

# Guardianships

## What is a Guardianship?

The court appoints guardians for people who lack the capacity to make or communicate decisions because of mental or physical disability. While the goal of a guardianship is to protect, people under guardianship can lose many important rights, including the right to vote, the right to drive, the right to decide where they will live, and the right to decide how their money will be used.

## What's new?

Effective July 22, 2011, House Bill 1053 has amended RCW 11.88 and 11.92 and will require additional steps to petition for guardianship or to have your annual reports approved.

### For Persons Seeking Appointment as Guardians:

1. Proof of Completion of Administrative Office of the Courts (AOC) [online guardian training](#) must be filed with the petition to establish guardianship.
2. All letters of Guardianship issued after 7/22/11, will have an expiration date. Annual reports must be submitted within 90 days of the anniversary date of appointment so the report can be approved before letters expire.
3. The following forms must be completed and filed within 90 days from date of guardian appointment:
  - Designation Standby Guardian
  - Notice of Right to Request Special Notice
4. A Guardianship Summary information form must be included in any Order Appointing Guardian/Successor Guardian. Search [State Forms](#) or [Spokane Forms](#) effective July 22, 2011. If an attorney is representing the petitioner, he or she will prepare this form.

### For Existing Guardians:

1. When submitting an annual report (Periodic Personal Care Plan or Guardian's Report & Accounting) a guardian must submit proof of the [AOC online training](#). (One time only, not required annually.)
2. A Guardian Summary must be provided in all Orders Approving Report & Accounting and Care Plans.

# Mandatory Training

- Mandatory training must be completed within 90 days of appointment.
- Current guardians must complete mandatory, free training prior to filing intermediate account or report.
- Potential guardians must complete mandatory, free training prior to appointment or under certain circumstances within 90 days of appointment.

## Guardians Can be Sanctioned

If a guardian fails to file the intermediate report or account, or fails to appear at a review hearing, the court has the authority to schedule a contempt hearing; appoint a guardian ad litem; require the guardian to attend training; remove the guardian; appoint a successor guardian; or take other action as the court deems just and equitable.

## Guardianship Forms

- [State Forms](#)
- [Spokane Forms](#)