

Guardianship and Conservatorship Program Rules Regulations

411 Changes of Circumstances/~~Limitation~~Modification/Termination

411.1 The guardian and conservator has an affirmative obligation to be alert to changes in the ~~incapacitated person's-~~ individual subject to guardianship and/or conservatorship's condition or circumstances, to seek out information that will provide a basis for termination or modification, and report to the court when ~~an increase or reduction~~ a modification or termination in the authority of the guardian and/or conservator should be considered.

411.1.1 A guardian or conservator shall immediately (but not later than thirty days) notify the court if the condition of the individual has changed so that the individual is capable of exercising rights previously removed.

411.1.2 A guardian shall file with the court within thirty days of any substantial change in the condition of the individual under guardianship or any changes in the residence of the individual and shall provide a copy of the notice to the individual and any notice parties.

411.1.3 A conservator shall notify the court within thirty days of any substantial change in the value of the property of the individual subject to conservatorship and shall provide a copy of the notice to the individual, any notice parties, and schedule a hearing for the court to review the adequacy of the bond or other verified receipt.

RCW 11.130.325 (6) (7)

RCW 11.130.505 (13) (14)

~~411.2 The guardian and conservator shall seek out information that will provide a basis for termination or limitation~~ modification of the guardianship and/or conservatorship.

~~411.3 Upon indication that termination or limitation~~ modification of the guardianship and/or conservatorship order is warranted, the guardian and conservator shall request court action.

~~411.42~~ The guardian and conservator shall assist the ~~incapacitated person-~~ individual to terminate or ~~limit-~~ modify the a guardianship and/or conservatorship and arrange for independent representation for the ~~incapacitated person-~~ individual when necessary.

411.2.1 If an individual seeks to modify or terminate a guardianship and/or conservatorship, or remove the guardian or conservator, the guardian or conservator shall inform the individual of their right to counsel of their choice. The guardian or conservator shall obtain independent counsel if feasible, or request court appointed counsel for the individual.

RCW 11.130.315 (2) (a)

RCW 11.130.355 (7)

RCW 11.130. 425 (2) (a)

RCW 11.130.570 (9)

411.5 If the guardianship and/or conservatorship is a limited guardianship and/or limited conservatorship, the guardian or conservator shall report to the court when there are circumstances in which the ~~incapacitated person-~~ individual subject to guardianship and/or conservatorship appears to require assistance which exceeds the authority of the guardian or conservator.

411.6 If ~~the guardianship is of the person only~~ a guardianship has been established, the guardian shall ~~report to the court when protection of the incapacitated person's estate may be necessary~~ bring a proceeding for a conservatorship or protective arrangement instead of conservatorship if necessary to protect the individual's property.

RCW 11.130.325 (3) (a)

411.7 If ~~the guardianship is of the estate only~~ a conservatorship has been established, the ~~guardian-conservator~~ shall report to the court when protection of the ~~person~~ individual through a guardianship or protective arrangement instead of guardianship may be necessary.