

PETITION FOR ORDER CLOSING GUARDIANSHIP AND DISCHARGING GUARDIAN

King County Family Law Facilitators: Instruction # G-10
King County Local Rule 98.20

This procedure is used to close (terminate) the guardianship court case, discharge the guardian and exonerate the bond, if any, when a guardianship is no longer necessary (either because the incapacity no longer exists, or because of the death of the incapacitated person). The Order Closing Guardianship and Discharging Guardian may be entered only after completion of all final requirements set forth in the Order Approving Final Report (See Instruction # G-9).

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 Closing Guardianship and Discharging Guardian.**
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.
- **Order Closing Guardianship, Discharging Guardian and Exonerating Bond.**
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.

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 TO COURT COMMISSIONER AND ALL INTERESTED PARTIES

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.

File the originals of the Petition and the Notice of Hearing with the Clerk. Do not file the proposed Order.

Deliver the Court's Working Copies. The working copies may be delivered to the Ex Parte department at the time you file the originals, but in any case, at least fourteen days before the hearing. Working copies must be delivered to the Ex Parte Courtroom. 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, as well as the original of the Order, and check in with the courtroom clerk. Be prepared to demonstrate to the court that you have met all the final requirements set forth in the previously entered Order Approving Final Report.

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.

Keep a copy of any orders signed by the Court and file the originals with the Clerk. **If a bond is being exonerated in the Order**, take the signed original Order to the Clerk's Office (either the copy center or cashier's window) and request a certified copy (for which there will be a modest fee). Send the certified copy of the Order to the bonding company with a cover letter referencing the Order, and indicating that the bond has been exonerated by the court.

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.