

HOW TO REQUEST A SUBSTITUTE GUARDIAN IN A TITLE 13 GUARDIANSHIP

This guide is meant to provide basic information about substituting a new guardian in a Title 13 guardianship. This guide does not contain all the information or documentation you will need. Exact practices and procedures may vary by county. For information regarding your specific county, you may wish to contact the county clerk's office or view the court's website.

This guide does not constitute legal advice and you may need to seek the assistance of a lawyer. You may be able to find further information online such as WashingtonLawHelp.org. Free or low-cost legal help may also be available in your area

Please note that this information is specific to guardianship established under RCW 13.36. If your guardianship was established under RCW 11.130, do not use this guide.

Who can ask for a substitute guardian in a Title 13 guardianship?

Any party to a guardianship may request to substitute a new guardian in the guardianship.

How do you ask for a substitute guardian in a Title 13 guardianship?

A petition and supporting affidavit must be filed that explains the following:

- A substantial change has occurred in the circumstances of the child or guardian and why terminating the old guardianship and appointing a new substitute guardian is in the child's best interest.

A petition is a written document that describes what you are asking the court to do. An affidavit is a written statement or declaration signed under penalty of perjury.

Please carefully review the statute, RCW 13.36.070, to understand what information to include in the petition and affidavit.

Where do I file the petition and related documents?

The petition and other documents should be filed in juvenile court, in the same county that set up the guardianship. Juvenile court is a division of superior court. Check the court's website or ask at the courthouse where juvenile court is located. Sometimes it is in a different building than the rest of superior court.

You should make copies of the documents you file to keep for your records.

Do I have to serve anyone with a copy of the petition and affidavit?

Yes, notice and a copy of the petition and affidavit must be served on all parties to the guardianship. This includes the Department of Children, Youth, and Families (DCYF) or other supervising agency and all parties to the guardianship.

A "party" to the guardianship could include the following people: the (current) appointed guardian, the Guardian ad Litem/Child Advocate, any Tribe(s) of which the child and/or parent(s) are members or eligible for membership, the child/parent(s), and/or their lawyers.

This tipsheet was created through the cross-system work of the [Family Well-Being Community Collaborative's \(FWCC\) Guardianship Workgroup](#).

You may need to contact DCYF and/or the court's Guardian ad Litem/Child Advocate office to ask where/how they accept service.

You will need to comply with the Superior Court Rules (www.courts.wa.gov/court_rules) regarding service and any service requirements specifically listed in RCW 13.36. You should file a Proof of Service form so that the Court can see that service is complete. Counties may have specific forms you must use to show proof of service. You can contact your court or local clerk's office to ask for more information. You may also be able to find more information or forms online such as at your court's website or WashingtonLawHelp.org.

Will a lawyer be appointed to represent me in for the petition to terminate and substitute a Title 13 Guardianship?

The Court must appoint a lawyer or guardian ad litem for the child(ren) in these actions. The Court may appoint a lawyer to represent parent(s) or current guardian(s) but is not required to. You are free to seek legal advice or hire a lawyer to represent you in these proceedings.

What happens after a petition to terminate and substitute a Title 13 Guardianship is filed?

The other parties may file and serve affidavits opposing the request to terminate and appoint a substitute guardian in the case.

Reach out to your local court for more information about whether a hearing is required and how this is scheduled. At this hearing, the court may talk to you about whether you have served all of the necessary people/parties. The first hearing may need to be rescheduled if service has not been completed. The court will also ask the current guardian if they agree with terminating their guardianship and having a substitute guardian replace them. The court will appoint a guardian ad litem for the child. The court may appoint a lawyer for the parent(s) or guardian(s). The court may also request that a party file additional documents (e.g., certificates of completion from drug treatment or parenting courses, etc.).

After all necessary parties are served, the court may hold a hearing to fully review the case. At this hearing, the court will consider everything filed in support of and against the petition and hear any testimony or arguments. The court will then either grant or deny termination with substitution of a new guardian.

You are responsible for making sure that all parties get copies of any supporting documents and evidence. If you don't provide supporting documentation, the court may deny the petition.

