



SHINGLE SPRINGS BAND OF MIWOK INDIANS TRIBAL COURT
P.O. Box 1340, Shingle Springs, CA 95682

PUBLIC GUIDE INFORMATION SHEET
TOPIC: Guardianship – Petition for Modification/Termination

How to Fill out a Petition for Modification or Termination of Guardianship. Form FL-401

Please read these instructions before filling out the form. If you have questions, please contact the Clerk of the Court. While Court staff cannot provide you with legal advice, staff may be able to provide you with referrals and resources to those who can assist you.

Information of Person Filing Form

Please provide your name, address, and phone number in the “*Information of Person Filing Form*” section. Enter your name as Petitioner. Do not check the “Attorney” box if you are representing yourself and have no Attorney or Advocate representing you.

Case No.:

You do **not** need to fill in the case number. The Tribal Court will fill this information in.

In re: (Name of Child)

Write the name of the child that you want the court to modify or terminate a guardianship for. If there is more than one child, you will need to submit a separate Petition for each child.

Date original Guardianship was ordered

Write the date (month, day, year) that the Tribal Court originally ordered a guardian to be appointed for the child.

Question 1: Petitioner Information

- a. **Petitioner(s) Name:** Write your full name and the name of any other people that are asking the Tribal Court for a change to the guardianship.
- b. **Petitioner(s) Date of Birth:** Write the birthday of each person listed on line (a).
- c. **Petitioner Home Address/Residence:** Write the street address, city and zip code of all people listed on line (a).
- d. **Petitioner Mailing Address:** If any person listed on line (a) has a mailing address different from the addresses listed on line (c), write the address, city and zip code of their mailing address (PO Box can be added here).
- e. **Petitioner is:** Check one of the boxes listed. If none of the boxes apply, please check “Other interested person” and describe your relationship to the child (how you know the child, how long you have known the child, etc.)
- f. **Petitioner is a Tribal Member:** check yes if the people asking the Tribal Court for a change to the Guardianship members of the Shingle Springs Band of Miwok Indians Tribe; check no if you are not.



Question 2: Request to Court – Reason Child Needs a Modification/Termination of the Guardianship

- a. **Modify or Terminate:** Put a check mark or X next to “Modify” if you are asking the court to change the child’s guardianship in some way, like asking that the court appoint a different guardian. Put a check mark or X next to “Terminate” if you are asking the court to end the guardianship and return the child to the parents’ custody.
- b. **Best Interests:** This question asks why you want the court to change or terminate the guardianship. Please check **every** box that applies **and** use the lines provided to explain in your own words why the court should change or terminate the guardianship. Provide as many specific facts as possible, including people who may have seen or heard or have information about the situation. If you need more space to write your explanation, continue writing on another page, attach that page to the Petition for Modification or Termination of Guardianship, and check the box that says, “Check here if additional pages are attached.”

Signature

Finally, all petitioners must write their name, sign, and date the form on the line provided.

Notice to Petitioner: You are required to get someone to serve (mail/provide) a copy of the Petition for Modification or Termination of Guardianship to all parties and to file a “Proof of Service” form (GEN-108) with the Tribal Court. For more information on the Proof of Service work, please see our handout, “*How to Fill Out a Proof of Service Form*” for more information.

If you have any questions about how to fill out this form, or about the guardianship process in general, contact the Tribal Court Self Help Center.

Shingle Springs Band of Miwok Indians
Tribal Court

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Placerville, CA
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(530) 698 – 1446

<https://www.shinglespringsrancheria.com/tribal-court/>

Self Help Center

Open 8-5, M-F

Attorney consultation by appointment only.