

Instructions: How to get a Non- Emergency Minor Guardianship (When the parties agree)

1. Obtain the forms listed in this outline. The Skagit County Superior Court Clerk sells a packet for **Minor Guardianship, which** includes the required state and local forms. You may also download the forms for free at www.courts.wa.gov/forms . **Skagit County Local Court Rules** and local forms are available for purchase at the Clerk’s Office or can be downloaded at www.skagitcounty.net (see links to Superior Court).
2. If you need assistance with forms or procedures, the Court Facilitator can review forms you have prepared yourself, answer questions, or help you with procedures. The Facilitator cannot give legal advice and does not represent you. The Facilitator may also assist the other party or parties to your case. There is a \$20 fee per 30-minute appointment. You may need more than one appointment. Make an appointment by calling (360) 416-1200. ***Court Facilitator Appointments are conducted telephonically during the pandemic.***
3. Start by filling out and signing the following forms:
 - **Minor Guardianship Petition (GDN M102)**
 - **Notice of Hearing for Minor Guardianship (GDM M 101)**
 - **Parent’s Consent to Minor Guardianship (GDN M 304)** each parent signs one
 - **Confidential Information (GDM M 410)**
 - **Declaration Explaining Reasons for Minor Guardianship (GDN M 103)**

When you are filling out your captions on each form, the respondent is the minor you are seeking guardianship. **If there are multiple minors with different parents, you must file separate petitions for each minor. If the children have the same parents then you can include them in the same petition.**

If one of the parents is not in agreement with your **Petition** then do not use this instruction list. Instead, follow the instructions for **“Getting Minor Guardianship When One or Both Parent(s) Do Not Agree”**.

If you want to address visitation, you can do that in Section # 20 of the **Minor Guardianship Petition** or you can fill out a separate **Residential Schedule (GDN M 104)** filled out as a “Proposal” (signed by petitioner and parents).

If you want to address child support, you should file proposed **Child Support Worksheets (WSCSS Worksheets)**. The Court Facilitator can help you calculate child support or you can prepare a Child Support Worksheet using the Automated Child Support Calculator found at:

<https://fortress.wa.gov/dshs/dcs/SSGen/Home>

All parties must sign the **Petition**. If you are also filing a **Residential Schedule** and/or **Child Support Worksheets** then all parties must sign those documents as well.

Make copies of all the documents except for the **Confidential Information**. Provide copies to all parties. (NOTE: If one of the parents is not in agreement with your **Petition**, then you must follow the instructions for **“Getting Minor Guardianship When One or Both Parent(s) Do Not Agree”**).

4. File all of your documents with the Skagit County Superior Court Clerk. The filing fee is \$260 payable only in cash, money order, Cashier's Check, MasterCard, Visa, Discovery or American Express. (There is an additional fee if a Debit or Credit Card is used). **If you are a relative as described by RCW 11.130.170(3), the filing fee will be waived automatically.** If you are not a relative, but you cannot afford the filing fee based on your income, you can have the filing fee waived if you qualify. The Clerk's office has a "**Fee Waiver Packet**" that explains this process.
5. Fill out a **Motion for DCYF and Order to DCYF to Release CPS Information (GDN M 404 and 405)**. You must include the required information **for every person in your household who is 16 years or older**. Give that **Motion & Order** to the Clerk between 8:30am and 12:00pm on any day Monday – Friday excluding holidays. Then go to the courtroom assigned for the Ex Parte Calendar at 1:15pm and wait for the Judge or Commissioner to call your case and sign your **Order**.
6. Get a **Washington State Patrol Criminal History Record Information (CHRI)** for each Petitioner and for each adult member of the Petitioners' household. The two ways to get the required records are explained below. Attach the WSP Criminal History Records to the **Criminal History Record (Cover Sheet) (GDN M 407)**, and file them.

Get criminal history immediately online at <http://watch.wsp.wa.gov/>. There is a fee for each **CHRI** search. A credit card is required to complete the search.

OR

Follow the instructions on the website for mailing in a request and include the required payment.

7. The guardian is required to complete a lay guardianship training. That can be completed online: <https://www.courts.wa.gov/guardianportal/index.cfm?fa=guardianportal.title11minor>
File with the court Declaration of Completion of Guardian Training
If there is a co-guardian, each guardian must complete the training and obtain Declaration of Completion.
8. If all parties are in agreement and would like to finish your case, fill out and have all parties sign the following documents (**Do Not File Final Orders with the Clerk:**
 - **Minor Guardianship Findings and Order (GDN M 105);**
 - **JIS – Local Court Form**

If you asked for a Residential Schedule then you will also need:

- **Residential Schedule (GDN M 104).**

If you asked for child support then you will also need:

- **Child Support Order (FL All Family 130); and**
- **Child Support Worksheets (WSCSS Worksheets).**

9. **Local Court Rules require that the Court Facilitator review your final orders.** Fill out and bring all the documents listed above in #7 with you to the appointment. The Facilitator will review your orders and will

help provide final orders to Commissioner/Judge for your final hearing. All parties must sign the final documents prior to the final hearing.

10. Go to your final hearing. A Judge or Commissioner will sign your final papers if they are all in order and you can get copies of the final documents after the hearing from the Clerk's Office for a fee.
11. After the court has signed the final orders, the guardian shall sign and file with the court an **Acceptance of Appointment (GDN ALL 003)**.

Helpful Phone Numbers and Websites

Skagit County Superior Court Clerk's Office (360) 416-1800
Skagit County Superior Court Administration (360) 416-1200
Skagit County Law Library (360) 416-1290
Volunteer Lawyer Program of Skagit County (360) 416-7585
CLEAR line for a referral to the VLP (888) 201-1014
State Prosecuting Attorney – Family Support Division (360) 416-1161

www.courts.wa.gov/forms to download standard family law forms.
www.washingtonlawhelp.org for general information on a variety of legal topics.
www.nwjustice.org for general information and resources.
www.skagitcounty.net county website (follow links to Superior Court).
www.dshs.wa.gov/dcs Washington Division of Child Support (forms and information).
<https://fortress.wa.gov/dshs/dcs/SSGen/Home> DCS Support Calculator (use to create a child support worksheet).

This list of instructions is not a substitute for legal advice. Before starting any legal action, it is always wise to consult an attorney regarding your rights and responsibilities. Many attorneys offer consultations. Your specific situation may require additional forms and procedures which may not be listed on this outline. The Family Law Facilitator and the Clerks Office cannot give legal advice. Only an attorney can give legal advice.