You are also responsible for preparing and giving the Court proposed Findings of Fact and Conclusions of Law (Court Form [JU 14.0630](#)) and a proposed Order on Petition for Termination (Court Form [JU 14.650](#)).

NOTE: The forms used in this packet may have changed. Be sure to use the most current forms found online at www.courts.wa.gov/forms. Look for a link for "list of all forms." The Title 13 guardianship forms at the time of this guide's creation are JU 14.0100 – JU 14.0720. You should also check your court's local rules and website for any specific forms they require.

Petition for Termination of Title 13 RCW Guardianship - Checklist

Before you file this document, make sure that you complete the following:

Pages 1 and 2

- Write the correct name of the county (Example: County of Pierce).
- Write the correct name of the case (Example: Guardianship of John Doe).
- Write the case number next to “No:” (Example: 11-7-12345-6).

Note: The case number is the same as the case number on your order establishing the guardianship.

- In Section 1.4, you must write in the name and address of the proposed substitute guardian.
- In Section 1.7, you must indicate if a substantial change of circumstances has occurred for the child and/or guardian, making substitution of a new guardian necessary to serve the best interest of the child. You must describe the change in circumstances that has occurred. (You may also want to use this to help write the Declaration document).

Page 3

- Check box 2.3 for appointing a substitute guardian in Section II, Relief Requested, and write to the Judge what you would like to have ordered by the Court.
- Write the date that you signed the document.
- Sign and print your name.

Page 4

- At the end of the form, fill in the city and state where you signed the document. Then fill in the date.
- Sign and print your name.

Superior Court of Washington
County of _____
Juvenile Court

Guardianship of:

D.O.B.:

No:

**Petition for Termination of Title 13 RCW
 Guardianship
 (PT)**

I. Basis

1.1 Identification of the Petitioner

_____ [name(s)] is/are Title 13 RCW Guardian child
 over the age of 12 mother father _____ in this case.

1.2 Identification of the Child

male female

Name	
Date of Birth	

1.3 Identification of the Parent(s) Who Request Return of the Child

	<input type="checkbox"/> Mother	<input type="checkbox"/> Father <input type="checkbox"/> presumed <input type="checkbox"/> alleged
Name		
Home Address		

1.4 Information about the Proposed Substitute Guardian(s)

Name		
------	--	--

Home Address		
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The proposed guardian(s) is/are 21 years of age or older and meet(s) the minimum requirements to care for children as established by DSHS/DCYF under RCW 74.15.030, including but not limited to licensed foster parents, relatives, or suitable persons.

The proposed substitute guardian signed the Declaration of the Proposed Guardian.

FOR OFFICIAL USE ONLY Juv. Ref. No: _____

1.5. Child's Indian Status

Based upon the following, the petitioner does not have reason to know the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), and the Federal and Washington State Indian Child Welfare Acts do not apply to this proceeding:

Based upon the following, the petitioner knows or has reason to know the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), and the Federal and Washington State Indian Child Welfare Acts apply to this proceeding:

The petitioner has made the following preliminary efforts to provide notice of this proceeding to all tribes to which the petitioner knows or has reason to know the child may be **(1)** a member or **(2)** eligible for membership if the biological parent is also a member.

1.6 Service Members' Relief Acts (Active duty military)

*(The **federal** Servicemembers Civil Relief Act covers:*

- *Army, Navy, Air Force, Marine Corps, and Coast Guard members on active duty;*
- *National Guard or Reserve members under a call to active service for more than 30 days in a row; and*
- *commissioned corps of the Public Health Service and NOAA.*

*The **state** Service Members' Civil Relief Act covers those service members listed above who are either stationed in or residents of Washington state, and their dependents, except for the commissioned corps of the Public Health Service and NOAA.)*

(Name/s): _____ are **not** covered by the state or federal Service Members' Civil Relief Acts the acts do not apply to this proceeding.

(Name/s): _____ are covered by the state or federal Service Members' Civil Relief Acts, and the acts do apply to this proceeding.

I **don't know** whether (name/s): _____ are covered by the state or federal Service Members' Civil Relief Act, and I do not know whether the acts apply to this proceeding.

A Declaration re: Service Members' Civil Relief Act (form JU 11.0700), for each parent, or legal guardian:

is filed separately.

will be filed separately.

