

## Instructions for Requesting a Public Guardian

Public Guardians are considered the guardians of last resort, thus before requesting a public guardian all reasonable alternatives should be ruled out.

- First, consult with family and friends of the individual believed to need decision-making assistance to determine if issues can be resolved with family and friends working together to provide needed care and decision-making assistance. Together, family and friends should explore all alternatives to guardianship. To review possible alternatives, click on the link below and begin reading at page two.  
<http://www.courts.wa.gov/content/publicUpload/Office%20of%20Public%20Guardianship/Guardian%20Process.pdf>
- After exploring all alternatives to guardianship, determine if family or friends are willing, able and qualified to provide guardianship services. Review RCW 11.88.20 for qualifications (<http://apps.leg.wa.gov/rcw/default.aspx?cite=11.88.020>) and RCW 11.92 for guardian duties and responsibilities (<http://apps.leg.wa.gov/rcw/default.aspx?cite=11.92>)
- If family and friends are not willing, able or qualified to provide guardianship services and a guardian is thought to be needed, a petition for guardianship should be filed. The petitioner may do this acting pro se (a party who represents his/herself) or hire an attorney. The guardianship process is a complicated process, thus petitioners are encouraged to seek legal advice. Click on the link below for general instructions to establish a guardianship.  
<http://www.courts.wa.gov/content/publicUpload/Office%20of%20Public%20Guardianship/Establishing%20A%20Guardianship.pdf>
- Upon receipt of a petition for guardianship, the court will appoint a guardian ad litem (GAL) to investigate the need for guardianship and recommend a guardian to serve. To view the list of certified professional guardians in the state, click on the link below  
([http://www.courts.wa.gov/programs\\_orgs/guardian/](http://www.courts.wa.gov/programs_orgs/guardian/)).

- If the petitioner or the GAL are unable to find family, friends or professional guardians willing, able and qualified to provide guardianship services, click on the link below, complete the referral form for public guardianship services and select the choice “**Submit by E-mail**”.  
<http://www.courts.wa.gov/content/publicUpload/Office%20of%20Public%20Guardianship/Public%20Guardian%20Referral%20Form.pdf>
- Staff from the Office of Public Guardianship (OPG) will receive the completed form, determine if all qualifications for public guardianship services have been satisfied, run a background check on the person believed to need guardianship services, as an initial screening, to determine if there are issues OPG should be concerned about—criminal background, other family members or outstanding debt.

If OPG locates family members, the appointed GAL will be asked to contact the family and determine if they are willing and able to serve. Public guardians are guardians of last resort and will not serve when family members are willing and able to serve.

If the person believed to need decision-making assistance satisfies the requirements to receive a public guardian and OPG is not concerned about the information uncovered by the background check, OPG will approve appointment of a public guardian. OPG will send the requester, the GAL and the public guardian an e-mail as notification of approval.

The GAL and the guardian will work together to schedule a visit between the guardian and the person believed to need services.

If the meeting goes well and everyone is ready to proceed, the GAL will submit a report and request appointment of a public guardian. The guardian will provide specific language about payment of the public guardian, for inclusion in the Order Appointing.

In cases where a public guardian is requested to replace an existing guardian, before the public guardian can be appointed, a final report from the existing guardian must be approved by the court.