

# How Do I File for Guardianship?

Emergency Situations

Contact Protective Services  
(855) 444-3911

Is the individual a child or an adult?

**CHILD**

**ADULT**

Does the parent with legal custody agree with giving you legal authority?

Do you believe the adult is Developmentally Disabled (mentally impaired before the age of 22)?

Do you believe the adult is legally incapacitated (impaired by reason of mental illness, mental deficiency, physical illness or disability, chronic use of drugs, chronic intoxication, or other cause, not including minority, to the extent of lacking sufficient understanding or capacity to make or communicate informed decisions)?

**Yes.** Have you considered using a [Power of Attorney](#)? There is no cost as it is not filed with the court.

If a guardianship order is needed, then see [Guardianship of Minor-Limited](#).

**No**

**Yes.** Then see [Guardianship for Individual with Developmental Disability](#).

**Yes.** Then see [Guardianship for Legally Incapacitated Individual](#).

Is the child living with his/her parent(s)?

**No.** Then see [Guardianship of Minor-Full](#).

**Yes.** It does not appear that you have standing to file a petition. Contact the court for more information.