



# Riverside County Law Library

## Guardianship

### **What is legal guardianship?**

There are two types of legal guardianships in California: guardianship of the person and/or guardianships of the estate. Guardianship of the person requires the adult to be responsible for the child's well-being. Guardianship of a minor's estate can be used if the minor has substantial assets that require care and control.

### **What are the differences between guardianship, conservatorship and adoption?**

Guardianships are temporary; any guardianship rights end when the minor becomes an adult. Generally, conservatorships are for adults who need "significant care." Adoption creates a permanent parent-child relationship.

Reference: Brown, D., & Doskow, E. (2011). *The Guardianship Book for California: How to Become a Child's Legal Guardian*. (8 ed., pp. 3-5). Berkeley, CA: Nolo Press.

We recommend that you begin your research with the resources followed by an asterisk.

### **Online resources:**

The Superior Court of California Self-Help\*

<http://www.courts.ca.gov/selfhelp-guardianship.htm>

Website provides an overview of the guardianship process including links to forms.

The Superior Court of California, County of Riverside Self-Help

<https://www.riverside.courts.ca.gov/SelfHelp/Guardianship/guardianship.php>

Website provides guardianship packets, Judicial Council and local forms, videos, brochures, and charts. Also discusses the Guardianship Assistance Program (GAP) available for those that qualify: <https://www.riverside.courts.ca.gov/SelfHelp/Guardianship/gapflyer.pdf>

The US Department of Health and Human Services

<https://www.acf.hhs.gov/cb/focus-areas/guardianship>

Website provides links to reports, resources, and examples from other states.

Bridging Refugee Youth & Children's Services

<https://brycs.org/toolkit/guardianship-toolkit/>

Website provides information specifically for refugee families seeking a guardianship.

### **Print resources:**

Title: *Guardianship Book for California: How to Become a Child's Legal Guardian* \* (R-d) (I)

Publisher: Nolo Press

CallNo: REF KFC 134 .B76 2011

ISBN: 9781413313604; 9781413313390

Description: This book provides a concise overview of the guardianship process in California.



## Riverside County Law Library Guardianship

Title: *California Jurisprudence* 3d, v.35A (R) (I) (T)

Publisher: Thomson West

CallNo: KFC 65 .C343 2013 ISBN: N/A

Description: California Jurisprudence, also known as Cal Jur, is a legal encyclopedia. Volume 35A covers guardianship and conservatorship, providing references to code sections and cases.

Title: *Witkins Summary of California Law*, v.14 (R) (I) (T)

Publisher: Thomson West

CallNo: KFC 80 .W5 10th v.14

ISBN: N/A

Description: Witkins Summary of California Law provides in depth articles covering substantive California law. The chapter covering wills and probate, located in Volume 14, has a section discussing guardianships of minors.

Title: *California Guardianship Practice 2015\** (R) (I)

Publisher: Continuing Education of the Bar (CEB)

CallNo: CEB KFC134 .C3 2015

Description: This book covers all major aspects of a guardianship proceeding. It includes templates for forms.

Title: *California Forms of Pleading and Practice*

Publisher: Matthew Bender

CallNo: KFC 1010 .A65C3 v.24

Description: Chapter 280 of this resource covers the law regarding guardianships and provides templates for forms.

Call numbers are for use in RCLL. Initials after title specify which library the item can be located (R) Riverside, (R-d) Riverside reference desk, (I) Indio/Desert Branch, (T) Temecula. ISBN numbers are for use outside of the library, such as for personal purchase. Also, check with library staff- many of these resources can be used online through electronic databases available for use in the library.

### **Pertinent California Codes:**

[CA Probate Code Sec.1500-1611](#)

[CA Probate Code Sec.2100](#)

Please Note: The information presented in this research guide is intended to provide a foundation for legal research. For information pertaining to your case please consult with an attorney, court facilitator, or specialist.