

Superior Court of Washington, County of _____

In the Guardianship of:

Respondent/s (*minors/children*)

No. _____

Notice of Hearing about Minor Guardianship
Petition

(NTHG)

Clerk's action required: 1

[] Interpreter required in: _____
(language)

Notice of Hearing about Minor Guardianship Petition

To: The parents, child, guardian, person with court-ordered custody, court clerk, and all people who must get notice:

1. Petitioner has scheduled a court hearing:



for: _____ at: _____ [] a.m. [] p.m.
date *time*

at: _____
court's address

in: _____
room or department

with: _____
judge / commissioner's name or docket / calendar

Warning! If you do not go to the court hearing above, the court may sign orders without hearing your side.

This hearing is because the Petitioner/s _____
(name of person/s starting this case)

is asking the court to appoint _____
(name of proposed guardian)
guardian of the children listed above.

2. The court may appoint a guardian if it finds that it is in the child's best interest **and** at least one of these is true:
- The child's parents all consent after being fully informed of the nature and consequences of guardianship; or
 - All parental rights have been terminated; or
 - There is clear and convincing evidence that none of the child's parents is willing or able to exercise parenting functions as defined in RCW 26.09.004.

If appointed, the guardian will have the duties and responsibilities of a parent regarding the child's support, care, education, health, safety, and welfare unless limited by the court. The guardian can manage the child's personal property and funds (as a fiduciary) unless limited by the court.

Anyone listed on the *Notice Attachment* has the right to object to the appointment of a guardian and to ask the court to appoint a lawyer for the child.

3. To the parents:

The guardian may ask the court to restrict your contact with the child and limit your ability to make decisions regarding the child.

You have the right to participate in this case. Some of your important rights are to:

- Object to the appointment of a guardian.
- Ask the court to appoint a lawyer for you and for the child. The Court **must** appoint a lawyer for you if you object and are indigent (cannot afford your own lawyer), and in some other situations. (Use *Motion to Appoint Lawyer form GDN ALL 021.*)

- Hire your own lawyer.
- Ask for visitation and keep the right to make some decisions for the child.

4. To the child:

You have the right to participate in this case. Some of your important rights are to:

- Ask for a lawyer. The court will decide whether to appoint one for you. (Use *Motion to Appoint Lawyer form GDN ALL 021*.)
- Attend and participate in the hearing unless limited by the court.
- Communicate with the court.

The reasons for this guardianship are in a separate form. The court (*check one*) is is **not** allowing you to see this form. You can ask the court, court visitor, or your lawyer to see the *Reasons for Minor Guardianship*.

5. How to respond

Step 1: Fill out one of the forms below.

If you disagree, use:

- *Objection to Minor Guardianship*
(form GDN M 301).

If you agree, use:

- *Parent's Consent to Minor Guardianship*
(form GDN M 304), or
- *Declaration of (name)* _____
(for non-parents) (form FL All Family 135)

You can get the forms at:

- The Washington State Courts' website:
www.courts.wa.gov/forms

- Washington Law Help:
www.washingtonlawhelp.org, or
- The Superior Court Clerk’s office or county law library (for a fee).

Step 2: Serve (give) a copy of your form to the Petitioner and the people listed in Section 1 of the Notice Attachment. You may use certified mail with return receipt requested. For more information on how to serve, read Superior Court Civil Rule 5.

Step 3: File your original form with the court clerk at this address:

Superior Court Clerk, _____ County

address

city

state

zip



Person asking for this hearing signs here

Print name (if lawyer, also list WSBA #)

Date

The following is my contact information:

Email: _____

Phone (Optional): _____

I agree to accept legal papers for this case at the following address (*this does **not** have to be your home address*):

street address or PO box

city

state

zip

Note: You and the other party/ies may agree to accept legal papers by email under Civil Rule 5 and local court rules.

Notice Attachment: List of People to be Served or Given Notice

Important! Petitioner must have a copy of this *Notice*, the *Summons*, the *Minor Guardianship Petition*, and the *Reasons for Minor Guardianship* must be **personally served** on:

- The child's parents
- The child (if age 12 or older) unless the court ordered that the *Reasons for Minor Guardianship* **not** be served on the child.
- Any current guardian or person with court-ordered custody

Everyone listed in section 2 must be given a copy of this *Notice and Petition*. This can be done by mail or some other way likely to give notice.

1. People who must be personally served

Important! If you cannot locate a parent for service, request a Court Visitor.

Relationship	Name	Address
Parent 1		
Parent 2		
<input type="checkbox"/> There is no parent <i>List the adult nearest in kinship who can be found with due diligence</i>		
<input type="checkbox"/> Someone other than a parent has court-ordered custody or guardianship <i>List that person/s</i>		
<input type="checkbox"/> The child is age 12 or older		

Important! If there is a good reason **not** to give the *Reasons for Minor Guardianship* to the child, you can ask the court's permission to waive service of it. Complete form GDN M 106

2. People who must be notified by mail or another way likely to give notice

Important! If there is a good reason **not** to notify any of the people in section 2, you may ask the court's permission to waive notice.

Relationship	Name	Address
<input type="checkbox"/> Someone else has primary care and custody of the child (other than a guardian or court-ordered custodian listed above) <i>List that person/s</i>		
<input type="checkbox"/> Someone else had primary care and custody of the child for at least 60 days during the last 2 years, or for at least 2 of the last 5 years <i>List that person/s</i>		
<input type="checkbox"/> The child is age 12 or older and asked for someone to be their guardian <i>List that person/s</i>		
<input type="checkbox"/> A parent asked for someone as guardian <i>List that person/s</i>		
<input type="checkbox"/> The child has a conservator <i>List that person/s</i>		
Each grandparent, if known		
Each adult sibling, if known		