

MINOR GUARDIANSHIP

Disclosure of Bankruptcy or Criminal History	GDN ALL 002
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Notice of Hearing about a Minor Guardianship Petition	GDN M 101
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Attachment: Child Relocation Act	FL Relocate 736

Superior Court of Washington, County of _____

In the Guardianship/Conservatorship of:

No. _____

Respondent / Minors

**Disclosure of Bankruptcy or
Criminal History
(DIS)**

Disclosure of Bankruptcy or Criminal History

1. Disclosure of bankruptcy

I am **not** a debtor in a bankruptcy, insolvency, or receivership proceeding now or in the past.

I am or was a debtor in a bankruptcy, insolvency, or receivership proceeding.
(*Explain*) _____

2. Disclosure of criminal history

I have **not** been convicted of a felony, a crime involving dishonesty, neglect, violence, use of physical force, or any other crime related to my duties as a Guardian or Conservator.

I have been convicted of a felony, a crime involving dishonesty, neglect, violence, use of physical force, or any other crime related to my duties as a Guardian or Conservator. (*Explain*) _____

3. Court Findings

I do **not** have any court findings against me involving a breach of fiduciary duty, violation of any state's consumer protection act, or violation of any other statute forbidding unfair or deceptive acts or practices in the conduct of any business.

I do have court findings against me involving a breach of fiduciary duty, violation of any state's consumer protection act, or violation of any other statute forbidding unfair or deceptive acts or practices in the conduct of any business. (*Explain*) _____

I declare under penalty of perjury under the laws of the State of Washington that the facts I have provided are true.

Signed at (city) _____, (state) _____ on (date) _____.

Signature _____ *Printed Name* _____ *CPG No.* _____

Superior Court of Washington, County of _____

In re: Guardianship/Conservatorship of:

Case No. _____

_____,
Respondent/Minor/s

**Proof of Personal Service
(AFSR)**

Proof of Personal Service

I declare:

1. Who is Serving

This is original Service of Process I am 18 years of age or older, I am not a party to this action, and I am competent to be a witness. *(Use for Personal Service)*

2. Service

I served court documents for this case to *(name of party)*: _____

on *(date)*: _____ at *(time)*: _____ [] a.m. [] p.m.

Address:

Number and Street *City* *State* *Zip*

by giving the documents directly to them.

3. I served true and correct copies of the *(list titles of documents below)*:

<input type="checkbox"/> Petition for Guardianship, Conservatorship, and/or a Protective Arrangement	
<input type="checkbox"/> Notice of Petition for Guardianship, Conservatorship, and/or a Protective Arrangement	
<input type="checkbox"/> Notice of Hearing <i>(date)</i> _____	<input type="checkbox"/> Order Appointing Court Visitor
<input type="checkbox"/> Minor Guardianship Petition	<input type="checkbox"/> Notice of Hearing – Minor Guardianship Petition
<input type="checkbox"/> Emergency Minor Guardianship Petition	<input type="checkbox"/> Notice of Hearing – Emergency Minor Guardianship Petition
<input type="checkbox"/> Petition to Terminate or Change a Minor Guardianship or Non-Parent Custody Order	<input type="checkbox"/> Notice about Terminating or Changing a Minor Guardianship or Non-Parent Custody Order
<input type="checkbox"/> Summons	<input type="checkbox"/> Proposed Residential Schedule
<input type="checkbox"/> Declaration of _____	<input type="checkbox"/> Declaration of _____

<input type="checkbox"/> Notice of Intent to Move with Children (Relocation)	<input type="checkbox"/> Objection about Moving with Children and Petition about Changing a Parenting/ Custody Order (Relocation)
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

I declare under penalty of perjury under the laws of the State of Washington that the statements above are true and correct.

Signed at (*city and state*) _____ on (*date*) _____

Signature

Printed name

Superior Court of Washington, County of _____

In the Guardianship of:

Respondent/s (*minors/children*)

No. _____
Summons
(SM)

Use this form with Notice of Hearing About a Minor Guardianship Petition (GDN M 101) and Minor Guardianship Petition (GDN M 102).

Summons

To: The parents, child, and person with court-ordered custody:

1. The Petitioner has started a case asking for guardianship of the above-named children under RCW 11.130.185. If the *Minor Guardianship Petition* is approved, the rights of the parents or legal custodians could be substantially restricted.
2. You must **respond** to this Summons and Petition by serving a copy of your written response on the person signing this Summons, any other party, and by filing the original response with the Clerk of the Court.

If you do not serve your written response within **20 days** after the date this Summons was served on you (or 60 days if you are served outside of the state of Washington), exclusive of the day of service, the court may enter an order of default against you and the court may, without further notice to you, enter an order and approve or provide for the relief requested in the Petition.

If the Petition has not been filed, you may demand that the Petitioner file this lawsuit with the court. If you do so, the demand must be in writing and must be served upon the person signing this Summons. Within 14 days after you serve the demand, the Petitioner must file this lawsuit with the court, or the service on you of this Summons and Petition will be void.

3. If you wish to seek the advice of a lawyer in this matter, you should do so promptly so that your written response, if any, may be served on time.
4. This Summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of the State of Washington.

Important! Read the Notice of Hearing for information about your rights and how to respond.

Dated: _____

Signature of Petitioner or Lawyer/WSBA No.

Print or Type Name

***File original of your response with
the clerk of the court at:***

Serve a copy of your response on:

Petitioner
*(You may list an address that is not your residential
address where you agree to accept legal documents.)*

Petitioner's Lawyer

Name of Court

Name

Address

Address

Superior Court of Washington, County of _____

In the Guardianship of:

Respondent/s (minors/children)

No. _____

Notice of Hearing about Minor Guardianship
Petition

(NTHG)

Clerk's action required: 1

[] Interpreter required in: _____
(language)

Notice of Hearing about Minor Guardianship Petition

To: The parents, child, guardian, person with court-ordered custody, court clerk, and all people who must get notice:

1. Petitioner has scheduled a court hearing:



for: _____ at: _____ [] a.m. [] p.m.
date time

at: _____
court's address

in: _____
room or department

with: _____
judge / commissioner's name or docket / calendar

Warning! If you do not go to the court hearing above, the court may sign orders without hearing your side.

This hearing is because the Petitioner/s _____
(name of person/s starting this case)

is asking the court to appoint _____
(name of proposed guardian)
guardian of the children listed above.

2. The court may appoint a guardian if it finds that it is in the child's best interest **and** at least one of these is true:
- The child's parents all consent after being fully informed of the nature and consequences of guardianship; or
 - All parental rights have been terminated; or
 - There is clear and convincing evidence that none of the child's parents is willing or able to exercise parenting functions as defined in RCW 26.09.004.

If appointed, the guardian will have the duties and responsibilities of a parent regarding the child's support, care, education, health, safety, and welfare unless limited by the court. The guardian can manage the child's personal property and funds (as a fiduciary) unless limited by the court.

Anyone listed on the *Notice Attachment* has the right to object to the appointment of a guardian and to ask the court to appoint a lawyer for the child.

3. To the parents:

The guardian may ask the court to restrict your contact with the child and limit your ability to make decisions regarding the child.

You have the right to participate in this case. Some of your important rights are to:

- Object to the appointment of a guardian.
- Ask the court to appoint a lawyer for you and for the child. The Court **must** appoint a lawyer for you if you object and are indigent (cannot afford your own lawyer), and in some other situations. (Use *Motion to Appoint Lawyer form GDN ALL 021.*)

- Hire your own lawyer.
- Ask for visitation and keep the right to make some decisions for the child.

4. To the child:

You have the right to participate in this case. Some of your important rights are to:

- Ask for a lawyer. The court will decide whether to appoint one for you. (Use *Motion to Appoint Lawyer form GDN ALL 021*.)
- Attend and participate in the hearing unless limited by the court.
- Communicate with the court.

The reasons for this guardianship are in a separate form. The court (*check one*) is is **not** allowing you to see this form. You can ask the court, court visitor, or your lawyer to see the *Reasons for Minor Guardianship*.

5. How to respond

Step 1: Fill out one of the forms below.

If you disagree, use:

- *Objection to Minor Guardianship* (form GDN M 301).

