

HOW TO RESIGN AS GUARDIAN AND/OR APPOINT SUCCESSOR GUARDIAN

1. If the resigning guardian has passed away, the standby guardian can file paperwork. However, if the standby guardian is not willing to be the successor guardian, a Guardian Ad Litem will probably have to be appointed to the case.
2. The resigning guardian must obtain a hearing date and time from the Guardianship Monitoring Program, 477-2622. File the original in the Clerk's office and drop off copy of the Notice of Guardian's Intent to Resign, Petition to Appoint Successor Guardian, Notice of Hearing and Declaration of Mailing (Form #58A) to the Guardianship Monitoring Program. The successor guardian must be the current designated standby guardian. If not the resigning guardian should file a new designation of standby guardian appointing the successor guardian.
3. It will be the responsibility of the resigning guardian to provide notice of the hearing date to any interested party. The parties entitled to notice are set forth in RCW 11.88.040. Generally, this would include the incapacitated person, care facility, standby guardian, etc. Satisfactory notice is a minimum of twelve days prior to the hearing. (See LSPR 98.20 for additional information on proper notice deadlines.)
4. Remember the call in ready procedure, the resigning guardian must call two days prior to the scheduled hearing date no later than 11:59 a.m. to (509) 477-3886 and indicate the case name and number and it is ready to go.
5. At the scheduled hearing date, the successor guardian must appear and submit the Order Appointing Successor Limited Guardian of Person/Full Guardian of Person and/or Limited Guardian of Estate/Full Guardian of Estate (Form #10A), along with the Declaration of Proposed Guardian (certified, Form #8) or Declaration of Proposed Guardian (non-certified, Form #9) including background check (for Washington State, www.wsp.wa.gov Hot Topics - Background Checks-WATCH.)
6. The Order Appointing Successor Guardian will give the resigning guardian 30 days to submit the final accounting (including supporting documents) to the Guardianship Monitoring Program, original filed in the Clerk's Office. The resigning guardian must file a Declaration of Service (Form #11) to all interested parties, allowing time for objections including the successor guardian. The final accounting will be audited through the Guardianship Monitoring Program. After the audit is complete the Order Approving Final Accounting (Form # 61B) will be approved or a hearing scheduled.

Guardianship Forms are available online at www.spokanecounty.org/superiorcourt/guardianforms

Or the guardianship forms may be purchased at the Spokane County Bar Association Office on the fourth floor of the Spokane County Courthouse Annex.

Spokane County Superior Court
Guardianship Monitoring Program
1116 West Broadway
Spokane WA 99260-0350
509-477-2622