

How to

Respond to a Petition Asking to Change or Terminate a Minor Guardianship/Non-Parent Custody

Due to COVID-19, most hearings are being done by phone or video and most offices are providing remote services. You should consult the King County Superior Court webpage for the most up to date information. <https://www.kingcounty.gov/courts/superior-court.aspx>.

Talk to a lawyer, if you can

These instructions have been developed by the King County Superior Court Family Law Information Center. They are not intended to be a substitute for legal advice. They provide only legal *information*. It's a good idea to talk to a lawyer before you file any forms.

If you **cannot** afford a lawyer, you can:

- Get a list of low-cost and free legal resources.
<https://kingcounty.gov/~media/courts/superior-court/docs/family/facilitator/family-law-resources.ashx?la=en>
- Get help from the Family Law Facilitators office. You can get information about their services at <https://kingcounty.gov/courts/superior-court/family/facilitator.aspx>.

Step 1: Determine your response deadline.

20 days	If you were served in person in Washington state.
60 days	If you were served in person outside of Washington state or read notice about this case in a newspaper.
90 days	If you were served by mail.

NOTE: If you signed a “Joinder” form agreeing to the change, but you now disagree with the change, you should file your response as soon as possible.

Step 2: Fill out these forms.

This form can be downloaded at: <https://kingcounty.gov/courts/superior-court/ex-parte-probate/Minor-Guardianships.aspx>

Form Name	Form Number	Notes	Completed
Response/Objection to Petition to Terminate Minor Guardianship or Non-Parent Custody Order	No Pattern Form Developed		<input type="checkbox"/>

All these forms can be downloaded at: www.courts.wa.gov/forms/

Declaration of (name):_____	FL All Family 135	<u>Optional:</u> Use this form if you need more space than the <i>Response</i> provides.	<input type="checkbox"/>
Confidential Information Sheet	GDN M 410	Complete this form to give your contact information to the court. You are <u>not</u> required to serve the other party with this form.	<input type="checkbox"/>

Print this, but do not fill it out yet. You will need it later.

Form Name	Form Number	Notes	Completed
Proof of Service (Other than Personal Service)	GDN ALL 009		<input type="checkbox"/>

Step 3: Make copies.

- **Original** set to file with Clerk's Office
- **Copy 1** for your personal records.
- **Other Copies** for each person who needs notice (**except** the *Confidential Information Sheet*):
 - Party filing the petition
 - Each parent of the child
 - Any person with court-ordered custody or guardianship of the child
 - The child (if they are 12 or older)
 - Anyone ordered to receive notice under the court-ordered custody or guardianship that you want to be changed

Step 4: File forms with the Clerk's Office.

By the deadline in Step 1, file the documents from Step 2 at the Clerk's Office (Room 2C in Kent and E-609 in Seattle).

OR

You may file these documents electronically through the Clerk's Office E-Filing website at <https://www.kingcounty.gov/courts/clerk/documents/efiling.aspx>.

Step 5: Provide copies to all parties.

By the deadline in Step 1, mail or email (with the party's permission) all forms from Step 2 (**except** the *Confidential Information Sheet*) to the parties listed in Step 3.

Then, complete the *Proof of Service* form from Step 2. Keep a copy for your own records and file the original with the Clerk's Office.

Step 6: Go to the Status Hearing

The date, time, and place for this hearing are listed on your *Case Schedule*. You and all other parties must go to this hearing. The court may dismiss the case if the Petitioner fails to follow the *Case Schedule* or fails to appear at this hearing.

Step 7: Finishing your Case

After you have filed your *Response*, there are two ways to finish your case:

Agreement

If you come to an agreement before trial, you may be able to finish your case early. Please speak with a Family Law Facilitator for more information.

Trial

If you and the other party cannot come to an agreement about your case, you will have a trial before a Judge. Please make sure that both your email and mailing address are updated so that the court can send you notice of the Pretrial Conference. Instructions on preparing for trial are available at the Facilitators' Office.

You will need these forms for finalizing by agreement or for trial if you don't reach an agreement:

Parent's Consent to Minor Guardianship	GDN M 304	One for each legal parent (only if a parent is in agreement with the proposed change or termination)	<input type="checkbox"/>
Minor Guardianship Findings and Order (if appointing a new guardian or standby guardian)	GDN M 105	Fill this out the way you would like the court to decide	<input type="checkbox"/>
Residential Schedule (if requested)	GDN M 104	Fill this out the way you would like the court to decide	<input type="checkbox"/>
Order on Petition to Terminate or Change Minor Guardianship or Non-Parent Custody Order	GDN M 503	Fill this out the way you would like the court to decide	<input type="checkbox"/>

Also fill out these forms if you or the other party is asking to change child support:

Child Support Worksheets (CSW)	WSCSS-Worksheets		<input type="checkbox"/>
Child Support Order	FL All Family 130	One order for each parent who must pay support.	<input type="checkbox"/>
Financial Declaration of (name): _____	FL All Family 131		<input type="checkbox"/>