If you agree, use:

- *Parent's Consent to Minor Guardianship* (form GDN M 304), or
- *Declaration of (name)* _____ (for non-parents) (form FL All Family 135)

You can get the forms at:

- The Washington State Courts' website: www.courts.wa.gov/forms

- Washington Law Help:
www.washingtonlawhelp.org, or
- The Superior Court Clerk’s office or county law library (for a fee).

Step 2: Serve (give) a copy of your form to the Petitioner and the people listed in Section 1 of the Notice Attachment. You may use certified mail with return receipt requested. For more information on how to serve, read Superior Court Civil Rule 5.

Step 3: File your original form with the court clerk at this address:

Superior Court Clerk, _____ County

address *city* *state* *zip*



Person asking for this hearing signs here

Print name (if lawyer, also list WSBA #)

Date

The following is my contact information:

Email: _____

Phone (Optional): _____

I agree to accept legal papers for this case at the following address (*this does **not** have to be your home address*):

street address or PO box *city* *state* *zip*

Note: You and the other party/ies may agree to accept legal papers by email under Civil Rule 5 and local court rules.

Notice Attachment: List of People to be Served or Given Notice

Important! Petitioner must have a copy of this *Notice*, the *Summons*, the *Minor Guardianship Petition*, and the *Reasons for Minor Guardianship* must be **personally served** on:

- The child's parents
- The child (if age 12 or older) unless the court ordered that the *Reasons for Minor Guardianship* **not** be served on the child.
- Any current guardian or person with court-ordered custody

Everyone listed in section 2 must be given a copy of this *Notice and Petition*. This can be done by mail or some other way likely to give notice.

1. People who must be personally served

Important! If you cannot locate a parent for service, request a Court Visitor.

Relationship	Name	Address
Parent 1		
Parent 2		
<input type="checkbox"/> There is no parent <i>List the adult nearest in kinship who can be found with due diligence</i>		
<input type="checkbox"/> Someone other than a parent has court-ordered custody or guardianship <i>List that person/s</i>		
<input type="checkbox"/> The child is age 12 or older		

Important! If there is a good reason **not** to give the *Reasons for Minor Guardianship* to the child, you can ask the court's permission to waive service of it. Complete form GDN M 106

2. People who must be notified by mail or another way likely to give notice

Important! If there is a good reason **not** to notify any of the people in section 2, you may ask the court's permission to waive notice.

Relationship	Name	Address
<input type="checkbox"/> Someone else has primary care and custody of the child (other than a guardian or court-ordered custodian listed above) <i>List that person/s</i>		
<input type="checkbox"/> Someone else had primary care and custody of the child for at least 60 days during the last 2 years, or for at least 2 of the last 5 years <i>List that person/s</i>		
<input type="checkbox"/> The child is age 12 or older and asked for someone to be their guardian <i>List that person/s</i>		
<input type="checkbox"/> A parent asked for someone as guardian <i>List that person/s</i>		
<input type="checkbox"/> The child has a conservator <i>List that person/s</i>		
Each grandparent, if known		
Each adult sibling, if known		

Superior Court of Washington, County of _____

In the Guardianship of:

Respondent/s (*minors/children*)

No. _____

**Minor Guardianship Petition
(PTAPMG)**

Clerk's action required: 6, 12

No Fee 26

Minor Guardianship Petition

Use this form to appoint a guardian by agreement, or if no parent is willing or able to provide for the support, care, education, health, safety, and welfare of a child under age 18 (exercise the parenting functions in RCW 26.09.004). A child or an interested party may file the petition. Use this form together with:

- Notice of Hearing for Minor Guardianship Petition (form GDN M 101)
- Summons (form GDN M 001)
- Reasons for Minor Guardianship (form GDN M 103)
- Criminal History Cover Sheet (form GDN M 407)
- Motion and Order to DCYF to Release CPS Information (forms GDN M 404 and GDN M 405).
- Confidential Information (form GDN M 410)

If needed:

- Motion for Emergency Minor Guardianship and Restraining Order (form GDN M 206)

OR

- Motion for Immediate Order (Ex Parte) – Emergency Minor Guardianship and Restraining Order (form GDN M 204)

1. Children

I ask the court to appoint a guardian for the following children (under age 18) who have the same legal parents:

Child's Name	Age	Child's Name	Age
1.		2.	
3.		4.	

Important! Do not list more than one child unless they all have the same parents. If they have different parents, fill out a separate Petition for each child.

County – I am filing in this county because (*check all that apply*):

- the children live here or are present in this county now.
- there is another case involving custody or parental rights already in progress here.

Lawyer for children – The children (*check one*):

- do **not** have a lawyer.
- are represented by (*lawyer's name*): _____

Lawyer's address: _____

2. Petitioner/s

My name is: _____

- I am the child seeking a guardian.
- I am interested in the welfare of the children. My relationship to the children in this case: _____

My home address (principal residence): _____

My street address (if different): _____

- Co-Petitioner** (*If there is another Petitioner in this case*)

My name is: _____

- I am interested in the welfare of the children. My relationship to the children in this case: _____

My home address (principal residence): _____

My street address (if different): _____

3. Who should be guardian?

- I ask the court to appoint me (and any Co-Petitioner) guardian of the children.
- I ask the court to appoint (*name/s*): _____ guardian of the children.

Proposed guardian's address: _____

4. Lay Guardian Training

Complete lay guardian training at
<https://www.courts.wa.gov/guardianportal/index.cfm?fa=guardianportal.title11minor>

The proposed guardian:

has completed the lay guardian training.

will complete the lay guardian training before the final order is entered.

5. Why is a guardian needed?

Important! You must complete the Reasons for Minor Guardianship, form GDN M 103.

Agreement – The children's parents all consent, after being fully informed of the nature and consequences of guardianship. (A parent can sign the Parent's Consent to Minor Guardianship, form GDN M 304, to show consent.)

Termination – Any parent's rights have been terminated.

Need – No parent is willing or able to provide for the support, care, education, health, safety, and welfare of a child under age 18 (exercise the parenting functions in RCW 26.09.004).

It is in the children's best interest to appoint a guardian.

6. Is there an emergency guardian?

No emergency guardian has been appointed.

Important! To get an order **now**, you must file a motion. GDN M 204 Motion for Immediate Order or GDN M 206 Motion to Appoint an Emergency Minor Guardian.

An *Emergency Minor Guardianship Petition* has already been filed in this county.

Case number: _____

Clerk's action required. Relate (link) the emergency guardianship case with this case.

People

7. Parents

The children's legal parents are listed below:

Parent 1 (Name): _____

Parent 1 is deceased.

Parent 1's parental rights have been terminated.

Parent 1 has a lawyer.

Lawyer's name: _____

Lawyer's address: _____

Parent 2 (Name): _____

Parent 2 is deceased.

Parent 2's parental rights have been terminated.

Parent 2 has a lawyer.

Lawyer's name: _____

Lawyer's address: _____

8. Who must be personally served?

I will have a copy of this *Petition*, the *Summons*, the *Notice of Hearing for Minor Guardianship Petition*, and the *Reasons for Minor Guardianship* **personally served** on the parents and anyone who fits one of the categories below. (*Check all that apply*):

There is no parent. This is the adult nearest in kinship who I could find with reasonable effort (due diligence).
(Name): _____

Someone other than a parent has court-ordered custody or guardianship.
(Name): _____

One or more of the children is age 12 or older.
(Name/s): _____

None of the above.

9. Who else must be given notice?

Important! *If there is a good reason not to notify any of the people in this section, the Petitioner may ask the court's permission to waive notice.*

Unless I get the court's permission not to, I will give a copy of this *Petition* and the *Notice of Hearing for Minor Guardianship Petition* to anyone who fits one of the categories below. This can be done by mail or some other way likely to give notice. (*Check all that apply*):

Someone else has primary care and custody of the child (other than a guardian or court-ordered custodian listed above).
(Name): _____

Someone else had primary care and custody of the child for at least 60 days during the last 2 years, or for at least 2 of the last 5 years.
(Name): _____

A child, age 12 or older, asked for someone to serve as guardian.
(Proposed guardian's name): _____

A parent asked or nominated for someone to serve as guardian.
(Proposed guardian's name): _____

The children have a conservator.
(Conservator's name): _____

The children have these grandparents, that I know of.
(Name/s): _____

The children have these adult sibling/s, that I know of.
(Name/s): _____

None of the above.

