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SUPREME COURT OF THE STATE OF WASHINGTON

In the Guardianship of KEIKO DECKER, an Incapacitated Person:

DANIEL F. QUICK, Former Attorney for Keiko Decker,

Appellant,

v.

STEPHEN J. DeVOGHT, Guardian ad Litem, and DEPARTMENT OF
SOCIAL & HEALTH SERVICES,

Respondents.

**DEPARTMENT OF SOCIAL & HEALTH SERVICES' ANSWER
TO APPELLANT'S PETITION FOR REVIEW**

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I. INTRODUCTION

In this guardianship proceeding, the Petitioner, Daniel Quick, seeks payment beyond the amount authorized by the trial court for his representation of Keiko Decker, an incapacitated person. Mr. Quick was appointed by the guardianship court to represent Mrs. Decker. The order appointing Mr. Quick as Mrs. Decker's attorney limited him to ten hours of representation without additional court approval. Mr. Quick was granted a subsequent order authorizing forty more hours of representation without additional court approval. Mr. Quick did not seek authorization for additional hours.

After a limited guardian of the person and estate was appointed for Mrs. Decker, Mr. Quick sought approval for \$100,973.15 in fees he had already received from Mrs. Decker over the course of the guardianship proceeding. Mr. Quick also sought approval of an additional \$17,137.50 in fees that he had not yet received from Mrs. Decker. All but \$12,500.00 of Mr. Quick's fees accrued outside the knowledge of the Court and, in total, Mr. Quick sought court approval for \$118,110.65 in attorney fees, constituting over 568 hours of representation.

The guardianship commissioner reduced the attorney fees to \$30,000 to account for the time authorized in advance (\$12,500) and an additional sum to account for the additional representation Mr. Quick

undertook outside the knowledge of the court (\$17,500). Mr. Quick appealed this decision to the superior court, and then to the Court of Appeals, both of which affirmed the commissioner's order.

Mr. Quick now requests that this Court accept review to consider whether the Court of Appeals correctly determined that a guardianship court has the authority to review fees for an attorney appointed to represent an alleged incapacitated person when that person is ultimately determined to be incapacitated. Mr. Quick also asks this Court to review whether the Court of Appeals correctly determined the basis by which a court can determine fees of this kind. Mr. Quick's request for review fails to meet any of the criteria for discretionary review under RAP 13.4(b), and should be denied.

II. RESTATEMENT OF ISSUES PRESENTED FOR REVIEW

This case is not appropriate for review under RAP 13.4(b). But if review were granted, the issues for review would be:

1. Did the trial court have the authority to oversee fees of a court-appointed attorney for an alleged incapacitated person in a Guardianship proceeding where the alleged incapacitated person is ultimately adjudged to be incapacitated?
2. Does Mr. Quick have standing to argue that the trial court violated Mrs. Decker's constitutional due process rights?

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3. Did the trial court properly determine the amount of attorney fees to be paid from Mrs. Decker's estate upon a "just and reasonable" basis as required by RCW 11.92.180?

III. RESTATEMENT OF FACTS

A. Statutory History

In a guardianship proceeding, the real party in interest is the alleged incapacitated person and it is the trial court's duty to ensure that his or her interests are protected. *In re Guardianship of Matthews*, 156 Wn. App. 201, 210, 232 P.3d 1140 (2010) (citing *In re Guardianship of Gaddis*, 12 Wn.2d 114, 123, 120 P.2d 849 (1942); *In re Guardianship of McKean*, 136 Wn. App. 906, 913, 151 P.3d 223 (2007)). It is the court that ultimately decides whether to appoint a guardian. RCW 11.88.010(1). Specifically, the court is the "superior guardian" of the incapacitated person, which means the court is ultimately charged with making decisions for the best interest of the incapacitated person. *Seattle-First Nat'l Bank v. Brommers*, 89 Wn.2d 190, 200, 570 P.2d 1035 (1977); RCW 11.92.010. In doing so, the legislature requires that the court restrict the autonomy of such incapacitated person to the minimum extent necessary. RCW 11.88.005; RCW 11.88.010(2).

Thus, in the establishment of a guardianship, the court has the authority to appoint an attorney to represent the expressed preferences of an alleged incapacitated person. RCW 11.88.045(1)(b). But, the court

also retains the authority to monitor the fees accrued by the attorney for the alleged incapacitated person. RCW 11.88.045(1)-(2).

