PETITION FOR LEAVE TO ENCROACH ON CORPUS

INSTRUCTIONS

I. Specific Instructions

- 1. This form is to be used for filing a petition for leave to encroach on corpus pursuant to O.C.G.A. §§ 29-3-22 (c); 29-5-23 (c).
- 2. A guardian ad litem must be appointed each time this petition is filed.

II. General Instructions

General instructions applicable to all Georgia Probate Court Standard Forms are available in each probate court or at www.gaprobate.gov, labeled GPCSF 1.

IN THE PROBATE COURT	COUNTY COUNTY
STA	ATE OF GEORGIA
IN RE:) ESTATE NO
MINOR/WARD CONSERVATOR(S)	
CONSERVATOR(S)	
	AVE TO ENCROACH ON CORPUS
TO THE HONORABLE JUDGE OF TH	HE PROBATE COURT:
The petition of	, conservator(s) of
	, (minor)(ward) shows:
	1.
As such conservator(s), petitione	r(s) has/have in hand assets valued at \$ The
conservator(s) expect(s) that the minor/	ward will have income of \$ during the next
accounting period.	
	2.
The income from said assets or b	oudget approved by the Court, if any, is insufficient for the
maintenance, support, and education of s	said minor/ward (and/or,
who is/are legally dependent upon said v	ward).
	3.
There are no other assets availa	ble to petitioner(s) to maintain, support and educate the
person(s) indicated in paragraph 2 above	2.
	4.
By prior Court order(s), the petiti	ioner(s) was/were permitted to disburse \$ per
month for the benefit of the minor/ward.	
	5.
Since the inception of the conse	ervatorship, petitioner(s) has/have previously encroached
on the corpus of this estate in the total ar	

The encroachment requested in this petition is needed for the following purpose(s) of support, care, education, health, and welfare of the person(s) indicated in paragraph 2 above in order to provide the following specific items (attach separate sheet if necessary):

WHEREFORE petitioner(s) pray(s) that the Court

appoint a guardian ad litem; and

1.

Telephone Number:

	for the purposes set forth above.	
Signature of First Petitioner	Signature of Second Petitioner, if any	
Printed Name	Printed Name	
Address	Address	
Telephone Number	Telephone Number	
Signature of Attorney:		
Typed/printed Name of Attorney:		
Address:		

State Bar #_____

VERIFICATION

GEORGIA,	COUNTY
Personally appeared before me the undefacts set forth in the foregoing petition are true.	ersigned petitioner(s) who on oath state(s) that the
Sworn to and subscribed before me this	
day of, 20	First Petitioner
NOTARY/CLERK OF PROBATE COURT My Commission Expires:	Printed Name
Sworn to and subscribed before me this day of, 20	Second Petitioner, if any
NOTARY/CLERK OF PROBATE COURT My Commission Expires:	Printed Name

IN THE PROBATE COURT OF	COUNTY
STATE OF C	
IN RE:) E	STATE NO
IN RE:	
CONSERVATOR(S)	
PETITION FOR LEAVE TO	ENCROACH ON CORPUS
ORDER APPOINTING G	UARDIAN AD LITEM
A petition to encroach being filed by the c	onservator(s) of the above-named minor/ward,
it is hereby	
ORDERED that	is appointed guardian ad
litem for the above minor/ward. The deputy clerk	shall serve said guardian ad litem with a copy
of this order and the above petition. Upon said	guardian ad litem's acceptance of same, said
guardian ad litem shall make answer hereto.	
SO ORDERED this day of	, 20

Judge of the Probate Court

IN THE PROBATE COURT OF	COUNTY
	OF GEORGIA
IN RE:	ESTATE NO
MINOR/WARD CONSERVATOR(S)	
CONSERVATOR(S)	
PETITION FOR LEAVE T	TO ENCROACH ON CORPUS
ANSWER OF GU	JARDIAN AD LITEM
I hereby accept the foregoing appoint proceedings as provided by law, and for answer	intment, acknowledge service and notice of the er say:
DATE	GUARDIAN AD LITEM
	Address

Telephone Number

IN '	THE PROBATE COU	JRT OF	COUNTY
		STATE OF GEORGIA	
IN RE:) ESTATE NO	
MINOR/WA	RD TOR(S)		
CONSERVA	TOR(S)	,)	
		ORDER	
	PETITION FOR	LEAVE TO ENCROACH	ON CORPUS
Upon	reading and considering	ng the foregoing petition, and	d it appearing that the averments
therein made	are true, and the guardi	an ad litem for the minor/war	rd filing an answer to the petition
which raised	no objection to the gr	ant of the petition; it is orde	ered that, to the extent indicated
below, the sar	ne be, and is hereby, g	ranted; said conservator(s) is	/are hereby:
[Initial applic	able]		
(a)	allowed to expend fro	om the corpus of said minor	's/ward's estate up to the sum of
	\$	for the specific items set fort	h in said petition for the purpose
			e of the person(s) indicated in
	paragraph 2 of the p	petition, and said conservator	or(s) must show in his/her/their
	annual returns how su	ach funds are actually spent.	
(b)	allowed to increase h	is/her/their monthly budget t	o \$ per month and
			nual returns how such funds are
	actually spent.		
SO OI	RDERED this	day of	, 20
		Judge of the Probat	te Court