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How to Complete Your Nomination of Guardian

Choosing Who Will Care for Your Minor Children (California Probate Code Sections 1500–1502)

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR NOMINATION OF GUARDIAN.

About this form. This form lets a parent name the person they want to raise their minor children (guardian of the **person**) and/or manage the children's property (guardian of the **estate**) if the parent dies or can no longer care for them. A California court still makes the final appointment, but it gives strong weight to a parent's written choice.

1. **Fill in the parent(s) and children**
   Use full legal names. If both parents are living and share custody, it is best for both to sign the same nomination.
2. **Name the guardian and an alternate**
   Choose people you trust and talk with them first. Mark whether each will care for the child (person), manage their money (estate), or both.
3. **Choose when it takes effect**
   Most parents choose upon death or incapacity. You may mark more than one.
4. **Add your wishes (optional)**
   You may describe what matters most to you for your children's upbringing. The court may consider these wishes.
5. **Sign in front of a notary**
   Each signing parent signs. Do **not** sign ahead of time. Bring a current government-issued photo ID. We come to your home or office. The guardian may also sign the acceptance section.
6. **Keep it with your estate plan**
   Store the original with your will or trust and give copies to the nominated guardian and a trusted family member.

Good to Know

- A will can also nominate a guardian. If you have a will, make sure the two documents name the same person.
- This form does not give anyone authority today. For short-term care while you are living, use a Caregiver's Authorization Affidavit or talk to an attorney.
- Review the nomination after major life events, such as a move, divorce, or the guardian's change in circumstances.

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SCAN TO BOOK

Questions about this document? Talk to an attorney. Gavrilov & Brooks Law Firm has attorneys licensed in California, Nevada, and other states. Phone and video consultations are available. **(916) 504-0529** · **www.gavrilovlaw.com**

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YOUR FORM BEGINS ON THE NEXT PAGE

NOMINATION OF GUARDIAN FOR MINOR CHILD(REN)

(California Probate Code Sections 1500–1502)

1. Parent(s) making this nomination:

_____ _____
(full name of parent) (address)

_____ _____
(full name of second parent, if also signing) (address)

2. Child(ren):

Full name of child	Date of birth

3. Nomination. Under California Probate Code Sections 1500 through 1502, I/we nominate the following person to serve as guardian of the ☐ person ☐ estate of the child(ren) named above:

_____ _____ _____
(full name of nominated guardian) (relationship to child) (address and phone)

If that person is unable or unwilling to serve, I/we nominate as **alternate guardian**:

_____ _____ _____
(full name of alternate guardian) (relationship to child) (address and phone)

4. When this nomination takes effect (mark all that apply):

- ☐ Upon the death of the nominating parent(s)
- ☐ Upon the legal incapacity of the nominating parent(s)
- ☐ Immediately upon signing

5. Consent of other parent. If both parents sign below, each parent nominates, and consents to the nomination of, the same guardian for the same child(ren).

6. Wishes for the child(ren)'s care (optional — for example, schooling, religion, keeping siblings together):

I/We understand that the court makes the final decision about appointing a guardian and will consider the best interests of the child(ren). I/We revoke any earlier nomination of a guardian for the same child(ren), except one made in a will signed after this nomination.

Parent

_____
(signature)

_____ _____
(printed name) (date)

Second Parent (if signing)

_____
(signature)

_____ _____
(printed name) (date)

Parent(s) sign in front of the notary public, who will complete the acknowledgment on the next page.

ACCEPTANCE BY NOMINATED GUARDIAN (optional): I agree to serve as guardian if appointed by the court.

_____ _____ _____
(signature of nominated guardian) (printed name) (date)

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CERTIFICATE OF ACKNOWLEDGMENT

Notary acknowledgment of the parent signature(s) on this Nomination of Guardian.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of _____)

On _____ before me, _____

(here insert name and title of the officer)

personally appeared _____

, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Seal)

Signature _____