B. Procedural History

Keiko Decker is an elderly woman who has lived alone in her own home since the death of her husband in October 2009. CP at 18, 145. In November 2010, the Department of Social and Health Services (Department), received reports that Mrs. Decker was neglecting herself. CP at 18. Specifically, it received allegations that Mrs. Decker was becoming increasingly paranoid and had recently spent over \$60,000 on faulty landscaping. CP at 18. As a result of the allegations concerning Mrs. Decker and information gathered during its investigation, the Department filed a petition for guardianship for Mrs. Decker pursuant to Chapter 11.88 RCW. CP at 13. The commissioner appointed a *guardian ad litem* (GAL) for Mrs. Decker, and when she objected to the guardianship the GAL sought to have counsel appointed for her by the commissioner. CP at 22, 27.

On June 22, 2011, the commissioner appointed Mr. Quick to represent Mrs. Decker for up to ten hours. CP at 32. Mr. Quick had no previous relationship with Mrs. Decker. CP at 30. In his statement of qualifications, Mr. Quick did not list any prior experience representing incapacitated persons for purposes of a guardianship proceeding.

CP at 30. Approximately a month after his original appointment, Mr. Quick asked the commissioner to approve payment from Mrs. Decker's estate for another forty hours of representation. CP at 422. After the Department and the GAL agreed, the commissioner entered Mr. Quick's proposed order that stated: "Independent legal counsel shall be paid at private expense, with fees for representation subject to the commissioner's approval pursuant to RCW 11.92.180 and SPR 98.12.¹ Legal counsel for Keiko Decker shall bill at the rate of \$250 per hour, and shall have [a] further forty (40) hours of authority to represent Mrs. Decker." CP at 423. After entry of this order, Mr. Quick did not seek another order to authorize additional representation.

However, in August 2011, Mr. Quick filed several documents related to his request for ongoing payment. CP at 428-45. Specifically, he filed a petition for approval of association of counsel on the matter, approval of a fee agreement with no limitation on his time, and approval of reasonable time spent and costs incurred for trial. CP at 428. He also attached an unsigned fee agreement purportedly made with Mrs. Decker. CP at 442-43. The commissioner reserved Mr. Quick's petition for

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¹ SPR 98.12W is a special proceedings rule that requires a personal representative who applies for compensation to give notice to all interested parties of the amount of compensation claimed. It is not at issue in this appeal.

approval of his fee agreement and Mr. Quick never sought to have it subsequently approved. CP at 453.

Four months later, Mr. Quick helped Mrs. Decker execute a Durable Power of Attorney instrument naming himself as her attorney-in-fact. CP at 469-74.

After waiting for adequate medical reports, on May 9, 2012, the GAL submitted his report which recommended that a Certified Professional Guardian be appointed as the limited guardian of the person and estate for Mrs. Decker. CP at 40. The GAL also opined that, “there may be a reasonable alternative to guardianship, but I believe it would need to have substantial court oversight” CP at 39.

In light of a possible less restrictive alternative the Department filed a motion to dismiss the guardianship in lieu of the Durable Power of Attorney. CP at 44. But the Department also raised concern that the Durable Power of Attorney naming Mrs. Decker’s court-appointed attorney as her attorney-in-fact may constitute a conflict of interest or at least create the appearance of a conflict of interest. CP at 47. The commissioner denied the motion because it was not satisfied that Mrs. Decker had the requisite capacity to execute the Durable Power of Attorney. CP at 309-11. It ordered the GAL to obtain a third medical

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opinion in order to determine if the Durable Power of Attorney was a viable less restrictive alternative to guardianship. CP at 317, 496.

Mr. Quick filed a motion to dismiss the guardianship proceedings on behalf of Mrs. Decker in August 2012. CP at 75. The commissioner denied the motion. CP at 82.

In April 2013, the GAL filed a supplemental report naming Maurice Laufer as the proposed limited guardian of the person and estate for Mrs. Decker. CP at 498. Mrs. Decker agreed to the appointment of Mr. Laufer. CP at 97, 190.

One month later, the commissioner adjudicated Mrs. Decker to be incapacitated and appointed Mr. Laufer as the limited guardian for her person and estate. CP at 84. The commissioner entered findings of fact and conclusions of law that Mrs. Decker was incapacitated. CP at 85. The commissioner specifically found “Mrs. Decker executed a power of attorney instrument that is not in effect due to questions of Mrs. Decker’s capacity at the time she executed this document. Mrs. Decker does not have the current capacity to execute a power of attorney instrument at this time.” CP at 86. The commissioner listed the powers of the Guardian as those granted pursuant to chapter 11.92 RCW, specifically including “the management of the financial affairs of the incapacitated person.” CP at 88. Mr. Quick did not file a fee declaration preceding the hearing

and so the commissioner reserved the issue of Mr. Quick's fees until the 90-day guardianship hearing.² CP at 95.

