

Request for Fee Waiver Filed [REDACTED]

Amount Recoverable \$ [REDACTED]

GC-210

| | | | | | |
|--|--|---------------------------|--|--|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: [REDACTED] FIRM NAME: [REDACTED] STREET ADDRESS: [REDACTED] CITY: [REDACTED] STATE: [REDACTED] ZIP CODE: [REDACTED] TELEPHONE NO.: [REDACTED] FAX NO.: [REDACTED] E-MAIL ADDRESS: [REDACTED] ATTORNEY FOR (name): [REDACTED] | | STATE BAR NO.: [REDACTED] | | FOR COURT USE ONLY Electronically FILED by Superior Court of California, County of Los Angeles [REDACTED] | |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N. Hill St. MAILING ADDRESS: 111 N. Hill St. CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Central - Stanley Mosk | | | | Assigned for all purposes to: [REDACTED] | |
| GUARDIANSHIP OF (name): [REDACTED] | | | | CASE NUMBER: [REDACTED] | |
| PETITION FOR APPOINTMENT OF GUARDIAN OF <input checked="" type="checkbox"/> MINOR* <input type="checkbox"/> MINORS* <input checked="" type="checkbox"/> Person** <input type="checkbox"/> Estate** | | | | HEARING DATE AND TIME: [REDACTED] DEPT.: [REDACTED] Hearing Information: [REDACTED] | |

1. Petitioner (name each):

[REDACTED] requests that

- a. (name): [REDACTED]
 (address): [REDACTED]
 (telephone): [REDACTED]
 be appointed guardian of the PERSON of the minor or minors named in item 2 and Letters issue upon qualification.
- b. (Not applicable to proposed wards 18 years of age and older.)
 (name): [REDACTED]
 (address): [REDACTED]
 (telephone): [REDACTED]
 be appointed guardian of the ESTATE of the minor or minors named in item 2 and Letters issue upon qualification.
- c. (1) bond not be required because the petition is for guardian of the person only because the proposed guardian is a corporate fiduciary or an exempt government agency for the reasons stated in Attachment 1c.
 (2) \$ [REDACTED] bond be fixed. It will be furnished by an authorized surety company or as otherwise provided by law. (Specify reasons in Attachment 1c if the amount is different from the minimum required by Prob. Code, § 8482.)
 (3) \$ [REDACTED] in deposits in a blocked account be allowed. Receipts will be filed. (Specify institution and location): [REDACTED]
- d. authorization be granted under Probate Code section 2590 to exercise the powers specified in Attachment 9.
- e. orders relating to the powers and duties of the proposed guardian of the person under Probate Code sections 2351–2358 be granted (specify orders, facts, and reasons in Attachment 1e).
- f. an order dispensing with notice to the persons named in Attachment 10 be granted.
- g. other orders be granted (specify in Attachment 1g).

2. Attached is a copy of Guardianship Petition—Child Information Attachment (form GC-210(CA)) for each minor for whom this petition requests the appointment of a guardian. The full legal name and date of birth of each minor is:

- a. Name: [REDACTED] Date of Birth (month/day/year): [REDACTED]
- b. Name: [REDACTED] Date of Birth (month/day/year): [REDACTED]
- c. Name: [REDACTED] Date of Birth (month/day/year): [REDACTED]
- d. Name: [REDACTED] Date of Birth (month/day/year): [REDACTED]

The names and dates of birth of additional minors are specified on Attachment 2 to this petition.

*Under section 1510.1(d) of the Probate Code, the terms child, minor, and ward include a youth 18 to 20 years of age.
**You MAY use this form or form GC-210(P) for a guardianship of the person. You MUST use this form for a guardianship of the estate or of the person and estate. Do NOT use this form for a temporary guardianship.

GUARDIANSHIP OF (name):

CASE NUMBER:

3. Petitioner is

- a. related to the minor or minors named in item 2, as shown in item 7 of each minor's attached form GC-210(CA).
 b. the minor named in item 2, who is 12 years of age or older.
 c. another person on behalf of minor or minors named in item 2, as shown in item 7 of each minor's attached form GC-210(CA).

