

# INFORMATION SHEET

**REQUIREMENTS FOR GUARDIANSHIP**

**IMPORTANT NOTICE: GUARDIANSHIP CANNOT BE TERMINATED OR TRANSFERRED, EXCEPT FOR GOOD CAUSE SHOWN. The proposed guardian shall meet the following requirements:**

* Be 21 years of age or older.
* Be a natural person who fully enjoys civil rights and is not disqualified under the grounds for disqualification or be a nonprofit legal person whose purposes, as per its Charter, include the protection of the ward.
* Both must reside in the same address.
* Not have had his or her parental rights terminated or suspended by a Court order.
* Not have been discharged as a guardian.
* Not have been convicted of a felony or a misdemeanor involving moral turpitude
* Not have a conflict of interest with the minor or the incapacitated individual
* Not have a claim or a cause of action on the ward’s marital status or the ownership of the ward’s property
* Not owing a considerable sum of money to the ward;
* Not having filed for bankruptcy
* Not having filed a frivolous or unfounded complaint, whether civil or criminal, against the ward or his or her lineal ascendants or collaterals up to the fourth degree
* Have the ability to file periodic reports on the transactions conducted on behalf and in the name of the ward.

**REQUIRED DOCUMENTS FOR APPLYING FOR GUARDIANSHIP**

* Application for Appointment as Guardian (Form JR- \_\_\_)
* Medical Certificate for Guardianship (Form JR- \_\_\_\_)
* Photo Id. ☐ Ward ☐ Proposed Guardian[1](#_bookmark0)
* Birth Certificate ☐ Ward ☐ Proposed Guardian
* A Copy of Social Security Card ☐ Ward ☐ Proposed Guardian[2](#_bookmark1)
* Criminal Record Certificate of the Proposed Guardian
* Marriage Certificate (if spouse is filing the application)
* License to operate issued by regulatory body (if an entity is applying for guardianship)
* Child Support Certification issued by ASUME to Proposed Guardian
* No debt Certification for All Concepts issued by CRIM to Proposed Guardian
* No debt Certification issued by the Department of the Treasury to Proposed Guardian
* A Certified Copy of Court Order (if applies)
* Appointment of Guardian from the Social Security Administration, the SIFC, or AACA (if applies)
* Primary Physician’s Report
* Bank Account Certification naming both
* Consent and Authorization Form
* A certified copy of the Will or Court Order (if guardian was appointed in a will or by a competent court outside of Puerto Rico.)
* Affidavit for Appointment as Guardian
* Other:

1 If an entity is applying for guardianship, the identification of the person in charge of the entity’s administration must be furnished. If the person who is filing the documents is not the person in charge of the entity’s administration, a Corporate Resolution authorizing such person to act on behalf of the corporation must be furnished

2 If an entity is applying for guardianship, Form SS-4 showing the EID or Employer Identification Number must be filed.

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Page **1** of **2**

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# REQUIREMENTS FOR RESIGNATION OF GUARDIAN

**IMPORTANT NOTICE: At the time of filing a petition for resignation of guardian, the guardian must show one of the following circumstances:**

* That guardian became disable, after the appointment
* That a conflict of interest with the ward arose after the appointment
* That it has become a great burden for the guardian, due to his or her age or health condition
* That the guardian is the spouse of the ward and decided to divorce him or her
* That there are other circumstances that prevent him or her from serving as guardian diligently
* A legal person may be relieved of its guardianship when it lacks the means to properly perform guardianship duties.

**REQUIRED DOCUMENTS FOR PETITION TO RESIGN AS GUARDIAN**

* Petition to Resign as Guardian (Form JR- )
* Affidavit stating the circumstances under which he or she may resign as guardian
* Photo ID.
* If the guardian tenders his or her resignation alleging a health condition, proof of health condition certified by a physician.
* Bank Account Certification naming the ward only
* Child Support Certification issued by ASUME to the ward
* No debt Certification for All Concepts issued by CRIM to the ward
* No debt Certification issued by the Department of the Treasury to the ward
* If the guardian was the spouse of the ward, a certified copy of the divorce decree
* If the guardian is a legal person, proof that it lacks the means to properly perform guardianship duties.
* A report of the transactions conducted on behalf and in the name of the ward, as of the date of resignation.
* Other:

Page **2** of **2**