Mr. Quick filed a Petition to Approve Attorney's Fees on July 30, 2013. CP at 145. In the Petition, Mr. Quick requested fees in excess of the fifty hours approved by the commissioner. He argued that fees:

in the amount of \$118,110.65 for the period of June 22, 2011 – July 30, 2013, are reasonable and necessary and should be approved. An outstanding additional amount of \$17,137.50 shall also be approved and paid immediately by the guardian from the assets of the guardianship estate. In the case that Daniel Quick's fees and costs are not approved in full, any time previously invoiced as 'no charge' will cease to be gratis and such fees shall be applied against any reduction ordered.

CP at 152-53. Unbeknownst to the court and the other parties, Mr. Quick had already charged, and Mrs. Decker had already paid; \$100,973.15 to Mr. Quick for his services. Along with the request, Mr. Quick attached a private fee agreement to the Petition to Approve Attorney's fees. CP at 158. Mr. Quick did not previously notify the court or other parties that a private fee agreement had been executed. Rather, the commissioner previously approved only 50 total hours of representation, billed at \$250 per hour. *See* CP at 32; CP at 422-23. Mr. Quick's fee declaration included approximately 568 billed hours. *See* CP at 194-245.

² The guardian is required to file an inventory and personal care plan for the incapacitated person within 90-days of appointment as guardian. RCW 11.92.040(1); 11.92.043(1).

The commissioner denied Mr. Quick's petition for approval of fees, but did approve fees in the amount of \$30,000. CP at 331. The commissioner noted that Mr. Quick was authorized by the court to receive approximately \$12,500 (fifty hours at \$250 per hour), but that he billed and received more than \$100,000 in excess of that amount. CP at 367. Mr. Quick was ordered to repay the amount he was already paid in excess of \$30,000 to the guardian within six months. CP at 331. Mr. Quick filed a motion to revise arguing that the commissioner's reduction of his fees was "arbitrary and capricious." CP at 334-35. This motion was denied by the superior court on revision. CP at 381. The Court of Appeals affirmed the trial court's orders and granted Mr. Laufer's requested attorney fees.

IV. REASONS WHY REVIEW SHOULD BE DENIED

A petition for discretionary review by this Court must show that the Court of Appeals decision meets the factors in RAP 13.4(b). Mr. Quick raises numerous issues for review by this Court. However, none of these issues meet the requirements of RAP 13.4(b). Because Mr. Quick does not have standing to raise Mrs. Decker's constitutional claims and because the Court of Appeals decision relied on basic principles of statutory construction, this case involves no significant constitutional issues. Mr. Quick also fails to show a conflict between this decision and any decision of this Court or of the Court of Appeals. Finally, this case

involves no issue of substantial public interest because the Court of Appeals decision properly protects the interests of alleged incapacitated persons in guardianship proceedings.

A. The Court Of Appeals Decision Does Not Raise A Significant Issue Of Constitutional Law

1. The Court Of Appeals Correctly Ruled That Mr. Quick Does Not Have Standing To Raise Constitutional Claims On Behalf Of Mrs. Decker

Mr. Quick contends that the Court of Appeals decision raises a significant issue of constitutional law. But the claimed constitutional issues relate to Mrs. Decker's constitutional rights, not Mr. Quick's. It is well settled that a litigant attempting to vindicate a third party's constitutional rights bears the burden of showing that "the allegedly injured third party lacks the ability to vindicate his or her rights."³ *In re Guardianship of Cobb*, 172 Wn. App. 393, 403, 292 P.3d 772 (2012). Acting in the place of Mrs. Decker, Mrs. Decker's guardian is the proper party to vindicate Mrs. Decker's constitutional rights, unless proven otherwise. Mr. Quick did not show that Mrs. Decker is unable to protect her own interests through her guardian and so Mr. Quick does not have standing to assert Mrs. Decker's constitutional rights. *In re Guardianship of Decker*, 353 P.3d 669, 676-77 (2015). Thus, Mr. Quick's claim that his

³ The other two requirements are (1) an injury-in-fact that gives the litigant a sufficiently concrete interest in the outcome of the dispute and (2) a close relationship to the third party. *Cobb* 172 Wn. App. at 401-02.

case involves Mrs. Decker's constitutional rights to direct her attorney is misplaced.

