How to
Modify/Terminate a Minor Guardianship/Nonparent Custody Order

Use these instructions if,

- You have a final Minor Guardianship or Nonparent Custody Order signed by a judicial officer, and

- You want to change something in the order or terminate (end) the order because the reason the guardian or custodian was appointed is no longer true.

However, if you want to change the support amount, do not use these instructions. You must file to change child support *separately*. Ask the facilitator for information on how to change child support.

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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 and make copies

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

Form Name	Form Number	Notes	Completed
Summons	GDN M 500		☐
Notice of Hearing about a Petition to Terminate or Change a Minor Guardianship or Non-Parent Custody Order	GDN M 501		☐
Petition to Terminate or Change Minor Guardianship or Non-Parent Custody Order	GDN M 502		☐
You must attach a copy of the final Minor Guardianship or Non-Parent Custody Order you want to change to your petition. If the Guardianship or Custody Order you want to change was made in another state or county, you need to file a certified copy of that order.			☐

All these forms can be downloaded at: https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/forms

Form Name	Form Number	Notes	Completed
Case Assignment Area Designation and Case Information Cover Sheet		Probate/Guardianship	☐
Confidential Information Form	GDN M 410		☐

If you are requesting a change in the court-ordered residential schedule, you will also need:

Form Name	Form Number	Notes	Completed
Residential Schedule	GDN M 104	Fill this out the way that you would like the court to decide	☐

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

Form Name	Form Number	Notes	Completed
Proof of Personal Service	GDN All 007		☐

Step 2: Make copies.

What documents do I need to copy to serve on the other parties?

- *Notice of Hearing about a Petition to Terminate or Change a Minor Guardianship or Non-Parent Custody Order*
- *Petition to Terminate or Change Minor Guardianship or Non-Parent Custody Order*
- *Residential Schedule* (if applicable)

How many copies?

- **Original** set of all documents to file with the Clerk's Office
- **Copy 1** of all documents for your personal records.
- **Other Copies** – you must make a copy for each party listed in the *Notice of Hearing about a Petition to Terminate or Change a Minor Guardianship or Non-Parent Custody Order.*

    - This includes:
        - 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 3: Start (file) your case.

The Clerk will ask you to pay a filing fee.

While starting the case, the Clerk will ask you to pay a filing fee. If you cannot afford to pay the fee, apply to waive the fee. This application is available here:

https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/courts-financial/fees-payments/fee-waiver

File your documents.

You can start (file), your case by either bringing your original forms to the Clerk's Office (room 2C in Kent and E-609 in Seattle),

OR

You can file your case online on the Clerk's website at: https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/filing If you have questions about e-filing call 206-477-3000, or email eServices@kingcounty.gov

DO NOT FILE the *Notice of Hearing about a Petition to Change or Terminate*. You will need to fill in the hearing date before filing and serving this on the other parties. See Step 4.

Step 4: Complete the *Notice of Hearing* form.

Fill out the *Notice of Hearing about a Petition to Change or Terminate* form. When you file the case, the Clerk's Office will give you a case schedule with the Status Conference date listed. Write this date on the Notice of Hearing form.

Make copies of the *Notice of Hearing* and *Order Setting Modification/Termination Case* Schedule. You should make enough copies for everyone identified in Step 2. File the original Notice of Hearing form with the Clerk after you fill in the date of hearing.

Step 5: Have the other parties served

The *Notice of Hearing Attachment* has a section that identifies all the individuals below are entitled to notice by personal service. These include:

- each parent
- any person with court-ordered custody or guardianship
- the child (if they are 12 or older)
- any other person required to receive notice under any current guardianship order

You must serve these documents:

- *Notice of Hearing*
- *Petition to Terminate or Change Minor Guardianship or Non-Parent Custody Order*
- *Order Setting Modification/Termination Case Schedule.*

How to serve

Someone over 18 – **not you** - must serve (give) the other party copies of your court papers. After serving, the server fills out the *Proof of Personal Service (GDN 007)* form and gives it to you. Keep a copy for your own records and file the original with the Clerk's Office.

If you cannot locate a parent for service or have questions about serving, ask the facilitators for the packet of information about service.

Step 7: Go to the Court 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 your case if you fail to follow your *Case Schedule* and fail to appear at this hearing. You can request to have your final documents be granted at this hearing if all parties agree.

Step 8: Finishing your Case

There are three ways to finish your case:

Default
If the other people in the case do not file a Response to the *Petition* by the deadline, you may be able to finalize your case by default. Please speak with a Family Law Facilitator for more information.

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 agrees with the proposed change or termination)	☐
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	☐
Residential Schedule (if requested)	GDN M 104	Fill this out the way you would like the court to decide	☐
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	☐

Also fill out these forms if you are asking to change child support:

Child Support Worksheets (CSW)	WSCSS-Worksheets		☐
Child Support Order	FL All Family 130	One order for each parent who must pay support.	☐
Financial Declaration of (name): _____	FL All Family 131		☐