

**KING COUNTY SUPERIOR COURT
EX PARTE AND PROBATE DEPARTMENT
INFORMATION REGARDING GUARDIANSHIP, CONSERVATORSHIP,
AND OTHER PROTECTIVE ARRANGEMENTS**

Table of Contents

Overview

INTRODUCTION	1
TERMINOLOGY CHANGES	1
LEGISLATIVE INTENT	2
GR 22 AND CONFIDENTIALITY	2
HELPFUL WEB LINKS	3

Important Changes – King County

MOST IMPORTANT CHANGES	4
GENERAL PROVISIONS	5
MANDATORY FORMS	5
SEPARATE CASES OF ACTION	5
HOW INITIATED	5
CASE MANAGEMENT ORDER	5
APPOINTMENT OF COURT VISITOR, GUARDIAN AD LITEM, OR ATTORNEY	5
CASE ASSIGNMENT	6
CERTIFICATION FOR TRIAL	6
HEARINGS – GENERALLY	6
HEARING ON APPOINTMENT	7
FILING AND WORKING COPIES	7
GUARDIANSHIP/CONSERVATORSHIP TRAINING	7
PENDING PETITIONS UNDER RCW 11.88	8
CASES ESTABLISHED UNDER RCW 11.88	8
REPORTS FILED IN 2022	8
MINOR GUARDIANSHIPS & CONSERVATORSHIPS	9
GUARDIANSHIP, CONSERVATORSHIP, AND OPA	9
EMERGENCY GUARDIANSHIP/CONSERVATORSHIP OF AN ADULT	10
POST APPOINTMENT REQUIREMENTS	11

ATTACHMENT 1 - E-FILING INSTRUCTIONS

ATTACHMENT 2 - ADULT GUARDIANSHIP – WHAT TO DO NEXT

ATTACHMENT 3 – APPROVED CASE SCHEDULE

ATTACHMENT 4 – OVERVIEW OF POST-APPOINTMENT DUTIES

KING COUNTY SUPERIOR COURT
EX PARTE AND PROBATE DEPARTMENT
INFORMATION REGARDING GUARDIANSHIP, CONSERVATORSHIP, AND OTHER PROTECTIVE
ARRANGEMENTS
Version 1: 01/02/2022

Overview

Guardianship and conservatorship are legal processes through which a person is given authority by the superior court to make decisions for another individual. That individual is referred to as the “individual subject to guardianship” and/or the “individual subject to conservatorship”. Depending on their circumstances, an individual may have either a guardianship or a conservatorship established, or both. Guardians and conservators serve under the general direction and control of a superior court

On January 1, 2022, RCW 11.88 was replaced with RCW 11.130, also known as the Uniform Guardianship Act. A guardianship of the person will remain “Guardianship of the Person” while a guardianship of the estate is now titled “Conservator of the Estate.” The purpose of this document is to inform the public regarding established procedures for efficient and effective processing of these matters in King County Superior Court. Please review this document to better understand what this change means for lay guardians, practitioners, and Court Visitors in King County. This document is not an exhaustive list of all policies, issues or possible hearings that can occur. You should consult the law (RCW 11.130) and/or consult an attorney.

Implementation will be a complex and evolving process and therefore, the guidance below may change. All parties and persons are encouraged to monitor the King County Superior Court Ex Parte Department website at <https://kingcounty.gov/courts/superior-court/ex-parte-probate.aspx> for updates. To receive important notices from the Clerk sign-up to receive Clerk's Alerts here: <https://www.kingcounty.gov/courts/clerk/programs/alerts.aspx>

Terminology Changes

Old Law	New Law -Effective 1/1/2022
Guardian of the Person	(no change) Guardian of the Person
Guardian of the Estate	Conservator
Letters of Guardianship	Letters of Office
Guardian Ad Litem	Court Visitor
Periodic Personal Care Plan (PPCP)	Guardian/Conservator Report & Motion*
Order Approving PPCP	Order Approving Guardian/Conservator Report
Guardian’s Report, Accounting, and Proposed Budget	Guardian/Conservator Report & Motion*
Order Approving R&A	Order Approving Guardian/Conservator Report

***NEW FORM:** Motion to approve Guardian/Conservator’s Report must be SUBMITTED for ALL CASES

Liberty and Autonomy of the Individual in Guardianship and Conservatorship

In Washington’s guardianship and conservatorship law, the state legislature included a statement of intent in order to explain the reasons for guardianship, conservatorship and other protective arrangements. The statement reads as follows: *It is the intent of the legislature to protect the liberty and autonomy of all people of this state, and to enable them to exercise their rights under the law to the maximum extent, consistent with the capacity of each person. The legislature recognizes that people with incapacities have unique abilities and needs, and that some people with incapacities cannot exercise their rights or provide for their basic needs without the help of a guardian. However, their liberty and autonomy should be restricted through guardianship, conservatorship, emergency guardianship, emergency conservatorship, and other protective arrangements only to the minimum extent necessary to adequately provide for their own health or safety, or to adequately manage their financial affairs.*

If any participants have any questions regarding these duties and/or their authority, they should seek direction from the court by filing a Petition for Instructions or other motion.

GR 22 AND CONFIDENTIALITY

FORMS FOR FILING CONFIDENTIAL DOCUMENTS ARE

HERE: <https://www.courts.wa.gov/forms/?fa=forms.contribute&formID=67>

Every guardianship and conservatorship case has a court file. The new guardianship and conservatorship law has specific sections that address the confidentiality of adult guardianship and conservatorship court records. The law states that only certain parties are entitled to access to the court records of the guardianship or conservatorship. This includes the individual subject to guardianship and/or conservatorship and their designated attorney. Persons identified in the order of appointment of the guardian and/or conservator are also entitled to access. So too, are any persons that are entitled to access under a court order after the guardian or conservator is appointed. If another person wants access to court records, they may petition the court to ask for access. Otherwise, adult guardianship and conservatorship court records are confidential pursuant to the statute.

Filing a document confidentially or under seal protects the privacy of the individual subject to guardianship or conservatorship. Generally, medical reports and financial source documents must be sealed. Financial source documents include documents such as a tax return or bank statement containing a full account number. You must seal these and protect the confidentiality of all court filings documents through the use of a sealed confidential guardianship and/or conservatorship cover sheet.

With documents that contain “restricted personal identifiers”, the better practice is to redact information or not include it in your reports. Examples of restricted personal identifiers are a Social Security number, a driver’s license number, a telephone number, a financial account number, and date of birth.

For More Information Review: [GR 22 ACCESS TO RECORDS](#), RCW [11.130.300](#) - Confidentiality of records, RCW [11.130.410](#) Confidentiality of records.

HELPFUL LINKS	
Chapter 11.130 RCW UNIFORM GUARDIANSHIP, CONSERVATORSHIP , AND OTHER PROTECTIVE ARRANGEMENTS ACT	https://app.leg.wa.gov/RCW/default.aspx?cite=11.130
Local King County Guardianship Forms	https://kingcounty.gov/courts/superior-court/ex-parte-probate/guardianship-forms.aspx
Mandatory Court Forms: All forms related to Guardianships, Conservatorship, or Other Protective Arrangements:	https://www.courts.wa.gov/forms/?fa=forms.contribute&formID=139
Training Module for Lay Guardians and Conservators	https://www.courts.wa.gov/content/webinar/2022LayGuardianTraining/content/index.html
General Information from the Administrative Office of the Courts	https://www.courts.wa.gov/guardianportal/index.cfm?fa=guardianportal.guardianship2022
Washington State Guardian Portal	https://www.courts.wa.gov/guardianportal/
Ex Parte Department Website	https://kingcounty.gov/courts/superior-court/ex-parte-probate.aspx
King County Emergency Motions Calendar	https://kingcounty.gov/courts/superior-court/ex-parte-probate/Emergency%20Motions.aspx
Guardian ad Litem & Court Visitor Information	https://kingcounty.gov/courts/superior-court/ex-parte-probate/GAL.aspx
Ex Parte Calendar Availability	https://dja-prd-ecexap1.kingcounty.gov/?q=node/473

IMPORTANT CHANGES TO PRACTICE AND PROCEDURE – KING COUNTY

There are significant changes to practice and procedure related to Guardianships, and new procedures for Conservatorship and Other Protective Arrangements.

The most important changes are as follows:

- Cases will no longer be initiated Ex Parte via the Clerk. All matters must be initiated using the Clerk's efiling application. See Filers should select "Start New Case(s)" and select from one of the following options:
 - Emergency Guardianship/Conservatorship
 - Guardianship/Conservatorship
 - Minor Conservatorship
 - Other Protective Arrangements

Each case type will have the option for "No-Fee" filing.

- The court has adopted the Washington State Pattern forms as mandatory until further notice. Additional relief not otherwise included in mandatory forms must be presented in a supplemental order.
- Appointment of Court Visitor, Guardian ad Litem and Attorney for Respondent will no longer be completed Ex Parte via the Clerk. Instead, the court will issue a Case Management Order at the outset of every case which will identify essential issues in each case to avoid unnecessary and duplicative motions. The Case Management Order will be filed and **returned via eservice**. Registration for eservice is mandatory for all attorneys. Failure to register will result in substantial procedural delays.
- Hearings set by the Case Schedule or Case Management Order shall be set on the Probate/Guardianship calendar on **Mondays at 10:30 AM (Seattle) and Tuesdays at 10:30 (Kent)**. *Should a party request a continuance, they must propose an available date on a Monday or Tuesday.*

When reviewing this memorandum, the presence of a **!** indicates a substantial change in normal practice or important information for all readers.