2. **Applying Basic Principles Of Statutory Construction, The Court Of Appeals Correctly Found That The Plain Language Of RCW 11.88.045 Permits The Court To Oversee And Reduce Mr. Quick's Fees**

An alleged incapacitated person retains constitutional rights, including the right to counsel and the right to a trial on the issue of incapacity. RCW 11.88.045. During the time Mrs. Decker was an alleged incapacitated person, she invoked her constitutional right to counsel and requested a trial. CP at 27. Those rights are undisputed and are not at issue in this matter. The issue here is whether the court correctly interpreted the plain meaning of RCW 11.88.045 that allows for court oversight of attorney fees for an alleged incapacitated person.

It is a basic principle of statutory construction that a court does not look beyond the plain language of the statute when it is clear. *Lake v. Woodcreek Homeowners Ass'n*, 169 Wn.2d 516, 526, 243 P.3d 1283 (2010). And, a court will "refrain from deciding constitutional issues when a case can be decided on nonconstitutional grounds." *Decker*, 353 P.3d at 676 (citing *Isla Verde Int'l Holdings, Inc. v. City of Camas*, 146 Wn.2d 740, 752, 49 P.3d 867 (2002)).

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Accordingly, the Court of Appeals properly used a plain language analysis of the statute at issue in holding that attorney fees for an alleged incapacitated person are subject to court approval. *Decker*, 353 P.3d at 674. Given the language of the statute, it could not hold otherwise:

During the pendency of any guardianship, any attorney purporting to represent a person *alleged or adjudicated* to be incapacitated shall petition to be appointed to represent the incapacitated or alleged incapacitated person. Fees for representation described in this section *shall be subject to approval by the court.* . . .

RCW 11.88.045(2) (emphasis added); *see also Decker*, 353 P.3d at 675.

The case did not raise a constitutional issue and so the Court of Appeals did not need to address one. Instead, the Court of Appeals ruled on the plain language of the statute.

3. **The Cases Cited By Mr. Quick Are Immaterial And Do Not Raise Underlying Issues Of Constitutional Law**

Mr. Quick asserts in his petition for review that Mrs. Decker has a general constitutional right to resist the appointment of a guardian but provides no specific alleged violation of the Constitution. Rather, Mr. Quick points to a family law matter, *In re Marriage of Lane*, 354 P.3d 27, 2015 WL 3970634 (June 29, 2015), that contains references to a number of other Washington cases. He asserts that these cases codify underlying constitutional principles at issue in this case. However, all of the cases cited by Mr. Quick relate to a litigation GAL's waiver of a ward's right to

trial or other substantial right not at issue in this case. *In re Marriage of Lane*, 354 P.3d 27, 2015 WL 3970634 (June 29, 2015), (A litigation GAL appointed in a dissolution proceeding could not waive the incapacitated person's right to trial), *In re Matter of Quesnell*, 83 Wn.2d 224, 238-39, 517 P.2d 568 (1973) (A litigation GAL appointed in a civil commitment proceeding could not waive the right to a jury trial without the knowing consent of the patient), *In re Houts*, 7 Wn. App. 476, 481, 499 P.2d 1276 (1972) (In a termination proceeding, it was improper to appoint a parents' attorney as a parents' litigation GAL and the litigation GAL could not exclude the parents from a hearing), and *Graham v. Graham*, 40 Wn.2d 64, 240 P.2d 564 (1952) (A party has the right to a hearing to defend against the appointment of a litigation GAL in a pending lawsuit). These cases have no application here because they all involve a litigation GAL waiving a substantial constitutional right belonging to an individual. Here, there is no dispute that Mrs. Decker had a right to trial and no issue regarding a waiver of her right to trial or any other substantial constitutional right. More importantly, none of those cases address the propriety of requiring court approval of attorney fees for attorneys appointed to represent alleged capacitated person, as here.

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Nor does Mr. Quick's reference to *In re Guardianship of Beecher*, 130 Wn. App. 66, 121 P.3d 743 (2005), a Court of Appeals, Division I decision, establish a constitutional issue meriting this Court's review. As in this case, *Beecher* was decided on statutory grounds rather than constitutional grounds. *Beecher*, 130 Wn. App. at 72. Further, *Beecher* is not applicable to the facts of this case because, unlike in *Beecher*, here the ward was ultimately adjudicated incapacitated. Compare *Decker* 393 P.3d at 676 (the court could oversee and reduce attorney fees when the alleged incapacitated person was ultimately determined do be incapacitated), with *Beecher* 130 Wn. App. at 68 (the court could not reduce attorney fees when the alleged incapacitated person was never determined to be incapacitated). Because *Beecher* is factually distinguishable from this case and creates no constitutional right for an attorney to be paid without court oversight, *Beecher* does not raise any constitutional issues material to this matter.

