

How to

# Respond to a Contested Minor Guardianship

## WARNINGS!

- Do NOT use these instructions if you are only responding to an Emergency Guardianship Petition. See *Respond to Emergency Guardianship* instruction.
- If you cannot afford to hire an attorney, you may ask the court to assign you an attorney using *How to Ask for an Attorney* instruction.
- Due to COVID-19, all hearings are being done by phone or video and some offices are providing only remote services. You should consult the King County Superior Court and the Ex Parte Department webpages for the most up to date information:  
<https://www.kingcounty.gov/courts/superior-court.aspx>  
<https://www.kingcounty.gov/courts/superior-court/ex-parte-probate.aspx>.

## **Talk to a lawyer, if you can**

These instructions have been developed by the King County Superior Court Family Law Information Center. They are not intended to be a substitute for legal advice. They provide only legal *information*. It's a good idea to talk to a lawyer before you file any forms.

If you **cannot** afford a lawyer, you can:

- Get a list of low-cost and free legal resources.  
<https://kingcounty.gov/~media/courts/superior-court/docs/family/facilitator/family-law-resources.ashx?la=en>
- Get help from the Family Law Facilitators office. You can get information about their services at <https://kingcounty.gov/courts/superior-court/family/facilitator.aspx>.

## Step 1: Determine your response deadline.

20 days	If you were served in person in Washington state.
60 days	If you were served in person outside of Washington state.
90 days	If you were served by mail.

**NOTE:** If you are a parent and agree with everything the other party has requested in the petition, you may fill out the *Parent's Consent to Minor Guardianship*.

## Step 2: Fill out these forms.

All of these forms can be downloaded at: [www.courts.wa.gov/forms/](http://www.courts.wa.gov/forms/)

Form Name	Form Number	Notes	Completed
<a href="#">Objection to Minor Guardianship</a>	GDN M 301		<input type="checkbox"/>
<a href="#">Declaration of (name): _____</a>	FL All Family 135	Optional: give to any witness who wants to write a statement.	<input type="checkbox"/>

Print this, but do not fill it out yet. You will need it later.

Form Name	Form Number	Notes	Completed
<a href="#">Declaration of Service</a>	GDN ALL 007		<input type="checkbox"/>

## Step 3: Make copies.

- **Original** set to file with Clerk's Office
- **Copy 1** for your personal records.
- **Other Copies** for each person who needs notice:
  - Party filing the petition
  - Proposed guardian
  - each parent
  - the child (if 12 or older)
  - any person who has the child in his/her custody
  - any attorney involved.

## Step 4: File these forms with the Clerk's Office.

By the deadline in Step 1, file the documents from Step 2 at the Clerk’s Office (room 2C in Kent and E-609 in Seattle).

**OR**

You may file these documents electronically through the Clerk’s Office E-Filing website at <https://www.kingcounty.gov/courts/clerk/documents/efiling.aspx>.

## **Step 5: Provide copies to all parties.**

By **the deadline in Step 1**, mail or email all forms from Step 2 to the following parties:

- Party filing the petition or motion
- Proposed guardian
- Each parent
- The child (if 12 or older)
- Any person who has the child in his/her custody
- Any attorney involved.

If you do not have a mailing address or email address, you can provide notice via social media contact, SMS text, or hand delivery.

Then, complete the [Declaration of Service](#) form. Keep a copy for your own records and file the original with the Clerk’s Office.

## **Step 6: Give working copies to the Ex Parte Department.**

At least one week before your hearing, you will need to provide the Ex Parte Department with working copies of the documents you filed. There are three ways to provide working copies:

### **1. Provide electronically**

To provide your working copies electronically, you can use the Clerk’s Office website [here](#). You will be required to pay a fee for this service.

### **2. Provide via email.**

You can also email your working copies to [scexparteorders@kingcounty.gov](mailto:scexparteorders@kingcounty.gov).

<b>Ex Parte Department Working Papers Email</b>
<ul style="list-style-type: none"><li>• The subject line of the email should read “Working Papers _____(DATE/TIME OF HEARING) - CASE NUMBER _____ (SEA/KNT).”</li><li>• Include all parties in the email.</li></ul>

- Attach a copy of all documents you have filed in the case.

### 3. Provide in person.

Working papers may be provided in person to the judges' mailroom (C203) in Seattle or Room 2D in Kent) only if email is not an option for you. On the top righthand corner, write:

WORKING COPIES

Hearing:\_\_\_\_\_ [date of the hearing]

Ex Parte Department/Minor Guardianship

Submitted by:\_\_\_\_\_ [your name]

## Step 7: Attend the Ex Parte virtual status hearing.

All Ex Parte hearings are being conducted by video until further notice starting at 10:30 a.m. The instructions for attending your hearing can be found attached to your *Order Setting Minor Guardianship Petition Case Schedule* you received when you were served.

At this hearing, the commissioner will address issues regarding service, background checks, attorney appointment, court visitor appointment, and other issues to move the case forward.

If the petitioner or proposed guardian do not appear for this hearing, the case may be dismissed.

If the commissioner certifies your case to go forward, you will receive an additional order containing your trial date and other deadlines. Be sure to follow this order.

These procedures may change. Check the Ex Parte department website at <https://www.kingcounty.gov/courts/superior-court/ex-parte-probate.aspx> for the latest information on how the hearing will be conducted.

## Step 8: Complete your final documents.

If the court has certified the case to go forward, you will need to prepare the following documents to finalize the case (by agreement or at trial):

**Fill out these forms when you are ready to finalize:**

Parent's Consent to Minor Guardianship	GDN M 304	Only sign if you are in agreement with the Guardianship	<input type="checkbox"/>
Minor Guardianship Findings and Order	GDN M 105	Fill this out the way you would like the court to decide	<input type="checkbox"/>
Residential Schedule (if requested)	GDN M 104	Fill this out the way you would like the court to decide	<input type="checkbox"/>

**If the other party is asking for child support, you need to fill out these forms:**

Child Support Worksheets	WSCSS-Worksheets	Online Child Support Calculation software is available at: <a href="https://fortress.wa.gov/dshs/dcs/SSGen/Home/QuickEstimator">https://fortress.wa.gov/dshs/dcs/SSGen/Home/QuickEstimator</a>	<input type="checkbox"/>
Child Support Schedule & Instructions	Use this information to calculate Child Support Worksheets.		
Child Support Order	FL All Family 130	Fill this out the way that you would like the Commissioner to decide	<input type="checkbox"/>