

How to

# Ask for an Immediate Minor Guardianship Order

## WARNINGS!

- You must have an active case to file for an Immediate Minor Guardianship Order. You can file this request **at the same time** you are filing or **after** you have filed either a *Minor Guardianship Petition* or an *Emergency Minor Guardianship Petition*.

### **Talk to a lawyer if you can**

These instructions have been developed by the King County Superior Court Family Law Information Center. They provide *legal information* only and **are not intended** to be a substitute for legal advice.

**Facilitators cannot provide legal advice or complete your forms for you.** It's a good idea to talk to a lawyer before you file any forms.

You can get information about their services and a list of low-cost and free legal resources at <https://kingcounty.gov/en/court/superior-court/courts-jails-legal-system/court-programs-children-families/divorce-custody-adoption/family-law-facilitators>

## Step 1: Fill out these forms.

All these forms can be downloaded at: [www.courts.wa.gov/forms/](http://www.courts.wa.gov/forms/)

Form Name	Form Number	Notes	Completed
<a href="#">Motion for Immediate Order (Ex Parte)- Emergency Minor Guardianship and Restraining Order</a>	GDN M 204		<input type="checkbox"/>
<a href="#">Immediate Order (Ex Parte) and Hearing Notice- Emergency Minor Guardianship and Restraining Order</a>	GDN M 205	The judge will write in the court date. Fill the rest of the form out for the judge	<input type="checkbox"/>
<a href="#">Emergency Minor Guardianship Order</a>	GDN M 203	Fill this out the way you would like the judge to decide at the next hearing	<input type="checkbox"/>

If you are asking for temporary child support, you need to fill out these forms:

<a href="#">Child Support Worksheets</a>	WSCSS-Worksheets	Online Child Support Calculation software is available at: <a href="https://fortress.wa.gov/dshs/dcs/SSGen/Home/QuickEstimator">https://fortress.wa.gov/dshs/dcs/SSGen/Home/QuickEstimator</a>	<input type="checkbox"/>
<a href="#">Child Support Schedule &amp; Instructions</a>	Use this information to calculate Child Support Worksheets.		<input type="checkbox"/>
<a href="#">Child Support Order</a>	FL All Family 130	Fill this out the way that you would like the Commissioner to decide	<input type="checkbox"/>
<a href="#">Financial Declaration of _____</a>	FL All Family 131		<input type="checkbox"/>
<a href="#">Sealed Financial Source Documents</a>	FL All Family 011	Use this coversheet to keep your financial records confidential	<input type="checkbox"/>
<p>For the court to decide on financial issues, you must provide copies of financial documents, including:</p> <ul style="list-style-type: none"> <li>▪ Your W-2s and complete personal tax returns for the past 2 years</li> <li>▪ Your most recent pay stubs (at least 6 months)</li> <li>▪ Complete partnership/corporate tax returns for the past 2 years if you have a 5% interest or more</li> <li>▪ Statements from all your banks and financial institutions for the past 6 months</li> </ul>			

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

Form Name	Form Number	Notes	Completed
<i>Declaration of Reasonable Notice in Emergency Guardianship Case</i>	DCLR		<input type="checkbox"/>

## Step 2: Notice

Before scheduling your hearing date, you must first determine whether you are required to provide the other parties with notice of the hearing.

When Notice is NOT required:

If providing notice to the other parties would **substantially harm the child's health, safety, and welfare**, you do your Motion why notice would harm the child(ren) in your *Motion for Immediate Order (Ex Parte) - Emergency Minor Guardianship and Restraining Order*.

When Notice is required:

If you cannot provide proof that providing notice to the other parties would substantially harm the child's health, safety, and welfare, you MUST tell the other parties the date and time of the hearing at least **two days** in advance of the date you select in Step 4. In your *Motion for Immediate Order (Ex Parte)- Emergency Minor Guardianship and Restraining Order*, you must tell the court what you have done to notify the following other parties of the hearing:

- each parent
- the child (if 12 or older and the court has not signed an *Order on Motion to Withhold* giving you permission to withhold all documents and evidence after the *Summons, Notice, and Petition*)
- any person who has the child in his/her custody
- any attorney involved

## Step 3: Contact the judge's bailiff for your hearing date.

If a party requires an immediate (same day) hearing, the party shall email [minorgdn\\_immediate\\_hearing@kingcounty.gov](mailto:minorgdn_immediate_hearing@kingcounty.gov) to request a hearing. The bailiff will work with the party to set an immediate hearing. Reasonable notice must be provided to the responding parents or other notice parties, unless the minor's health, safety, or welfare will be substantially harmed before a hearing with notice can be held.

