PP-109 (Rev. 5/1/12)

STATE OF MAINE

_____ County Probate Court

Docket No.

In Re: Minor

Affidavit in Support of Appointment of Guardian of Minor

I, _____, Petit: Nominee in the above docketed matter, hereby swear to the truth of this Affidavit in support of the Petition for , Petitioner or Appointment of Guardian of Minor and allege as follows:

The Petition for Appointment of Guardian of Minor in the above-entitled matter recites that the minor is the child of:

(name(s) of child's parent(s)).

CHILD CUSTODY AFFIDAVIT¹

1. The child's present address or whereabouts is:

2. During the last five years the child has lived at the following addresses with the following people:

Name of Custodian

Address of Custodian When Child Was Present Dates of Child's Residence With This Custodian

3. The Custodians named in #2 currently live at the following address:

Name of Custodian

Current Address of Custodian

¹ See 19-A M.R.S. § 1753.

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- 4. Has the Petitioner or Nominee participated, as a party or witness or in any other capacity, in any other proceeding concerning the custody of or visitation with the child? If so, identify the court, case number, and the date of the child custody determination, if any. Provide this Court with attested copies thereof.
- 5. Does the Petitioner or Nominee know of any proceeding that could affect the current proceeding, including proceedings for enforcement and proceedings relating to domestic violence, protective orders, termination of parental rights and adoptions? If so, identify the court, case number, and the nature of the proceeding. Provide this Court with attested copies thereof.
- 6. Does the Petitioner or Nominee know the names and addresses of any person not a party to the proceeding who has physical custody of the child or claims rights of legal custody or physical custody of or visitation with the child. If so, identify the names and addresses of those persons.

INTOLERABLE LIVING SITUATION² (Complete Questions 7, 8, and 9 only if you allege an intolerable living situation.)

7. A living situation has been created that is at least temporarily intolerable for the minor, as follows:

8. Describe how the proposed guardian will provide a living situation that is in the best interest of the minor.

9. Has any State Agency been notified? ____ YES ____ NO. If yes, please identify the department and caseworker:

² See 18-A M.R.S. § 5-204.

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DE FACTO GUARDIAN³

(Complete Questions 10 -12 only if you allege that you are a de facto guardian.)

- 10. ____ The child is under three years of age and has resided with me for six months or more (the six months need not be consecutive); or
 - _____ The child is at least three years of age and has resided with me for twelve months or more (the twelve months need not be consecutive).
- 11. A non-consenting parent has demonstrated a lack of consistent participation with the minor as follows (describe each non-consenting parent's inconsistent participation separately):

12. As I file this affidavit with the Probate Court as the de facto guardian of this child, I also certify that, before filing this Affidavit, I have served a copy of this Affidavit on the parent(s) and any legal guardian(s) of the child. (Please list separately and state date and method of service to each parent and any legal guardian(s).

Dated:

Petitioner

STATE OF MAINE COUNTY OF _____

Dated: _____

Before me,

Notary Public/Attorney-at-Law

Print Name: _____

For Notary Public: Date Commission Expires

³ See 18-A M.R.S. § 5-101(1-B).