

MINOR GUARDIANSHIP – WHAT TO DO NEXT

You have now started your minor guardianship case by filing the Summons and Petition. Attached to this notice is 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. Get copies of Criminal and CPS backgrounds:** You must request criminal history and CPS background information for the proposed guardian(s) and any residents of the guardian(s)' household. You must:
 - a. Get the Washington Access to Criminal History Report**
 - a. You can get a copy of this report online at [WATCH Overview - Washington State Patrol](#) or you can get a copy in person or by mail. For more information visit: [Criminal History - WSP \(wa.gov\)](#)
 - b. Put the *Criminal History Cover Sheet* (form [GDN M 407](#)) on top of the criminal history report.
 - b. Submit the Motion and Order to DCYF to Release CPS Information**
 - a. Download and fill out the *Motion for DCYF Order and Order to DCYF to Release CPS Information* ([GDN M 404](#) and [GDN M 405](#)).
 - b. The order must be signed by a judicial officer. Submit the motion to the court using the Court's [Ex Parte Via the Clerk \(EVPC\)](#) process.
- 2. Decide if a visitor needs to be appointed.** A visitor is a lawyer appointed by the Court to investigate certain matters about the case and report to the Court. You can find out more about appointing a visitor at [\[link\]](#) A visitor **must** be appointed if:
 - a. The minor is 12 years old or over and does not have his/her own lawyer; OR
 - b. Any party who must be served in the case is unable to be served; OR
 - c. You or any party believes a parent of the child has waived notice about this case.

You must file a motion to appoint a visitor if a visitor is required in your case. Forms for the motion and proposed order to appoint a visitor can be found [HERE](#).
- 3. Prepare a Notice of Hearing ([GDN M 101](#)) for the 60-day hearing.** Use the date you were given on your case schedule to complete the notice of hearing.
- 4. Serve the Summons, Petition, Statement, and Notice.** [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:
 - a. The child's parents
 - b. The child (if age 12 or older) unless the court ordered that the *Reasons for Minor Guardianship* **not** be served on the child.
 - c. Any current guardian or person with court-ordered custody
- 5. Mail the Petition and Notice:** These documents can be mailed and must be sent to:
 - a. Any adult with primary care or custody of the minor who is NOT a parent, or who had primary care or custody of the child for:

- 60 days or more in the last 2 years, or
 - 730 days during the last 5 years
- b. Any non-parent with custody of the minor under a prior non-parental custody order
 - c. Any person nominated by a minor 12 or older to be guardian
 - d. Any person nominated by a parent to be guardian
 - e. Each grandparent and sibling of the minor, if known
 - f. Any conservator for the minor in any jurisdiction
6. **Complete and file with the Court the required Disclosure of Bankruptcy or Criminal History:** [GDN ALL 002 Disclosure of Bankruptcy or Criminal History](#)
 7. **All proposed guardians should complete the on-line lay guardian training :** [Washington State Courts - Guardian Portal](#)
 8. **Complete the court required checklist.** You can find the checklist <link HERE link>. Fill in every item if possible; if not, fill in every item you can. File the completed checklist with the Court and send a copy to the court (using the eWorking Copies process described below) at **least two weeks** before your 60-day hearing.
 9. **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, the WATCH report, and the checklist. To send these to the court, use this process: [eWorking Copies](#)
 10. **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.

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.