10. Who do the children live with now?

Currently, the children live with:

the proposed guardian.

(Name/s): _____

If this petition is approved, the children would live with the guardian.

11. Addresses Attached to Notice of Hearing

I have included addresses for the people in sections 7 through 10, if known, on the *Notice of Hearing for Minor Guardianship Petition* and *Notice Attachment: List of People to be Served or Given Notice*. The *Notice* and *Attachment* are made part of this petition (incorporated by reference).

12. Does anyone need an interpreter or other communication support?

No.

Yes. The following people need an interpreter, translator, or other form of support to communicate effectively with the court or understand court proceedings:

Name	Language or type of support needed

Clerk's action required. Note interpreter or communication support needs in the case management system.

➤ **Jurisdiction**

13. Personal Jurisdiction Over Parents

Fill out below to say if a Washington State court has personal jurisdiction (authority to make decisions) over each parent.

Basis for Personal Jurisdiction (check all that apply):	Parent 1 Name: _____	Parent 2 Name: _____
Will be served in Washington	<input type="checkbox"/>	<input type="checkbox"/>
Lives in Washington now	<input type="checkbox"/>	<input type="checkbox"/>
Lived in Washington with child	<input type="checkbox"/>	<input type="checkbox"/>
Lived in Washington and paid pregnancy costs or support for child	<input type="checkbox"/>	<input type="checkbox"/>
Caused child to live in Washington	<input type="checkbox"/>	<input type="checkbox"/>
Had sex in Washington that may have produced the child	<input type="checkbox"/>	<input type="checkbox"/>
Agrees to Washington deciding	<input type="checkbox"/>	<input type="checkbox"/>
None of the above	<input type="checkbox"/>	<input type="checkbox"/>

14. Children's Home/s

During the past 5 years have any of the children lived:

- on an Indian reservation,

- outside Washington state,
- in a foreign country, or
- with anyone other than a parent?

No. (Skip to 15.)

Yes. (Fill out below to show where each child has lived during the last 5 years.)

Dates	Children	Lived with	In which state, Indian reservation, or foreign country
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner/s <input type="checkbox"/> Parent/s (name/s): <input type="checkbox"/> Other (name):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner/s <input type="checkbox"/> Parent/s (name/s): <input type="checkbox"/> Other (name):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner/s <input type="checkbox"/> Parent/s (name/s): <input type="checkbox"/> Other (name):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner/s <input type="checkbox"/> Parent/s (name/s): <input type="checkbox"/> Other (name):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner/s <input type="checkbox"/> Parent/s (name/s): <input type="checkbox"/> Other (name):	

15. Other People with a Legal Right to Spend Time with a Child

Do you know of anyone besides you and the parents who has, or claims to have, a legal right to spend time with any of these children?

No.

Yes. (Name/s) _____ has or claims to have a legal right to spend time with the children because: _____

16. Other Court Cases Involving a Child

Do you know of any other court cases involving any of these children? (Check one):

No. (Skip to 17)

Yes. (Fill out below.)

Kind of case (Family Law, Criminal, Protection Order, Juvenile, Dependency, Other)	County and State	Case number and year	Children
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):

Warning! If there is a dependency (CPS) case for the children, you must get approval from the dependency court to file this case.

17. Tribal Heritage

If there is a reason to know that a child has **tribal heritage** (including ancestry or familial political affiliation), the court must treat the child as an Indian child unless and until the affected tribe/s decide otherwise or decline to respond after receiving proper notice.

An **Indian child** is a child who is a member of an Indian tribe, or who is the biological child of an Indian tribe member and eligible for membership. You must try to find out if any child in this case is an Indian child. If so, the federal and state Indian Child Welfare Acts will apply to your case.

Could any of the children be Indian children? (Check all that apply):

No. These children are not Indian children (Name/s, or "all"): _____

I know this because (explain if the children have no tribal heritage, or if any possible tribal heritage has already been explored and decided in another court proceeding that complied with ICWA): _____

Yes or Maybe. These children are or may be Indian children. They have or may have heritage from the tribe/s listed below:

Children	Tribe
<input type="checkbox"/> All children	
<input type="checkbox"/> (Name/s):	
<input type="checkbox"/> All children	
<input type="checkbox"/> (Name/s):	

I will provide the *Indian Child Welfare Act Notice* (form *GDN M 401*) and a copy of this *Petition* to the tribe/s named above and other necessary people or agencies.

- I do not know if any of the children are Indian children or have tribal heritage. I have done the following things to try to find out:

18. Jurisdiction Over Indian Children

- Does not apply. None of the children are Indian children.
- A state court can decide this case for the Indian children because:
- (Children’s names): _____ are **not** domiciled or living on an Indian reservation, and are not wards of a tribal court. (25 U.S.C. § 1911)
 - (Children’s names): _____ are domiciled or living on an Indian reservation, and (check all that apply):
 - The children’s tribe agrees to Washington State’s concurrent jurisdiction.
 - The children’s tribe decided not to use its exclusive jurisdiction (expressly declined). (RCW 13.38.060)
 - Washington State should claim emergency jurisdiction for Indian children temporarily located off the reservation to protect the children from immediate physical damage or harm. (RCW 13.38.140)

19. Jurisdiction Over the Children (RCW 26.27.201 – .221, .231, .261, .271)

This Court can decide this case for the children because (check all that apply; if a box applies to all of the children, you may write “the children” instead of listing names):

- Exclusive, continuing jurisdiction** – A Washington court has already made a custody order or parenting plan for the children, and the court still has authority to make other orders for (children’s names): _____
- Home state jurisdiction** – Washington is the children’s home state because (check all that apply):
 - (Children’s names): _____ lived in Washington with a parent or someone acting as a parent for at least the 6 months just before this case was filed, or if the children are less than 6 months old, they have lived in Washington with a parent, or someone acting as a parent, since birth.

- There were times the children were not in Washington in the 6 months just before this case was filed (or since birth if they are less than 6 months old), but those were temporary absences.
- (*Children's names*): _____ do not live in Washington right now, but Washington was the children's home state sometime in the 6 months just before this case was filed, and a parent, or someone acting as a parent of the children, still lives in Washington.
- (*Children's names*): _____ do not have another home state.
- No home state or home state declined** – No court of any other state (or tribe) has the jurisdiction to make decisions for (*children's names*) _____ **or** a court in the children's home state (or tribe) decided it is better to have this case in Washington **and**:
- The children and a parent, or someone acting as a parent, have ties to Washington beyond just living here; **and**
 - There is a lot of information (substantial evidence) about the children's care, protection, education, and relationships in this state.
- Other state declined** – The courts in other states (or tribes) that might be (*children's names*) _____'s home state have refused to take this case because it is better to have this case in Washington.
- Temporary emergency jurisdiction** – The court can make decisions for (*children's names*) _____ because the children are in this state now **and** were abandoned here **or** need emergency protection because the children (or the children's parent or siblings) were abused or threatened with abuse. (*Check one*):
- A custody case involving the children was filed in the children's home state of (*name of state or tribe*) _____. Washington should take temporary emergency jurisdiction over the children until the Petitioner can get a court order from the children's home state (or tribe).
- There is **no** valid custody order or open custody case in the children's home state of (*name of state or tribe*): _____. If no case is filed in the children's home state (or tribe) by the time the children have been in Washington for 6 months, (*date*): _____, Washington should have final jurisdiction over the children.
- Other reason (*specify*): _____

➤ **Requests**

20. Parents' Visitation

Important! If you are asking for limited or no visitation, you must explain why in the Residential Schedule (form GDN M 408) or Reasons for Minor Guardianship (form GDN M 103).

I ask the court to order the following contact or visitation between the parents and children:

I ask to court to approve my proposed visitation:

I ask the court to approve my proposed *Residential Schedule*. This schedule may include reasons for limiting one or both parents' visitation. I am filing and serving my proposed *Residential Schedule* with this *Petition*.

I ask the court to give **no visitation** to either parent because the limiting factors from RCW 26.09.191 apply and are severe enough to justify no visitation.