4. The proposed guardian is (check all that apply):

- a. a nominee (affix a copy of nomination as Attachment 4a or file Nomination of Guardian (form GC-211, items 2 and 3) with this petition.
 b. related to the minor or minors named in item 2, as shown in item 3 of each minor's attached form GC-210(CA).
 c. other, as shown in item 3 of each minor's attached form GC-210(CA).
 d. a professional fiduciary within the meaning of the Professional Fiduciaries Act. The proposed guardian's license status is shown in item 1 on page 1 of the attached Professional Fiduciary Attachment. (Use form GC-210(A-PF)/GC-310(A-PF) for this attachment.)

5. Petitioner, with intent to adopt, has accepted or intends to accept physical care or custody of the minor.6. A person other than the proposed guardian has been nominated as the guardian of the minor by will other writing. A copy of the nomination is affixed as Attachment 6. (Specify name and address of nominee in item 2 of minor's attached form GC-210(CA).)7. Character and estimated value of property of the estate (complete if petition requests appointment of a guardian of the estate or the person and estate):

- a. Personal property: \$ _____
 b. Annual gross income from all sources, including real and personal property, wages, pensions, and public benefits: \$ _____
 c. Total: \$ _____
 d. Real property: \$ _____

8. Appointment of a guardian of the person estate of the minor or minors named in item 2 is necessary or convenient for the following reasons:

Minor Petitioner, [REDACTED] requests that the Court appoint her [REDACTED] as her legal guardian. The Court may appoint a guardian of the person when it appears necessary and convenient. See Prob. Code Section 1514. In appointing a guardian, the Court is governed by the best interest of the proposed ward. See *id.* The question of best interest is determined from the standpoint of the child. *Taber v. Taber* (1930) 209 Cal. 755, 756-57. Paramount to this determination is the "health, safety, and welfare of the child." See Fam. Code Section 3011(a); see also Fam. Code Section 3020 (a). [REDACTED] should be appointed guardian of [REDACTED] because such an order is in [REDACTED] best interest. [REDACTED] is deceased and her father is a gang member in [REDACTED] who spent years in prison and who has not seen [REDACTED] since she was around [REDACTED] years old. [REDACTED] cannot return to her country of origin [REDACTED] because her family fled after a gang threatened them and murdered [REDACTED]. [REDACTED] has been living with her [REDACTED] in the United States for the past five years, and feels comfortable and happy living with him. [REDACTED] has ensured that [REDACTED] has ample food, shelter, clothing, and medical care. A guardianship will promote [REDACTED] health, safety, and welfare and provide her with stability. A lack of guardianship could be devastating if [REDACTED] were to have an emergent need. [REDACTED] wants [REDACTED] to be her guardian and trusts him to make good decisions on her behalf. See attached declaration for further explanation.

- Continued in Attachment 8. Parental custody would be detrimental to the minor or minors named in item 2 (not applicable to proposed wards 18 years of age and older).

9. Granting the proposed guardian of the estate powers to be exercised independently under Probate Code section 2590 would be to the advantage and benefit and in the best interest of the guardianship estate. Reasons for this request and the powers requested are specified in Attachment 9.10. Notice to the persons named in Attachment 10 should be dispensed with under Probate Code section 1511 because

- they cannot with reasonable diligence be given notice (specify names and efforts to locate in Attachment 10).
 giving notice to them would be contrary to the interest of justice (specify names and reasons in Attachment 10).

| | |
|---------------------------------------|----------------------------|
| GUARDIANSHIP OF (name): [REDACTED] | CASE NUMBER: [REDACTED] |
|---------------------------------------|----------------------------|

11. (Complete this item if this petition is filed by a person who is not related to a minor named in item 2 and is not a petition for appointment of a guardian of the estate only.)
- a. Petitioner is the proposed guardian and will promptly furnish all information requested by any agency referred to in Probate Code section 1543.
 - b. Petitioner is not the proposed guardian. A statement by the proposed guardian that he or she will promptly furnish all information requested by any agency referred to in Probate Code section 1543 is affixed as Attachment 11b.
 - c. The proposed guardian's home is is not a licensed foster family home.
 - d. The proposed guardian has never filed a petition for adoption of the minor except as specified in Attachment 11d.

