

RULE NO. 21
GUARDIANSHIPS

I. Loss of Voting Rights

A. In accordance with RCW 11.88.010(5), if an incapacitated person loses the right to vote, the Order Appointing Guardian or Approving Report shall include a specific finding on the loss of the right to vote.

B. The Guardian ad Litem and/or Guardian shall also submit a Notice of Loss of Voting Rights to the Court that shall include the name, address, and date of birth of the incapacitated person and that shall direct the clerk to forward the Notice of Loss of Voting Rights to the County Auditor. (see Exemplar #11)

C. If the guardianship is terminated by a determination of competency of the individual, the court shall direct the clerk to send to the County Auditor a certified copy of the Order Restoring Voting Rights including the same personal identifiers as the Notice of Loss of Voting Rights.

D. Clerk will determine whether Notice of Loss of Voting Rights has been filed. If notice has not been filed, clerk shall complete a notice using information from guardianship petition and/or guardian ad litem report.

E. Clerk will forward Notice of Loss of Voting Rights to the County Auditor.

F. Copy of the notice will be placed in the file.

G. If the guardianship is terminated based on the Court's finding that the ward is now competent to handle affairs, the clerk will send a certified copy of the Order Restoring Voting Rights (see Exemplar #12) to the County Auditor.

(Adopted effective September 1, 2006)

II. Guardian Ad Litem Grievance Procedure

A. When the Court receives a written complaint alleging one of the following:

- 1) There has been a violation of the Guardian ad Litem Code of Conduct,
- 2) There has been a misrepresentation of his or her qualification to be a guardian ad Litem, or
- 3) The Guardian ad Litem has not met the annual update requirements, or

B. When the Court becomes aware of any reason that would place the suitability of the person to act as Guardian ad Litem in question, including, but not limited to the following:

- 1) Breach of confidentiality.
- 2) Falsifying information on the application.
- 3) Falsifying information in a Court report.
- 4) Failure to report abuse of a child.
- 5) Ex-parte communication.
- 6) Representing the Court in a public forum, without prior approval

of the Court.

- 7) Violation of state, or local laws, rules of this policy, while a Guardian ad Litem.
 - 8) Dissemination of law enforcement records.
- C. The court Administrator/or designee shall seek a written response from the Guardian ad Litem only upon findings by the Court Administrator/or designee that a response is necessary. Should a response from the Guardian ad Litem be requested and upon receipt of the response, the Court Administrator/or designee will forward the complaint, and the response to the Presiding Judge, or his or her designee(s). The Guardian ad Litem shall be notified of any decision to suspend or remove the Guardian ad Litem from a registry. A Guardian ad Litem seeking reconsideration of the decision shall do so in writing to the Superior Court Administrator/or designee, who shall forward the request, and other documents to the Presiding Judge, or his or her designee(s). At the discretion of the Presiding Judge, or his or her designee(s), the Guardian ad Litem's participation in the registry may be suspended pending resolution of the complaint. The Guardian ad Litem shall be notified in writing of the final decision of the Court.
- D. The Court's decision may deny a person listing on, or may temporarily suspend from, or permanently removed from, the registry for any reason that placed the suitability of the person to act as a Guardian ad Litem in question.
- E. A Guardian ad Litem who ceases to be on the registry, and who still has active or incomplete cases shall immediately report this circumstance to the Supreme Court Administrator/or designee who will reassign such cases.

(Adopted effective September 1, 2009)