**Step 4: Email Working Papers to the judge.**

Your “working papers” are every document you completed in Step 1.

Immediately after getting a hearing date in Step 3, you must email your working papers to [minorqdn\\_immediate\\_hearing@kingcounty.gov](mailto:minorqdn_immediate_hearing@kingcounty.gov)

Working Papers Email
<ul style="list-style-type: none"><li>• The subject line of the email should read “NOTICE OF HEARING ON _____(DATE): CASE NUMBER _____.”</li><li>• Include all parties in the email (if there is no threat of harm see Step 2).</li><li>• Attach the <i>Immediate Order (Ex Parte)- Emergency Minor Guardianship and Restraining Order</i> in WORD, if possible.</li><li>• Attach a copy of the Emergency Guardianship Petition.</li><li>• Working papers may be provided in person to the judges’ mailroom (C-203 in Seattle or Room 2D in Kent) <u>only if</u> email is not an option for you. On the top righthand corner, write: WORKING COPIES Hearing:_____ [date of the hearing] Ex Parte Department/Minor Guardianship Submitted by:_____ [your name]</li></ul>

**Step 5: Make copies.**

- **Original** set to file with Clerk’s Office
- **Copy 1** for your personal records.
- **Other Copies** for each person who needs notice:
  - each parent
  - the child (if 12 or older and the court has not signed an *Order on Motion to Withhold* giving you permission to withhold all documents and evidence after the *Summons, Notice, and Petition*)
  - any person who has the child in his/her custody
  - any attorney involved.

## Step 6: File these forms with the Clerk's Office.

File the following documents from Steps 1 and 3 at the Clerk's Office (room 2C in Kent and E-609 in Seattle):

- *Notice of Court Date (judge)*
- *Motion for Immediate Order (Ex Parte)-Emergency Minor Guardianship and Restraining Order*
- If requesting child support, *Financial Declaration, Child Support Worksheet*, and supporting financial records.

### **OR**

You may file these documents electronically through the Clerk's Office E-Filing website at: <https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/filing>

## Step 7: Attend your first hearing.

Hearings are conducted as Zoom meetings.

At the hearing, the judge will decide whether to approve your request for an Immediate Guardianship Order and schedule a return court date.

## Step 8: Notify all parties within 48 hours.

If the court signed your Immediate Guardianship Order, you must *within 48 hours*:

- give a copy of all the forms completed in Steps 1 and 4 to the following parties:
  - each parent
  - the child (if 12 or older and the court has not signed an *Order on Motion to Withhold* giving you permission to withhold all documents and evidence after the *Summons, Notice, and Petition*)
  - any person who has the child in his/her custody
  - any attorney involved.
- in a way likely to provide notice (for example email, last known mailing address, social media contact, SMS text, hand delivery, or mail).

Then, complete the [\*Declaration of Reasonable Notice in Emergency Guardianship Case\*](#) form. Keep a copy for your own records and file the original with the Clerk's Office.

## Step 9: Confirm attendance at your second hearing.

At least two days before your second hearing, contact the bailiff for your assigned judge to confirm that you will be attending. You can find the phone number and email address for the bailiff to your assigned judge at:

<https://kingcounty.gov/en/court/superior-court/about-superior-court/judges-staff/judges>

**Step 10: Email proposed orders to assigned judge.**

Your “Proposed Orders” are the following forms:

- *Emergency Minor Guardianship Order*
- If requesting child support, *Child Support Order*.

Email your proposed orders to the bailiff for your assigned judge by **noon the day before** your hearing.

**Step 11: Attend the second hearing.**

Participate in the guardianship hearing, which will be a Zoom meeting with the assigned judge.

**Step 12: File Acceptance of Appointment**

Once the judge has signed the Order Appointing Guardian you will need to file an “Acceptance of Appointment” in order for the Clerk’s office to issue Letters of Guardianship. File this form with the Clerk’s office.

Form Name	Form Number	Notes	Completed
<a href="#">Acceptance of Appointment</a>	GDN ALL 003	Fill this out to match what is in your Order Appointing Guardian	<input type="checkbox"/>

**Step 13: Get Letters of Guardianship**

If the court approves your request to become the guardian, you will need Letters of Guardianship to prove you can make decisions for the child. Ask for copies of the Letters of Guardianship in person (room 2C in Kent and E-609 in Seattle), by mail, or online.

More information on how to get copies of court records is available at:  
<https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/case-records/records-access>

Any questions about how to get your Letters of Guardianship should be directed to: (206) 296-9300 or [clerksofficecustomerservice@kingcounty.gov](mailto:clerksofficecustomerservice@kingcounty.gov).