

INSTRUCTIONS FOR TRANSFERRING WASHINGTON GUARDIANSHIP TO OTHER STATE
RCW 11.90.400

1. The Washington Guardian begins the process of transferring the guardianship to another state by filing a Petition to Transfer Guardianship (WPF GDN 02.0170) in the Washington Court.
2. Notice of the filing of the Petition must be served on all interested parties (as set forth in RCW 11.88.040.) This would normally include the incapacitated person, immediate family and anyone who has requested special notice.
3. The guardian should request that a hearing be set to consider the petition. The guardian may contact the Guardianship Monitoring Program at the court to determine if the case can be set on the general guardianship docket or if the case has been assigned to a specific judge. Once the guardian has determined the appropriate date, time and place for the hearing he or she can complete the Notice of Hearing on Petition for Transfer of Guardianship/Conservatorship form (SPO GDN 02.0140). Each interested party must be given notice of the date, time and place of hearing. This notice of the hearing may constitute notice of the filing of the petition referred to in section 2. above.
4. The guardian must file a Declaration of Service for each interested party notified. Satisfactory notice would be 10 days, with an additional three days if served by mail. This will confirm that on a date specified copies of the Petition For Transfer and the Notice of Hearing have been served, either in person or by mail, on each required party.
5. Interested parties may file objections to the transfer with the Clerk or present them to the Court at the hearing.
6. The guardian should provide the court with the Provisional Order Granting or Denying the Petition (WPF GDN 02.0180). At the hearing the Court may sign the order provisionally approving the transfer if it finds that:
 - a. The incapacitated person is presently in or reasonably expected to permanently move to the other state.
 - b. No objection has been made or the objector has failed to show that the transfer would not be in the best interest of the incapacitated person.
 - c. Plans for care and services for the incapacitated person in the other state are reasonable and sufficient.
7. The guardian, having obtained a provisional order for transfer, must then file a petition in the other state to accept transfer (no form is supplied as each state may have its own format for petitions).
8. The guardian may present a Motion (WPF GDN 02.0185) and Final Order Confirming Transfer and Terminating the Washington Guardianship (WPF GDN 02.0190) if:
 - a. The Court in the other state has issued a provisional order accepting the guardianship and
 - b. All documents required to terminate the guardianship, such as the final accounting, have been provided to the Washington Court.

The following (check marked) documents are required:

<u>Form Number</u>	<u>Form Title</u>
<input type="checkbox"/> 11	Declaration of Service SPO GDN 02.0110
<input type="checkbox"/> 14	Notice of Hearing on Petition for Transfer SPO GDN 02.0140
<input type="checkbox"/> 17	Petition to Transfer Guardianship to Other State - WPF GDN 02.0170
<input type="checkbox"/> 18	Provisional Order Granting/Denying Petition to Transfer to Other State - WPF GDN 02.0180
<input type="checkbox"/> 18A	Motion for Final Order Confirming Transfer and Terminating Washington Guardianship – WPF GDN 02.0185
<input type="checkbox"/> 19	Final Order Confirming Transfer & Terminating Washington Guardianship - WPF GDN 02.0190
<input type="checkbox"/> Other(s) _____	

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