

## 2024 UGA Changes

Here is a brief review of the changes to the Uniform Guardianship, Conservatorship and Other Protective Arrangement act that will be effective June 6, 2024. Most of the changes were pretty minor.

1. The UGA had a provision that if the petitioner failed to identify a guardian at the time of filing, the court could require the petitioner to identify a guardian within 14 days. The law will now say both a guardian and a conservator need to be identified. A sentence was added that if the petitioner fails to identify a guardian or conservator within 30 days of filing, the court shall dismiss the petition. RCW 11.130.090
2. If the court found the petition was filed in bad faith, fees for the court visitor and the evaluation could be assessed against the petitioner. The UGA will now allow the fees of the court-appointed attorney to be assessed against the petitioner. RCW 11.130.100
3. The statute will now make it explicit that a petition for an adult guardianship can be started within 45 days of when a minor will turn 18. RCW 11.130.270
4. The statute now makes it clear that parents involved in the respondent's life are to be notified of a petition. This applies most often when you have divorced parents of a person with a disability. RCW 11.130.270 and 11.130.365
5. Under the existing statute, no one had the duty to inform the court of the respondent's request for an attorney. Court Visitors have historically had that duty and now have it again. RCW 11.130.280 and 11.130.380
6. Under the UGA, the guardian/conservator had to provide within 15 days a copy of the order appointing and a notice of the right to request termination and modification to the individual and the other people who received notice of the petition and to provide a much longer notice within 30 days. The first notice has been eliminated, but the second notice still exists. The requirement to provide a longer notice to the Individual and notice parties is now 14 days for guardians and 30 days for conservators (due to a scrivener's error). RCW 11.130.315 and 11.130.425
7. The emergency guardian/conservator section has been confusing. The UGA will now say it is the petitioner (not the court) that has to serve the emergency petition and notice of hearing on the respondent, respondent's attorney and court visitor. RCW 11.130.320 and 11.130.430

Deborah Jameson  
Neil & Neil, P.S.  
5302 Pacific Ave  
Tacoma WA 98408

8. Under the current UGA there was a discrepancy between the guardianship and conservatorship section over how long letters of office would be good for. They will now expire 180 days after the date of appointment. RCW 11.130.345 and 11.130. 530
9. The UGA will now require the conservator to obtain additional authority regarding the disposition of the sale proceedings of real property. RCW 11.130.435
10. A new section has been added to again allow the court to bring before it people suspected of having concealed, embezzled, conveyed or disposed of estate property. This was in 11.92 and got left out in the first iteration of the UGA.
11. There is a new section that allows an expedited process for the OPG to handle cases of people who are in acute care hospitals and otherwise meet the OPG criteria. OPG is authorized to provide training on topics such as aging, mental health and dementia.
12. OPG will have to report to the legislature about the demand for its services, barriers to service delivery and outcomes achieved.

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