IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

Register in Chancery	Register in Chancery	Register in Chancery
Kent County	New Castle County	Sussex County
38 The Green, Ste. 208	500 N. King Street, 7th Floor	34 The Circle
Dover, DE 19901	Wilmington, DE 19801	Georgetown, DE 19947
302-735-1930	302-255-0544	302-856-5777

Procedures for filing a Petition to Sell a Motor Vehicle

- The petition to sell a motor vehicle requires the following:
  - A completed petition. The court clerk cannot complete the petition for you.
  - A printout showing the Kelley Blue Book value.
  - The filing fee for the petition 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, we will charge $1.50 per page. When submitting your petition, it must be on regular 8.5 x 11 paper that can be easily scanned onto the computer and it must be one-sided.

- The petitioner is responsible for obtaining consents from the interested parties or sending notice of the petition to the interested parties by regular U.S. mail. Please see the instruction sheet within this packet for additional information.

- You may mail the completed petition to the Register in Chancery in the county where your guardianship case was established, and the completed order will be mailed back to you.

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

In the matter of:	:	
	:	
_____,	:	C.M. #: _____
A person with a disability	:	

Petition to Sell a Motor Vehicle

1. Name of guardian(s): _____
2. Date guardian(s) was/were appointed: _____
3. Information about the vehicle the guardian(s) wish(es) to sell:
    a. Make: _____
    b. Model: _____
    c. Year: _____
    d. Current mileage: _____
    e. Kelly Blue Book value: _____
    f. The car's condition is _____ (e.g. fair, good, very good or excellent) based on _____

        _____
4. Information about the proposed buyer of the vehicle:
    a. Name of person or company purchasing the vehicle: _____

_____

_____

    b. Sales price: _____

WHEREFORE, the guardian(s) respectfully prays that the Court:

1. Enter an Order directing the sale of the motor vehicle and directing the deposit of the proceeds of the sale into the guardianship account previously established.

2. Order such further relief as it deems just and equitable under the circumstances.

Signature section for guardian	Signature section for any co-guardian
I declare under penalty of perjury under the laws of Delaware that the foregoing is true and correct. Date: _____ Print name: _____ Signature: _____ Address: _____ _____ Phone Number: _____	I declare under penalty of perjury under the laws of Delaware that the foregoing is true and correct. Date: _____ Print name: _____ Signature: _____ Address: _____ _____ Phone Number: _____

Instructions for Notifying Interested Parties of Petition

It is the petitioner's responsibility to notify the interested parties when a petition is filed with the Court.

How to Notify the Interested Parties

Option 1 – Consent

Any interested party may sign a copy of the attached "Consent" form.

Option 2 – Send Notice

If any interested party does not sign the consent form, you must send them a copy of the attached "Notice of Petition". You may send the notice by regular U.S. Mail.

Any interested party who has not signed a consent must receive notice of your petition at least thirteen (13) days before the court will consider the petition. This ensures that all interested parties have adequate time to contact the court with any questions they may have or file any objection to the petition.

Unknown Address of an Interested Party

If you do not know the address of an interested party, you must make reasonable efforts to locate it. If you are unable to locate the address, file an Affidavit of Efforts to Locate Address of Interested Party (Form CM6) with the court.

- File a separate affidavit for each interested party whose address is unknown.
- If a Form CM 6 has already been filed for an interested party, you do not need to file another one.
- If you later learn the interested party's address, promptly notify the court.

Form CM6 is available from the Register's Office or on the court's website.

Documents to File with the Court

You must file the following documents with the court before the petition will be reviewed by a Judicial Officer:

a. Any consent forms,
b. The attached "Certificate of Mailing" (if any notices were sent), and
c. Any affidavit(s) of efforts to locate address of interested party.

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

In the matter of:	:	
	:	
_____,	:	C.M. #: _____
A person with a disability	:	

Consent of Interested Party to Petition to Sell a Motor Vehicle

I, _____ [Name of interested party], whose relationship to the person with a disability is that of _____ (*e.g.* mother, brother), consent to the petition to sell a motor vehicle owned by the person with a disability. I understand this petition is in reference to a _____ [year, make and model of vehicle] having _____ miles on it, being sold for $_____ [sales price of vehicle] to _____ [name of person/company purchasing vehicle].

I declare under penalty of perjury under the laws of Delaware that the foregoing is true and correct.

Date: _____

Print Name: _____

Signature: _____

Address: _____

Phone Number: _____

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In the matter of:	:	
	:	
_____,	:	C.M. #: _____
A person with a disability	:	

Notice of Petition to Sell a Motor Vehicle

Dear Interested Parties:

This is a notice that I am/we are filing a petition to sell a motor vehicle owned by the person with a disability. The petition is to sell the _____ [year, make and model of vehicle] to _____ [name of person/company purchasing vehicle] for $_____ [sales price of vehicle]

If you object to the petition, you must immediately file a written objection with the Register in Chancery's Office that has been marked above. If you do not file a written objection within **thirteen (13) days** of the date of this notice, any objections will be deemed waived.

Petitioner's signature: _____

Co-Petitioner's signature: _____

Date: _____

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

In the matter of:	:	
	:	
_____,	:	C.M. #: _____
A person with a disability	:	

Certificate of Mailing to Petition to Sell a Motor Vehicle

The guardian(s) mailed the "Notice of Petition to Sell a Motor Vehicle" on _____ [date] to the following interested parties:

Name of Interested Parties	Address of Interested Parties

Signature section for guardian	Signature section for any co-guardian
I declare under penalty of perjury under the laws of Delaware that the foregoing is true and correct. Date: _____ Print name: _____ Signature: _____	I declare under penalty of perjury under the laws of Delaware that the foregoing is true and correct. Date: _____ Print name: _____ Signature: _____