

MINOR GUARDIANSHIP CHECKLIST

All documents are available on www.courts.wa.gov/forms
or www.washingtonlawhelp.org

Filing Fee = \$240.00 (fee waived if petitioner is a relative per RCW 11.130.170(3))

General Documents Needed for ALL Minor Guardianship Petitions

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| <input type="checkbox"/> Motion, Declaration and Order for Waiver of Filing Fee (if Requested) | (Provided by the Clerk's Office) |
| <input type="checkbox"/> Case Cover Sheet | (Provided by the Clerk's Office) |
| <input type="checkbox"/> Confidential Information Sheet | GDN M 410 |
| <input type="checkbox"/> Motion and Order Directing DCYF to Release CPS Information | GDN M 404 and GDN M 405 |
| <input type="checkbox"/> Summons | GDN M 001 |
| <input type="checkbox"/> Criminal History Record (Cover Sheet) | GDN M 407 |
| ○ Any person residing in your household that is 16 years old or older, including yourself, must have a background check done at \$11 per name. To do so, visit http://watch.wsp.wa.gov | |
| <input type="checkbox"/> Disclosure of Guardian or Conservator | GDN ALL 002 |
| <input type="checkbox"/> Sealed CPS Records Coversheet | GDN M 406 |
| <input type="checkbox"/> Declaration of Completion of Guardian Training *NOT REQUIRED FOR TERMINATION OR "CHANGE" PETITION*
https://www.courts.wa.gov/guardianportal/index.cfm?fa=guardianportal.title11minor | |
| <input type="checkbox"/> Declaration of Service | GDN ALL 007 |

****ADDITIONAL DOCUMENTS LISTED BELOW ALSO REQUIRED BASED ON TYPE OF GUARDIANSHIP REQUESTED****

Minor Guardianship

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| <input type="checkbox"/> Minor Guardianship Petition | GDN M 102 |
| <input type="checkbox"/> Notice of Hearing about a Minor Guardianship Petition | GDN M 101 |
| <input type="checkbox"/> Declaration Explaining the Reasons for Minor Guardianship Petition | GDN 103 |
| <input type="checkbox"/> Proposed Residential Schedule (if requesting) | GDN 104 |
| <input type="checkbox"/> Child Support Worksheets (https://fortress.wa.gov/dshs/dcs/SSGen/Home) | (if requesting) |
| <input type="checkbox"/> Child Support Order (if requesting) | FL ALL FAMILY 130 |
| <input type="checkbox"/> Minor Guardianship Findings & Order | GDN M 105 |
| <input type="checkbox"/> Letters of Guardianship | GDN ALL 004 |
| <input type="checkbox"/> Acceptance of Appointment | GND ALL 003 |

Emergency Minor Guardianship

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| <input type="checkbox"/> Emergency Minor Guardianship Petition | GDN M 202 |
| <input type="checkbox"/> Emergency Minor Guardianship Order | GDN M 203 |
| <input type="checkbox"/> Notice of Hearing about an Emergency Minor Guardianship Petition | GDN M 201 |
| <input type="checkbox"/> Letters of Guardianship | GDN ALL 004 |
| <input type="checkbox"/> Acceptance of Appointment | GND ALL 003 |

Immediate Emergency Guardianship

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| <input type="checkbox"/> Motion for Immediate Order-Emergency Guardianship & Restraining Order (Ex Parte) | GDN M 204 |
| <input type="checkbox"/> Immediate Order & Hearing Notice – Emergency Minor Guardianship & Restraining Order | GDN M 205 |

Terminate or Change a Minor Guardianship or Non-Parent Custody Order

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| <input type="checkbox"/> Petition to Terminate or Change Minor Guardianship or Non-Parent Custody Order | GDN M 502 |
| <input type="checkbox"/> Order on Petition to Terminate or Change Minor Guardianship or Non-Parent Custody Order | GDN M 503 |
| <input type="checkbox"/> Notice of Hearing about Terminating or Changing a Minor Guardianship | GDN M 501 |
| <input type="checkbox"/> Criminal History Record (Cover Sheet) (required <u>only</u> if seeking a termination) | GDN M 407 |
| <input type="checkbox"/> Sealed CPS Records Coversheet (required <u>only</u> if seeking a termination) | GDN M 406 |
| <input type="checkbox"/> Motion and Order Directing DCYF to Release CPS Information (required <u>only</u> if seeking a termination) | GDN M 404 and GDN M 405 |

Respond to ANY Minor Guardianship

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| <input type="checkbox"/> Objection to Minor Guardianship | GDN M 301 |
| <input type="checkbox"/> Parent's Consent to Minor Guardianship | GDN M 304 |
| <input type="checkbox"/> Motion to Appoint Lawyer | GDN ALL 021 |
| <input type="checkbox"/> Order Appointing Lawyer | GDN ALL 022 |
| <input type="checkbox"/> Financial Declaration | FL ALL FAMILY 131 |

