

How to

Respond to a Motion for an Immediate Order-Emergency Minor Guardianship

WARNINGS!

- If there is also a pending *Petition for Minor Guardianship*, you will need to file a separate response to that petition. See Instruction: Respond to a Contested Minor Guardianship.
- 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: Attend the “Emergency Motion” hearing if notified.

If you were given notice of a hearing in the Ex Parte Department, be sure to participate. Ex Parte hearings are being conducted by Zoom until further notice. See <https://www.kingcounty.gov/courts/superior-court/ex-parte-probate.aspx>.

At the hearing, the Commissioner will decide if the *Immediate Order (Ex Parte) - Emergency Minor Guardianship* is approved.

Step 2: Fill out these forms.

All of these forms can be downloaded at: www.courts.wa.gov/forms/

Form Name	Form Number	Notes	Completed
Objection to Emergency Minor Guardianship Petition	GDN M 301		<input type="checkbox"/>
Emergency Minor Guardianship Order	GDN M 203	Fill this out the way you would like the Commissioner to decide at the next hearing	<input type="checkbox"/>
Declaration of (name):_____	FL All Family 135	Optional: give to any witness who wants to write a statement.	

If there is a request for temporary child support at the next hearing, you need to fill out these forms:

Child Support Worksheets	WSCSS-Worksheets	Online Child Support Calculation software is available at: https://fortress.wa.gov/dshs/dcs/SSGen/Home/QuickEstimator	<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"/>
Financial Declaration of _____	FL All Family 131		<input type="checkbox"/>

Sealed Financial Source Documents	FL All Family 011	Use this coversheet to keep your financial records confidential	<input type="checkbox"/>
<p>For the court to decide on financial issues, you must provide copies of financial documents, including:</p> <ul style="list-style-type: none"> ▪ Your W-2s and complete personal tax returns for the past 2 years ▪ Your most recent pay stubs (at least 6 months) ▪ Complete partnership/corporate tax returns for the past 2 years if you have a 5% interest or more ▪ Statements from all of your banks and financial institutions for the past 6 months 			

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

Form Name	Form Number	Notes	Completed
Declaration of Service	WPF GDN 04.0850		<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 or motion
 - Proposed guardian
 - each parent
 - the child (if 12 or older and the court has not signed an *Order on Motion to Withhold* giving you permission to withhold all documents and evidence after the *Summons, Notice, and Petition*)
 - any person who has the child in his/her custody
 - any attorney involved.

Step 4: Confirm Attendance.

At least **two days** before the hearing before the assigned judge, contact the bailiff to confirm that you will be attending. The bailiff’s contact information for your assigned judge can be found [here](#) or in the Case Schedule for the Emergency Minor Guardianship, which you should have received from the petitioner.

Step 5: File these forms with the Clerk’s Office.

By **noon the day before the hearing** before the assigned judge, file the following documents from Step 2 at the Clerk’s Office (room 2C in Kent and E-609 in Seattle), except:

- *Emergency Minor Guardianship Order*

- *Child Support Order* (if necessary).

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 6: Provide copies to all parties.

By **noon the day before the hearing** before the assigned judge, 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 and the court has not signed an *Order on Motion to Withhold* giving you permission to withhold all documents and evidence after the *Summons, Notice, and Petition*)
- 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 7: Email Proposed Orders to Assigned Judge.

Your “Proposed Orders” are the following forms:

- *Emergency Minor Guardianship Order*
- If the petitioner is requesting child support, *Child Support Order*.

Email your proposed orders to your assigned judge by **noon the day before** your hearing.

Step 8: Attend virtual hearing.

Participate in the guardianship hearing, which will be a Zoom meeting with the assigned judge. Instructions on how to join the Zoom meeting are in the Case Schedule, a document provided by the person filing the motion. If you did not receive a copy of the Case Schedule, contact the bailiff for your assigned judge for information about how to connect to your Zoom Hearing.