GENERAL PROVISIONS

- (1) **!** **Mandatory Forms.** Unless otherwise stated herein, or in existing court rules or statutes, the most current mandatory local and state forms shall be used. In the event relief is requested in addition to that included in the mandatory forms, a supplemental order shall be used which is clearly captioned as such. For a complete list of available forms, please consult <https://www.courts.wa.gov/forms/?fa=forms.contribute&formID=133>
- (2) **Separate Causes of Action.** Except for petitions requesting appointment of a guardian and conservator, all petitions (emergency / regular) must be filed as separate petitions. The court may, on its own motion, consolidate all separately filed emergency petitions into the regular petition when all petitions are regarding the same respondent. Such consolidations may be completed at the entry of the Case Management order or at any other stage of the proceeding on the court's own motion. A Petition for Other Protective Arrangement must be filed as a separate cause of action distinct from any Petition for Guardianship or Conservatorship.
- (3) **!** **How Initiated.** A case shall be commenced by filing a Party Information Form (PIF) and designated Petition for the requested cause of action. All cases including those where no filing fee shall be charged by the court pursuant to RCW 11.130.170, which are filed by attorneys shall be initiated using the Clerk's online eFiling application. Non-attorneys may file in person, by mail or via E-filing. **Non-attorneys are not required to e-file but are encouraged to do so.**
- (4) **!** **Case Management Order.** In each case commenced under RCW 11.130, except those governed by LCR 98.22, the court shall issue a Case Management Order upon receipt of the petition. The Ex Parte Department will administer an internal case review calendar each day at which time a Case Management Order will be entered addressing a variety of case management issues including, but not limited to: 1) Consolidation of Related Cases, 2) Assignment of matter to designated Ex Parte Commissioner or Department, 3) Appointment of Court Visitor, 4) Appointment of Attorney for Respondent, 5) Setting filing deadlines and hearings; 6) Any other matter deemed necessary for efficient administration of justice. The Ex Parte Department will provide a copy of the Case Management order to the Petitioner and any appointed court visitor and/or attorney for respondent no later than the court day following case review.
- (5) **Appointment of Court Visitor, Guardian ad Litem, or Attorney for Respondent**
 - (a) When the appointment of a court visitor, guardian ad litem, or attorney is required, the appointee shall come from the Guardian Ad Litem/Court Visitor Registry maintained by the Superior Court Registry Manager.
 - (b) Appointments shall be completed in alphabetical rotational sequence, except: 1) For good cause, or 2) Any respondent or person subject to guardianship may petition the court for appointment of an attorney of their choosing. Any attorney purporting to represent the

respondent or person subject to the guardianship must petition the court for appointment. Such appointments may therefore be made outside of rotational sequence.

- (c) Within five days after notice of appointment, the appointed court visitor shall serve on the parties and file with the court a Notice of Appearance and Statement of Qualifications (Court Visitor). In the event the appointed court visitor declines the appointment consistent with the provisions of the King County Superior Court Guardian ad Litem Administrative Policy¹ they shall file a Declination of Appointment, and serve a copy upon any parties as soon as practicable. A copy should also be served on the Ex Parte Department via email service immediately upon filing. Any request to decline appointment or to withdraw as appointed court visitor, guardian ad litem, or attorney for incapacitated person made more than five days after service of the Notice of Appointment shall be made via noticed motion on the Emergency Motions calendar.
- (d) The Court encourages parties to keep litigation pressing forward and continues the presumption that Court Visitor (formerly Guardian ad Litem) interviews may occur via remote means provided good cause is shown

(6) Case Assignment. All motions will be heard in the Ex Parte Department on the Ex Parte Guardianship Calendar unless provided herein or ordered by the court.

(7) Certification for Trial. The respondent has the right to trial on the issue of whether a basis exists for the appointment of a guardian or conservator and on the rights to be retained or restricted if a guardian or conservator is appointed. RCW 11.130.035(3). Any party may, at any stage of the proceedings, file a Motion for Certification for Trial or for Assignment to a Judge for Case Management. Such a motion should be noted in the Ex Parte Department as described herein, unless it is an agreed order in which case it may be submitted Ex Parte via the Clerk. Upon certification by an Ex Parte Commissioner that a case is contested, a trial date will be set and additional deadlines set. If a case is set for trial then all motions will be heard by the assigned judge until such time an order reassigning the matter to the Ex Parte Department is entered by the assigned Judge or the Chief Civil Judge.

(8) Hearings - Generally. Hearings set by the Case Schedule or Case Management Order shall be set on the Probate/Guardianship calendar on **Mondays at 10:30 AM (Seattle) and Tuesdays at 10:30 (Kent).** *Should a party request a continuance, they must propose an available date on a Monday or Tuesday.* All other hearings shall be heard on the Probate/Guardianship calendar and must be scheduled by filing an Ex Parte Notice of Court Date, or by obtaining an Order setting the court date (if required). Motions set on the incorrect or unavailable calendar will be stricken. To view available court dates, visit: <https://dja-prd-ecexap1.kingcounty.gov/?q=node/473>.

¹ https://www.kcba.org/kcba/cle/pdf/175-2012_administrative_policy.pdf

(9) ! Hearing on Appointment. The hearing on appointment may not proceed unless the respondent attends the hearing or if there is clear and convincing evidence that the respondent has refused to attend or there is no practical way for the respondent to attend even with supportive services and technological assistance². If it is not reasonably feasible for the Respondent to attend the hearing at the location court proceedings are usually held, the court shall make reasonable efforts to hold the hearing at an alternative location. Unless excused for good cause, a proposed guardian shall attend the hearing³. The proposed guardian or conservator shall file and provide to the Court in advance of the hearing, a Disclosure of Bankruptcy or Criminal History (GDN ALL 002). The Hearing on Appointment must be closed on request of the respondent and a showing of good cause. Such a request should be made as soon as practicable with notice to all parties.

(10) Filing and Working Copies. All pleadings for noted matters shall be filed and noted for hearing at least 14 days before the scheduled date. Working copies of all reports, accountings, and contested matters otherwise noted or requiring notice must be submitted to the Ex Parte and Probate Department, or the appropriate hearing judge or commissioner, not later than 14 days preceding the hearing. Response documents, including briefs, if any, must be filed with the clerk and copies served on all parties and submitted to the Ex Parte and Probate Department, or the appropriate hearing judge or commissioner, no later than noon four judicial days prior to the hearing time; documents in strict reply thereto shall be similarly filed and served no later than noon two judicial days prior to the hearing.

It is the Court's preference that parties utilize e-working copies. In no-fee cases, parties should utilize the policies set forth on the Ex Parte Department website. Except when personal service is otherwise required by statute or rule, a party or other person that is required to file documents electronically in an action must also serve documents and accept service of documents electronically from all other parties or persons. Parties should expect to receive service of orders entered electronically via eService.

(11) Guardianship/Conservatorship Training. Except as provided herein, no person shall be appointed guardian/conservator by the court until he/she has successfully completed the Mandatory Guardian/Conservator Training sponsored by the Administrative Office of the Courts. A party who wishes to serve as a lay guardian or conservator shall complete the on-line required training offered by the Administrative Office of the Courts prior to the request for appointment⁴. In emergent circumstances, the court may defer the training, but it must be completed no later than 90 days after appointment. Successful completion shall be evidenced

² RCW 11.130.295 and RCW 11.130.400.

³ RCW 11.130.295(6) and RCW 11.130.400(6).

⁴ RCW 11.130.090(2)(a).

by a certificate issued by the training provider and filing of the form Declaration of Guardianship/Conservator training⁵. The training is available here:

<https://www.courts.wa.gov/content/webinar/2022LayGuardianTraining/content/index.html#/>

Exception. Certified Professional Guardians/Conservators are not required to attend guardian/conservator training as long as the guardian/conservator is in good standing with the Certified Professional Guardian/Conservator Board. The court may waive the training for attorneys, bank trust officers and other professionals who have been appointed as guardians/conservators in the past.

CASES INITIATED UNDER RCW 11.88

Pending Petitions under RCW 11.88. For adult guardianships and conservatorships, the Uniform Guardianship Act applies to actions “commenced after January 1, 2022”. (RCW 11.130.910(1)). Accordingly, any petition for appointment of a guardian for an adult, commenced prior to January 1, 2022, shall be governed by RCW 11.88 et seq., and may be finalized under RCW 11.88, even if that occurs after January 1, 2022. Once a guardian has been appointed, then the UGA shall be applied per RCW 11.130.910(2). Any petition filed after January 1, 2022 shall comply with the requirements of 11.130 or the petition shall be dismissed. Proposed orders in matters pending under RCW 11.88 should be presented in a form consistent with the King County Superior Court pattern “Order Appointing Guardian” located online here: <https://kingcounty.gov/~media/courts/superior-court/docs/ex-parte-probate/guardianship-forms/05-order-appointing-guardian-of-person-and-or-estate-pdf.ashx?la=en>.

Cases Established Under RCW 11.88. Cases with orders appointing guardians entered before January 1, 2022 or matters commenced under RCW 11.88 and finalized after January 1, 2022, do not need to take any action until the first review hearing set by the Guardianship Tracking Schedule. At the time of the next review hearing the court may enter an Order to Issue Letters of Office. A Guardian or Conservator may also, at any time, file a Petition to Issue Letters of Office for RCW 11.130 Guardianship or Conservatorship. Such a petition should be submitted Ex Parte via the Clerk using King County Superior Court’s approved process: <https://kingcounty.gov/courts/superior-court/ex-parte-probate.aspx>. If a party is requesting a material change in authority under RCW 11.130, they must note a hearing and provide notice consistent with RCW. 11.130.275, RCW 11.130.370, and/or RCW 11.130.600.

Reports filed in 2022. All reports filed and noted for presentation on or after January 1, 2022 shall be submitted using the state model forms for reporting to the court on adult guardianships and conservatorships (Forms GDN R 204, GDN R 205, and GDN R 206). Reports must comply with the requirements of RCW 11.130.345/RCW 11.130.530 even if the reporting period ended prior to 1/1/2022.

⁵<https://www.courts.wa.gov/guardianportal/adultlayguardianship/docs/Adult%20Lay%20Guardian%20or%20Conservator%20Certificate.pdf>

Parties should also, for their first report post-implementation, submit a Guardian/Conservator's Plan consistent with RCW 11.130.340/11.130.510

MINOR GUARDIANSHIPS & CONSERVATORSHIPS

Minor Guardianships will continue to be heard consistent with Local Civil Rule 98.22 except as otherwise described herein. An action for Conservatorship of a Minor shall be initiated by filing a Party Information Form and Minor Conservatorship Petition (GDN C 107). Such a petition must be filed under a new cause number and may not be commenced under an existing case. The case shall otherwise be administered as set forth herein.

GUARDIANSHIP, CONSERVATORSHIP, AND OTHER PROTECTIVE ARRANGEMENTS

! **How Initiated.** A case shall be commenced by filing a Party Information Form, a Petition ([GDN C 102](#)) Petition for Guardianship, Conservatorship, and/or a Protective Arrangement. A Petition for Other Protective Arrangement must be filed as a separate cause of action distinct from any Petition for Guardianship or Conservatorship.