Extending an Emergency Guardianship

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| <input type="checkbox"/> Motion (to Extend Emergency Guardianship) | FL ALL FAMILY 181 |
| <input type="checkbox"/> Declaration | FL ALL FAMILY 135 |
| <input type="checkbox"/> Notice of Hearing | GDN M 201 |
| <input type="checkbox"/> Emergency Minor Guardianship Order | GDN M 203 |
| <input type="checkbox"/> Letters of Guardianship | GDN ALL 004 |
| <input type="checkbox"/> Acceptance of Appointment | GND ALL 003 |

Procedural Instructions: (read through all paragraphs)

1. Once the forms are filled out completely, bring the original documents (must be single sided) to the Clerk's Office (1116 W. Broadway, Room 300) for filing (or see #7 below for electronic filing). Make your own copies before filing unless you want to purchase copies from the Clerk's Office. One copy is for you to keep, and the other copies must be served on the parents and any other involved party as required. YOU cannot serve the other parties. The person who serves the other parties must complete and sign the Declaration of Service form. Make a copy for yourself.
2. After the parties have been served, file the Declaration of Service form with the Superior Court Clerk, Room 300. Put the date stamp on your copy.
3. The \$240 filing fee must be paid (if required), or an Order Waiving Fees must be signed, at the time of filing.
4. Guardianship law in Washington requires that a person who will serve as a guardian learn about the duties and responsibilities of guardianship. That training may be accessed here:

<https://www.courts.wa.gov/guardianportal/index.cfm?fa=gardianportal.title11minor>

5. A non-Emergency Minor Guardianship Hearing must be scheduled and a Notice of Hearing must be filed at the time the non-Emergency Minor Guardianship case is started. When you file the case in the Clerk's Office (Room 300) you will need to wait for the case information to be added. You will see a "Status Conference" date on the order that assigns your Judge and Court Commissioner. Put that date on your Notice of Hearing. File the original and serve all other parties with a copy of that Notice as well as the Domestic Case Assignment Notice and Order.
6. If you are asking the court to approve an Immediate Emergency Guardianship, the court will first ask you if you have given notice to the parents and other parties entitled to notice (if applicable). If you have not given notice, you must prove that the minor will suffer irreparable harm if you give notice. If the court determines notice is required to be given to the parents and other parties entitled to notice, it shall be no less than five (5) days, or as authorized by the court. Immediate Emergency Guardianship requests are decided by the court in Room 202, the ex parte court. Please check the court's website for the hours of operation for this courtroom.
7. If you filed both an Emergency Minor Guardianship and a Minor Guardianship, they need to be assigned to the same judicial officers. If there are conflicts or issues with the assignment, go to the Family Law Center (Room 200) for assistance.
8. If the court appoints you as an Emergency Minor Guardian or a Minor Guardian, you must get Letters of Guardianship certified by the Clerk's office in Room 300. (Form GDN ALL 004).
9. If an extension of the Emergency Guardianship order is requested, a hearing must be scheduled with the assigned court commissioner, at least 14 days prior to the expiration date. 14 days' notice to the other parties is required.
10. Spokane County Superior Court documents can be filed electronically. www.truefiling.com If you have questions, please contact the Clerk's office at (509) 477-2211 option 6.

Required service information:

What must be served:

- Summons, Petition, Notice of Hearing, Supplemental Declaration.

Who is required to be personally served:

- The minor(s) if 12 years or older. See requirements below for content of Notice.
- Each parent of the minor(s).
- Any guardian or person with nonparental custody of the minor(s).
- Any other person the court determines should receive personal service of notice.

Notice of Hearing and Petition is required to be sent via mail to:

- Any adult with primary care and custody of the minor(s) who is not a parent, guardian, or person with nonparental custody.
- Tribes *only when there is reason to know that the child has ancestry with that Tribe* GDN 401, 402, 403
- Each person that had primary care or custody of the minor(s) for at least 60 days during the 2 years immediately before filing of the petition or for at least 730 days during the five years immediately before the filing of the petition.
- Any person nominated as guardian by the minor(s), if the minor(s) is/are 12 years of age or older
- Any nominee of a parent
- Each grandparent and adult sibling of the minor(s)
- Any conservator acting for the minor(s) in any jurisdiction
- Any other person the court determines

Notice to minor(s) must include:

- A statement of the right to request appointment of an attorney for the minor(s) or object to appointment of a guardian,**
- A description of the nature, purpose, and consequences of appointment of a guardian.**
- All rights retained by the minor(s) including the right to request counsel, the right to attend, and the right to participate and communicate with the court.**
- Whether the court has entered any prior order limiting information served upon the minor(s), and that the minor(s) may ask the court to reconsider the court's order at any time.**
- How the minor(s) can respond to the petition.**