21. Decision-making Authority

I ask the court to make the following orders about who has the right to make decisions for the children (*check all that apply*):

Type of Major Decision	Guardian Decides	Parent/s Decide <i>(write one parent's name or "both")</i>
School/educational	<input type="checkbox"/>	<input type="checkbox"/>
Healthcare (not emergency)	<input type="checkbox"/>	<input type="checkbox"/>
Authority to apply for passport and travel internationally	<input type="checkbox"/>	<input type="checkbox"/>
Driver's license or state I.D.	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>

22. Access to Records

I ask the court to make the following orders about who has the right to access these types of records for the children (*check all that apply*):

Type of Record	Guardian Can Access	Parent/s Can Access <i>(write one parent's name or "both")</i>
School/educational	<input type="checkbox"/>	<input type="checkbox"/>
Healthcare	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>

23. Support, Insurance, and Taxes

The children have a right to child support (including medical support) from the legal parents, according to state law.

Support – I ask the court to order the parents to (*check all that apply*):

- pay child support according to the *Child Support Schedule Worksheets*.
- provide and keep health insurance for the children.
- pay children's daycare, uninsured medical, or other expenses.
- no request.

Tax Issues – I ask the court to order:

- the guardian has the right to claim the children as dependents for purposes of personal tax exemptions and associated tax credits on their tax forms.

[] (other): _____

24. Children's Property

As far as I know, the children have the following property, other than their clothing and other personal items (personal effects) and documents:

[] None

[] (Give a general statement of the children's property with an estimate of its value. Examples: disability or insurance benefits, trust account, money from a lawsuit, public assistance, TANF, child support)

25. Protection Order

Do you want the court to issue an Order for Protection?

[] **No.** I do not want an Order for Protection.

[] **Yes.** (You must file a Petition for Protection Order, form P 001. You must file your Petition for Protection Order as a **separate case**. Ask the court clerk to relate (link) the protection order case together with this guardianship case.)

Important! If you need protection **now**, ask the court clerk about getting a Temporary Protection Order.

[] **There already is a Protection Order between (name):** _____
_____ **and me.**

Court that issued the order: _____

Case number: _____

Expiration date: _____

26. Fees and Costs

Filing Fee – In some situations the court will **not** charge a fee for filing this case.

- When the proposed guardian is a relative, the fee is waived automatically.
- When the Petitioner (including a child as Petitioner) is low income, the Petitioner may use forms GR 34.0100, 34.0300, and 34.0500 to ask the court to waive the fee.

[] No request.

[] No fee shall be charged because the proposed guardian is a relative of the children, **not** a professional guardian.

[] Order who should pay for court costs, Guardian ad Litem fees, Court Visitor fees, lawyer fees, and other reasonable fees.

27. Name Successor Guardian:

[] No request

[] (Name): _____
should be the Successor Guardian if the following event occurs (list the designated event): _____

28. Other Requests, If Any:

Petitioner fills out below:

I declare, under penalty of perjury under the laws of the State of Washington, that the facts I have provided on this form (including any attachments) are true.

[] I have attached (#): _____ pages.

Signed at (*city and state*): _____ Date: _____

▶ _____
Petitioner signs here *Print name*

My contact information is:

Email: _____ *Phone (Optional):* _____

Co-Petitioner (if any) fills out below:

I declare, under penalty of perjury under the laws of the State of Washington, that the facts I have provided on this form are true.

Signed at (*city and state*): _____ Date: _____

▶ _____
Other Petitioner signs here *Print name*

My contact information is:

Email: _____ *Phone (Optional):* _____

Petitioner's lawyer (if any) fills out below:

▶ _____
Petitioner's lawyer signs here *Print name and WSBA No.* *Date*

[] **A parent fills out below if they agree to join this Petition:** (*Also fill out and file Parent's Consent to Minor Guardianship, GDN M 304*)

I, (*name*): _____, agree to join this *Petition*. I understand that if I fill out and sign below, the court may approve the requests listed in this *Petition* unless I file and serve a *Response* before the court signs final orders. (*Check one*):

[] I do not need to be notified about the court's hearings or decisions in this case.

[] I ask the Petitioner to notify me about any hearings in this case. (*List an address where you agree to accept legal documents. This may be a lawyer's address or any other address.*)

Address *City* *State* *Zip*

Email: _____

Superior Court of Washington, County of _____

In the Guardianship of:

Respondent/s (*minors/children*)

No. _____

**Declaration Explaining the Reasons for
Minor Guardianship Petition
(DCLR)**

**Declaration Explaining the Reasons for
Minor Guardianship**

Use this form to explain the reasons why you asked for Minor Guardianship, why the court should appoint the person you propose as guardian, and (if applicable) why the parents' contact should be limited. Use this form together with:

- Minor Guardianship Petition (form GDN M 102)
- Minor Standby Guardianship Petition

Important! If the children are age 12 or older, this form **must** be served on them unless you get a court order to withhold. If you believe it might be harmful for the children to read about the reasons, use these forms to ask the court for permission **not** to serve the children.

- Motion to Withhold Certain Documents from the Minor (form GDN M 106)
- Order on Motion to Withhold Certain Documents from the Minor (form GDN M 107)

1. Why do the children need a guardian?

Parent 1 (Name): _____:

- consented, after being fully informed of the nature and consequences of guardianship.
- had their parental rights terminated.
- is **not** willing or able to provide for the support, care, education, health, safety, and welfare of a child under age 18 (exercise the parenting functions in RCW 26.09.004). This is true because (*explain and give examples*):

3. Why the person I propose should be guardian

(Name/s of proposed guardian/s): _____
should be appointed guardian because (explain why this person is the best choice):

4. Should parent/s contact be limited?

No.

Yes. I ask the court to give **limited or no visitation** because the following reasons for limiting visitation apply:

Mandatory limiting factors from RCW 26.09.191(2). A parent has one or more of these problems, as follows (check all that apply):

Abandonment – (Parent’s name): _____
intentionally abandoned a child listed in **2** for an extended time.

Neglect – (Parent’s name): _____
substantially refused to perform his/her parenting duties for a child listed in **2**.

Child Abuse – (Parent’s name): _____
(or someone living in that parent’s home) abused or threatened to abuse a child. The abuse was (check all that apply):

physical sexual repeated emotional abuse.

Domestic Violence – (Parent’s name): _____
(or someone living in that parent’s home) has a history of domestic violence as defined in RCW 26.50.010.

Assault – (Parent’s name): _____
(or someone living in that parent’s home) has assaulted or sexually assaulted someone causing grievous physical harm, causing fear of such harm, or resulting in a pregnancy.

Sex Offense –

(Parent's name): _____
has been convicted of a sex offense as an adult.

Someone living in (parent's name): _____'s home has
been convicted as an adult or adjudicated as a juvenile of a sex offense.

Other limiting factors from RCW 26.09.191(3) – A parent has one or more of
these problems as follows (check all that apply):

Neglect – (Parent's name): _____
neglected his/her parental duties towards a child listed in **2**.

Emotional or physical problem – (Parent's name): _____
has a long-term emotional or physical problem that gets in the way of his/her
ability to parent.

Substance Abuse – (Parent's name): _____
has a long-term problem with drugs, alcohol, or other substances that gets in
the way of his/her ability to parent.

Lack of emotional ties – (Parent's name): _____
has few or no emotional ties with a child listed in **2**.

Abusive use of conflict – (Parent's name): _____
uses conflict in a way that endangers or damages the psychological
development of a child listed in **2**.

Withholding the child – (Parent's name): _____
has kept the other parent away from a child listed in **2** for a long time, without
a good reason.

Other (specify): _____

Explain and give examples for each limiting factor, if not already covered above:

Petitioner fills out below:

I declare under penalty of perjury under the laws of the state of Washington that the facts I have
provided on this form (and any attachments) are true. I have attached (number): ____ pages.

Signed at (city and state): _____ Date: _____

▶ _____
Petitioner signs here Print name

Co-Petitioner (if any) fills out below:

I declare under penalty of perjury under the laws of the State of Washington that the facts I have provided on this form are true.