1.7 **Basis for Termination**

A substantial change has occurred in the circumstances of the child or the Title 13 RCW Guardian making termination of the guardianship necessary to serve the best interests of the child, as described here:

The guardian, the child, if 12 years old or older, and a parent agree that the mother father should regain custody of the child.

Since the guardianship was established, the mother father has successfully corrected the parenting deficiencies identified by the court in the dependency action, and the circumstances of the parent have changed to such a degree that returning the child to the custody of the parent no longer creates a risk of harm to the child's health, welfare, and safety, as described:

Termination of the guardianship and return of custody of the child to the mother father is in the child's best interests, as described:

1.8 **Other:** _____

II. Relief Requested

The petitioner(s) request(s) that the court:

2.1 Terminate the Guardianship.

2.2 Grant the child's mother father legal and physical custody of the child.

2.3 Grant the substitute guardian with legal and physical custody of the child.

2.4 Direct the child to be temporarily placed in the custody of DSHS/DCYF for placement and file a dependency petition on behalf of the child.

2.5 Appoint a guardian ad litem or attorney for the child.

2.6 Other: _____

Dated: _____

Signature of Petitioner or Petitioner's Lawyer

Type or Print Name WSBA No.

Dated: _____

Signature of Petitioner or Petitioner's Lawyer

Type or Print Name WSBA No

III. Certification

I certify under penalty of perjury under the laws of the state of Washington that the foregoing representations are true and correct.

Signed at _____ (city), _____ (state) on _____ (date).

Signature of Petitioner

Type or Print Name

Signature of Petitioner

Type or Print Name

Declaration - Checklist

Before you file this document, make sure that you complete the following:

Page 1

- Write the correct name of the county (Example: County of Pierce).
- Write the correct name of the case (Example: Guardianship of John Doe).
- Write the correct case number next to “No:” (Example: 11-7-12345-6).

Note: The case number is the same as the case number on your order establishing the guardianship.

- Print the name of the person making the declaration.
- Explain, in detail, the reasons why the guardianship should be terminated and replaced with a substitute guardianship.

For example, if the current guardian can no longer provide care for the child due to a substantial change in their circumstances, describe what has happened and why a substitute guardian should be appointed. (You may want to refer to your Petition for Termination of Title 13 RCW Guardianship, Section 1.7).

Please attach copies of any documents that help demonstrate the changes that have occurred.

Page 2

- At the end of the form, the person making the declaration must fill in the city and state where they signed the document. Then fill in the date.
- The person making the declaration then signs and prints their name.

Notice and Summons - Checklist

Before you file this document, make sure that you complete the following:

- Write the correct name of the county (Example: County of Pierce).
- Write the correct name of the case (Example: Guardianship of John Doe).
- Write the correct case number (Example: 11-7-12345-6).

Note: The case number is the same as the case number on your order establishing the guardianship.

- Check the box for Termination of Title 13 RCW Guardianship under the case number.
- Write the date that you signed the document at the bottom of the page.
- Sign and print your name at the bottom of the page.

Superior Court of Washington
County of _____
Juvenile Court

Guardianship of:

D.O.B.:

No:

Notice and Summons:

Establish Title 13 RCW Guardianship

Termination of Title 13 RCW
Guardianship

(NTSM)

Clerk's action required: para 1.2

interpreter required in: _____
(language)

To:

Name: _____

Address: _____

I. Notice of Hearing

1.1 You are notified that a petition, a copy of which is provided, was filed with this court alleging that:

Title 13 RCW Guardianship: The court should establish a Title 13 RCW guardianship and appoint a guardian for the above named child. A petition for Order Appointing Title 13 RCW guardian, if granted, could result in substantial restrictions to the rights of the parent(s), guardian(s) or legal custodian(s).

Termination of Title 13 RCW Guardianship: The Title 13 RCW guardianship should be terminated. If terminated, the court may return the child to the parent(s); appoint a substitute Title 13 RCW guardian; or place the child temporarily in the custody of DCYF for placement and direct DCYF to file a dependency petition on behalf of the child.

Notice: If your child is placed in out-of-home care, you may be held responsible for the support of the child.