12. Attached to this petition is a *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form GC-120) concerning each child under 18 years of age listed in item 2 (*guardianship of the person or person and estate only*).

13. Filed with this petition are the following (*check all that apply*):
- Consent of Proposed Guardian* (form GC-211, item 1)
 - Nomination of Guardian* (form GC-211, items 2 and 3)
 - Consent to Appointment of Guardian and Waiver of Notice* (form GC-211, item 4)
 - Petition for Appointment of Temporary Guardian* (form GC-110)
 - Petition for Appointment of Temporary Guardian of the Person* (form GC-110(P))
 - Confidential Guardianship Screening Form* (form GC-212)
 - Petition for Special Immigrant Juvenile Findings* (form GC-220)

Other (*specify*):
GC-210(CA), Child Information Attachment: ICWA-010(A), Indian Child Inquiry Attachment;
Declaration of [REDACTED] in Support of Request to Waive Notice (Exh A)

14. All attachments to this form are incorporated by this reference as though placed here in this form. Number of pages attached: 10

Date: [REDACTED] _____
[REDACTED] (ATTORNEY*)

***(All petitioners and the proposed ward—if he or she is at least 18 years of age but not yet 21 and not a petitioner—must also sign.)**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: [REDACTED]

| | | |
|------------------------------------|---|---|
| [REDACTED] (TYPE OR PRINT NAME) | ▶ | [REDACTED] (OWNER) |
| [REDACTED] (TYPE OR PRINT NAME) | ▶ | [REDACTED] (SIGNATURE OF PETITIONER) |
| [REDACTED] (TYPE OR PRINT NAME) | ▶ | [REDACTED] (SIGNATURE OF PETITIONER) |

I consent to the appointment of the person named in item 1. a as guardian of my person and to his or her performance of the duties of a guardian on my behalf.

Date: [REDACTED]

| | | |
|------------------------------------|---|----------------------|
| [REDACTED] (TYPE OR PRINT NAME) | ▶ | [REDACTED] (WARD) |
|------------------------------------|---|----------------------|

| | |
|--|--------------|
| SHORT TITLE: Guardianship of [REDACTED] | CASE NUMBER: |
|--|--------------|

ATTACHMENT (Number): 10*(This Attachment may be used with any Judicial Council form.)*

Attachment to Form GC-210

Petitioner respectfully requests that the court dispense with notice to the following parties:

1. Mother: [REDACTED] deceased
2. Father: [REDACTED]; in the interest of justice
3. Paternal Grandmother: [REDACTED], in the interest of justice
4. Paternal Grandfather: [REDACTED] deceased

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 1 of 10*(Add pages as required)*

Guardianship of (all children's names): _____

This child's name: _____

Fill out a separate copy of this form for **each child** for whom your petition asks the court to appoint a guardian.

This form is attached to the Petition, form GC-210, item 2, or form GC-210(P), item 8.

The petition asks the court to appoint a guardian of this child's (specify): person estate person and estate.

1 Tell the court about this child

a. Child's full legal name: _____ Date of birth: _____
First Middle Last mm/dd/yyyy

b. Child's current address: _____

c. Indian child inquiry (Complete only if your petition asks the court to appoint a guardian of this child's person or person and estate. If your petition asks the court to appoint a guardian of this child's estate only, skip this item and go to item 1d.)

I have asked whether the child is or may be a member of one or more Indian tribes recognized by the federal government, or eligible for membership in such a tribe and the biological child of a tribal member, and whether the child or parents live or are domiciled on a reservation or rancheria or in an Alaskan Native village. Form ICWA-010(A), *Indian Child Inquiry Attachment*, is attached to this form.

I have not asked about the child's Indian heritage because the parents are unavailable or deceased.

