

IN THE SUPERIOR COURT OF WASHINGTON, COUNTY OF KING

In Re the Settlement/Guardianship of:) Cause N°
)
)
) PETITION FOR APPROVAL OF
) SETTLEMENT
)
 _____,
)
 minor or incapacitated person)
 _____)

COMES NOW the Petitioner, and moves the Court for approval of a settlement on behalf of _____, (age) _____, who sustained injuries arising out of _____.

I. SUMMARY OF RECOMMENDATIONS

GROSS SETTLEMENT \$ _____
NET PROCEEDS \$ _____

How net proceeds will be protected:

Blocked Account Structured Settlement Trust

II. BACKGROUND INFORMATION

2.1 Name of Minor or Incapacitated Person: _____

2.2 Date of Birth: _____

2.3 Name of Settlement Guardian Ad Litem: _____

III. CLAIM

A. Liability

B. Injuries, Treatment and Prognosis

C. Special Damages

IV. INSURANCE AND ASSETS AVAILABLE TO SATISFY CLAIM

A. Defendant _____ has a policy of insurance with liability limits in the amount of \$ _____.

B. Defendant _____ has additional assets to satisfy plaintiff's claim as follows: _____.

C. There also is underinsured motorist coverage in the amount of \$ _____ available to said minor through the minor's parents' automobile insurance policy with _____ Insurance Company.

V. SETTLEMENT OFFER

Defendant's insurer has offered to pay the sum of \$ _____ to settle all claims of the minor.

VI. APPORTIONMENT ISSUES

There are no other family members or persons having claims arising out of this incident which the Court would have to apportion or otherwise take into account in determining the adequacy of the proposed settlement on behalf of the minor.

VII. FEES, COSTS, AND SUBROGATION

A. Summary of Costs

Filing Fee	_____
Service of Process	_____
Photocopies	_____
Long Distance	_____
Medical Records	_____
Medical Reports	_____
Depositions	_____
Experts	_____
Private Investigation	_____
Trust Disbursement Fees	_____

TOTAL \$_____

Plaintiff's counsel has advanced all of the above costs and fees except _____.

B. Attorney's Fee

The family has employed the counsel to represent the minor under a ____% contingent fee agreement. The attorney's fee on the proposed settlement totals \$_____. A copy of the fee agreement is attached as Exhibit _____.

C. Subrogation and Liens

_____ has paid medical bills totaling \$_____ and has a lien in that amount. This lien should be resolved by _____.

VIII. PROCEEDS OF SETTLEMENT

Offer	\$_____
Less Costs:	
Attorney's Fees	_____
Subrogation & Liens	_____
Reimbursements	_____
Settlement Guardian ad Litem Fee	_____
Other (describe)	_____
TOTAL DEDUCTIONS:	\$_____
Net Proceeds	\$_____

IX. APPLICATION OF PROCEEDS

Since the net proceeds total less than \$25,000, counsel recommends that all funds be placed in a blocked account. Counsel agrees to transfer the net proceeds from counsel's trust

account directly into the blocked account and to obtain and file with the Court a Receipt showing that the funds have been deposited into a blocked account. Accordingly, no guardianship need be established herein. [NOTE: modify this section if a structured settlement or trust is to be employed.]

X. DISBURSEMENT OF FUNDS

Out of the settlement proceeds, funds should be disbursed to pay the costs, attorney's fees, and other deductions as set forth above.

The settlement proceeds should be disbursed as follows:

\$ _____
Plaintiffs Attorneys

Settlement Guardian ad Litem

_____, WA
\$ _____

WHEREFORE, petitioner requests that the Court enter an order as follows:

- 1. Approving the settlement offer set forth above;
- 2. Authorizing the guardian ad litem to execute releases of the claim of the minor;
- 3. Approving the payment of the costs and attorney's fees set forth;
- 4. Directing disbursement of funds as set forth above.

5. (OPTIONAL) Making findings that, under the circumstances of this case, this minor is represented by independent counsel under SPR 98.16W; and that the appointment of a Settlement Guardian ad Litem may be dispensed with.
6. For other and further relief as the Court may deem just and proper.

DATED at _____, Washington, this _____ day of _____, _____.

Signature of Attorney: _____

Printed Name of Attorney: _____

WSBA No. _____