LSPR 98.22
GUARDIANS AD LITEM – RCW 11.88 GUARDIANSHIPS – APPOINTMENT, GUARDIAN AD LITEM REPORT, CASE AND ANNUAL EVALUATIONS AND COMPLAINT PROCEDURES

(a) Guardians Ad Litem. When the appointment of a guardian ad litem is required, the appointee shall come from the Guardian Ad Litem Registry maintained by the Superior Court. In order to be placed on the registry a person must present a written statement of their qualifications and complete a training program approved by the court. The Spokane County Superior Court Judges shall appoint a committee of judges and/or court commissioners and interested members of the Spokane County Bar Association to maintain the registry and provide training to those persons who wish to participate in the program. Orders to Appoint Guardian Ad Litem may be presented to the Ex Parte Department.

(b) Administration. The administration of such Guardian Ad Litem registry, including qualification, appointment, retention, evaluation, complaints and discipline of guardians ad litem under this rule, shall be in accordance with the written Policies and Procedures promulgated and approved by the Spokane County Superior Court. Copies of such written policies and procedures may be obtained from the Family Law Coordinator.
Effective 11/1/02

(c) Report of Guardian Ad Litem. When a guardian ad litem is appointed pursuant to RCW 11.88.090, the guardian ad litem shall secure a Report of Physician or Psychologist on Form GU 01.0110 and file it with the Guardian Ad Litem Report on Form GU 01.0120. The use of these forms is mandatory.
Amended effective 11/1/02

(d) Case Evaluations. At the time a guardian ad litem is discharged from a case, every attorney and the judicial officer involved in the case, will submit an evaluation of the guardian ad litem on a form to be supplied by the court. The completed evaluations will be returned to the Court Administrator's Office and placed in the guardian ad litem's file. A copy of the evaluation(s) will be provided to the guardian ad litem. The guardian ad litem may respond, in writing, and the response will be placed in the guardian ad litem's file. These evaluation forms will assist the court in maintaining a registry of qualified guardians ad litem.
Amended effective 11/1/02

(e) Annual Evaluations. A judicial officer will review the complete file of every guardian ad litem at the time the Annual Statement is reviewed. The judicial officer may refer a guardian ad litem file to the Guardianship Registry

Committee if the judicial officer concludes, in a written report, there are specific concerns that should be addressed with the guardian ad litem. The guardian ad litem will be given a reasonable time to respond to the report. The Guardianship Registry Committee, or its designee, will meet with the guardian ad litem to discuss the report and appropriate remedial action(s), if any, to be taken by the guardian ad litem. The Guardianship Registry Committee may (1) allow the guardian ad litem to remain on the registry with no further action; (2) suspend the guardian ad litem from the registry, subject to the guardian ad litem completing other requirements as set forth by the Committee; or (3) remove the guardian ad litem from the registry. The guardian ad litem will be notified by written decision within seven days. In the event of removal from the registry, the guardian ad litem may request a meeting with the full Committee to review the decision.
Amended effective 11/1/02

(f) Complaint Procedures.
Amended effective 11/1/02

(1) Duties of the Judicial Officer. The court shall designate a judicial officer to review any written complaint regarding a guardian ad litem. If the complaint pertains to a pending case, the judicial officer shall immediately refer the complaint to the judge or court commissioner assigned to the pending case for disposition. If a complaint is received after a case has been completed then the judicial officer will commence an investigation.

(2) Investigation Procedures. The judicial officer will advise the complainant that an investigation has commenced. A copy of the complaint will be sent to the guardian ad litem. The guardian ad litem shall submit a written response within fourteen days of receipt of the complaint unless the court for good cause extends the time. The judicial officer may make any other contacts or inquiries he or she feels necessary. The judicial officer will submit a written report, within 45 days of the receipt of the written complaint, to the Guardianship Registry. The guardian ad litem may respond to the report within 15 days of the receipt of the report.

(3) Discipline. The judicial officer may recommend to the Guardianship Registry Committee to (1) allow the guardian ad litem to remain on the registry with no further action; (2) suspend the guardian ad litem from the registry, subject to the guardian ad litem completing other requirements as set for by the Committee; or (3) remove the guardian ad litem from the registry. The Committee, or its designee, will meet and review the judicial officer’s recommendation. The guardian ad litem will be notified by written decision within seven days. The guardian ad litem may request a meeting with the full Committee to review its

decision.

(g) Confidentiality. A record of all complaints and grievances will be maintained by the court and treated as confidential until merit has been found. A record of any sanctions issued pursuant to the Annual Review and/or Complaint Procedures will be placed in the guardian ad litem's file.
Amended effective 11/1/02

(h) Removal from the Guardianship Registry. When a guardian ad litem is removed from the Guardianship Registry, the court shall send a notice to the Office of the Administrator for the Courts.
Amended effective 11/1/02

(i) Appointments.

(1) Guardians Ad Litem in Title 11 cases (guardianship) will be appointed pursuant to statute (RCW 11.88) and the policies and procedures established by the Guardianship Registry Committee. The policies and procedures are available from the Family Law Coordinator.

(2) Each GAL on the Guardianship Registry shall be required to accept two county-pay cases each calendar year. These cases shall be paid pursuant to the Spokane County Superior Court GAL payment policies.

(3) No GAL shall be appointed without his or her written approval or telephonic consent to the Family Law Coordinator.

Effective 9/1/04

(j) Procedure to address complaints. GALs may address complaints regarding registry or appointment matters as follows:

(1) Complaints should be directed to the chair of the Guardianship Registry Committee.

(2) The chair will review the matter, investigate as necessary and present the issue to the full committee at its next regularly scheduled meeting. The committee will decide whether any action is necessary to address the complaint, and establish a plan to enforce that action.

(3) The complainant shall be notified of the committee's decision within one week of the committee meeting.

Effective 9/1/04