1.2 The court has scheduled a hearing on: _____ [date] at _____ [] AM []

PM

At: _____, Room/Department: _____

Address: _____

This summons shall be served by:

- DCYF
- Juvenile Probation
- A person who is 18 years of age or older who is not a party to the proceedings:
_____ (name)
- Law enforcement

1.3 The purpose of the hearing is to hear and consider evidence relating to the petition. You should be present at this hearing.

1.4 If you do not appear ***the court may enter an order in your absence:***

- Establishing a Title 13 RCW guardianship and appointing a guardian.
- Terminating the Title 13 RCW guardianship.

II. Summons

You are summoned to appear at the hearing on the date, time and place set forth above.

III. Advice of Rights

- You have important legal rights, and you must take steps to protect your interest.
- You have the right to a hearing before a judge. At the hearing, you have the right to speak on your own behalf, to introduce evidence, to examine witnesses, and to receive a decision based solely on the evidence presented to the judge. You should attend this hearing.
- Parent(s)', guardian's, or legal custodian's right to a lawyer. In the proceeding to establish a Title 13 RCW Guardianship, you have the right to be represented by a lawyer. If you cannot afford a lawyer, you have the right to request that the court appoint a lawyer to represent you at public expense. If you qualify, a lawyer will be appointed by the court to represent you.
- Child's right to a lawyer or guardian ad litem. In any proceeding to establish or terminate a Title 13 RCW Guardianship, the court is required to appoint a guardian ad litem or a lawyer to represent you.
- Your lawyer can look at the social and legal files in your case, talk to the supervising agency or other agencies, tell you about the law, help you understand your rights and help you at hearings.
- If you wish to have a lawyer or guardian ad litem appointed, contact _____ [name].

Address: _____

Phone: _____

You may call _____ [name] for more information about your child. The agency's name and telephone numbers are:

Address: _____

Phone: _____

Dated: _____

By direction of:

Judge/Commissioner

[] DCYF

By (name) _____
Signature

Print name WSBA #

[] By (name) _____
Signature

Print name

Findings and Conclusions Re: Petition for Termination of Title 13 RCW Guardianship - Checklist

Do not file this document. Bring it with you to the hearing. The Court will complete this document. Make sure that you complete the following:

- Write the correct name of the county (Example: County of Pierce).
- Write the correct name of the case (Example: Guardianship of John Doe).
- Write the correct case number (Example: 11-7-12345-6).

Note: The case number is the same as the case number on your order establishing the guardianship.

- Write your name in the blank spot in Section 1.1.

Superior Court of Washington
County of _____
Juvenile Court

Guardianship of:

D.O.B.:

No:
**Findings and Conclusions re Petition
for Termination of Title 13 RCW
Guardianship
(FNFCL)**

I. Basis

1.1 **Petition:** _____ [name(s)] filed a petition seeking termination of the Title 13 RCW guardianship.

1.2 **Appearance:** The following persons appeared at the hearing:

- | | |
|--|--|
| <input type="checkbox"/> Child | <input type="checkbox"/> Child's Lawyer |
| <input type="checkbox"/> Mother | <input type="checkbox"/> Mother's Lawyer |
| <input type="checkbox"/> Father | <input type="checkbox"/> Father's Lawyer |
| <input type="checkbox"/> Title 13 RCW Guardian | <input type="checkbox"/> Title 13 RCW Guardian's Lawyer |
| <input type="checkbox"/> Child's GAL/CASA | <input type="checkbox"/> GAL/CASA's Lawyer |
| <input type="checkbox"/> DSHS/DCYF | <input type="checkbox"/> DSHS/DCYF's Lawyer |
| <input type="checkbox"/> Tribal Representative | <input type="checkbox"/> Proposed Substitute Title 13 RCW Guardian |
| <input type="checkbox"/> Interpreter for <input type="checkbox"/> mother <input type="checkbox"/> father | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> other _____ | |

The mother father agreed to entry of the order and waived his/her right to notice of the hearing.

1.3 **Basis:** The court heard testimony. The parties submitted an agreed order.