4. **The Record Does Not Support Mr. Quick's Claim That Mrs. Decker Was Denied The Right To Representation**

Even if Mr. Quick could assert the rights of a third party, Mr. Quick cannot show that Mrs. Decker was actually denied legal representation or any other constitutional right. Mr. Quick requested and received authorization for fifty hours of representation without objection

from any of the parties. Mr. Quick never requested additional hours from the court, so Mr. Quick was never denied any additional requested hours. CP at 32, 423. Instead, Mr. Quick violated the court orders that instructed him to seek court approval of additional hours of representation. *Id.* Again, Mr. Quick's assertion that there was any infringement on Mrs. Decker's constitutional right to defend against the guardianship falls short.

The Court of Appeals decision rests upon the interpretation of statute and not the state or federal constitutions. Mr. Quick lacks standing to pursue a constitutional claim on behalf of Mrs. Decker and, in any event, he has failed to show that Mrs. Decker's constitutional rights were aggrieved by the court's decision. For these reasons, discretionary review under RAP 13.4(b) is not justified.

B. The Court Of Appeals Decision Does Not Conflict With A Decision Of The Supreme Court Or Another Decision Of The Court Of Appeals

Mr. Quick also asserts that the Court of Appeals decision "dramatically changes the law regarding fee awards in guardianship proceedings" and is in conflict with *In re Guardianship of Lamb*, 173 Wn.2d 173, 265 P.3d 876 (2011), *Mahler v. Szucs*, 135 Wn.2d 398, 957 P.2d 632 (1998) (*overruled on other grounds by Matsyuk v. State Farm Fire & Cas. Co.*, 173 Wn.2d 643, 659, 272 P.3d 802 (2012)), and *In*

re Guardianship of Hallauer, 44 Wn. App. 795, 723 P.2d 1161 (1986). Appellant's Petition for Review at 9. In fact, the Court of Appeals decision is consistent with the case law on attorney fees in a guardianship context, and does not conflict with any decision of this Court or the Court of Appeals.

Mr. Quick argues that the Court of Appeals decision creates a conflict with the *Hallauer* decision. In *Hallauer*, the court awarded attorney fees under RCW 11.76.070, which involves the discretionary award of fees where an accounting action is brought against a guardian. *Hallauer*, 44 Wn. App. 798. The *Hallauer* court established guidelines to award fees to a guardian based on whether the guardian's work benefitted the incapacitated person's estate. *Id.* at 800-01. But Mrs. Decker's case involves a fee determination for an attorney appointed for an alleged incapacitated person on a "just and reasonable" basis under RCW 11.92.180 and therefore the *Hallauer* decision does not apply. Because the circumstances and legal standards in this case and *Hallauer* are distinguishable, the cases do not conflict.

Mr. Quick also cites to the *Lamb* case but provides no analysis about how *Lamb* conflicts with the Court of Appeals decision. Appellant's Petition for Review at 9. The *Lamb* court found no abuse of discretion when the trial court disallowed a guardians' request for fees for

general advocacy activities. *Lamb*, 173 Wn.2d at 191. Rather than creating a conflict with this case, the *Lamb* decision also cites to RCW 11.92.180 and the “just and reasonable” standard to award fees in guardianship matters. *Id.* at 185.

Furthermore, the general guidance provided by both *Hallauer* and *Lamb* is consistent with the Court of Appeals decision. *Hallauer* and *Lamb* both reiterate that statutory guardianships are “equitable creations of the courts and it is the court that retains ultimate responsibility for protecting the ward’s person and estate.” *Id.* at 184 (quoting *Hallauer*, 44 Wn. App. at 797). This guidance is consistent with the Court of Appeals decision which states

In reaching this decision, the commissioner kept to the agreed reasonable rate or \$250.00 per hour, and arrived at an award of total fees that took into account Quick’s violation of the court orders, but also considered the unexpected difficulty Quick faced in this unusual guardianship case. In doing so, the commissioner appears to have balanced the equitable factors central to the guardianship statute.

Decker 353 P.3d at 679.

