

Guardianship and Conservatorship Program Regulations

504. GENERAL PROCEDURAL RULES

504.1 SERVICE OF PAPERS

1. Service Required. Every pleading, every paper relating to discovery, every written motion other than one that may be heard ex parte, and every similar paper or document issued by the Board, disciplinary counsel, the AOC, or the respondent CPGC under these rules must be served on the opposing party. If a hearing is pending, the party also must serve a copy on the Standards of Practice Committee by serving the AOC at:

Administrative Office of the Courts
1112 Quince St. SE
PO Box 41170
Olympia, WA 98504-1170

2. Methods of Service.

A. Service by Mail.

- i. All certified professional guardian and conservators agree to accept personal service by registered or certified mail at the address provided by the guardian and conservator. If properly made, service by mail is deemed accomplished on the date of mailing and is effective regardless of whether the person to whom it is addressed actually receives it.
- ii. Except as provided below, service by mail must be by certified or registered mail, return receipt requested. Service may be made by first class mail if:
 - a. The parties so agree;
 - b. The document is a notice of dismissal, deferral or a request for review of dismissal or deferral;

- c. One or more properly made certified mailings are returned as unclaimed;
 - ii. Service is on the AOC on behalf of the Standards of Practice Committee or Board.
 - iii. The address for service by mail is as follows:
 - a. For the respondent, or his or her attorney of record, the address in the answer, a notice of appearance, or any subsequent document filed by the respondent or his or her attorney; or, in the absence of an answer, the respondent's address on file with the AOC;
 - b. For disciplinary counsel, at the address of the AOC or other address that disciplinary counsel requests.
- B. Service by Delivery. If service by mail is permitted, service may instead be accomplished by leaving the document at the address for service by mail.
- 3. Proof of Service. If personal service is used pursuant to DR 504.1.2, proof of service may be made by affidavit of service, or a signed acknowledgment of service. Proof of service must be filed, but need not be served on the opposing party.

504.2 FILING; ORDERS

- 1. Filing Originals. The original of any pleading, motion, or other paper authorized by these rules, other than discovery, must be filed with the AOC.
- 2. Filing and Service of Orders. Any written order, decision or ruling must be filed with the AOC, and the AOC serves it on the respondent lawyer and disciplinary counsel.
- 3. Electronic filing or service of documents upon the Board or the AOC is permitted with authorization of the Board or the AOC. Electronic service upon a party is not permitted without authorization of the party. Electronic filing and service includes transmission by electronic mail and electronic facsimile transmission.

504.3 PAPERS

All pleadings or other papers must be word processed or printed, double spaced, on 8½ by 11-inch pages. The use of letter-size copies of exhibits is encouraged if it does not impair legibility.

504.4 COMPUTATION OF TIME

1. Computation. In computing any period of time prescribed or allowed by these rules the day of the act from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, a Sunday nor a legal holiday. Legal holidays are prescribed in RCW 1.16.050. When the period of time prescribed or allowed is less than seven (7) days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.
2. Additional Time after Service by Mail. Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or document upon them and the notice or document is served upon them by mail, three (3) days shall be added to the prescribed period.

504.5 STIPULATION TO EXTENSION OR REDUCTION OF TIME

Except for notices of appeal or matters pending before the Supreme Court, the respondent certified professional guardian and conservator, the AOC, and disciplinary counsel may stipulate in any proceeding to extension or reduction of the time requirements.

504.6 ENFORCEMENT OF SUBPOENAS

Any party may issue a subpoena to compel the attendance of witnesses or to produce documents at a hearings or deposition. The subpoena shall be issued in the name of the Board and shall be signed and subscribed to by the party or the party's attorney of record. Subpoenas shall be served in the same manner as in civil cases in superior court. A failure to attend or produce as required by the subpoena shall be considered contempt of the Supreme Court. A motion to quash or modify the subpoena, on the grounds of unreasonableness or oppression, shall be decided by the Standards of Practice Committee Chair or Hearing Officer.