II. Findings of Fact

2.1 **Notice:** The following have received adequate notice of these proceedings as required by RCW 13.36.070:

The mother father Title 13 RCW guardian DSHS/DCYF child
 the child's lawyer or guardian ad litem proposed Title 13 RCW guardian.

The child is 12 or older and was notified that he/she may request a lawyer.

2.2 **Child's Indian Status:** On this date On _____, the court asked each participant on the record whether the participant knows or has reason to know the child is an Indian child.

The petitioner has has not made a good faith effort to determine whether the child is an Indian Child.

Based upon the following, there is not a reason to know the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), and the Federal and Washington State Indian Child Welfare Acts do not apply to this proceeding:

Based upon the following, there is reason to know the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), and the Federal and Washington State Indian Child Welfare Acts apply to this proceeding, unless and until it is determined on the record that the child does not meet the definition of an Indian child:

The proposed guardian(s) fall within the placement preferences specified in RCW 13.38.180; **Or**

The proposed guardian(s) does (do) not fall within the placement preferences of RCW 13.38.180, but there is good cause to continue placement with the proposed guardians because _____. **And**

Based on the following summary, the petitioner used due diligence to identify and work with the tribes of which there is reason to know the child may be a member or eligible for membership, to verify whether the child is in fact a member (or the biological parent is a member and the child is eligible for membership).

The facts establish by clear, cogent and convincing evidence, including the testimony of a qualified expert witness that continued custody of the child by the mother father Indian custodian is likely to result in serious emotional or physical damage to the child.

DSHS/DCYF made active efforts by actively working with the parent, parents, or Indian Custodian to engage them in remedial services and rehabilitative programs to prevent the breakup of the Indian family beyond simply providing referrals to such services, but those efforts have been unsuccessful.

The petitioner has has not provided notice of this proceeding as required by RCW 13.38.070 and 25 U.S.C. § 1912(a) to all tribes to which the petitioner or court knows or has reason to know the child may be a member or eligible for membership if the biological parent is also a member.

2.3 **Service Members' Relief Acts (Active Duty Military)**

(The **federal** Servicemembers Civil Relief Act covers:

- Army, Navy, Air Force, Marine Corps, and Coast Guard members on active duty;
- National Guard or Reserve members under a call to active service for more than 30 days in a row; and
- commissioned corps of the Public Health Service and NOAA.

The **state** Service Members' Civil Relief Act covers those service members listed above who are either stationed in or residents of Washington state, and their dependents, except for the commissioned corps of the Public Health Service and NOAA.)

(Name/s): _____ are **not** covered by the state or federal Service Members' Civil Relief Acts, and the acts do not apply to this proceeding.

(Name/s): _____ are covered by the state or federal Service Members' Civil Relief Acts, and the acts do apply to this proceeding.

The court signed the *Order re Service Members' Civil Relief Act* (form JU 11.0750) filed separately.

The requirements of the act(s) have been met as follows:

The court does not have enough information to find whether (name/s): _____
_____ are covered by the state or federal Service Members' Civil Relief Acts.

2.4 **Basis for Termination**

A substantial change has occurred in the circumstances of the child or the Title 13 RCW guardian making termination of the guardianship necessary to serve the best interests of the child based upon the following facts:

The guardian, the child, if 12 years old or older, and a parent agree that the mother father should regain custody of the child.

Since the guardianship was established, the mother father has successfully corrected the parenting deficiencies identified by the court in the dependency action, and the circumstances of the parent have changed to such a

degree that returning the child to the custody of the parent no longer creates a risk of harm to the child's health, welfare, and safety based upon the following facts:

- Termination of the guardianship and return of custody of the child to the mother father is in the child's best interests.

- There is no basis to terminate the guardianship, as follows:

2.5 Basis for Continued Guardianship

- Does not apply.
- Guardianship continues to be in the best interests of the child based upon the following facts:

- All parties to the guardianship agree to termination of the guardianship and entry of an order appointing the substitute guardian. The proposed substitute guardian(s) is/are qualified, appropriate, and capable of performing the duties of guardian under RCW 13.36.050.