Signed at (*city and state*): _____ Date: _____



Co-Petitioner signs here

Print name

Warning! Documents filed with the court are available for anyone to see unless they are sealed. Financial, medical, and confidential reports, as described in General Rule 22, **must** be sealed so they can only be seen by the court, the other party, and the lawyers in your case. Seal those documents by filing them separately, using a *Sealed Cover Sheet (form GDN ALL 001)*. You may ask for an order to seal other documents

Superior Court of Washington, County of _____

In the Guardianship of:

Respondent/s (*minors/children*)

No. _____

Minor Guardianship Findings and Order

- Granted - Full (ORAPMG)
- Granted - Limited (ORAPLGM)
- Denied (ORDYMT)

Clerk's action required: 1, 15, 24

Minor Guardianship Findings and Order

1. Guardianship Summary

- Does not apply. The *Minor Guardianship Petition* is denied.
- Summarize the guardianship order below.

Date guardian appointed:		Next review date, if any:	
Children			
Child's Name	Letters Expire	Child's Name	Letters Expire
1.		2.	
3.		4.	
Guardian/s			
Name			
Address			
Phone			
Email			
Type/ Training	<input type="checkbox"/> Non-professional (Lay guardian). Training (<i>section 16</i>): <input type="checkbox"/> completed <input type="checkbox"/> required <input type="checkbox"/> Certified professional guardian (CPG) <input type="checkbox"/> Public professional guardian (PUG)		

Limited/ Full	The guardianship is (<i>check one</i>): <input type="checkbox"/> limited <input type="checkbox"/> full (<i>If a parent has any visitation or decision-making authority, the guardianship is limited. See sections 18 and 20.</i>)	
	Parent 1	Parent 2
Name		
Address		
Phone		
Email		
<input type="checkbox"/> Add names of any interested parties who must be notified as described in section 17.		
	Interested Party	Interested Party
Name		
Address		
Phone		
Email		

2. Guardianship Hearing

A hearing was held on a *Minor Guardianship Petition* for the children named above.

- The proposed guardian was present in court.
- The Guardian ad Litem or Court Visitor was present and provided a report to the court.
- The parent/s (*name/s*) _____ were present in court.
- The following children were present in court: _____

- The following other persons were also present in court: _____

The court considered the (*check all that apply*): written report of the Guardian ad Litem or Court Visitor, the testimony of witnesses, remarks of lawyers or parties, the documents filed in this case, and other _____.

Based on the above, the court makes the following:

➤ **Findings and Conclusions**

3. Tribal Heritage

If there is a reason to know that a child has **tribal heritage** (including ancestry or familial political affiliation), the court must treat the child as an Indian child unless and until the affected tribe/s decide otherwise or decline to respond after receiving proper notice.

An **Indian child** is a child who is a member of a federally recognized Indian tribe, or who is the biological child of an Indian tribe member and eligible for membership.

None of the children are Indian children. The state and federal *Indian Child Welfare Acts* do not apply to this case. The court makes this conclusion because (check all that apply):

the Petitioner made a good faith effort to find out if any child in this case has tribal heritage. (RCW 13.38.050.) The court has received no information showing that any child has tribal heritage.

the Petitioner notified the tribal agent of every tribe the children may have been eligible for membership in. *List tribes notified:* _____

Each tribe responded that the children were not tribal members and not eligible for membership.

based on the following evidence about tribal heritage: _____

These children are Indian children:

Children	Tribe(s)
<input type="checkbox"/> All children	
<input type="checkbox"/> (Name/s):	
<input type="checkbox"/> All children	
<input type="checkbox"/> (Name/s):	

The federal and state Indian Child Welfare Acts apply to this case.

Notice to tribes – The Petitioner provided did **not** provide the required *Indian Child Welfare Act Notice* and a copy of the *Petition* to the agent for the tribe/s named above, the parents, and any Indian custodian.

Evidence – The evidentiary requirements of the Acts have have **not** been met as described below. (RCW 13.38.130)

Active efforts – The following active efforts were made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family: (Active efforts means: “a documented, concerted, and good faith effort to facilitate the parent’s or Indian custodian’s receipt of and engagement in” those services and programs. RCW 13.38.040.)

Serious emotional or physical damage – The court considered testimony from a qualified expert witness, as defined in RCW 13.38.130. The court finds by clear and convincing evidence that the children (*check one*): would would **not** likely suffer serious emotional or physical damage if they lived with either parent or an Indian custodian. The Court makes this conclusion because:

4. Jurisdiction over Indian Children

- Does not apply. None of the children are Indian children.
 - This court **cannot** decide this case for these Indian children (*names*): _____ because this court does not have jurisdiction over them. The *Petition* should be dismissed as to these children.
 - This court **can** decide this case for the Indian children because (*check one*):
 - (*Children's names*): _____ are **not** domiciled or living on an Indian reservation, and are not wards of a tribal court. (25 U.S.C. § 1911)
 - (*Children's names*) : _____ **are** domiciled or living on an Indian reservation, or are wards of a tribal court, however (*check all that apply*):
 - The children's tribe agrees to Washington state's concurrent jurisdiction.
 - The children's tribe decided not to use its exclusive jurisdiction (expressly declined). (RCW 13.38.060)
 - Washington state should claim emergency jurisdiction for children temporarily located off the reservation to protect the children from immediate physical damage or harm. (RCW 13.38.140)
 - Other (*specify*): _____
-

5. Dependency Case

- There is no open dependency case for these children.
- There is an open dependency case for these children in _____ county under case number: _____. The court handling the dependency has signed an order allowing this court to proceed with this guardianship case.

6. Jurisdiction Over the Children

- This court **cannot** decide this case for these children (*names*): _____ because this court does not have jurisdiction over them. The *Petition* should be dismissed as to these children.
-

This court **can** decide this case for these children because (*check all that apply; if a box applies to all of the children, you may write “the children” instead of listing names*):

Exclusive, continuing jurisdiction – A Washington court has already made a parenting plan, residential schedule, or custody order for the children, and the court still has authority to make other orders for (*children’s names*): _____

Home state jurisdiction – Washington is the children’s home state because (*check all that apply*):

(*Children’s names*): _____ lived in Washington with a parent or someone acting as a parent for at least the 6 months just before this case was filed, or if the children were less than 6 months old when the case was filed, they had lived in Washington with a parent or someone acting as a parent since birth.

There were times the children were not in Washington in the 6 months just before this case was filed (or since birth if they were less than 6 months old), but those were temporary absences.

(*Children’s names*): _____ do not live in Washington right now, but Washington was the children’s home state sometime in the 6 months just before this case was filed, and a parent or someone acting as a parent of the children still lives in Washington.

(*Children’s names*): _____ do not have another home state.

No home state or home state declined – No court of any other state (or tribe) has the jurisdiction to make decisions for (*children’s names*): _____ **or** a court in the children’s home state (or tribe) decided it is better to have this case in Washington **and**:

- The children and a parent or someone acting as a parent have ties to Washington beyond just living here; **and**
- There is a lot of information (substantial evidence) about the children’s care, protection, education, and relationships in this state.

Other state declined – The courts in other states (or tribes) that might be (*children’s names*): _____’s home state have refused to take this case because it is better to have this case in Washington.

Temporary emergency jurisdiction – Washington had temporary emergency jurisdiction over (*children’s names*): _____ when the case was filed, and now has jurisdiction to make a final custody decision because:

- When the case was filed, the children were abandoned in this state, or the children were in this state and the children (or children’s parent, sibling) were abused or threatened with abuse;
- The court signed a temporary order on (*date*) _____ saying that Washington’s jurisdiction will become final if no case is filed in the

children's home state (or tribe) by the time the children have been in Washington for 6 months;

- The children have now lived in Washington for 6 months; **and**
- No case concerning the children has been started in the children's home state (or tribe).

Other reason (*specify*): _____

7. Background Records Checked

The Court has (unless stated otherwise below):

- Checked the judicial information system for any information or proceedings relevant to placement of the children;
- Reviewed the records from the Department of Children, Youth, and Families provided in response to the court's *Order to DCYF to Release CPS Information*; and
- Reviewed the criminal history record from the Washington State Patrol for guardian and each adult living in guardian's home.

The court did not check background records because the Petition is denied.

Other findings (*specify*): _____

8. Notice

Notice has **not** been given to the following person/s who are entitled to notice:

All notices required by law have been given and proof of service has been filed.

9. Basis for Guardianship

The petition for guardianship should be:

Denied.

There is a parent willing and able to perform parenting functions.