When to Open. A petition under RCW 11.130.270 should be commenced on or after the person for whom the order is sought has reached the age of majority.

Venue. The venue for a guardianship proceeding for an adult is in the county where the adult lives; the county in which the court is located for cases where the respondent has been admitted to an institution by court order; or, on a petition for emergency guardianship, in the county where the respondent is present.

! **Case Management and Hearing.** As soon as practicable after filing, the Court shall issue an order setting the hearing for Appointment of Guardian or Conservator on the next Monday or Tuesday not more than 60 days after filing consistent with RCW 11.130.275/370⁶. The parties must appear at that hearing unless the court has previously granted an Order Shortening or Extending Time for good cause and has set a different hearing date or the case has otherwise reached disposition.

! **Important!** Immediately after filing the case and receiving the Case Management Order, the petitioner **must** complete and file a Notice of Hearing (GDN ALL 008) with the date and time that the court has set and the list of people entitled to notice. The Notice of Hearing should be served along with the Petition, and Case Schedule and/or Case Management Order, Order Appointing Court Visitor or Attorney, Notice of Petition for Guardian, Conservator, or Protective Arrangement for Adult (GDN C 101), and any other documents required by rule, statute, or court order. Personal service must be

⁶ Petitions must be heard within 60 days unless an extension is granted for good cause shown. The request for the extension must occur before the 60 days has expired. RCW 11.130.275 and RCW 11.130.370.

completed upon the Respondent and the appointed Court Visitor and attorney within 5 days of filing the Petition⁷. Service must also be given to those listed in RCW 11.130.595(1)-(3) and any other person as the court may determine.

EMERGENCY GUARDIANSHIP OF AN ADULT AND EMERGENCY CONSERVATORSHIP OF ADULT OR MINOR.

! **How Initiated.** An action for Emergency Guardianship of an Adult and Emergency Conservatorship of Adult or Minor must be filed under a new cause number and may not be commenced under an existing case. A case shall be commenced by filing the Personal Information Form, and Petition ([GDN E 301](#) Petition for Emergency Guardianship of Adult and/or Conservatorship of an Adult/Minor).

When an Emergency Petition (GDN E 301) is filed and no Motion for Immediate Order is filed, the court shall, as soon as practicable, issue a Case Management Order. The Petitioner may set the matter for hearing by selecting a hearing date no less than 14 days in advance and filing a Notice of Hearing (GDN ALL 008).

The Notice of Hearing should be served along with the Petition, and Case Schedule and/or Case Management Order, Order Appointing Court Visitor or Attorney and any other documents required by rule, statute, or court order. Personal service must be completed upon the Respondent and the appointed Court Visitor and attorney within two days of filing the petition and no less than fourteen days prior to the hearing.

! **Immediate Orders.** Any Motion for Immediate Orders shall be heard on the Ex Parte Emergency Motions Calendar according to the process described on the Ex Parte & Probate Department's website and/or in the Ex Parte manual. When in-person hearings are again available, the moving party shall appear in person in the Ex Parte Department on a walk-in basis.

If the court grants a Petition without notice a return hearing shall be set by the Ex Parte Department not later than five days after the appointment. **!** The Court shall issue a Case Management Order and give notice of the appointment not later than forty-eight hours after the appointment to:

- (i) The respondent;

⁷ A copy of the petition and notice of hearing on the petition must be served personally on the respondent and the Court Visitor not more than five court days after the petition has been filed. When petitioning for conservatorship, a copy of the petition and notice of hearing must also be personally served on the proposed guardian within five court days after the petition has been filed. RCW 11.130.370. There is no longer any option for certified mail or other form of service, however, it may be possible for parties other than the respondent to accept alternate forms of notice, but he or she should do so in writing in a form that can be filed with the court. If notice is not personally made on the respondent, the court will not proceed with the guardianship or conservatorship hearing. RCW 11.130.275 and RCW 11.130.370.

- (ii) The respondent's attorney; and
- (iii) Any other person the court determines.

Extension of Emergency Authority. Any motions to extend an Emergency Guardianship or Conservatorship order by 60 days consistent with RCW 11.130.320(8) and/or RCW 11.130.430(8) shall be set before the Ex Parte Department on at least 14 calendar days' notice.

POST APPOINTMENT REQUIREMENTS

! **Letters of Office.** The court shall issue letters of office to a guardian on filing by the guardian of an acceptance of appointment. The court shall issue letters of conservatorship to a conservator on filing by the conservator of an acceptance of appointment and filing of any required bond or compliance with any other verified receipt required by the court. In any matter in which bond and/or verified receipt is required after entry of the Order of Appointment but prior to issuance of letters, the guardian/conservator shall seek entry of an order approving bond and/or verified receipt and directing issuance of letters, Ex Parte via the Clerk. A guardian or conservator who is a nonresident of this state shall also file Designation of and Consent by In-State (Resident) Agent (GDN ALL 008) prior to issuance of Letters of office.

Acceptance of Appointment. The guardian or conservator name(s) must be typed or printed on the acceptance of appointment as it appears in the order. When a guardian or conservator changes their name, they must obtain an order for new letters and file an acceptance of appointment under the new name in order to receive new letters of office. The expiration date of the letters shall remain the same unless changed by the new order.

! **Guardian's/Conservator's Report And/or Accounting.** All reports filed and noted for presentation on or after January 1, 2022 shall be submitted using the state model forms for reporting to the court on adult guardianships and conservatorships (Forms GDN R 204, GDN R 205, and GDN R 206). In matters where the individual's estate is no more than \$2,000 and the only source of income is SSI, SSA [Social Security Retirement], and/or SSD [Social Security Disability], the Guardian of the Estate/Conservator may submit a copy of the Social Security representative payee form instead of completing section C (form GDN R 204).

Notice of the filing under this section of a guardian/conservator's report, together with a copy of the report, must be given to the individual and any other Notice Party not later than fourteen days after filing. An Order Approving Report shall be obtained within sixty (60) days of filing the report and accounting.

Report and/or Accounting, How presented. Guardianship and conservatorship plans, reports, and accountings may be presented for approval, Ex Parte via the Clerk, without the necessity of noting the case on the appropriate motion calendar, provided that if any person has requested special notice of proceedings or is entitled to notice pursuant to any statute, court order or notice of appearance, the

party submitting an order must obtain the approval and signature of the party entitled to notice on any proposed order of approval.

All other hearings shall be heard on the Ex Parte Probate/Guardianship calendar and must be scheduled by filing an Ex Parte Notice of Court Date, or by obtaining an Order setting the court date (if required). Motions set by Notice of Court Date shall be filed and noted for hearing at least 14 (calendar) days before the scheduled date. Motions set on the incorrect or unavailable calendar will be stricken. The Court may set special hearings at other times if complex or unusual issues are present.

! **Reporting Periods.** Upon signing of the order appointing guardian or conservator, the Guardian/Conservator's plan and Conservator's Inventory shall be due within 90 days. Notice of filing shall be given not later than 14 days after filing. An Order Approving Plan/Inventory shall obtain no less than 30 days after filing. The next annual/biennial/triennial report shall be within 90 days of the anniversary of the appointment. The order of appointment shall include a Clerk's Action Summary on the first page in a format substantially the same as that set forth in RCW 11.130.665.

(a) Matters in which venue is changed to King County shall retain the reporting period established by the previous jurisdiction until the next accounting is reviewed by the court.

(b) Matters with multiple guardians and/or conservators shall have all reports due on the anniversary of the appointment of the first guardian/conservator. The court may designate a different term (i.e. annual, biennial or triennial) for the guardian or conservator report.

(c) If a successor guardian or conservator is appointed, reports shall be due on the anniversary of that appointment.

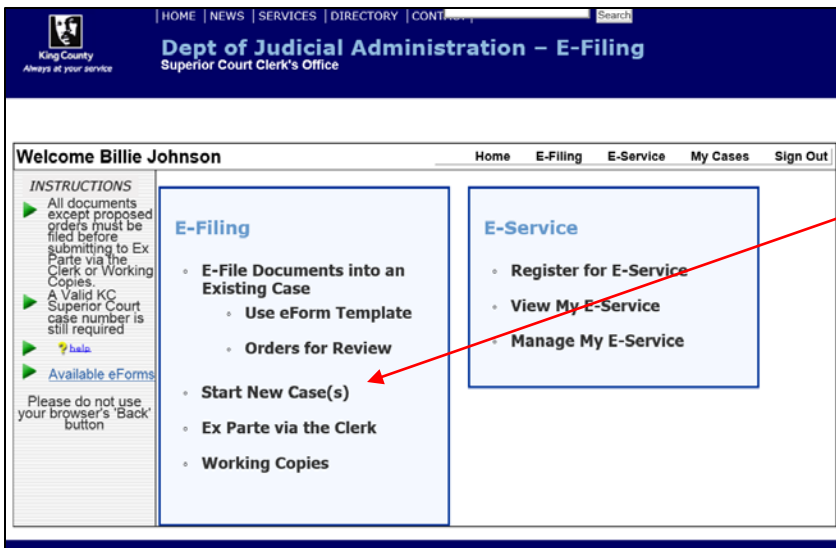
(d) The Court may, at its discretion, approve changes to the anniversary dates and/or reporting cycle. Any changes to the reporting cycle of a guardian or trustee shall be approved by the court on a form provided by the Clerk's Office. Any such order containing a directive to modify the reporting period shall be clearly captioned as such and may not be combined with any other order.