2.6 Visitation

- Contact between the child and the child's mother; the child's father; the child's siblings, namely _____, is in the child's best interests, as follows:

Contact between the child and the child's mother; the child's father; the child's siblings _____ [name(s)] is not in the child's best interests and should be restricted because:

Other: _____

2.7 Proposed Substitute Title 13 RCW Guardian

Does not apply.

_____ [name(s)] is (are) qualified, appropriate, and capable of performing the duties of guardian under RCW 13.36.050 and meet(s) the minimum requirements to care for children as established by DSHS/DCYF under RCW 74.15.030.

2.8 Need and Scope of Continued Court Oversight

There is no need for further court oversight.

There is a need for continued court oversight as follows:

III. Conclusions of Law

The court has jurisdiction over the parties and subject matter of this action.

Unless otherwise indicated, the above findings have been proved by a preponderance of the evidence.

The Title 13 RCW guardianship should be terminated.

The mother father should be granted legal and physical custody of the child.

The proposed substitute guardian should be granted legal and physical custody of the child.

The child should be temporarily placed in the custody of DSHS/DCYF for placement and DSHS/DCYF should be directed to file a dependency petition on behalf of the child.

The petition should be denied.

Other: _____

Dated: _____

Judge/Commissioner

Presented by:

Signature

Print Name/Title

WSBA No.

Copy Received. Approved for entry, notice of presentation waived.

Signature of **Child**

Signature of Child's Lawyer

Print Name WSBA No.

Signature of **Mother**
 Pro Se, Advised of Right to Counsel

Signature of Mother's Lawyer

Print Name WSBA No.

Signature of **Father**
 Pro Se, Advised of Right to Counsel

Signature of Father's Lawyer

Print Name WSBA No.

Signature of **Title 13 RCW Guardian**

Signature of Title 13 RCW Guardian's Lawyer

Print Name

Print Name WSBA No.

Signature of **Title 13 RCW Guardian**

Signature of Title 13 RCW Guardian's Lawyer

Print Name

Print Name WSBA No.

Signature of Child's **GAL**

Signature of Lawyer for the Child's GAL

Print Name

Print Name WSBA No.

Signature of **DSHS/DCYF Representative**

Signature of DSHS/DCYF Representative's Lawyer

Print Name

Print Name WSBA No.

Signature of **Tribal Representative**

Signature of **Proposed Title 13 RCW Guardian**

Print Name

Print Name

Signature

Signature of **Proposed Title 13 RCW Guardian**

Print Name WSBA No.
Lawyer for _____

Print Name

Order on Petition for Termination of Title 13 RCW Guardianship - Checklist

*Do not file this document. Bring it with you to the hearing. The Court will complete this document.
Make sure that you complete the following:*

- Write the correct name of the county (Example: County of Pierce).
- Write the correct name of the case (Example: Guardianship of John Doe).
- Write the correct case number (Example: 11-7-12345-6).
- Write your name in the blank spot in Section 1.1.

<p>Superior Court of Washington County of _____ Juvenile Court</p> <p>Guardianship of:</p> <p>D.O.B.:</p>
--

No:

Order on Petition for Termination of Title 13 RCW Guardianship

Granted (ORTG)

Denied (ORDYMT)

Clerk's Action Required: paragraphs 2.2, 2.3, 2.5

I. Basis

The court entered findings of fact and conclusions of law in this matter.

II. Order

The court:

- 2.1 denies the petition.
- 2.2 terminates the Title 13 RCW guardianship and:
 - grants legal and physical custody of the child to the mother father.
 - temporarily places the child in the custody of DCYF for placement with a relative or other suitable person as defined in RCW 13.34.130(1)(b), if available, or in an appropriate licensed out-of-home placement. DCYF is directed to file a dependency petition on behalf of the child within _____ days of entry of this order.
- 2.3 terminates the Title 13 RCW guardianship as to _____ [name(s) of Title 13 RCW guardian(s)] and discharges the guardian(s). All rights and responsibilities of the former Title 13 RCW guardian(s) is (are) terminated upon entry of this order, or upon approval of the final accounting by the court, if required, whichever is later, and:
 - continues the title 13 RCW guardianship and grants the substitute guardian(s) _____ [name(s)] legal and physical custody of the child under the Order Appointing Title 13 RCW Guardian signed by the court on this date or dated _____ and filed under this cause number.
- 2.4 Other:

2.5 The Clerk of the Court shall provide certified copies of this order to the guardian and to DCYF at **no cost**.

Dated: _____

Judge/Commissioner

Presented by:

Signature

Print Name/Title

WSBA No.

