

PETITION FOR ORDER APPROVING GUARDIAN'S ACTIVITIES AND FINAL REPORT

King County Superior Court Facilitators: Instruction # G-9
King County Local Rule 98.20

This procedure is used to provide the Court with a final verified account of the administration of the guardianship. A final report is necessary when the guardian resigns or is removed, when the incapacity no longer exists, or when the incapacitated person dies.

STEP 1: OBTAIN AND COMPLETE THE REQUIRED FORMS

- **Notice of Hearing and Declaration of Mailing.**
Pick a date when you will be able to go to court. You must file the notice at least 14 days before the date selected. **If you file the Notice of hearing and Declaration of Mailing by mail, allow sufficient time for receipt by the Department of Judicial Administration at least 14 days before the hearing.** On the first page of the form, fill in the name of the incapacitated person, the case number, the date and time of the hearing, and the nature of the hearing. In King County the Ex Parte Department hears guardianship matters every Monday through Friday that the Court is in session, at 10:30 a.m. On the second page of the form sign the declaration of mailing and provide all of your contact information. List the names and contact information for each person who has submitted a Request for Special Notice of Proceedings.
- **Petition for Order Approving Guardian's Activities and Final Report.**
Fill in the caption, which includes the incapacitated person's name and the case number. Fill in all the blanks on each page of the form. Sign and date the document on the last page. Also, you will need to attach the following reports:
 - Care Plan
 - Current Inventory of the incapacitated person's assets. This inventory must list the value of each asset as of the date of the last reporting period and the date of this report.
 - Income and Disbursements must be listed by category from the conclusion of the last reporting period to the date of this report.
- **Order Approving Guardian's Final Report.**
Fill in the caption and fill in the blanks on each page of the form. Sign the order on the last page and fill in your contact information.

Note: The Order Approving Guardian’s Final Report, page 3, contains provisions which are necessary only if the guardianship will be closed. If the guardianship will continue with a new guardian, cross out paragraphs 3, 4 and 5 of the order.

STEP 2: TALK TO AN ATTORNEY IF POSSIBLE

These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will not guarantee you a favorable result. It is always advisable to talk to a lawyer about your problem before filing your action. If you cannot afford to hire an attorney to represent you, you may be able to pay a lawyer to give you advice and review your paperwork for a lesser cost. Contact the King County Bar Association Lawyer Referral Line for information about limited services representation. If you cannot afford these costs, there are limited free legal services available to low income people. Contact the Facilitators’ office for a *Legal Resource List* or the King County Bar Association Lawyer Referral Line for information about resources for low income people.

STEP 3: MAKE COPIES, FILE ORIGINALS WITH CLERK AND DISTRIBUTE COPIES

Make at least two copies of all completed forms. Additional copies will be needed for each person who has submitted a Request for Special Notice of Proceedings.

File the originals of the Notice of Hearing and Declaration of Mailing and the Guardian’s Report and Accounting with the Clerk’s Office. Do not file the proposed Order Approving Guardian’s Report and Accounting.

Deliver the Court’s Working Copies. The working copies may be delivered to the Ex Parte Courtroom at the time you file the originals or no later than fourteen days before the hearing. They must be delivered to the courthouse designated by the case number. Working copies consist of copies of all forms, including the proposed order.

In the top right-hand corner of the Working Copies write:

WORKING COPIES – EX PARTE
HEARING DATE _____
HEARING TIME _____
PRESENTED BY _____
(Fill in your name.)

At least 10 days before the hearing, deliver copies of all forms to each person who has requested special notice of proceedings. If you mail the forms, you must mail them at least 13 days before the hearing. Include everyone you listed on page two of the Notice of Hearing and Declaration of Mailing. If anyone is represented by an attorney, the documents must be mailed or delivered to the attorney.

STEP 4: ATTEND YOUR HEARING

Attend your hearing in the Ex Parte Courtroom of the King County Courthouse in Seattle for all cases with a SEA designation, or the Kent Regional Justice Center for all cases with a KNT designation. Bring your copies of all forms and check in with the courtroom clerk. All hearings are scheduled for 10:30 a.m. and are heard in the order that cases are checked in and ready. You are welcome to arrive early.

Make a copy of any orders signed by the Court, then file the originals with the Clerk.

If the Guardianship is being closed because of the death of the Incapacitated Person, the Guardian must comply with all sections of the order. These include filing a final tax return, paying outstanding debts and fees, transferring assets to the deceased Incapacitated Person's estate and filing proof of the payments required by this order. After completing these duties, the Guardian must petition the Court to close the Guardianship and discharge the Guardian. (See Instruction #G-10.)

WARNING: These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will not guarantee you a favorable result. It is always advisable to talk to a lawyer about your problem before filing your action. (You may be able to hire a lawyer for a small fee to review your completed forms and talk about your problem but not represent you in court). If you need a lawyer, contact the Family Law Facilitators' Office for a *Legal Resource List* or call the King County Bar Association.