(For more information about your duties under the federal Indian Child Welfare Act (ICWA) (25 U.S.C. §§ 1901–1963) and California law, including making the inquiry and completing form ICWA-010(A) if the child is or may be an Indian child, see Information Sheet on Indian Child Inquiry Attachment and Notice of Child Custody Proceeding for Indian Child (form ICWA-005-INFO).)

d. Is this child married? Yes No Never married If you checked "No," was this child married in the past but the marriage was dissolved or ended in divorce? Yes No
(The court cannot appoint a guardian of the person for a minor child who is married or whose marriage was dissolved or ended in divorce.)

e. Is this child receiving public benefits? Yes No I don't know (If you checked "Yes," fill in below.)

| Type of Aid | Monthly Benefit | Type of Aid | Monthly Benefit |
|--|-----------------|---|-----------------|
| <input type="checkbox"/> TANF (Temporary Asst. for Needy Families) | \$ | <input checked="" type="checkbox"/> Other (explain): Medi-Cal | \$ N/A |
| <input type="checkbox"/> Social Security | \$ | <input type="checkbox"/> Other (explain): | \$ |
| <input type="checkbox"/> Dept. Veterans Affairs Benefits | \$ | | |

f. Name and address of the person with legal custody of this child: Unknown if father has any custodial rights under _____ law. His name and address are as follows: _____

g. (Check this box and fill out below if the person the child lives with is **not** the person in f. with legal custody.)
Name and address of the person this child lives with (who takes care of the child): _____



Guardianship of (all children's names): _____

Case Number: _____

This child's name: _____

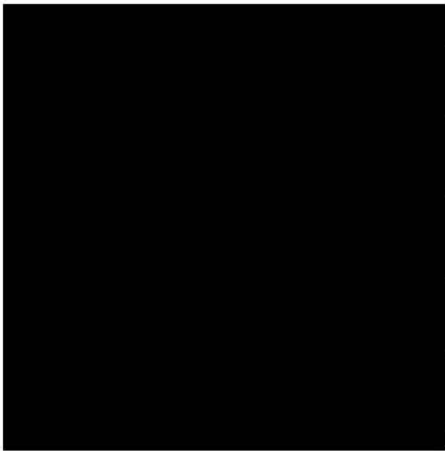


1 Tell the court about this child (continued)

h. (Check this box if this child has been involved in an adoption, juvenile court, marriage dissolution (divorce), domestic relations, child custody, or other similar court case.) Describe the court case below:

| Type of Case | Court District or County and State or Tribe | Case Number (if known) |
|--------------|---|------------------------|
| | | |
| | | |
| | | |

i. (Check this box if this child is in or on leave from an institution supervised by the California Department of Developmental Services or the California Department of State Hospitals.) Write the name of the institution here:

2 List the names and addresses of this child's relatives and all other persons shown below:

| Relationship | Name | Home Address (Street, City, State, Zip) |
|--|--|---|
| Mother |  | _____ |
| Father | | _____ |
| Grandmother (Mother's mother) | | _____ |
|  (Mother's father) | | _____ |
| Grandmother (Father's mother) | | _____ |
|  (Father's father) | | _____ |
| Sibling | _____ | _____ |
| Sibling | _____ | _____ |
| Sibling | _____ | _____ |
| Sibling | _____ | _____ |
| Sibling | _____ | _____ |
| Sibling | _____ | _____ |
| Sibling | _____ | _____ |

(Check here if this child has additional relatives, including parents, grandparents, siblings, or half-siblings, and list their names and addresses on a separate sheet of paper. Write "Form GC-210(CA)," the name of this child, and "Item 2: Other Relatives" at the top of the paper and attach it to this form.)



Guardianship of (all children's names): _____

Case Number: _____

This child's name: _____

2 List the names and addresses of this child's relatives and all other persons shown below:

| Relationship | Name | Home Address (Street, City, State, Zip) |
|---|------|---|
| Spouse <i>(Guardianship of the estate only)</i> | N/A | _____ |
| Person nominated as guardian of this child <i>(if someone other than a proposed guardian named in 3)</i> | N/A | _____ |
| Indian custodian <i>(if any)</i> | N/A | _____ |
| Child's tribe <i>(if any and if known)</i> | N/A | _____ |

(Check here if there is more than one tribe that the child may be eligible for membership in, and list the names and addresses on a separate sheet of paper. Write "Form GC-210(CA)," the name of the child, and "Attachment 2: Child's tribes" at the top of the paper and attach it to this form.)