Copy Received. Approved for entry, notice of presentation waived.

Signature of **Child**

Signature of Child's Lawyer

Print Name

WSBA No.

Signature of **Mother**

Pro Se, Advised of Right to Counsel

Signature of Mother's Lawyer

Print Name

WSBA No.

Signature of **Father**

Pro Se, Advised of Right to Counsel

Signature of Father's Lawyer

Print Name

WSBA No.

Signature of **Title 13 RCW Guardian**

Signature of Title 13 RCW Guardian's Lawyer

Print Name

Print Name

WSBA No.

Signature of **Title 13 RCW Guardian**

Signature of Title 13 RCW Guardian's Lawyer

Print Name

Print Name

WSBA No.

Signature of **Substitute Title 13 RCW Guardian**

Signature of Sub. Title 13 RCW Guardian's Lawyer

Print Name

Print Name

WSBA No.

Signature of **Substitute Title 13 RCW Guardian**

Print Name

Signature of Sub. Title 13 RCW Guardian's Lawyer

Print Name WSBA No.

Signature of Child's **GAL**

Print Name

Signature of Lawyer for the Child's GAL

Print Name WSBA No.

Signature of **DCYF Representative**

Print Name

Signature of DCYF Representative's Lawyer

Print Name WSBA No.

Signature of **Tribal Representative**

Print Name

Signature

Print Name WSBA No.
Lawyer for _____

Declaration of the Proposed Guardian - Checklist

Ask the proposed substitute guardian to complete this document and file it with the court before the final hearing.

Make sure that the proposed substitute guardian completes the following:

- Write the correct name of the county (Example: County of Pierce).
- Write the correct name of the case (Example: Guardianship of John Doe).
- Write the correct case number (Example: 11-7-12345-6).
- Fill out Sections 1 and 2 regarding their name, the name of the petitioner, and their relationship to the child.
- Write the city and date that they signed the document at the bottom of the page.
- Sign and print their name at the bottom of the page.

**SUPERIOR COURT OF WASHINGTON
COUNTY OF _____
JUVENILE COURT**

Guardianship of:

D.O.B.:

No:

**Declaration of the Proposed
Guardian
(DCLR)**

_____, declares as follows:

1. I am the proposed guardian for the above named child in the Title 13 RCW guardianship petition filed by _____ [name of petitioner].
2. I am related to the child as _____ the foster parent of the child other suitable person as defined by Laws of 2010 ch. 272, §2(6).
3. I am twenty-one years of age or older.
4. I understand that the permanent plan for this child is a guardianship with me and I understand and accept that the guardianship is a commitment to provide care for the child until the child reaches 18 years of age.
5. I acknowledge and accept that, if I am appointed as the child's guardian, I will have the following rights and responsibilities with respect to the child until the child reaches 18 years of age, or until further order of the Court:
 - a. To be the legal and physical custodian of the child;
 - b. To protect, discipline, nurture, and educate the child;
 - c. To provide food, clothing, shelter, education as required by law, and health care for the child, including but not limited to medical, dental, mental health, psychological, and psychiatric care and treatment;
 - d. To consent to health care for the child; and to sign a release of health care information to appropriate authorities pursuant to law.
 - e. To consent to social and school activities of the child;
 - f. To provide to the court an annual written accounting, supported with appropriate documentation, of my receipt and expenditure of any of the child's independent funds or other valuable property that are placed under my control; and
 - g. To notify the court of a change of the child's and my residential address. I understand I do not have to comply with the standards and requirements of relocation in chapter 26.09 RCW unless the court orders me to.

6. I understand that the Juvenile Court maintains oversight over a guardianship.
7. I understand that the Juvenile Court may order visitation between the parent and child, as appropriate. I understand that the Juvenile Court may order contact between the child and any siblings, as appropriate.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed at _____ [city], Washington on _____ [date].

Signature

Print Name