ATTACHMENT 1: E-FILING INSTRUCTIONS



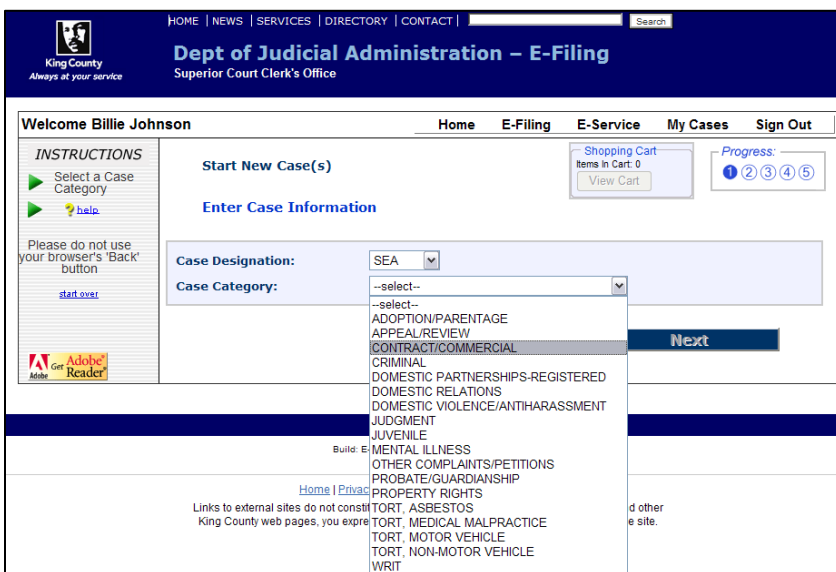
How to Electronically Initiate a New Guardianship, Conservatorship, or Other Protective Arrangement

Prior to e-filing a new King County Superior Court case, you will need to save your documents into a PDF or TIF format. For new cases, a Case Information Cover Sheet (CICS) and an Order Setting Case Schedule (if a managed case) will be automatically generated based on the information you enter and provided to you at the end of the filing process. Filing fees must be paid using the King County eCommerce application via a credit card or internet check. An eCommerce transaction fee of \$2.49 for credit cards or \$1.00 for internet checks will be included. For additional information, please see the "eFiling Application Tips" document on the Clerk's Electronic Filing & Service webpage under the "How Do I ..." tab: www.kingcounty.gov/courts/clerk/documents/efiling



Choose the E-Filing Process

- From the 'Home' page, choose 'Start New Case(s)'



Choose Case Designation & Category

- Click the down arrow in the 'Case Designation' field and choose either 'KNT' for Kent or 'SEA' for a Seattle case assignment designation
- Click the down arrow in the 'Case Category' field and choose the main category of the case - **PROBATE/GUARDIANSHIP**



How to Electronically Initiate a New Superior Court Case

Start New Case(s)

Enter Case Information

Case Designation: KNT

Case Category: PROBATE/GUARDIANSHIP

Case Sub-Category: --select--

Case Title:

EMERGENCY GUARDIANSHIP / CONSERVATORSHIP (EGC 4)

Next

Choose Case Sub-Category

- Click the down arrow in the 'Case Sub-Category' field and choose the appropriate sub-category. (NOTE: The sub-categories displayed will relate directly to the "main category" previously chosen)

Start New Case(s)

Enter Case Information

Case Designation: KNT

Case Category: PROBATE/GUARDIANSHIP

Case Sub-Category: GUARDIANSHIP / CONSERVATORSHIP -ADULT (GDC 4)

Case Title: JOHN DOE vs

Cancel Next

Enter Case Title

- Enter an abbreviated 'Case Title' in the fields provided. The Case Title should be the name of the Respondent.
- Click 'Next'

E-Filing

Documents

Case # Unassigned Case Title: JOHN DOE

Document Type	File Name	Attachment(s)
PETITION APPOINTING GUARDIAN, CONSERVATOR, OTHER PROTECTIVE ARRANGEMENT	Choose File No file chosen	Ok
PARTY INFORMATION FORM	Choose File No file chosen	Ok

Document Type File Name Size (KB) Action

Total Upload : 0.13 MB of 50.00 MB

Add Additional Document

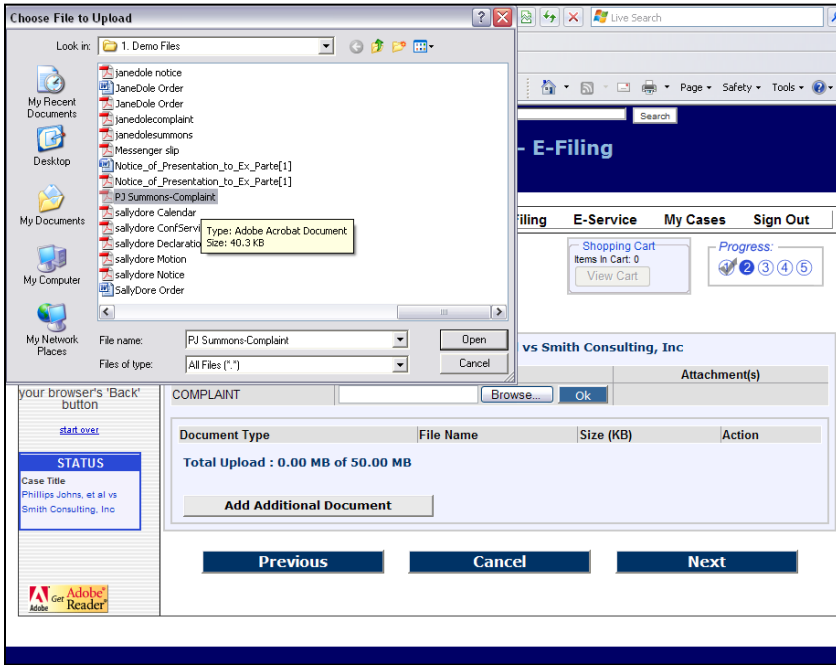
Previous Save and Exit Next

Locate Required Case Initiating Documents

- Click 'Browse' to open a 'Choose File' window on your computer, which will enable you to upload your document(s). You must upload the minimum required documents to start the case.



How to Electronically Initiate a New Superior Court Case



Choose Document

- Browse your computer or network drive to locate the document you wish to file (NOTE: For file format conversion instructions, please see the E-Filing Application Tips document)
- After choosing a document, click 'Open'

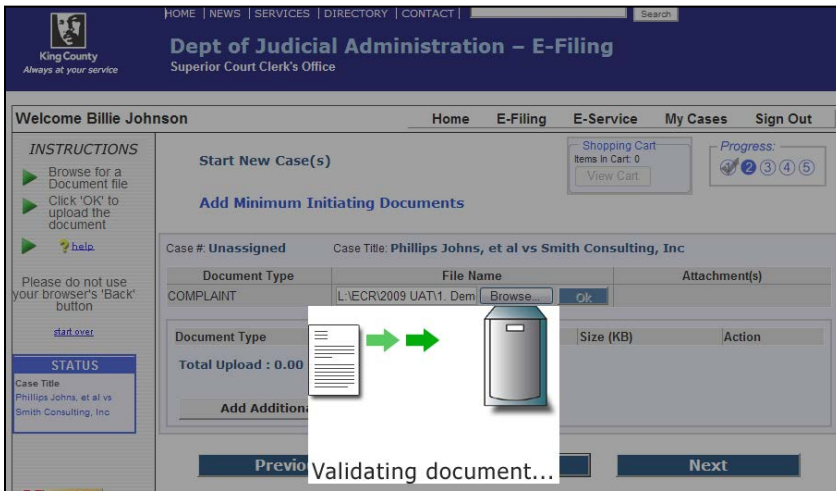
Upload Document



- The chosen document file name and location will display in the 'Document File Name:' field
- If you have an attachment(s) for this document click 'OK' and complete the locate and choose document upload process noted above (NOTE: For additional information about attachments, please see the 'E-Filing Application Tips' document)
- If you have an additional document(s) to file in this case click 'Add Additional Document'
- If you do not have attachments or additional documents to file, click 'Next'

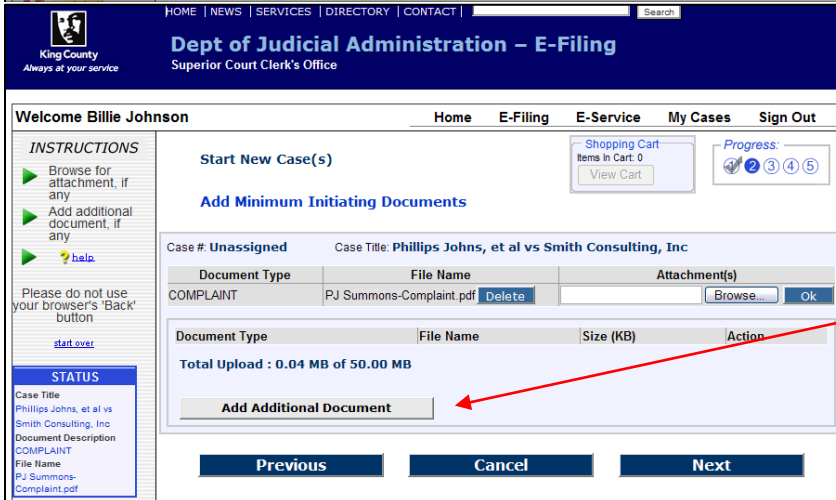


How to Electronically Initiate a New Superior Court Case



Document Validation

- The application validates the file(s) you selected to upload to verify it meets the E-Filing application requirements (NOTE: For additional information, please see the 'E-Filing Application Tips' document)



Add Additional Document

- To e-file additional documents into the case, click the "add Additional Document" button



- Click the down arrow to display a list of descriptive document names referred to as the 'Document Type'



How to Electronically Initiate a New Superior Court Case

HOME | NEWS | SERVICES | DIRECTORY | CONTACT | Search

King County
Always at your service

Dept of Judicial Administration – E-Filing
Superior Court Clerk's Office

Welcome Billie Johnson Home E-Filing E-Service My Cases Sign

INSTRUCTIONS

- Browse for a Document file
- Click 'OK' to upload the document
- help

Please do not use your browser's 'Back' button

start over

STATUS

Case Title
Phillips Johns, et al vs Smith Consulting, Inc
Document Description
COMPLAINT
File Name
PJ Summons-Complaint.pdf

Shopping Cart
Items in Cart: 0
View Cart

Progress: 1 2 3 4

Start New Case(s)