3 Information about the proposed guardian:

a. Name (name all proposed guardians if more than one):

b. Relationship(s) to the child named in 1 (check all that apply):
 Relative (specify relationship(s) to the child of each proposed relative guardian):

 Not a relative (explain interest in or connection to this child): _____

c. Did the child's parent(s) nominate the proposed guardian(s)? Yes No I don't know
(If you checked "Yes," attach the written nomination as Attachment 3c.)

d. Does this child currently live with the proposed guardian(s)? Yes No I don't know
If "Yes," how long has the child lived with the proposed guardian(s)? (years, months) _____

e. If the court approves the guardianship, will this child live with the proposed guardian(s)? Yes No

f. Does/do the proposed guardian(s) currently plan to adopt this child? Yes No I don't know

4 Explain why appointing a guardian for the child named in 1 would be in the child's best interest:

In _____ gang kidnapped and murdered the _____ mother. Thereafter, _____ family continually received threats, causing them to flee their country of origin. _____ mother is deceased and her father, whom she has not spoken with for _____ is a member of a gang in _____ is currently _____ and needs someone to take care of her. _____ has been providing _____ with a safe and caring home for _____ for the last _____

(Check here if you need more space. Continue your explanation on a separate sheet of paper. Write "Form GC-210(CA)," the name of this child, and "Attachment 4: Guardianship—Best Interest of Child" at the top of the paper and attach it to this form.)



Guardianship of (all children's names): _____

Case Number: _____

This child's name: _____

5 Explain why appointing the person named in 3 to be this child's guardian would be in the child's best interest:

(Check here if you need more space. Continue your explanation on a separate sheet of paper. Write "Form GC-210(CA)," the name of this child, and "Attachment 5: Proposed Guardian—Best Interest of Child" at the top of the paper and attach it to this form.)

6 a. Does one or do both of this child's parents agree:

(1) That the court needs to appoint a guardian for the child?

Parent (name): _____ Yes No I don't know

Parent (name): _____ Yes No I don't know

(2) That the person named in 3 should be the child's guardian?

Parent (name): _____ Yes No I don't know

Parent (name): _____ Yes No I don't know

b. If the child is an Indian child and in the care and custody of an Indian custodian, does the Indian custodian agree:

(1) That the court needs to appoint a guardian for the child?

Custodian (name): _____ Yes No I don't know

(2) That the person named in 3 should be the child's guardian?

Custodian (name): _____ Yes No I don't know

7 Check this box if you (the petitioner) are not the person named in 3, and fill in below.

Your relationship to this child:

Relative (specify relationship): I am the proposed ward. _____

Not a relative (explain your interest in or connection to this child):

8 Except as otherwise stated in this form, the statements made in the petition to which this form is attached fully apply to this child.

| | |
|--------------------------|--------------------|
| CHILD'S NAME: [REDACTED] | CASE NUMBER: _____ |
|--------------------------|--------------------|

1. Name of child: [REDACTED]

2. (Check one)

I have not yet been able to complete the inquiry about the child's Indian status because:

I understand that I have an affirmative and continuing duty to complete this inquiry. I will do it as soon as possible and advise the court of my efforts.

I have asked or I am advised by _____ and on information and belief confirm that this person has completed inquiry by asking the child, the child's parents, and other required and available persons about the child's Indian status. The person(s) questioned are:

| | |
|--|--|
| Name: [REDACTED] Address: [REDACTED] City, state, zip: [REDACTED] Telephone: [REDACTED] Date questioned: [REDACTED] Relationship to child: [REDACTED] | Name: [REDACTED] Address: [REDACTED] City, state, zip: [REDACTED] Telephone: [REDACTED] Date questioned: [REDACTED] Relationship to child: [REDACTED] |
|--|--|

Additional persons questioned and their information is attached.

3. This inquiry (check one):

gave me reason to believe the child is or may be an Indian child. (If yes, continue to 4.)

gave me no reason to believe the child is or may be an Indian child.

4. I contacted the tribe(s) that the child may be affiliated with and worked with them to establish whether the child is a member or eligible for membership in the tribe(s). Information detailing the tribes contacted, the names of the individuals contacted, and the manner of the contacts is attached.