Other: _____

Approved. It is in the children's best interest to appoint a guardian and:

Agreement – The parent/s (*name/s*) _____ consent, after being fully informed of the nature and consequences of guardianship.

Termination – The parent/s (*name/s*) _____ rights have been terminated.

Need – The parent/s (*name/s*) _____ are **not** willing or able to provide for the support, care, education, health, safety, and welfare of a child under age 18 (exercise the parenting functions in RCW 26.09.004).

The denial or approval is based on the following facts:

10. Guardian Nominated

Does not apply. The Petition should be denied.

(*Name/s*) _____
should be appointed as guardian of the children listed above. The guardian is in the best interest of the children.

Guardian/s was/were nominated by:

Parent/s (*name/s*) _____

A child age 12 or older.

Petitioner/s.

The parents or children nominated a guardian that was not in best interests of the children. The court appointed the guardian in the best interest of the children. (*Explain*) _____

Other findings: _____

11. Limits on Guardian's Authority

Does not apply. The Petition should be denied.

No limits should be put on the guardian's authority over the children's upbringing or decision-making for the children.

The guardian should share decision-making authority and access to records with parent/s and/or children as ordered in sections **18** and **19** below because: _____

Other findings: _____

12. Limits on Parents

Does not apply.

Residential Schedule has been signed and the reasons for limits are included there.

The court should limit decision-making and visitation for the following reasons:

- Mandatory limiting factors from RCW 26.09.191(2) – A parent has one or more of these problems as follows (*check all that apply*):
- Abandonment** – (*Parent's name*): _____ intentionally abandoned a child listed in section 1 for an extended time.
 - Neglect** – (*Parent's name*): _____ substantially refused to perform their parenting duties for a child listed in section 1.
 - Child abuse** – (*Parent's name*): _____ (or someone living in that parent's home) abused or threatened to abuse a child. The abuse was (*check all that apply*): physical sexual repeated emotional abuse.
 - Domestic violence** – (*Parent's name*): _____ (or someone living in that parent's home) has a history of domestic violence, as defined in RCW 7.105.010.
 - Assault** – (*Parent's name*): _____ (or someone living in that parent's home) has assaulted or sexually assaulted someone causing grievous physical harm, causing fear of such harm, or resulting in a pregnancy.
 - Sex offense** –
 - (*Parent's name*): _____ has been convicted of a sex offense as an adult.
 - Someone living in (*parent's name*): _____'s home has been convicted as an adult or adjudicated as a juvenile of a sex offense.
- Other limiting factors from RCW 26.09.191(3) – A parent has one or more of these problems as follows (*check all that apply*):
- Neglect** – (*Parent's name*): _____ neglected their parental duties towards a child listed in 1.
 - Emotional or physical problem** – (*Parent's name*): _____ has a long-term emotional or physical problem that gets in the way of their ability to parent.
 - Substance abuse** – (*Parent's name*): _____ has a long-term problem with drugs, alcohol, or other substances that gets in the way of their ability to parent.
 - Lack of emotional ties** – (*Parent's name*): _____ has few or no emotional ties with a child listed in 1.
 - Abusive use of conflict** – (*Parent's name*): _____ uses conflict in a way that endangers or damages the psychological development of a child listed in 1.
 - Withholding the child** – (*Parent's name*): _____ has kept the other parent away from a child listed in 1 for a long time, without a good reason.
 - Other (specify)**: _____

13. Support, Insurance, and Taxes

The court has considered whether to order child support, health insurance, and allocation of tax exemptions. The court finds:

- Does not apply. The Petition should be denied.
- Child support, health insurance, and taxes should be ordered as described in section **22** below.
- The court is **not** ordering child support, health insurance, or taxes because: _____

- Other findings: _____

14. Protection Order

- No one requested an Order for Protection.
- (Name): _____ requested an Order for Protection in a separate but related (linked) case number _____
- Other findings: _____

➤ **The Court Orders:**

15. Guardianship

- Denied.** The guardianship petition is denied and the case is dismissed. All Emergency and Temporary Orders are ended.
To the Clerk: Terminate any linked Emergency Guardianship cases.
- End temporary child support.** *(Check this box if the court previously signed a temporary Child Support Order in this or a linked or consolidated Emergency Guardianship case.)*
To the Clerk: Provide a copy of this Order to the Division of Child Support.
 Any unpaid support already owed under a temporary Child Support Order still must be paid.
- Return Children.** The children must be returned to *(name/s)*: _____
 by *(date)*: _____ at *(time)*: _____
 as follows: _____

(Delete or skip sections 16 to 23 if the petition is denied.)

- Approved.** A guardianship is approved for the following children: _____

(Name/s) _____ is/are appointed as guardian of the children listed above. The children shall live with the guardian.

To the Clerk:

Issue letters: Once the guardian files an Acceptance of Appointment, the clerk of the court shall issue Letters of Guardianship for the children to the guardian. The letters shall be valid until the expiration date listed in the **Guardianship Summary** in section 1.

Terminate any linked Emergency Guardianship cases.

16. Lay Guardian Training

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

- Does not apply. The guardian is a certified professional guardian.
- The guardian provided proof of completion of lay guardian training.
- The guardian must file proof of completion of lay guardian training within 90 days.
- The lay guardian training is waived.

17. Future notice to parents and interested parties (if any)

The parents and any interested parties listed in the **Guardianship Summary** in section 1 have a right to know if:

- The guardian delegates custody of the children,
- The court changes or limits the guardian's powers, or
- The court removes the guardian.

18. Guardian's Authority

The guardian/s have the authority to make **all** decisions and determine the children's upbringing, including their education, healthcare, religious training, passport, travel, and driver licensing, unless limited below.

- Some decision making must be shared. The guardian must share decision-making with parent/s or children as follows (*fill out the table*):

<i>Fill out this table only if the guardian does not have sole decision-making authority for certain decisions. The guardian has sole authority to make all decisions not checked below.</i>			
Type of Major Decision	Jointly with Parent/s (write name or "both parents")	Parent/s Decide (write name or "both parents")	Child Decides (write name/s or "all children")
School/educational	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Healthcare (not emergency)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Authority to apply for passport and travel internationally:	[]	[]	[]
Driver's license or State I.D.:	[]	[]	[]
Other:	[]	[]	[]
Other:	[]	[]	[]

[] Other: _____

19. Access to Records

The following people have the right to access records (children may have the right to control access to records under other laws):

Type of Record	Guardian Can Access	Parent/s Can Access (write name or "both parents")
School/educational	[]	[]
Healthcare	[]	[]
Other:	[]	[]
Other:	[]	[]
Other:	[]	[]

[] Other: _____

20. Parents' Visitation

The parents' visitation shall be as follows:

[] The children will have no visitation with one or both parents (*name/s*) _____

because of RCW 26.09.191 limiting factors found in section **12**.

[] The visitation for both parents is listed in the *Residential Schedule* (form GDN M 104).

[] **Parent 1's visitation**

The visitation schedule for (*name*) _____ is:

[] The restrictions on visitation are: _____

The holiday schedule is: _____

Parent 2's visitation

The visitation schedule for **Parent 2** is the same as **Parent 1**.

The visitation schedule for *(name)* _____ is:

The restrictions on visitation are: _____

The holiday schedule is: _____

Other: _____

21. Moving with Children (Relocation)

Guardians must follow the requirements of RCW 26.09.430 through RCW 26.09.490 when moving with the children.

***Important!** Unless a Residential Schedule is ordered, attach form FL Relocate 736 for a summary of the law about moving with the children.*

22. Support, Insurance, and Taxes

The court is not issuing an order about support, health insurance, or taxes at this time.

Child support – The court signed the final *Child Support Order* and *Worksheets* filed separately today or on *(date)*: _____.

Health insurance or other expenses – The parents must pay for health insurance,

uninsured medical, daycare, or other necessary expenses (*check one*):

as listed on the final *Child Support Order*.

as follows (*specify*): _____

Tax issues – The parties have the right to claim the children as their dependents for purposes of personal tax exemptions and associated tax credits on their tax forms as follows:

as listed on the *Child Support Order*.

the appointed guardian may claim the children.

other (*specify*): _____

Other: _____

23. Protection Order

No one requested a *Protection Order* in this case.