Select Document

Case Information

Case #: Unassigned Case Title: Phillips Johns, et al vs Smith Consulting, Inc

Document Type

AFFIDAVIT/DECLARATION OF SERVICE
--select one--
AFFIDAVIT
AFFIDAVIT OF MAILING
AFFIDAVIT OF PUBLICATION
AFFIDAVIT/DECLARATION OF SERVICE
AMENDED COMPLAINT
AMENDED PETITION
AMENDED SUMMONS
ANSWER
ANSWER AND COUNTER CLAIM (\$230.00)
ANSWER AND CROSS CLAIM (\$230.00)
ANSWER AND THIRD PARTY CLAIM (\$230.00)
BRIEF
CONFIRMATION OF JOINDER
CONFIRMATION OF SERVICE
CORRESPONDENCE
COUNTER/CROSS CLAIM (\$230.00)
DECLARATION
DECLARATION OF MAILING
DEFENDANT'S LIST OF WITNESSES
DEFENDANT'S PROPOSED INSTRUCTIONS

Document Type
COMPLAINT

Total Upload : 0.04 MB

Size (KB) Action
40

Previous Next

Add Additional Document - Continued

- Using the scroll bar to view the complete list, choose the document type from the drop down menu that most closely describes your document
- If you do not see the type of document you are filing listed, choose '**OTHER**' (NOTE: Unsigned orders cannot be filed with the Clerk.)
- Some document types will generate optional text fields (i.e., 'Whom' and 'Re') to help you further identify the particular document

HOME | NEWS | SERVICES | DIRECTORY | CONTACT | Search

King County
Always at your service

Dept of Judicial Administration – E-Filing
Superior Court Clerk's Office

Welcome Billie Johnson Home E-Filing E-Service My Cases Sign Out

INSTRUCTIONS

- Browse to add an attachment or exhibit to your document
- If you have another document to E-File click Add Additional Document
- help

Please do not use your browser's 'Back' button

start over

STATUS

Case Title
Phillips Johns, et al vs Smith Consulting, Inc
Document Description
COMPLAINT
File Name
PJ Summons-Complaint.pdf
Document Description
AFFIDAVIT/DECLARATION OF SERVICE
File Name
PJ AF Service 5-1-11.pdf

Shopping Cart
Items in Cart: 0
View Cart

Progress: 1 2 3 4 5

Start New Case(s)

Select Document

Case Information

Case #: Unassigned Case Title: Phillips Johns, et al vs Smith Consulting, Inc

Document Type	File Name	Size (KB)	Action
AFFIDAVIT/DECLARATION OF SERVICE	PJ AF Service 5-1-11.pdf	40	Delete

Enter Attachments

Browse... OK

Only PDF and TIFF Files. Files cannot exceed 5 MB

Document Type	File Name	Size (KB)	Action
COMPLAINT	PJ Summons-Complaint.pdf	40	

Total Upload : 0.08 MB of 50.00 MB

Add Additional Document

Previous Cancel Next

- Continue with the locate and choose document upload process noted above
- If you have accidentally uploaded the incorrect document, you may '**Delete**' the uploaded document and start the process over again
- The only limit to the number of documents you may file in a single session is the 50 MB total upload size limit



How to Electronically Initiate a New Superior Court Case

Summary

Case Category: CONTRACT/COMMERCIAL Case Sub-Category: COMMERCIAL CONTRACT (COM 2)
 Case Number: Case Designation: SEA
 Case Title: Phillips Johns, et al vs Smith Consulting, Inc
 User Name: Billie Johnson Total Cost (Includes Filing Fee): \$240.00

Document Type	File Name	Attachment(s)	Cost
COMPLAINT	PJ-summons-complaint.pdf		
AFFIDAVIT/DECLARATION OF SERVICE	PJ-aff-SVC.pdf		0.00

Buttons: Previous, Cancel, Proceed to E-File, Add to Cart & Start a New Case

Submission Summary

- A 'Summary' of the new case information and documents ready for filing is displayed for review and verification prior to filing (NOTE: Click a hyperlinked file name to view the document)
- To modify the submission, click 'Previous' to return to the document upload page where documents may be added or deleted
- If you would like to initiate another new case(s), click 'Add to Cart & Start New Case'
- If you are ready to e-file, click 'Proceed to E-File'

Confirmation Receipt - Step 5

Checkout

Case Number	Case Title	Filing Cost	Delete
	Phillips Johns, et al vs Smith Consulting, Inc	240.00	Remove

Total Filing Cost: 240.00 (not including Transaction Fee)

Payment Voucher

Buttons: Previous, Cancel, Pay and E-File Now, Start Another New Case

Final Review

- If you are submitting multiple new cases, the 'Final Review' page allows you to verify all are ready for e-filing
- Click 'Remove' to take an item out of your shopping cart. You may return to the item later through the 'My Cases > In Progress' tab



How to Electronically Initiate a New Superior Court Case

King County Ecommerce
Credit Card Payment

Payment Method: **Payment Details >>** | Review | Confirmation | Cart | [Help/FAQ](#)

Personal Information

Payment Account Type	Personal
Contact First Name	Ronald
Contact Last Name	Andrews
Business Name	N/A
Day time phone	206-296-9300
Email	RAndrews@DPTLaw.com
Confirm Email	RAndrews@DPTLaw.com

Address Information

Address	516 Third Ave
Address 2	
City	Seattle
State/Province	WASHINGTON
Zip Code	98104

Payment Account Information

Accepted Cards	
Credit Card Number	
Verification Code	
Expiration Month	01
Expiration Year	2013

Navigation

Cancel Continue

Cart Total: \$242.49
Item Count: 1
Convenience Fee: \$2.49

Payment E-Commerce

- You will be redirected to the King County 'E-Commerce' website to pay the required filing fee(s) via credit card or internet check
- A transaction fee of \$2.49 for credit cards or \$1.00 for internet checks will be added to the total amount paid
- A payment confirmation e-mail will be sent to the e-mail address entered once the e-commerce application has successfully processed your payment

Dept of Judicial Administration - E-Filing
Superior Court Clerk's Office

Welcome **Billie Johnson** | Home | **E-Filing** | E-Service | My Cases | Sign Out

Register for E-Service | View My E-Service | Manage My E-Service

Register for E-Service

Primary Email: billie.johnson123@gmail.com | Register for E-Service at a later time

Verify Email: billie.johnson123@gmail.com

E-SERVICE TERMS AND CONDITIONS

By checking the "I accept" box, I agree to accept the following terms and conditions:

Authorization/E-Service Definition

1. E-Service is mandatory pursuant to LGR 30 (b) (4) (B), which states "When a party e-files a document, the party must electronically serve (e-serve) the document via the e-service feature within the Clerk's online e-filing application."

Accept Cancel

- After completing the e-commerce process to pay for the filing, you will be directly re-routed to register for e-service on the case. KCSC LGR 30 mandates e-Service. See: www.kingcounty.gov/courts/clerk/rules/LGR_30
- A step-by-step guide on how to complete the e-Service Registration can be found online under the e-filing "How Do I ..." tab here: www.kingcounty.gov/courts/clerk/documents/efiling



How to Electronically Initiate a New Superior Court Case

Welcome Billie Johnson Home E-Filing E-Service My Cases Sign Out

INSTRUCTIONS
Save or print this confirmation receipt for your file.
Please do not use your browser's 'Back' button.

Start New Case(s)
Thank you. Your document(s) has been received by the Clerk.
Your order setting case schedule is listed below. Please click on the hyperlink and print a copy for your records and for service.

King County Superior Court Clerk's Office Register for Eservice Confirmation Receipt
You have registered to E-Service for the following case(s):

Case Number	Case Title	Firm ID	Association
17-2-14892-0	Phillips Johns, et al vs Smith Consulting, Inc		Attorney for Respondent/Defendant

An E-mail will be sent out to each person associated with your account verifying that he/she would like to receive electronic service.

King County Superior Court Clerk's Office Efiling Confirmation Receipt

Filed By: Billie Johnson Submitted Date/Time: 6/8/2017 3:57:38 PM
User ID: bbjohnson WSBA #: 28123

17-2-14892-0 SEA Phillips Johns, et al vs Smith Consulting, Inc

Received Date: 6/8/2017 3:57:38 PM
Case Category: CONTRACT/COMMERCIAL
Case Sub-Category: COMMERCIAL CONTRACT (COM 2)
Case Filing Fee: 240.00

Document Type	File Name	Attachment(s)	Document Fee
COMPLAINT	PJ-summons-complaint.pdf		0.00
ORDER SETTING CASE SCHEDULE	schedule.pdf		0.00
CASE INFORMATION COVER SHEET	cics.pdf		0.00
AFFIDAVIT/DECLARATION OF SERVICE	PJ-aff-SVC.pdf		0.00

Total Cost: (Includes Filing Fee) \$240.00

Save Confirmation Receipt
Printer Friendly Version

Confirmation Receipt

- Be sure to complete the e-Service registration process by responding to the automatic email requesting verification of the intent to register to accept e-service on this case.
- The 'Confirmation Receipt' identifies the case number assigned, the date and time that the clerk's office received your documents, as well as other pertinent case information
- A Case Information Cover Sheet (CICS) and an Order Setting Case Schedule (if case is a managed case) will be automatically generated. To view and save these documents click the hyperlinked file name.
- To save a copy of the confirmation receipt, click either the 'Save Confirmation Receipt' or 'Printer Friendly Version'

HOME | NEWS | SERVICES | DIRECTORY | CONTACT Search

King County
Always at your service
Dept of Judicial Administration - E-Filing
Superior Court Clerk's Office

Welcome Billie Johnson Home E-Filing E-Service My Cases Sign Out

My Cases - Filing Status

E-File Progress E-File Status Ex Parte Status WCopies Status

Document(s) submitted to the Clerk. Select Status column link for additional information.

E-Service Working Copy Ex Parte	Case Number	Submitted Date/Time	Received Date/Time	Status	Document Type	File N
WCopies EXP	13-2-19214-4 Phillip Johns, et al vs Smith Consulting, Inc	08/05/2013 12:36:00 PM	08/05/2013 12:36:00 PM	Pending	COMPLAINT	PJ Complaint-Summons.pdf
WCopies EXP	13-2-19214-4 Phillip Johns, et al vs Smith Consulting, Inc	08/05/2013 12:36:00 PM	08/05/2013 12:36:00 PM	Pending	AFFIDAVIT/DECLARATION OF SERVICE	PJ Case Service.pdf
WCopies EXP	13-2-19214-4 Phillip Johns, et al vs Smith Consulting, Inc	08/05/2013 12:36:00 PM	08/05/2013 12:36:00 PM	Pending	ORDER SETTING CASE SCHEDULE	schedule.pdf

E-Filing Status

- After e-filing, a hyperlink back to the Confirmation Receipt, as well as to the documents listed therein, will be available for 30 days from the date of filing via the 'My Cases >Status' tab.
- The 'Pending' will change to 'Filed' when the clerk has completed processing of the document and it is viewable in ECR.
- A status of 'Rejected' means there is a problem with the filing. Clicking on the reason will state the issue.

