fact.
11. I have no interest in any enterprise providing housing, health care, or comfort care services to any individual.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Proposed Guardian's Signature

SUBSCRIBED AND SWORN TO before me on \_\_\_\_\_

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

\_\_\_\_\_  
Notary Public/Deputy Clerk

**INSTRUCTIONS FOR  
PROPOSED GUARDIAN'S AFFIDAVIT PURSUANT TO A.R.S. §14-5106**

The following information must be provided in an Exhibit attached to your affidavit for any statement which you have marked F (false) beginning with item 2:

2. For each felony for which you have been convicted, list:
  - a. The nature of the offense.
  - b. The name and address of the sentencing court.
  - c. The case number.
  - d. The date of conviction.
  - e. The terms of the sentence.
  - f. The name and telephone number of any current probation or parole officer.
  - g. The reasons why the conviction should not disqualify you for appointment.
  
3. If you have acted as guardian or conservator within three years of this petition, list:
  - a. The number of individuals for whom you are currently serving.
  - b. The number of individuals for whom your appointment has been terminated within the three-year period.
  
4. If you do not have the required knowledge, explain how you intend to obtain this knowledge.
  
5. Give the number of persons for whom you have so acted. If you have acted in such capacity for the proposed ward or protected person, list:
  - a. The date of the execution of the power of attorney.
  - b. The place where it was executed.
  - c. The actions you have taken pursuant to the power of attorney.
  - d. Whether the power of attorney is currently in effect.
  
6. (a) Give the reason for such listing.  
(b) Give the name(s) of the enterprise(s) and the reason for such listing.
  
7. List the name and location of the court and the name and case number of the files in which you were delinquent.
  
8. List the name and location of the court, the name and case number of the files, and the circumstances of your removal.
  
9. (a) Give the number of occasions on which you have received such gifts.  
(b) Give the number of occasions on which the enterprise has received such gifts.
  
10. (a) Give the number of occasions on which you have been so named.  
(b) Give the number of occasions on which the enterprise has been so named.
  
11. List the name and address of each such enterprise and the extent of your interest.