Any order about the *Protection Order* is filed in a separate case.

24. Guardian ad Litem or Court Visitor Fees

Does not apply.

The Guardian ad Litem (GAL) or Court Visitor (Visitor) is discharged from this case.

The GAL or Visitor fees and costs are approved as reasonable in the total amount of \$_____.

They shall be paid from the county split between the parties as follows:

Other (*specify*): _____

25. Lawyers and Legal Fees

The following lawyers who were appointed by the court are discharged:

The legal fees and costs for the children’s lawyer are approved as reasonable in the amount of \$_____.

The legal fees and costs for the children’s lawyer shall be paid for by the county.

The legal fees and costs for the parent’s (*name*) _____ lawyer are approved as reasonable in the amount of \$_____

The legal fees and costs for the parent’s (*name*) _____ lawyer shall be paid for by the county.

The children had no legal fees.

26. Successor Guardian

(*Name*): _____

should be appointed the Successor Guardian if the following event occurs (*list the designated event*): _____

27. Other Orders (if any)

Ordered.

Date

Judge or Commissioner

Presented by:

Signature of Party/Lawyer

Printed Name

WSBA No.

Copy received and approved by:

Signature of Party/Lawyer

Printed Name

WSBA No.

Signature of Party/Lawyer

Printed Name

WSBA No.

Signature of Court Visitor

Printed Name

WSBA No.

Signature of Guardian

Printed Name

CPG No.

Superior Court of Washington, County of _____

In the Guardianship of:

Respondent/s (*minors/children*)

No. _____

Parent's Consent to Minor Guardianship
(CON)

Parent's Consent to Minor Guardianship

Use this form to agree to Minor Guardianship. Do not use this form for Standby or Emergency Guardianship.

1. Parent

My name is _____. I am a legal parent of the children named above.

2. Guardian

I agree (consent) that the court can appoint (*name/s*) _____ as guardian for my children.

3. Powers

I have read the *Minor Guardianship Petition*. I agree the court should give the guardian the powers requested in the petition. The petition covers:

- Custody
- Visitation
- Decision-Making Authority
- Access to Records
- Child Support, Insurance, and Taxes
- Protection Orders and Restraining Orders
- Fees and Costs
- Other Requests

4. Voluntary

I do **not have to agree** to this guardianship. I have a legal right to raise my children (unless a court has already limited that right).

5. Lawyer

I understand that I have the right to seek legal advice. If I need help understanding this consent or do **not** agree to a guardian, I can talk to a lawyer.

If I do **not** agree and cannot afford a lawyer, I have the right to have a lawyer appointed to represent me at public expense. (GDN ALL 021, *Motion to Appoint Lawyer.*)

6. Legal Proceeding

I understand that if I do **not** agree, I have the right to a full legal proceeding about guardianship. In a full proceeding, the court must presume I am willing and able to parent. For the Petitioner to succeed, they must prove I am **not** able or willing to parent.

I agree to the guardian being appointed for my children without a full legal proceeding.

7. Termination

I understand that once the court has approved the guardianship, if I want it to end before it expires (usually age 18), I will have to petition the court. (*Use Petition to Terminate or Change Minor Guardianship or Non Parent Custody Order form GDN M 502*) If the guardian does not agree, they will have to prove:

- Ending the guardianship would be harmful to the children; and
- The children’s interest in continuing the guardianship outweighs my parental rights.

8. Acceptance of Service

Does not apply.

I have received a copy of the *Minor Guardianship Petition* and accept service.

I do not need to be notified about the court’s hearings or decisions in this case.

I ask the Petitioner to notify me about any hearings in this case. (*List an address where you agree to accept legal documents. This may be a lawyer’s address or any other address.*)

_____ *Address* _____ *City* _____ *State* _____ *Zip*

E-mail: _____

I understand the nature and consequences of a minor guardianship. I agree the court can appoint the guardian named above for my children.

▶ _____
Parent signs here _____ *Print name* _____ *Date*

Lawyer Certification (optional)

I am the lawyer for the above-named parent. I have reviewed this Parental Consent with my client. I explained to my client the nature of the proposed guardianship and the consequences of agreeing to the guardianship.

My client has indicated to me they understand the nature and consequences, and still wish to consent to the guardianship.

▶ _____
Parent’s lawyer (if any) signs here _____ *Print name and WSBA No.* _____ *Date*

Superior Court of Washington, County of _____

In the Guardianship of:

Respondent/s (*minors/children*)

No. _____

**Motion for Order Directing DCYF to
Release CPS Information
(MT)**

Motion for Order Directing DCYF to Release CPS Information

1. Petitioner/s filed a *Minor Guardianship Petition* and request(s) an *Order* directing the Department of Children, Youth, and Families (DCYF) to release Child Protective Services (CPS) information about the proposed guardian and all household members named in the *Order*.
2. An *Order* directing DCYF to release CPS information is needed because of the following requirements:

RCW 11.130.210(1) provides that, before entering a final order, the court must:
“Direct the department of children, youth, and families to release information as provided under RCW 13.50.100.”

RCW 13.50.100(4)(a) allows DCYF to release CPS information to a family or juvenile court hearing a petition under Chapter 11.130 RCW about investigations in which the proposed guardian/s, or any person age 16 or older who lives with the proposed guardian/s, is the subject of a founded or currently pending CPS investigation by the Department of Social and Health Services or DCYF started after October 1, 1998, and the following, if checked:

[] investigations in which the children involved in this case were alleged victims of abandonment, abuse, or neglect.

Person making this motion fills out below.

▶ _____
Person making this motion signs here

_____ *Print Name (if lawyer, also list WSBA#)*

_____ *Date*

Superior Court of Washington, County of _____

In the Guardianship of:

Respondent/s (*minors/children*)

No. _____

Order Directing DCYF to Release CPS Information

(ORDINFO)

Clerk's Action Required: **5**

**Order Directing DCYF to Release CPS Information
(Guardianship)**

1. Petitioner/s filed a *Minor Guardianship Petition*. The court needs information from the Department of Children, Youth, and Families (DCYF).
2. The court orders DCYF to provide information as allowed by RCW 13.50.100 about investigations in which the proposed guardian/s, or any person age 16 or older who lives with the proposed guardian/s, is the subject of a founded or currently pending CPS investigation by the Department of Social and Health Services or DCYF started after October 1, 1998, and the following, if checked:

investigations in which the children involved in this case were alleged victims of abandonment, abuse, or neglect.

DCYF must provide this information under a *Sealed CPS Information* cover sheet (form GDN M 406) to the court at this address:

Superior Court Clerk, _____ County

Address *City* *State* *Zip*

DCYF must provide the information by (*date*): _____ or within a reasonable amount of time if no date is specified.

3. List the children:

Child's name	Age	Child's name	Age
1.		2.	
3.		4.	

4. List the proposed guardian/s and anyone 16 or older living in the home:

Proposed Guardian

Full Name: _____

Also Known As: _____

Birthdate: _____

Other Individual in the Home

Full Name: _____

Also Known As: _____

Birthdate: _____

Other Individual in the Home

Full Name: _____

Also Known As: _____

Birthdate: _____

Other Proposed Guardian

Full Name: _____

Also Known As: _____

Birthdate: _____

Other Individual in the Home

Full Name: _____

Also Known As: _____

Birthdate: _____

Other Individual in the Home

Full Name: _____

Also Known As: _____

Birthdate: _____

5. **Clerk's Action:** The clerk shall forward a copy of this order to DCYF. Information received from DCYF in response to this order must be filed under seal. Only the parties in this case, their lawyers, the Guardian ad Litem (if any), and the person whose information was released, may have access to this information.

Other: _____

6. The information DCYF provides in response to this order is confidential. Anyone who sees the information must keep it confidential and protect against unauthorized disclosure.

Ordered.

Date

Judge or Commissioner

Petitioner and Respondent/s or their lawyers fill out below.

Presented by:

Signature of Party/Lawyer

Printed Name *WSBA No.*

Copy received and approved by:

Signature of Party/Lawyer

Printed Name

Signature of GAL or CV

Printed Name

Superior Court of Washington, County of _____

In the Guardianship of:

Respondent/s (*minors/children*)

No. _____

Sealed CPS Information (Cover Sheet)
(XBKGD)

Clerk's action required: Do not file in a
public access file.