ATTACHMENT 2: ADULT GUARDIANSHIP– WHAT TO DO NEXT

ADULT GUARDIANSHIP– WHAT TO DO NEXT

A party starts their case by filing the Petition and Party Information Form. Within 1 business day, the Court will issue a Case Management Order which will include a Case Schedule. It is important that you read the Case Schedule carefully. The Court has set a 60-day hearing about your case. If you have not already, you must do the following, AS SOON AS POSSIBLE.

1. Contact the visitor appointed in your case. A visitor is a lawyer appointed by the Court to investigate certain matters about the case and report to the Court. A visitor is appointed in every case. You should have received an Order Appointing Court Visitor which has the visitor's name and contact information. You should contact the visitor as soon as possible to provide information needed by the visitor and to assist the visitor. Among the duties the visitor is required by law to perform are:

GUARDIANSHIP

- a. Interview the petitioner, respondent, and proposed guardian;
 - b. Visit and evaluate the respondent's current dwelling and any proposed dwelling if the guardianship is approved;
 - c. Determine if the respondent agrees or disagrees about a guardianship;
 - d. Determine if the respondent agrees/disagrees to the proposed guardian;
 - e. Determine if the respondent has expressed a preference regarding his/her proposed residence;
 - f. Evaluate the qualifications of any proposed guardian;
 - g. Secure a report from an appropriate medical professional describing the respondent's abilities, and management of self-care activities;
 - h. Evaluate if any arrangement less restrictive than a guardianship might be appropriate;
 - i. Review relevant financial records of the respondent;
 - j. Describe whether the respondent can attend the guardianship hearing, and any assistance or technology needed
1. Prepare a Notice of Hearing (GDN C 101) for the 60-day hearing. Use the date you were given on your case schedule to complete the notice of hearing.
 2. Serve the Petition, and Notice of Hearing. Serving documents is described in RCW 4.28.080 and generally means personal delivery of the documents by a person not involved in the case. These documents must be served on the following people within 5 days of the date the case was filed:
 - a. The respondent (the person for whom the guardianship is sought)
 - b. The court visitor
 - c. The lawyer appointed for the respondent (if one has been appointed)
 - d. The proposed conservator (conservatorship cases only)
 3. If your petition for guardianship did not nominate a proposed guardian, you must file with the clerk within 14 days of date the petition was filed the name of a specific person nominated to

serve as the guardian. If no person is nominated to serve as guardian within 14 days, your case may be dismissed.

4. Mail the Petition and Notice: These documents can be mailed at least 17 days before the hearing date and must be sent to:
 - a. Any spouse or domestic partner of the respondent, or if none, any adult with whom the respondent has shared household responsibilities for 6 months or more in the last year
 - b. All adult children of the respondent, or if none, each parent and adult sibling of the respondent, or if none, at least one adult nearest in kinship to the respondent
 - c. Adult stepchildren whom the respondent actively parented and with whom the respondent had an ongoing relationship in the last 2 years
 - d. Any person responsible for the care of the respondent
 - e. Any attorney currently representing the respondent
 - f. Any representative payee of the respondent
 - g. Any guardian or conservator acting for the respondent in any jurisdiction
 - h. Any trustee or custodian of a trust of which the respondent is a beneficiary
 - i. Any fiduciary of the respondent appointed by the Dept. of Veterans Affairs
 - j. Any agent of the respondent designated under a power of attorney for health care or finances
 - k. Any person nominated as a guardian by the respondent
 - l. Any person nominated as a guardian for the respondent, by the respondent's parent, spouse, or domestic partner in a will or other signed agreement
 - m. Any proposed guardian
 - n. Any person known to have routinely assisted the respondent during the prior 6 months
5. Complete and file with the Court the required Disclosure of Bankruptcy or Criminal History: [GDN ALL 002 Disclosure of Bankruptcy or Criminal History](#)
6. All proposed guardians must complete the on-line lay guardian training : [Washington State Courts - Guardian Portal](#)
7. File the originals with the clerk and send copies of [all documents](#) to the Court at least one week before your 60-day hearing. This should include a copy of the petition and hearing notice, proof of service, proof of notice, and the checklist.
8. Attend your 60-day hearing: At your 60-day hearing, the Court will look at whether the case is ready to move forward including all the steps listed above.
9. Letters of Office - These are the documents that you can show to others (banks, etc.) to show your authority to act as guardian and/or conservator.
 - a. If the Court signs an order appointing a guardian, the guardian must complete and file with the clerk the following:

1. Acceptance of Appointment
 2. Designation of a Resident Agent (only needed if the guardian lives outside the state of Washington)
- b. if the Court signs an order appointing a conservator, the conservator must complete and file with the clerk the following:
1. Acceptance of Appointment
 2. Designation of a Resident Agent (only needed if the conservator lives outside the state of Washington)
 3. A bond, if ordered
 4. Verified receipt, if ordered by the court.

After these requirements have been met, the Clerk's office will issue letters of guardianship and/or conservatorship and place them in the court file. Information on how to obtain copies of court records can be found here <https://kingcounty.gov/courts/clerk/access-records/records.aspx> or by calling 206-296-9300.

- 10.** Within 30 days of appointment, the guardian and/or conservator must provide to the respondent and other notice parties the Notice of Rights (GCN C105).

IMPORTANT!

If there are items missing from the checklist or if you don't send it to the court your case will be delayed. The court will likely schedule a later hearing for you to come back to court to show you have completed those steps.

NOTE: This document lists the basic steps for a guardianship. If you need a guardianship order BEFORE the 60-day hearing, you must file a petition for an [emergency guardianship](#).

This document is not a list of all issues or possible hearings that can occur in a guardianship. You should consult the law (RCW 11.130) and/or consult an attorney.

ATTACHMENT 3: APPROVED CASE SCHEDULE

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF KING**

In Re the Matter of

No. «\$DJA_Case_Number»

Order Setting Case Schedule—

**Adult Guardianship, Conservatorship, Other
Protective Arrangement**

FILED DATE:

MANDATORY STATUS HEARING:

HEARING LINK:

<https://kingcounty.zoom.us/j/95589486575>

I. ORDER

Pursuant to King County Local Rule 4.0 (KCLCR 4.0), IT IS ORDERED that all parties involved in this action shall comply with the schedule listed below and that failure to meet these event dates may result in the dismissal of the petition.

DATED:

PRESIDING JUDGE

II. NOTICES

NOTICE TO PETITIONER:

The Petitioner must serve a copy of this *Order Setting Case Schedule (Schedule)* to all parties required to be served. The *Schedule* may be served by regular mail, with proof of mailing to be filed promptly in the form required by Civil Rule 5 (CR 5).

The Court has set a mandatory hearing in this matter. At the hearing, the parties involved in the case shall appear and the court will enter orders regarding the matter at issue. The Court will review the status of this case, including whether the following steps have been completed:

1. Notice of Hearing, Petition, Notice of Petition, Case Schedule, Case Management Order and any Order Appointing Court Visitor or Attorney have been served on all parties requiring personal service.
2. Notice of Hearing has been provided to all parties entitled to notice of the hearing
3. Whether petitioner has identified a specific proposed guardian/conservator.

4. Whether a Professional Evaluation has been completed if required under RCW 11.130.390.
5. Whether the appointed Court Visitor has completed their duties.

You will shortly receive a copy of the Court's **Initial Case Management Order**, which will identify the court visitor appointed for this case, the name of the attorney appointed to represent the respondent (if required by law), and other matters. **Please pay close attention to the information in the Initial Case Management Order.**

At the mandatory hearing shown on this Case Schedule, the court will determine if the matter is likely to be resolved by agreement or if further hearings are necessary. The court will also inquire as to whether there are other cases in this or other jurisdictions regarding the respondent.

If you need immediate relief, you may file a Motion for Immediate Order and present the Immediate Order and Hearing Notice to the Ex Parte Department, pursuant to the Ex Parte Department emergency motions procedure.

All motions will be heard in the Ex Parte Department on the Ex Parte guardianship calendar unless specified in general order, local rule or ordered by the court. All hearings shall be scheduled with a Notice of Court Date. The Notice shall be filed at least 14 days prior to the scheduled hearing date. The Ex Parte judicial officer may set special hearings at other times if complex or unusual issues are present. Upon certification by an Ex Parte Commissioner or the assigned judge that a case is contested, a trial date will be assigned and additional deadlines set. After certification that a case is contested, all motions and other proceedings shall be set before the assigned judge. Until a case has been set for trial, no discovery shall be permitted.

FILING PAPERS THAT RESOLVE THE CASE:

Most cases will be finalized at the mandatory status hearing. If the parties wish to shorten or extend the time for the mandatory status hearing, they may do so by agreement Ex Parte via the Clerk. All matters requiring a hearing shall be noted on the Ex Parte Guardianship Calendar at least 14 days prior to the scheduled hearing date. You are required to give notice of any hearing to all parties in this case. You must provide workingcopies of any documents you want the court to consider prior to the hearing. For more information visit <https://kingcounty.gov/courts/superior-court/ex-parte-probate> You may also contact the Family Law Information Center by phone at 206-263-FLIC (3542) if you need assistance understanding the rules and procedures that apply to your case.

E-FILING and E-SERVICE. All parties to this action must keep the court informed of their addresses. Electronic Filing and registration to accept e-service via the Clerk's eFiling application is mandatory for attorneys. Self-represented litigants are strongly encouraged to sign up for e-service.

NOTICE OF NON-COMPLIANCE FEES:

If a final document is not entered within 90 days from the date stamped on this notice, your file will be reviewed. If there is no evidence of ongoing action and the case appears to be abandoned, your case may be dismissed by the Court. At that time, a "Notice of Case Closure" will be issued.

Pursuant to King County Code 4A.630.020, a fee will be assessed for failure to bring case to completion and an invoice will be mailed to you from the King County Office of Finance within 30 days of the closure, for costs related to the failure to resolve and complete this action.