Another case Mr. Quick argues conflicts with this case is *Mahler v. Szucs*, which instructs trial courts to generally use the lodestar method when determining the award of attorney fees and costs. *Mahler v. Szucs*, 135 Wn.2d at 434-35. However, this method is not required in all

contexts. For example, the lodestar is not required in contexts where the primary considerations for the fee award are equitable, as is the case with guardianship matters. *In re Marriage of Van Camp*, 82 Wn. App. 339, 342, 918 P.2d 509 (holding that the lodestar method was not required to determine fee award in marital dissolution cases), *review denied*, 130Wn.2d 1019, 928 P.2d 416 (1996). *Mahler* does not control a decision regarding the award of fees in the guardianship context, so there is no conflict between it and this decision.

The Court of Appeals decision is consistent with precedent in the guardianship context and gives effect to RCW 11.88.045 and RCW 11.92.180, which require fees in a guardianship matter be determined on a “just and reasonable” basis. Therefore, discretionary review under RAP 13.4(b)(1) or (2) is not justified when the Court of Appeals decision does not conflict with a decision of this Court or the Court of Appeals.

C. The Court Of Appeals Decision Does Not Raise An Issue Of Substantial Public Interest That Should Be Determined By The Supreme Court

Further, the Court of Appeals decision does not raise an issue of substantial public interest because the Court of Appeals decision correctly protects the public interest by ensuring court oversight of an alleged

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incapacitated person's estates when that person is ultimately determined to be incapacitated.

The purpose of the guardianship statute is to benefit and protect the life and property of the alleged incompetent. *In re Guardianship of Atkins*, 57 Wn. App. 771, 777, 790 P.2d 210 (1990). Guardianships are unique matters because the court bears the responsibility for protecting the person and estate of an incapacitated person. *Hallauer*, 44 Wn. App. at 797. And the courts have long held broad discretion in the administration of guardianship proceedings so as to protect the interests of the incapacitated person. *See* RCW 11.92.010; 11.96A.020.

Protection of alleged incapacitated and incapacitated people must be balanced with the intent of the Legislature "to protect the liberty and autonomy of all people of this state, and to enable them to exercise their rights under the law to the maximum extent, consistent with the capacity of each person." RCW 11.88.005. Court oversight of attorney fees is consistent with the purpose of the guardianship statute to protect the life and estate of the *alleged* incapacitated person. Court oversight of such fees is a reasonable precaution where the question inherent to the entire proceeding is the ability of the alleged incapacitated person to protect his or her own personal and financial safety. And, court oversight is

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especially warranted where the court itself has created the attorney-client relationship by appointing an attorney for the alleged incapacitated person.

The guardianship statutes at issue, consistent with the Court of Appeals decision, maintain this balance by allowing court oversight of attorney fees for the most vulnerable people in Washington State. Therefore, there is no significant public interest at stake to justify review under RAP 13.4(b)(4).

V. CONCLUSION

This case does not warrant review by this Court. The Court of Appeals used well-settled legal principles concerning statutory construction to determine that attorney fees for an individual who is alleged to be incapacitated under chapter 11.88 RCW, and is ultimately adjudged to be incapacitated, are properly reviewed by the trial court. There is no significant issue of constitutional law. There is no conflict among the divisions of the Court of Appeals or the Supreme Court with the Court of Appeals decision. Further, the interpretation of these laws do not present an issue of substantial public interest that needs to be addressed again by this Court. As such, Mr. Quick's Petition does not meet the criteria for acceptance of review.

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For the reasons outlined above, the Department respectfully requests that this Court deny the Appellant's Petition for Review.

DATED this 9th day of September, 2015.

ROBERT W. FERGUSON
Attorney General



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CERTIFICATE OF SERVICE

I certify that on the date indicated below, I served a true and correct copy of the foregoing document on all parties or their counsel of record as follows:

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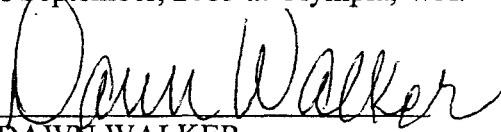
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I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

EXECUTED this 9th day of September, 2015 at Olympia, WA.


DAWN WALKER

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Subject: WSSC Case No. 91929-1 - In re the Guardianship of Keiko Decker

Good afternoon.

Please find the attached *Department of Social & Health Services' Answer to Appellant's Petition for Review* and Certificate of Service for filing in the above referenced matter.

Thank you for your assistance in this matter.

DAWN WALKER

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