

ORDER APPOINTING GUARDIANS

STATE OF SOUTH DAKOTA:

IN CIRCUIT COURT

SS:

COUNTY OF _____

_____ JUDICIAL CIRCUIT

IN THE MATTER OF THE GUARDIANSHIP
OF

File No: _____

_____,
Minor Child.

ORDER APPOINTING GUARDIANS

The Petition for Appointment of Guardians for (ENTER NAME) (DOB:[ENTER DATE OF BIRTH]), minor child, being presented to the Court on (ENTER DATE) at (ENTER TIME) (A.M. / P.M.), the Petitioners, (ENTER NAME) and (ENTER NAME), appearing in person; the minor child not appearing in person and represented by (HIS / HER) attorney, (ENTER NAME); the Court, having reviewed the files and records herein, and being fully informed of the premises, makes the following findings and conclusions of law:

1. Notice has been given as required by law or determined to be waived by this Court in the best interests of the minor child.
2. The guardianship is necessary to provide fully for the minor child.
3. The guardianship is necessary to protect the minor child from neglect or abuse, and there are no less-restrictive alternatives.
4. (ENTER NAME) and (ENTER NAME) have completed the training curricula prepared and approved by the State Bar of South Dakota and have provided proof of the same to the Court, or the guardian has completed an expedited assessment through the Department of Social Services, Child Protective Services, to be approved placement and kinship licensed.
5. (ENTER NAME) and (ENTER NAME) are suitable and qualified persons to serve as Guardians of (ENTER NAME), minor child; now, therefore, it is hereby

ORDERED, that pursuant to SDCL 29A-5-201, (ENTER NAME) and (ENTER NAME) are hereby appointed the Guardians of (ENTER NAME), minor child, without bond.

ORDERED, that Letters of Guardianship shall be issued to (ENTER NAME) and (ENTER NAME) as they filed their Acceptance of Office prior to this hearing; it is further

ORDERED, that the Guardians shall have authority to make decisions regarding (ENTER TEXT) support, care, health, habilitation, therapeutic treatment, and if not inconsistent with an order of commitment or custody, determine the residential placement of the minor child. The Guardians shall maintain sufficient contact with the minor child to know of the minor child's capabilities, limitations, needs, and opportunities. The Guardians shall, to the extent known, consider the express desires and personal values of the minor child when making decisions, and shall otherwise act in the minor child's best interests and exercise reasonable care, diligence, and prudence; it is further

ORDERED, that the Guardians, (ENTER NAME) and (ENTER NAME), will have full legal and physical custody of (ENTER NAME); it is further

ORDERED, that no annual accounting is required; and it is further

ORDERED, that the guardian shall present an annual report to the Court within sixty (60) days following the anniversary of the appointment or on a calendar-year basis no later than April 15th of each year thereafter; and it is further

ORDERED, that this matter shall be brought back to a court having jurisdiction over the guardianship for any hearing on modification or dissolution of the guardianship, and notice shall be provided to the Department of Social Services.

Dated this (DAY) day of (MONTH), (YEAR).

BY THE COURT

Honorable (ENTER NAME)
Judicial Circuit Court Judge