Sealed CPS Information (Cover Sheet)

The Department of Children, Youth, and Families (DCYF) is providing the attached information under seal in response to the *Order to DCYF to Release CPS Information (Guardianship)* signed by the court pursuant to RCW 13.50.100.

The Department does not waive any confidentiality or privilege attached to the information. Any recipient of the information shall protect against unauthorized disclosure of the information.

Department Representative signs here

Print name

Date

Superior Court of Washington, County of _____

In the Guardianship of:

Respondent/s (*minors/children*)

No.

**Cover Sheet for Criminal History
(Guardianship)
(XCRIM)**

**Cover Sheet for Criminal History
(Guardianship)**

I have asked the Washington State Patrol for the criminal history record on each adult living in my home. Attached are the records I received.

List all people whose records are attached:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

Submitted by (signature)

Print name

Date

**Confidential
Information (CIF)**

**Clerk: Do not file in
a public access file**

Superior Court of Washington,

County: _____

Case No.: _____

Important! Only court staff and some state agencies may see this form. The other party and his/her lawyer may not see this form unless a court order allows it. State agencies may disclose the information in this form according to their own rules.

1. Who is completing this form? (Name): _____

2. Is there a current restraining or protection order involving the parties or children? [] Yes [] No

If Yes, who does the order protect? (Name/s): _____

3. Proposed Guardian's Information

Full name (first, middle, last):		Date of birth (MM/DD/YYYY):	Sex:
Driver's license/Identicard (#, state):	Race:	Relationship to children in this case:	
Mailing address (This address will not be kept private.) (street address or PO box, city, state zip):			
Phone:		Social Security Number:	
Email:			
Home address (check one): [] same as mailing address [] listed below (street, city, state, zip):			
Employer's name:		Employer's phone:	
Employer's address:			

4. Parent 1's Information

Full name (first, middle, last):		Date of birth (MM/DD/YYYY):	Sex:
Driver's license/Identicard (#, state):	Race:	Relationship to children in this case:	
Mailing address (This address will not be kept private.) (street address or PO box, city, state zip):			
Phone:		Social Security Number:	
Email:			
Home address (check one): [] same as mailing address [] listed below (street, city, state, zip):			
Employer's name:		Employer's phone:	

Employer's address:

5. Parent 2's Information

Full name (first, middle, last):		Date of birth (MM/DD/YYYY):	Sex:
Driver's license/Identicard (#, state):	Race:	Relationship to children in this case:	
Mailing address (This address will not be kept private.) (street address or PO box, city, state zip):			
Phone:		Social Security Number:	
Email:			
Home address (check one): [] same as mailing address [] listed below (street, city, state, zip):			
Employer's name:		Employer's phone:	
Employer's address:			

6. Other Party's Information – This person is a (check one): [] Petitioner [] Custodian [] Other: _____

Full name (first, middle, last):		Date of birth (MM/DD/YYYY):	Sex:
Driver's license/Identicard (#, state):	Race:	Relationship to children in this case:	
Mailing address (This address will not be kept private.) (street address or PO box, city, state zip):			
Phone:			
Email:			

7. Children's Information

Child's full name (first, middle, last)	Date of birth (MM/DD/YYYY)	Race	Sex	Current location: lives with
1.				[] Petitioner [] other: _____
2.				[] Petitioner [] other: _____
3.				[] Petitioner [] other: _____
4.				[] Petitioner [] other: _____

8. Have the children lived with anyone other than Petitioner or Other Party during the last five years?
(Check one): [] No [] Yes If **Yes**, fill out below:

Children lived with (name)	That person's current address
1.	

2.	
----	--

9. Do other people (not parents) have custody or visitation rights to the children?

(Check one): [] No [] Yes If **Yes**, fill out below:

Person with rights (<i>name</i>)	That person's current address
1.	
2.	

10. If you are asking for custody and are not the parent, list all other adults living in your home:

1. (<i>Name</i>):	Date of birth (<i>MM/DD/YYYY</i>):
2. (<i>Name</i>):	Date of birth (<i>MM/DD/YYYY</i>):

I declare under penalty of perjury under Washington State law that the information on this form about me is true. The information about others is the best information I have or is unavailable because (*explain*):

Signed at (*city and state*): _____ Date: _____



Petitioner/Other Party signs here

Print name here

**Attachment: Summary of the law about moving with children
(Child Relocation Act, RCW 26.09.430 - .480)**

Notice

Anyone with majority or substantially equal residential time (at least 45 percent) who wants to move with the children **must notify** every other person who has court-ordered time with the children.

Move to a different school district

If the move is to a different school district, the relocating person must complete the form *Notice of Intent to Move with Children* (FL Relocate 701) and deliver it at least **60 days** before the intended move.

Exceptions:

- If the relocating person could not reasonably have known enough information to complete the form in time to give 60 days' notice, they must give notice within **5 days** after learning the information.
- If the relocating person is relocating to a domestic violence shelter or moving to avoid a clear, immediate, and unreasonable risk to health or safety, notice may be delayed **21 days**.
- If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.
- A relocating person who believes that giving notice would put themselves or a child at unreasonable risk of harm, may ask the court for permission to leave things out of the notice or to be allowed to move without giving notice. Use form *Motion to Limit Notice of Intent to Move with Children (Ex Parte)* (FL Relocate 702).

The *Notice of Intent to Move with Children* can be delivered by having someone

personally serve the other party or by any form of mail that requires a return receipt.

If the relocating person wants to change the *Parenting Plan* because of the move, they must deliver a proposed *Parenting Plan* together with the *Notice*.

Move within the same school district

If the move is within the *same* school district, the relocating person still has to let the other parent know. However, the notice does not have to be served personally or by mail with a return receipt. Notice to the other party can be made in any reasonable way. No specific form is required.

Warning! If you do not notify...

A relocating person who does not give the required notice may be found in contempt of court. If that happens, the court can impose sanctions. Sanctions can include requiring the relocating person to bring the children back if the move has already happened, and ordering the relocating person to pay the other side's costs and lawyer's fees.

Right to object

A person who has court-ordered time with the children can object to a move to a different school district and/or to the relocating person's proposed *Parenting Plan*. If the move is within the same school district, the other party doesn't have the right to object to the move, but they may ask to change the *Parenting Plan* if there are adequate reasons under the modification law (RCW 26.09.260).

An objection is made by filing the *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 721). File your *Objection* with the court and serve a copy on the relocating person and anyone else who has court-ordered time with the

children. Service of the *Objection* must be by personal service or by mailing a copy to each person by any form of mail that requires a return receipt. The *Objection* must be filed and served no later than **30 days** after the *Notice of Intent to Move with Children* was received.

Right to move

During the 30 days after the *Notice* was served, the relocating person may not move to a different school district with the children unless they have a court order allowing the move.

After the 30 days, if no *Objection* is filed, the relocating person may move with the children without getting a court order allowing the move.

After the 30 days, if an *Objection* has been filed, the relocating person may move with the children **pending** the final hearing on the *Objection* **unless**:

- The other party gets a court order saying the children cannot move, or
- The other party has scheduled a hearing to take place no more than 15 days after the date the *Objection* was served on the relocating person. However, the relocating person may ask the court for an order allowing the move even though a hearing is pending if the relocating person believes that they or a child is at unreasonable risk of harm.

The court may make a different decision about the move at a final hearing on the *Objection*.

Parenting Plan after move

If the relocating person served a proposed *Parenting Plan* with the *Notice*, **and** if no *Objection* is filed within 30 days after the *Notice* was served (or if the parties agree):

- Both parties may follow that proposed plan without being held in contempt of the *Parenting Plan* that was in place before the move. However, the proposed plan cannot be enforced by contempt unless it has been approved by a court.
- Either party may ask the court to approve the proposed plan. Use form *Ex Parte Motion for Final Order Changing Parenting Plan – No Objection to Moving with Children* (FL Relocate 706).

Forms

You can find forms about moving with children at:

- The Washington State Courts' website: www.courts.wa.gov/forms,
- Washington Law Help: www.washingtonlawhelp.org, or
- The Superior Court Clerk's office or county law library (for a fee).

(This is a summary of the law. The complete law is in RCW 26.09.430 through 26.09.480.)