**Superior Court of Washington, County of** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |
| --- | --- |
| In re Guardianship/Conservatorship of:    Respondent/Minor | No.  **Order Appointing Lawyer**  **(OAPAT)**  Clerks Action: 6 |

**Order Appointing Lawyer**

1. The Court has considered *(requesting party's name or court's own)* ’s motion to appoint a lawyer.

2. The Court finds there are good reasons to appoint a lawyer for *(name/s):*

3. Reasons for appointment in a Minor Guardianship

*(Check all that apply)*

[ ] Does not apply. This is **not** a Minor Guardianship case.

[ ] The **parent/s** listed in section **2** [ ] can [ ] **cannot** afford a lawyer (indigent) and:

[ ] objects to guardianship over their child.

[ ] may consent to guardianship over their child, but a lawyer is needed to make sure this consent is fully informed.

[ ] needs a lawyer because:

|  |
| --- |
| ***Important!*** *The court* ***must*** *appoint a lawyer at* ***public expense*** *for an indigent parent who appears in a minor guardianship case if any one of the above statements is true. If a parent is* ***not*** *indigent, the court* ***may*** *appoint a lawyer if any one of the above statements is true.* |

[ ] The **child** listed in section **2:**

[ ] is age 12 or older and has asked for a lawyer.

[ ] should have a lawyer as recommended by a Guardian ad Litem or Court Visitor.

[ ] has chosen a lawyer who has not yet been appointed by the court.

[ ] needs a lawyer because:

4. Reasons for appointment in a Minor Conservatorship or Protective Arrangement

*(Check all that apply)*

[ ] Does not apply. This is **not** a Minor Conservatorship or Protective Arrangement.

[ ] The minor's chosen lawyer has not yet been appointed by the court.

[ ] The minor's rights cannot otherwise be adequately protected and represented.

[ ] The minor needs a lawyer because:

[ ] A lawyer must be appointed for the minor at **public expense** because:

[ ] the minor cannot afford a lawyer.

[ ] the expense of a lawyer would result in substantial hardship to the minor.

[ ] the minor does not have practical access to funds to pay a lawyer.  
*(The court may require reimbursement if this is the only reason to appoint a lawyer at public expense.)*

[ ] The minor’s **parent** needs a lawyer because:

[ ] they object to conservatorship/protective arrangements over their child.

[ ] they may consent to conservatorship/protective arrangements over their child, but a lawyer is needed to make sure this consent is fully informed.

[ ] other:

5. Reasons for appointment in an Adult Guardianship, Conservatorship, or Protective Arrangement

*(Check all that apply)*

[ ] Does not apply.

[ ] Respondent's chosen lawyer has not yet been appointed by the court.

[ ] Respondent's rights cannot otherwise be adequately protected and represented.

[ ] This is an Emergency Guardianship/Conservatorship.

[ ] Respondent needs a lawyer because:

[ ] A lawyer must be appointed at **public expense** because:

[ ] Respondent cannot afford a lawyer.

[ ] the expense of a lawyer would result in substantial hardship to the Respondent.

[ ] Respondent does not have practical access to funds to pay a lawyer.  
*(The court may require reimbursement if this is the only reason to appoint a lawyer at public expense.)*

* The court orders:

6. Appointment

The court appoints the following person as lawyer for *(name)*

Name and WSBA number:

Address:

Phone number:

Email address *(optional)*:

[ ] This lawyer is the willing counsel of this person's choosing.

The court appoints the following person as lawyer for *(name)*

Name and WSBA number:

Address:

Phone number:

Email address *(optional)*:

[ ] This lawyer is the willing counsel of this person's choosing.

**7. Payment**

[ ] Reserved. The court may decide the responsibility to pay and the reasonableness of fees at a later hearing.

[ ] The lawyer must be paid:

[ ] at **private** expense of the person being represented.

[ ] at **public** expense.

The lawyer must be paid at a rate of $ per hour up to a maximum of

$ or hours unless the lawyer obtains prior approval from the court for a different amount.

The court may decide later if anyone must reimburse public or private fees paid.

**Ordered.**

*Date Judge or Commissioner*

**Parties or their lawyers fill out below:**

Presented by:

*Signature of Party/Lawyer Print Name WSBA No.*

Copy received and approved by:

*Signature of Party/Lawyer Print Name WSBA No.*

*Signature of Party/Lawyer Print Name WSBA No.*

*Signature of GAL or Visitor Print Name*