(King County Local Rules are available for viewing at www.kingcounty.gov/courts/clerk)

III. CASE SCHEDULE

CASE EVENT	DATE
Case Filed	F
Deadline to serve a copy of the Petition and Notice of Hearing on the respondent, court visitor, and proposed conservator (Conservatorship only).	F+5
Deadline to file a notice identifying a <u>specific individual</u> to act as guardian/conservator, if none was listed in the petition	F+14
Deadline to provide a copy of the Notice of Hearing to all required persons identified in RCW 11.130	F+43
Mandatory Status Hearing (ExParte Department) Seattle – Mondays at 10:30 AM Kent – Tuesdays at 10:30 AM	F+60

Virtual Hearing Information

DIRECT LINK: <https://kingcounty.zoom.us/j/95589486575>

TELEPHONE: +1 253 215 8782

VIRTUAL COURTROOM ID NUMBER (SUBJECT TO CHANGE): 955 8948 6575

- **Please only visit by phone if you are unable to join online or by the app. If you are connecting by phone you will not be able to join the correct courtroom without assistance. Please have your case number ready and plan to call in to your hearing at least 15 minutes early to speak to someone.**

ATTACHMENT 4: OVERVIEW OF POST- APPOINTMENT DUTIES

Tasks and Timelines – Guardian/Conservator – Adapted from Washington State Training for Lay (non-professional) Guardians for Adults and Conservators for Adults or Minors

GUARDIANS

POST APPOINTMENT -

Immediately after an order appointing you as guardian has been signed, you must have the order reviewed by the county clerk. The order alone does not allow you to begin acting as guardian. Several more steps are required before the clerk can issue you the “Letters of Guardianship and/or Conservatorship”, which is the document you provide to third parties to show you are the guardian.

Acceptance of Appointment and Letters of Guardianship and/or Conservatorship

First, you must file the Acceptance of Appointment form. This is your statement, under penalty of perjury, that you will faithfully fulfill the duties of guardian. If you are also appointed as a conservator, and the judge has required a fiduciary bond, you will need to obtain the bond before Letters of Guardianship and/or Conservatorship can be issued. The bond is a form of insurance obtained from a commercial insurance company. Bonds are discussed further in the conservatorship module.

If you are not a resident of the state of Washington, you will also be required to sign and file a Designation of Resident Agent before Letters of Guardianship and/or Conservatorship can be issued. A resident agent is someone who lives in the state of Washington who agrees to accept service of process if a claim is filed against the guardianship and/or conservatorship. They must then forward the papers to you so that you can respond to the claim. The resident agent is frequently, but not required to be, an attorney. You should select a resident agent whom you can depend on to perform this job responsibly. The resident agent must sign the designation form confirming that they agree to accept this role.

Assuming that you have done those things, you will then be able to obtain Letters of Guardianship and/or Conservatorship from your county clerk. The Letters of Guardianship and/or Conservatorship will contain an expiration date and you will need to obtain new letters consistent with the expiration date. In general, new letters may be issued from the county clerk after the required guardian and/or conservator’s reports have been filed and approved. Once the court approves the guardian and/or conservator’s report, the order will document that approval and authorize the county clerk to issue new Letters of Guardianship and/or Conservatorship for the next period of time. The Letters of Guardianship and/or Conservatorship verify for financial institutions and care providers that you have met all the legal requirements to begin serving as guardian and/or conservator.

You may need more than one copy of the letters in case a third party requires a certified copy for their record. There will be a fee for issuance of Letters of Guardianship and/or Conservatorship.

The court order appointing you as guardian will state whether you are a full guardian or a limited guardian. If you are a limited guardian, the court order will state the limitations on your authority. The court order will also state the notice parties. You may need to give them a copy of every document you

file with the court and notify them of every hearing, depending on what the court order states. Some of the notice parties will be entitled to all notifications and filings, and some notice parties may be entitled to certain notifications only.

14 Day Notice of Appointment and 30-Day Notice of Rights

Notices Required Upon Appointment

There are two notices required shortly after you are appointed as guardian, the 14-day notice and the 30-day notice.

14 Day Notice – A guardian must give a copy of the order of appointment and notice about the right to change or end the guardianship to the adult subject to guardianship. The guardian must also give a copy of the order of appointment and notice of right to change or end the guardianship to persons given notice of the hearing on the guardianship petition. The persons who are given notice of the hearing are listed in the guardianship petition. The order and notice must be given not later than fourteen days after appointment. The state model form for appointment of a guardian includes information about the right to request the guardianship be ended or changed.

30 Day Notice – The guardian must give the adult subject to guardianship a statement of rights and what they may do if their rights are denied. This notice of rights must meet some requirements aimed at making it understandable to the individual to the extent possible. The statement must be in at least sixteen-point font and in plain language. To the extent possible, the notice must be in a language which the adult can read and understand. The statement must notify the adult of a number of important rights they have in a guardianship. These rights of the individual will be covered later in this training. The guardian must also give this notice of rights to any other person entitled to notice in the order of appointment, or a later order. The order of appointment will list the persons entitled to notice of events under the guardianship. The notice of rights must be given to the adult and these other persons within thirty days of appointment. The state model forms include a Notice of Rights form.

Tasks within Ninety (90) Days

Next are the duties you must complete within ninety (90) days of your appointment as guardian.

Guardian's Plan

As guardian you must complete a Guardian/Conservator's Plan and file it with the court within ninety (90) days of appointment. If you are appointed as a guardian only, you will just complete the sections for the guardian. If you are also appointed as a conservator, you will also complete the portion for the conservator's plan as well. Notice of the filing of the Guardian/Conservator's Plan and a copy of the Guardian/Conservator's Plan must be given to the individual subject to guardianship and the notice parties. The notice has to let the individual and other notice parties know that there is a right to object to the Guardian/Conservator's Plan. This notice of filing and copy of the Guardian/Conservator's Plan has to be given within fourteen (14) days of filing with the court.

The guardian's portions of the Guardian/Conservator's Plan must contain a comprehensive description of the individual subject to guardianship's living arrangement, services, and supports the guardian

expects to arrange, facilitate, or continue for the adult. The plan should include the social and educational activities the guardian expects to arrange for the individual, including identifying important relationships for the individual and the plan for arranging visits. The guardian will include in the plan how often the guardian plans to visit, and if the guardian intends to charge for any services.

The plan will also include whether the individual has goals on restoring his or her rights, and whether the individual has any plans, and how they will work with the guardian's plans for the individual.

You should file a proposed Order Approving the Guardian and/or Conservator's Plan. The mechanics of getting the Order signed may vary from county to county, so you will need to determine the procedure for your county. After the court approves the Order, the guardian must provide a copy of the approved Order to the individual and the notice parties.

Periodic Reporting - Guardian's Report

A guardian must also file a Guardian/Conservator's Report on a regular basis for the rest of the guardianship. If you are a guardian only, you will just complete certain sections of the report. If you are appointed as conservator as well, you will also complete the portions relating to the conservator's report. The Guardian's Report updates the court on any changes in the circumstances of the individual subject to guardianship since the filing of the Guardian/Conservator's Plan. The guardian must also provide an accounting for any funds and other property in the guardian's possession or subject to the guardian's control. The Guardian/Conservator's Report is normally due once a year. The court will establish the due date for the report. You will have to check with your local court for their requirements. It will be within ninety (90) days after the anniversary date of the guardian's appointment. You must provide the court with a proposed order form to approve the Guardian /Conservator's Report.

The Guardian/Conservator's report will update the court about many aspects of the guardianship. It will include things like how often you visited, and the dates of the visits. You will describe how much the individual was able to participate in decisions, future plans for care of the individual, etc. You will report to the court about the decisions you have made as guardian since the last plan and/or report.

The guardian must provide notice of the filing of the Guardian/Conservator's Report, together with a copy of the Guardian/Conservator's Report, to the adult subject to guardianship and any other notice party. This notice and report must be given to the individual and the notice parties within fourteen (14) days of filing. The court will review and monitor the information submitted in the Guardian/Conservator's Report.

Approval of a Plan or a Report

Keep in mind that procedures in local courts vary. Check with your court to determine how plans and reports are filed and approved. Check with your court to determine if you need to schedule a hearing and appear before the court.

Emergency Guardianship

If you are appointed as an emergency guardian, you are subject to the same general duties and decision-making standards already described. Your authority is limited to only that described in the emergency guardian order of appointment. Your authority will only last sixty days unless you ask for the appointment to be extended for another sixty days. Your reporting requirements are different, however. You must file a report with the court within forty-five (45) days and provide a copy to the individual subject to guardianship and any notice party. The report must include specific and updated information regarding the emergency, the adult's emergency needs, all actions and decisions by the emergency guardian, and a recommendation as to whether a guardian for an adult should be appointed. If your appointment as emergency guardian is extended for an additional sixty days, you will need to file another report.

Petitioning (Asking) the Court for Instruction

During your service as guardian, situations may arise when you need direction from the superior court. If there is a situation where you are uncertain how to proceed as guardian, you may petition the court for instructions on how to proceed by filing a Motion and Declaration for Instructions. In your petition you describe the facts of your situation and seek guidance from the court.

Check with your local court to see when and how to present your petition. The court will review your petition and issue an order with instructions on how to proceed.

Rights of the Individual

The individual must receive from you a Notice of Rights within 30 days of you being appointed guardian. This notice will tell the individual and the notice parties about the individual's rights in a guardianship, including their right to be involved in decisions, to receive copies of plans and reports and object, to change or end the guardianship, to ask to have you removed as guardian, to hire an attorney to assist them with their rights, and many other important rights. It's important to keep the rights of the individual in mind as you carry out your responsibilities as a guardian.

Notice Parties

The order of appointment and any later court orders will identify the notice parties. The notice parties are entitled to receive notice about many events and court filings. As discussed in this training, they include residential moves, certain medical events, if the guardian gives someone else the power to make certain decisions, copies of plans and reports, changes or terminations in the guardianship, and removal of a guardian. It's important to keep track of who is entitled to notice of events and copies of court filings.

