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Information Update to Lay Guardian Training Effective June 6, 2024

- This update covers changes to the notice requirements upon appointment of a guardian and/or conservator. It adds information about when real property is sold in a conservatorship. It also covers some additional minor changes in the law.
- This supplement provides a brief summary of the law changes. To read the entire law, follow this link:

[RCW 11.30](#)

**The Administrative Office of the Courts is not permitted to give legal advice. The information provided below is for general informational purposes only. You may wish to consult with an attorney to assist you. This general information is subject to the terms of RCW 11.130 in its entirety. Local superior court rules and procedures may supplement this information.*

Notice Requirements Upon Appointment of a Guardian and/or Conservator

- There are no longer both 14-day and 30-day notice requirements upon appointment of a guardian and/or conservator.
- For **guardianships**, there is a **14-day** notice requirement. Within 14 days of being appointed, the guardian must give copies to identified parties of: i) the order of appointment and ii) a statement of the rights of the adult subject to guardianship and procedures to seek relief if the adult is denied those rights. First, the individual subject to guardianship must receive this notice. Secondly, any notice parties must receive this notice. The notice parties will be identified in the order of appointment. The notice parties will typically include a spouse, domestic partner, and adult children of the individual, unless the court finds otherwise. It may include others as identified in the order of appointment.
- For **conservatorships**, there is a **30-day** notice requirement. Within 30 days of being appointed, the conservator must give copies to identified parties of: i) the order of appointment and ii) a statement of the rights of the adult subject to conservatorship and procedures to seek relief if the adult is denied those rights. First, the individual subject to conservatorship must receive this notice. Secondly, any notice parties must receive this notice. The notice parties will be identified in the order of appointment.
- If appointed as both guardian and conservator, the copy of the order of appointment and required notice can be given at the same time, as long as it's within 14 days of appointment.
- The copy of the order of appointment is the final order approved by the court. The state model version of this form is "GDN C 104 Order Appointing Full or Limited Guardian/Conservator." The state model form for the notice is "GDN C 105 Notice of Rights".

- When a conservator petitions the court for approval to sell real estate, the proposed order should address the disposition of the proceeds of sale of the real estate (e.g. what will happen to the funds received in the sale).
- Letters of Guardianship and Conservatorship will receive expiration dates that are within 180 days of the anniversary of the appointment. This timeframe will allow time to get the report and accounting filed and approved by the court before the Letters of Guardianship and Conservatorship expire.
- The court has authority to bring before the court any person suspected of having in their possession or having concealed, embezzled, conveyed, or disposed of any of the property of the estate of the individual subject to conservatorship.