5. Based on inquiry and tribal contacts (check all that apply):

- a. The child is or may be a member of or eligible for membership in a tribe.
Name of tribe(s): _____
Location of tribe(s): _____
- b. The child's parents, grandparents, or great-grandparents are or were members of a tribe.
Name of tribe(s): _____
Location of tribe(s): _____
- c. The residence or domicile of the child, child's parents, or Indian custodian is on a reservation, rancheria, Alaska Native village or other tribal trust land.
- d. The child or the child's family has received services or benefits from a tribe or services that are available to Indians from tribes or the federal government, such as the Indian Health Service or Tribal Temporary Assistance to Needy Families (TANF).
- e. The child is or has been a ward of a tribal court.
Name of tribe(s): _____
Location of tribe(s): _____
- f. Either parent or the child possesses an Indian Identification card indicating membership or citizenship in an Indian tribe.
Name of tribe(s): _____
Location of tribe(s): _____

6. If this is a delinquency proceeding under Welfare and Institutions Code section 601 or 602:

The child is in foster care.

It is probable the child will be entering foster care.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

[REDACTED]

[REDACTED]

(SIGNATURE)

EXH

A



Pro Bono Attorney for Petitioner




SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
CENTRAL DISTRICT


In re Guardianship of the Person of:








A Minor.

)
) CASE NO.
)
) **DECLARATION OF** 
) **IN SUPPORT OF**
) **A REQUEST TO WAIVE NOTICE**
)
) **HEARING:**
) Date:
) Time:
) Dept.:
) Judge:
)

DECLARATION OF  **IN SUPPORT OF A**
REQUEST TO WAIVE NOTICE

I,  declare the following information to be true and correct to the best of my knowledge and abilities:

1. My name is  and I am the minor and petitioner in the Guardianship of  and Request for Special Immigrant Juvenile Status Findings. I respectfully ask the Judge to waive the requirement that I provide notice to my  and 
 because I fear that my life will be put in

danger if they receive such notice. I also ask the Judge to dispense with notice for my [REDACTED] and my [REDACTED] whose name I do not know, because both are deceased.

2. I am afraid to provide my [REDACTED] with notice because he is a member of a gang in [REDACTED]. My family told me he was involved in bad stuff and has been in prison for many years for his gang involvement. I have not seen my [REDACTED] since I was [REDACTED] [REDACTED] and I do not remember much about him. My [REDACTED] has not provided me with any financial support since I was [REDACTED] and I am not in contact with him or anyone on his side of the family.
3. I recently reached out to my [REDACTED] and she said that my [REDACTED] currently resides at the following address: [REDACTED]
[REDACTED] I do not have any contact with my [REDACTED] but I learned from my [REDACTED] that she is currently residing in [REDACTED] with my [REDACTED]. My family told me that my [REDACTED] died when my [REDACTED] was a child. I do not even know his name.
4. I fear that I would be put in danger if my [REDACTED] and by extension my [REDACTED] [REDACTED] received notice of my guardianship hearing or my request for special immigration juvenile status findings because that notice would contain my personal information, including my current address. I fear my [REDACTED] having access to my personal information that because I am not sure what he would do with it. I particularly do not feel safe providing my [REDACTED] with my current address. Because my [REDACTED] lives with my [REDACTED] I believe that she would inform my [REDACTED] of the petition if she received notice. Therefore, I do not feel comfortable nor safe with my [REDACTED] receiving notice either.
5. In [REDACTED] my [REDACTED] was kidnapped and murdered by a gang in [REDACTED]. [REDACTED] have a copy of her death certificate. After my [REDACTED] murder, my family received gang threats, including a text message saying that they wanted me. Due to these threats, my family and I fled [REDACTED]. I worry [REDACTED]

that if my information is given to my [REDACTED] who is a gang member, that a gang could stalk and kill me like they did to my [REDACTED]

6. As demonstrated above, I worry that I could be put in danger if my [REDACTED] and [REDACTED] receive notice of my hearing. I respectfully request that the Judge waive the notice requirement.

I, [REDACTED] swear under penalty of perjury that all of the foregoing statements are true and correct to the best of my knowledge and belief.

[REDACTED]
Hanny Bardales Ebanks

[REDACTED]
Date