

Superior Court of Washington, County of _____

In the Guardianship/Conservatorship of:

Individual

No. _____

**Order Appointing Court Visitor - Adult
(ORAPCV)**

(Existing Guardianship/Conservatorship)

Clerk's Action Required: 6, 7

**Order Appointing Court Visitor (Existing
Guardianship/Conservatorship)**

Findings

1. This court has jurisdiction over this matter.
2. **Reason for Appointment.** This matter came before the court for the following reason(s):
 - ☐ Guardianship Monitoring Review due to non-compliance with periodic reporting requirements.
 - ☐ Guardian/Conservator failed to appear at hearing(s) on _____.
 - ☐ Letters of Office expire(d) on _____.
 - ☐ It appears the Individual has moved out of this county and/or this state.
 - ☐ Guardian/Conservator sent a letter to the court requesting the following action (*specify*): _____

 - ☐ Other (*specify*): _____

3. **Scope of Appointment.** A Court Visitor should be appointed (RCW 11.130.345 and RCW 11.130.530) to:
 - ☐ Make reasonable efforts to locate the Guardian/Conservator and Individual, and confirm physical and mailing addresses.

- ☐ Provide direction to the Guardian/Conservator regarding periodic reporting by referring them to online state model forms and/or referring them to Volunteer Legal Services/private lawyer.
- ☐ Review financial records to determine whether it appears funds of the Individual have been used for their benefit.
- ☐ Make a recommendation as to whether the guardianship should be modified or terminated.
- ☐ Make a recommendation as to whether the Guardian should initiate a petition to transfer venue or jurisdiction of the guardianship to a different county inside Washington or to a different State.

☐ Other: _____

4. The Court Visitor should comply with all requirements of RCW 11.130.280 and/or RCW 11.130.380 in carrying out their duties under this appointment.

The Court Orders:

5. Payment of the Court Visitor shall be at **public expense**, to be paid by _____ County at a rate not to exceed \$_____ per hour up to a maximum of _____ hours, subject to prior court approval, unless the Court Visitor obtains prior court approval from the court for a different amount. If evidence is submitted showing that there was no financial hardship or that financial hardship no longer exists, the court may assess fees and costs against any party to this action if appropriate.

6. The hearing shall be held on (date) _____ at (time) _____ in (court's location, room or department, or Zoom, as indicated) _____, unless otherwise extended by court order prior to the expiration of the time period set forth above. The Guardian/Conservator and the Court Visitor shall personally appear at this hearing.

7. The court finds or knows that (Court Visitor's name) _____ has the required knowledge, training, or expertise to perform the duties required under RCW 11.130.280 and RCW 11.130.380 and is free of influence from anyone interested in the result of the proceeding. The court appoints this person as Court Visitor in this case. The Court Visitor can be contacted in the following manner:

Address: _____

 Telephone: _____
 Email: _____

8. The Court Visitor shall comply with all requirements of RCW 11.130.280 and/or RCW 11.130.380 in carrying out its duties under this appointment, and shall:
- a. Make reasonable efforts to contact the fiduciary(ies) within 5 days of entry of this order to begin the investigation, and;
 - b. File and serve a report no later than _____ **court days prior to the hearing**, unless extended by the court prior to the expiration of the time period set forth above.

9. Visitor's Authority and Access to Information

- [] Upon request of the visitor, all providers that are covered entities under the Health Insurance Portability and Accountability Act (HIPAA) and their business associates shall release to the visitor a professional evaluation required by RCW 11.130.290, RCW 11.130.390, and RCW 11.130.615.
- [] Upon the visitor's request, financial institutions holding accounts in Individual's name, or in the name of the Individual and any other individual, shall provide the visitor with all records and financial information regarding those accounts. By this order, copies of financial information regarding Individual shall be released to the visitor.
- [] The visitor shall have access to the Adult Protective Service (APS) file and social report if any exists, provided that APS shall not be required to release the identities of persons making reports under RCW 74.34 et. seq., and shall have the right to reserve other privileged or confidential information as it deems appropriate to protect the individual. Any APS records released to the visitor are provided for the purpose of assisting the visitor in their investigation and report to the court. The records released to the visitor shall be used in the Chapter 11.130 RCW proceedings and shall not be further disseminated without a court order and prior notice to the Attorney General's Office.
- [] The visitor shall have access to Social Security Administration records regarding Social Security benefits received by the Individual, including but not limited to, type and amount of benefit, status of benefits, direct deposit information, and any other information deemed necessary by the visitor to complete their investigation.

10. Visitor's Duty to Keep Information Confidential

The visitor shall maintain any information as confidential and shall not disclose said information except in oral or written reports to the court, the parties, and their counsel, except as authorized under RCW 74.34.095, GR 15, GR 22, GR 31, and GALR 2.

11. The court shall provide a copy of this order to the Guardian/Conservator and the Court Visitor.

12. The court also orders: _____

Dated _____

Judge/Court Commissioner

Presented by:

Signature of Party/Lawyer

Printed Name

WSBA No.