Planning

One aspect of being a guardian that you will want to consider is what arrangements you have in place in the event you are unable to complete your responsibilities as a guardian due to absence, unexpected illness, or other circumstances. You may want to consider arranging for a successor guardian whose appointment would be effective when you are no longer able to serve. A co-guardian who could serve in the event you are unavailable for a period of time may be another option. In either of these cases, you would want to think about this ahead of time and coordinate with that person. They would need to

know about the individual subject to guardianship and be familiar with their needs, care, and preferences.

Being a Guardian

After reviewing this material, you now have a better appreciation of your role as guardian. It is truly an important position of trust. You will be expected to make important decisions on behalf of another person. Keep in mind that you serve as an appointee of the court. As such, you are required to serve under the general direction and control of the court. You've been entrusted with many responsibilities. However, if you proceed one step at a time it should be manageable.

It is important to get organized and keep track of the due dates for each of your duties. It is very important that you file your reports on time. The first year will be the most complicated. Certain tasks begin as soon as you are appointed. Others are due within ninety (90) days. Then you are generally set until the first Guardian and Conservator's Report is due - usually ninety (90) days after the anniversary date of your appointment. The next years will seem much simpler.

CONSERVATORS

Duties Upon Appointment

Once the judge signs an Order Appointing Conservator, you will need to obtain "Letters of Conservatorship" from the clerk of the court. If you are both the guardian and the conservator, you will receive combined "Letters of Guardianship and Conservatorship". The clerk will need to review the order appointing you and confirm that you have met all the legal requirements to act as conservator. Before Letters of Conservatorship are issued, you must file your Acceptance of Appointment. If you reside outside the state of Washington, you must file a Designation of In-State (resident) Agent. The In-State (resident) Agent serves the purpose of being available to be served if a claim is filed against the conservatorship estate. This function is often done by an attorney, but it may be someone else. The important thing is that the agent be reliable in communicating with you as conservator in the event of a claim.

If the judge appointing you requires a fiduciary bond you must obtain the bond before the letters can be issued. A bond is a form of insurance and is obtained from a commercial insurance company. The conservatorship bond ensures reimbursement to the conservatorship estate for losses resulting from the conservator's mishandling of the individual's assets. The insurance company will provide you with a copy of the bond, indicating the amount and date of issuance. The bond must be presented to a judge for review and approval. The court may also require you to comply with verified receipt requirements. This means that the court may require that certain accounts or funds must be blocked, meaning that they are held by a financial institution and cannot be withdrawn except by court order.

Only after Letters of Conservatorship have been issued, can you begin to act as conservator. There is a fee for the issuance of letters. The letters of conservatorship have an expiration date and will need to be reissued from time to time. Generally, after a conservator's periodic report is filed and reviewed and approved by the court, the approval will extend the conservator's appointment. The new Letters of Conservatorship may be issued for the new period of time.

Notices

14 Day Notice and 30-Day Notice. Just as in guardianship, there is a 14 Day Notice and a 30-Day Notice for conservators.

14 Day Notice – A conservator must give a copy of the order of appointment and notice about the right to change or end the conservatorship to the individual subject to conservatorship and any notice parties. The order and notice must be given not later than fourteen days after appointment. The state model form for appointment of a conservator includes information about the right to request the conservatorship be ended or changed.

30 Day Notice – The conservator must give the individual subject to conservatorship a statement of rights and what they may do if their rights are denied. This notice of rights must meet some requirements aimed at making it understandable to the individual to the extent possible. The statement must be in at least sixteen-point font and in plain language. To the extent possible, the notice must be in a language which the individual can understand. The statement must notify the individual of a number of important rights they have in a conservatorship. These include the right to ask for the conservatorship to be changed or ended, or to remove the conservator, and choose an attorney to assist them in these matters. The individual has a right to participate in decision making as much as possible and get copies of the conservator’s plan, inventory and conservator’s report. The individual can object to what’s in the plan, inventory or report. This notice of rights must also be given to any notice parties within thirty days of appointment. The state model forms include a Notice of Rights form. This form is a combined notice of rights for both guardianship and conservatorship.

Locating Assets of the Individual

Once Letters of Conservatorship are given to you, you must locate and take control of the assets and funds of the individual. In cases where someone else is the guardian, to the extent the court has given them authority over any funds or assets of the individual, you will not take control of those items. The discussion in this module will generally apply to conservatorship. If as guardian you have authority over certain assets and funds of the individual, you should follow the principles about being a financial fiduciary. Note that the guardian has the authority and duty under the law to take care of the individual’s personal effects. If you are appointed as both guardian and conservator, these differences will not matter to you. You must arrange for all accounts belonging to the individual to now be held by you as a fiduciary. For example, if you are Mary Smith and the individual subject to conservatorship is John Doe, open or change the account name to: “Mary Smith as Conservator for John Doe” or John Doe, Mary Smith Fiduciary (or Conservator or Representative Payee)”.

Main Bank Account

Every conservatorship case should have one primary checking account from which all bills are paid. (Reminder, if someone else is appointed as guardian and is paying the current support and care bills, they may have a separate checking account for the guardianship.) This will simplify things when you prepare your accountings. Every disbursement should be found in the check register for this account. Avoid the use of cash and money orders because keeping track of them is difficult. If there are multiple accounts, transfer funds into the primary checking account, if needed to pay bills or transfer funds to a guardian for bills.

When you attempt to take control of the individual's accounts, you must properly identify yourself as the new conservator. You will need a certified copy of the Order Appointing you and the Letters of Conservatorship issued to you.

Blocked Accounts

As an alternative or in addition to requiring a fiduciary bond, the judge may order that conservatorship funds be secured by creating a blocked account. This requires an additional step, beyond the process just described for taking control of an account. You must provide a Receipt of Funds into Blocked Account form to the financial institution along with your other documents. Note that the state court website offers a model form. Some counties may use local forms that may be found on local court websites.

The bank or financial institution will then put a "block" or "hold" on the account, which means that no funds can be released without a court order. An agent of the financial institution will then sign the Receipt of Funds into Blocked Account. The signed receipt should be filed with the court clerk as soon as possible. Some courts require receipts to be filed within 30 days.

Practical Considerations

Get organized and create a filing system for the conservatorship and keep separate from your own personal records. Keep papers in a safe and secure area away from viewing by others. Keep electronic records safe and secure by use of passwords and dual authentication methods if possible. We'll talk about record keeping a little later, but know that it is an essential part of your role as conservator.

Begin Work on the Inventory

You must begin to compile an "inventory". An inventory is a list of assets (money and property) that belong to the individual. Make a list of the accounts that you are aware of and make a list of the property, including personal items that belong to the individual. For example, the individual may own a home, the contents of the home, a car and two bank accounts. The inventory is a "snapshot" of everything that the individual owns when you begin as conservator. You must accurately list these assets as of that date, so it is important to begin gathering information right away.

Tasks Due at 90 Days

Ninety days after the conservator's appointment is an important milestone. Within 90 days after being appointed, the conservator must complete the following tasks:

Inventory

The conservator must file the inventory of all of the individual's property and finances with the court. There is a state model inventory form you may use. Check to see if your court requires a local version of the form, or whether you can use the one from the state court website. The inventory lists the individual's property with current values, estimated monthly income, liabilities and debts. The inventory should list everything existing on the date the conservator was appointed. It is important to be very accurate when preparing the inventory. Include bank accounts, real property and personal property. Use an estimate of current market value for personal property. Use the current assessed value for real property. The inventory is filed under oath that declares that the information is true and correct.

Conservator's Plan

The conservator must also file the Conservator's Plan. There is a state model Guardian/Conservator's Plan. The conservator must petition (ask the court) to approve the Guardian/Conservator's Plan. You must provide an Order Approving Guardian/Conservator's Plan for the court to approve your plan and proposed budget. Again, there is a state model form, but some counties may require the use of their own form. The procedure for preparing the Order may vary from court to court. Please check with your court. You will also have to follow the requirements of your local superior court regarding how to get your Conservator's Plan approved, including scheduling a court hearing if required. Once the order is signed approving your Conservator's Plan with a budget, you are authorized to expend funds per the budget for the balance of your first reporting period.

As conservator, you must give notice of filing and copies of the Conservator's Plan and the Inventory to the individual subject to conservatorship. You must also give notice of filing and copies to the notice parties in the conservatorship (listed in the order of appointment and any later court order.) The notice must include a statement of the right to object to the Conservator's plan and be given not later than fourteen days after the filing

Periodic Reporting

After the 90-day filing of the inventory and Conservator's Plan are completed and approved, the conservator must report periodically to the court.

Reports and accountings are an important part of your duties as conservator. Accordingly, we'll spend some time discussing the requirements. The court will always set your reporting schedule in the Order Appointing you as conservator. Reporting is typically required on an annual basis. However, the court may set a different reporting cycle, up to 36 months. Be sure to check the Order Appointing you to determine when the first report is due. It is your responsibility to keep track of the due date for your reports.

The first reporting period begins when you are appointed conservator. It ends on the anniversary date of your appointment. For example, if you were appointed on May 5, 2022, an annual report would cover the period from May 5, 2022 to May 4, 2023.

The actual due date for the report will be 90 days after the end of the report period. This grace period allows time for checks to clear, bank statements to arrive and still gives you time to organize the information to place in the reports. It is important to complete your first report accurately. When listing the beginning balance for an asset such as a bank account, you should use the value from your inventory list. You will recall that the inventory lists the value of all the individual's assets at the time you were initially appointed conservator. Once you have listed the correct beginning values for all of the individual's property, you then set forth all of the income received and expenses paid during the reporting period.

You may use the Guardian/Conservator's Report form found on the state website or as required by your local court. Make sure to include your proposed budget for the next reporting period.

You must be able to document all disbursements shown in the report. This is why cash withdrawals from a conservatorship account are generally not permitted. Remember to keep copies of everything that you file for your own records.

Once you have prepared the Guardian/Conservator's Report, you will need to file it with the court clerk's office. It is not enough to simply prepare and file your report. You must have the report approved by the court.

You may need to set a time for hearing of the report. Some courts will have already set a hearing date at which you must appear to review the case with the judge. You will need to check with your local court to find the proper procedure to follow or have an attorney represent you. Every county has local rules that you should be familiar with.

You will need to give notice of the report being filed and a copy of the Report to the individual and the notice parties within 14 days of filing. Generally, whether you are represented by counsel or not, you will need to appear in court. The court will need to sign a court order approving the report that the conservator provides.