



# Guardianship/Conservatorship Process

*This information is intended to provide an overview of guardianship in Washington State. It is for educational purposes only and is not a substitute for legal advice. For advice on making legal decisions, please talk to an attorney.*

## Steps to Guardianship

### 1. Petitioning the Court

Anyone seeking guardianship/conservatorship must file a petition with their local Superior Court. The petition asks the court to determine that the person identified in the petition needs this level of intervention, determine what type of intervention is needed and appropriate, and possibly appoint an appropriate guardian/conservator. You must give notice of the petition to the person identified in the petition and other interested parties. Find forms for petitioning for guardianship/conservatorship online at <https://www.courts.wa.gov/forms/?fa=forms.static&staticID=14>.

### 2. Training for Non-Professional (Lay) Guardian/Conservator

Before a family member or other non-professional can petition (file court papers to ask) the court to be a guardian/conservator, they must complete a free online training. This training covers duties and responsibilities, required forms, and timelines. If you decide to petition for guardianship after completing the training, keep the declaration of completion you received as proof for the court.

### 3. The Court Appoints a Court Visitor

Once a petition to the court is made, the court appoints a court visitor to investigate. The court visitor must then recommend to the court whether guardianship/conservatorship is appropriate, suggest who should serve as the guardian/conservator, or explore if there are less restrictive alternatives available.

### 4. A Hearing is Held

At this hearing, family members or others may contest (challenge) the request for guardianship/conservatorship. If the court appoints the petitioner as guardian/conservator, the petitioner receives letters of office.

### 5. Letters of Office

This is the formal document that allows the guardian/conservator to act on behalf of the person. It also specifies any restrictions placed on the guardianship/conservatorship.

## Reporting Requirements

Serving as a guardian/conservator involves a significant amount of responsibility. You must keep thorough records to support everything you do on behalf of the person with receipts or other records. Reports are due at the following times:

*There are generally three types of reporting:*

- ▶ **Within 90 days of being appointed as guardian/conservator**
- ▶ **Each year, at least one month before your Letters of Office expire**
- ▶ **Within 30 days of certain events happening**

It is important to file your reports on time. If you do not file your reports on time, you could face court fines, you might need to appear at a hearing, and the court may remove you as guardian/conservator. Reporting procedures vary by county. Some courts may require you to appear at a review hearing. Be sure you find out your county's specific reporting requirements.

