



**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
GENERAL DIVISION**

Form 56.05A

IN THE MATTER OF the estate of _____ (*child's name*),
a minor, of _____ (*town*), in the Province of
Newfoundland and Labrador, Canada.

**PETITION FOR GUARDIANSHIP OF THE ESTATE OF A MINOR
TO THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR GENERAL
DIVISION OR ONE OF THE JUDGES THEREOF**

The Petition of _____ (*petitioner's name*),
of _____ (*town*) in the Province of
Newfoundland and Labrador, says the following:

1. The Petitioner is the _____ (*indicate relationship*) of the
minor, _____ (*child's name*) (and is the
(ex)spouse/partner of _____ (*child's other guardian's name*) who is
/ is not consenting to the appointment.)
2. The Petitioner has reached the age of majority and is _____ years old.
3. The minor's parent(s)/(guardian), _____ (*name*) (and
_____ (*name*)), is/are deceased (*provide the date and place of death*)

The minor child's parent(s) (guardian), _____ (name) (and _____ (name)), is/are residing at (provide their current residence(s))

4. The minor, _____ (child's name), was born on _____ (full birthdate) and is now the full age of _____ years. She/he resides at _____ (street address) in _____ (town) _____ (province).

5. The petitioner is the minor's nearest relative.

OR

The petitioner has the following nearer relatives (Indicate whether there are any other nearer relatives to the minor, and if so, indicate why this person does not apply for guardianship.)

6. The minor's estate consists of the following property (Set out the particulars, valuation, and locations of real and personal property of the minor. If more space is required, please use schedule A.)

AND/OR

The minor, _____ (*child's name*) is entitled to the receipt of the sum of \$ _____ (*amount*) or personal property valued at \$ _____, the details of which are:

7. The petitioner asserts that a guardian is required to manage the estate of _____ (*child's name*), until he or she reaches the age of majority.
8. The petitioner is an eligible and fit guardian of the estate of the minor for the following reasons (*Set out the particulars of what, in your opinion, makes you eligible for the role, and fit to carry it out appropriately including any details regarding how you would manage the property of the child.*)

9. The views and preferences of the minor are not ascertainable.

OR

The views and preferences of the minor are (*If the child's views and preferences regarding the appointment of a guardian are ascertainable, describe them below and indicate the steps taken to ascertain them.*)

10. The petitioner proposes the following plan for the management of the property of the minor
(Set out your proposed plan for the care and management of the minor's property)

11. No letters of Guardianship for the estate of _____
(child's name), have been applied for or been granted by this Honourable Court to any other person.

12. The Petitioner is of the opinion that it would be in the best interests of _____
(child's name) that the Petitioner herein be appointed as the Guardian of the estate of the minor.

The Petitioner therefore applies for a grant of Letters of Guardianship to the Petitioner herein, of the Estate of _____ (child's name), in accordance with s.58 of the *Children's Law Act*.

Dated at _____ (town), Newfoundland and Labrador, this _____ day of _____, 20 _____ (date).

Petitioner/Solicitor for the Petitioner
(address)

Affidavit of Petitioner

I, _____ (*name*) of _____ (*town*) in
the Province of _____ make oath or affirm and say as follows:

I have read and understood the foregoing petition.

I have personal knowledge of the facts contained therein, and the inventory annexed thereto and
they are true to the best of my knowledge, information, and belief.

Petitioner

Sworn to or affirmed at _____
in the Province of _____
this _____ day of _____, 20____.

(A Commissioner, etc.)

Schedule A

_____’s (*minor’s name*) property and financial affairs are as set out
below:

