



IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

Register in Chancery
Kent County
38 The Green
Dover, DE 19901
302-735-1930
FAX 302-736-2440

Register in Chancery
New Castle County
500 N. King Street, St. 1551
Wilmington, DE 19801
302-255-0544
FAX 302-255-2213

Register in Chancery
Sussex County
34 The Circle
Georgetown, DE 19947
302-856-5775
FAX 302-856-5778

Procedures for filing a Petition to Expend for a Minor

- ~ The petition to expend must be filled out completely.
 - + The court clerks cannot complete the petition for you.
 - + **The guardian(s) & the minor (if he/she is over the age of 14) will need to have their signatures notarized.** (If both the guardian(s) and the minor appear in the Register's office with identification & the correct paperwork, their signatures can be notarized by a clerk in the Register's office.)
- ~ The **"financial statement supporting petition to expend"** must be completed by the guardian(s) with notarized signature(s). There may be times when a more detailed financial disclosure form will need to be completed and a promissory note signed. (A promissory note is signed by the guardian(s) promising to repay the guardianship account the amount of money that is about to be borrowed, if authorized by the judicial officer.) The court clerks will determine if a promissory note is necessary. A promissory note is an additional \$25.00.
- ~ If the minor is over the age of fourteen, a **letter** will be required from the minor stating he/she understands what the money is being requested for and he/she understands the money will be taken from the guardianship account. This letter must be signed by the minor before a Notary or a clerk of the Register's office.
- ~ A **copy of the bank statement(s)** dated within the last thirty (30) days is required.
- ~ **Supporting documentation** for the request for money must be provided (i.e. any receipts, bills, invoices or other documentation that details the expenses for which you are petitioning.
 - + If the petition is for a vehicle, you must have a letter indicating the mileage, condition of the car, and if it is used car, the Kelly Blue Book value. If the vehicle is being purchased from a dealership, the letter must be on their letterhead. A driver's learning permit must be provided.
 - + If the request is for clothes, the guardian(s) must provide a layaway statement, advertisements, etc.).
- ~ The **filing fee for the Petition to Expend is \$35.00.** Payment must be received before the petition can be accepted by our office. We accept cash, check or money order (made payable to the "Register in Chancery").
- ~ It is the petitioner's responsibility to provide the Court with photocopies of all supporting documentation. If the Register in Chancery's office makes photocopies for you, the fee is **\$1.50 per page**. When submitting your documentation, it must be filed on regular 11 x 8.5 paper that can be easily scanned onto the computer.
- ~ As part of the order, the guardian will be responsible to file all **receipts** within seven to twenty days. If the guardian fails to file the proper receipts, all future petitions will be denied.

FINANCIAL STATEMENT SUPPORTING PETITION TO EXPEND

Pursuant to Del Code Title 13 § 501- it is the parent's responsibility to provide financial support for the minor child until the age of 18.

Please select one of the following:

- natural parent/guardian non-parent/guardian

I receive the following monthly amounts of money for this child:

- SSI _____
 child support _____
 death benefits _____
 other _____

Why should this minor child pay for the items listed on the petition from his/her own funds?

Guardian

Co Guardian (if there is one)

Register in Chancery/Notary

Date: _____

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

IN THE MATTER OF

:
:
:

C.M. # _____

_____ A Minor/Disabled Person's

PETITION TO EXPEND

The petition of _____, Guardian of _____,
(Guardian's Name) (Minor/Disabled Person's Name)

a _____, respectfully represents:
(Minor/Disabled Person)

1. Petitioner was appointed guardian of the Minor/Disabled Person by Order dated _____.
(Date of Final Order)

Petitioner is duly qualified and is acting as such Guardian. The birth date of the above named is

(Minor/DP's birth date)

2. The net assets of the Minor/Disabled Person's estate consist of cash on deposit in the sum of

\$ _____ plus interest in the _____.
(Amount in Guardianship Acct (s)) (List all banks where guardianship accounts have been established)

3. Petitioner respectfully prays the court to authorize, for the benefit of the Minor/Disabled Person,

expenditures of \$ _____ to be used for _____.
(Amount requesting) (Purpose of Petition to Expend)

4. The guardian's income from all sources is inadequate for such purposes and funds are not available from any other source.

Guardian/Petitioner

Co-Guardian/Co-Petitioner

Address

Address

Phone Number

Phone Number

Minor (14 years old or older)

The above named guardian(s), having been duly sworn, deposes and says that the facts above recited are true and correct. Sworn to and subscribed before me the _____ day of _____,
_____.

Register in Chancery/Notary Public