

GUARDIANSHIP OF A MINOR

The Baltimore County Circuit Court Law Library has several sources which *may* help you learn how to petition for the guardianship of a minor. This resource guide is designed to point you to those sources. However, it is not an exhaustive list of all resources available on this topic. This guide is not meant as legal advice, and the Law Library is not responsible for the accuracy or usefulness of this information or the utilization thereof. By law (BOP §10-601, §10-101(h)) the Library staff can only provide access to legal information; the staff must never give legal advice or interpret legal materials. It would be best to consult an attorney for further assistance.

The Law – Read the exact "letter of the law." The following are found in the first aisle of our Maryland law section (around the corner to the right just after you enter the library):

- Annotated Code of Maryland
Estates & Trusts § 13-101 to § 13-222 & § 13-501 to § 13-504 (General provisions)
Estates & Trusts § 13-701 to § 13-703 (Guardianship of the person)
Family Law § 1-201(a)(5), (b)(1), (b)(4) (Jurisdiction)
Family Law § 5-203 (Natural Guardianship)

The Rules – The Maryland Rules of Procedure (found at the end of the Annotated Code of Maryland and at the Reference Desk) list the procedures that must be followed when performing certain legal actions:

- Maryland Rules of Procedure – Md. Rules §10-101 to §10-213 (General provisions)

Forms & Additional Resources – These additional sources may also help.

- Maryland Practice Forms. Maureen L. Rowland et al. MICPEL, 1995. KFM 1268 .M3 1995. These forms are designed for the guardianship of a disabled person, but may be helpful in petitioning for the guardianship & custody of a minor. Review the index for volume 1, section IV, subsection F. Shelved at Reference Desk. **Contains useful FORMS.**
- Maryland Domestic Relations Law. Bernard A. Raum. Lawyers Cooperative Publishing, 1994, chapter 15. KFM 1294 .R38. Shelved in the Maryland Law section. NOTE: Chapter 15 is brief, but VERY informative.
- Practice Manual for the Maryland Lawyer. MICPEL, 1998. KFM 1738 .Z9 .M3 1998. Shelved at the Reference Desk. Chapter 3 contains the most pertinent information. **Contains useful FORMS.**
- Guardianship 1999: Under the Maryland Rules. Luther G. Blackiston, et al. MICPEL, 1999. Chapters 2 and 5 have some information, but the volume focuses more on adult guardianship. KFM 1306 .G91 1999. Shelved at the Reference Desk. **Contains useful FORMS.**
- Children and the Law: Rights & Obligations. Thomas A. Jacobs. Clark Boardman Callaghan, 1995, chapter 7. KF 479 .J33. Shelved in Aisle A. Volume 2, chapter 7 discusses guardianship. This

includes the types of guardianships, who may be a guardian, the procedures to be a guardian, the duties of a guardian, and so forth.

- Handling Child Custody, Abuse and Adoption Cases. Ann M. Haralambie. Shepard's/McGraw-Hill, 1993, pages 636-649. KF 547 .H37. Shelved in Aisle A. The Index is in volume 2. Be sure to check the updates. This source gives an overview of the legal aspects of guardianship, legal terms used, and cites past cases.
- Maryland Family Law. John F. Fader, II & Richard J. Gilbert. Michie, 3rd. ed., 2000, Chapter 19. KFM 1294 .A9.F32. Shelved in the Maryland Law section. This source is helpful for third-party v. natural parent custody issues only.
- Maryland Domestic Relations Forms. Ann M. Turnbull & Joseph J. Wase. Butterworth Legal Publishers, 1992, pages 70.3-70.8. KFM 1294 .A65.T9. Shelved at the Reference Desk. This source, especially chapter 3, is helpful for third-party v. natural parent custody issues only. **Contains useful FORMS.**
- Maryland Child Welfare Bench Book. Debra Ratterman Baker. ABA, 2000. KFM 1550 .C4 .B2. Shelved in the Maryland Law section. Easy to follow formatting provides an overview of guardianship laws, particularly chapter 4.
- Do It Yourself Guide to Guardianship and Protective Placement. Betsy Abramson. Center for Public Representation, 1991. HV 1451 .A27. Shelved in Aisle A. Good source for an explanation of terms and an overview of the process to become a guardian. However, it is focused on guardianship in Wisconsin, and some information may not apply to Maryland.

Professional Assistance – Find an attorney. While this Resource Guide can help you find legal information, seeking professional assistance ensures that you accomplish your goals completely and properly. The following resources may be used to seek professional help:

- Word of mouth – The best method of finding professional legal assistance is by asking family, friends, and neighbors.
- Martindale-Hubbel Law Directory – REF KF 190 .M3 & Reference Desk. This multivolume directory lists and grades many lawyers. Lawyers are listed by the city or towns where they practice. The current volumes for Maryland and the District of Columbia are kept at the Reference Desk, while the complete set resides in aisle 4 of the reference section.
- Yellow Pages – Look under “Attorney” in your local Yellow Pages.
- Pro Se Family Law Clinic – The clinic provides assistance in a first come, first serve basis. For current hours and further information, contact the clinic directly at 410-887-3446.