

Local Guardian Ad Litem Rule 5  
APPOINTMENT OF GUARDIAN AD LITEM

(a) Equitable Distribution of Workload/Appointment of Guardian ad Litem from registry.

(1) Adoption Registry

(A) Any person listed on the Adoption registry may be appointed upon stipulation of the parties and agreement of the Guardian ad Litem to accept the case.

(B) Absent a stipulation to a particular person listed on the registry, the Court Administrator/or designee shall, upon order of the Court, appoint a Guardian ad Litem from the registry on a rotational basis subject to the Guardian ad Litem's agreement to accept the case.

(2) Guardianship Registry

(A) A party needing an appointment from the Guardianship registry shall provide by e-mail, fax or letter a written request to the Superior Court Administrator's Office, which office shall, except in extraordinary circumstances, appoint as Guardian ad Litem that person whose name next appears on the registry on a rotational basis and meets the requirements of RCW 11.88.090 (3) (a) subject to that person's acceptance of the appointment.

(B) The person appointed by the Court Administrator's Office shall serve upon the parties a notice of acceptance and qualifications in conformance with RCW 11.88.090.

(C) Guardian ad Litem appointed pursuant to RCW Title 11 shall be compensated in accordance with the provisions of RCW 11.88.090 and RCW 11.88.097 provided, however, that in the event it is shown by motion supported by affidavit that the county shall be responsible for such costs, the fees shall not exceed \$750.00 per case. The affidavit in support of a motion for Court paid fees shall set forth the financial position of the alleged incapacitated person, including assets, potential causes of action, monthly income and monthly expenses. If additional fees beyond the \$750.00 are requested such request shall be by a separate motion supported by appropriate affidavits. The order authorizing disbursement of County funds shall provide that those fees shall be reimbursed to the County in the event the estate obtains, within a reasonable period of time, sufficient assets.

(D) Should any person appointed herein fail to accept such appointment more than twice in a calendar year, or fail to accept a County pay appointment if the Guardian ad Litem is selected on the rotational registry, such persons name will be deleted from the registry at the Court's discretion.

(3) Family Law (Title 26) Registry Guardians ad Litem appointed pursuant to RCW Title 26 shall be appointed in the following manner:

(A) A Guardian ad Litem shall be appointed within (120) days of filing of the action. Upon either the motion of the Court or a party to an action and subsequent decision of the Court to appoint a Guardian ad Litem, each party to the action shall be provided with a list of three names from the registry along with background information as specified in RCW 26.12.175(3), including their hourly rate for services. Each party may, within three (7) judicial days, strike one name from the list. If more than one name remains on the list, the Court shall appoint the first named Guardian ad Litem not stricken by a party. In the event all three names are stricken, the Court shall appoint the alternate named Guardian ad Litem on the list as placed on the list pursuant to section (C) below.

(B) The Superior Court Administrator or his or her designee shall, at

such time as is ordered by the Superior Court, shall prepare a strike list packet.

(C) Said strike list packets shall be prepared by randomly selecting three names from the registry.

Additionally, for each strike list packet, one additional name shall be randomly selected as the alternate Guardian ad Litem.

(D) The Court may, for good cause and upon written finding, appoint a specific Guardian ad Litem to a case upon recommendation of the parties. Good cause may include expertise in a particular area, previous appointment of a Guardian ad Litem to the specific case, or such other reason as determined by the Court. The hourly rate for services charged by a Guardian ad Litem does not constitute good cause for the appointment of a specific Guardian ad Litem upon recommendation of the parties.

(b) Procedure to Address Complaints. Complaints by Guardians ad Litem regarding registry or appointment matters shall be made in writing and be addressed to the Administrative Presiding Judge. A copy of the complaint shall be provided to the Court Administrator. The Administrative Presiding Judge shall provide written response to the complainant within 15 business days of receipt of the complaint.

[Adopted effective September 1, 2002, Amended effective September 1, 2003, September 1, 2004, September 1, 2009, September 1,2010, September 1, 2011]

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