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### Guardianship Basics

Types of guardianship. *A guardianship of the person and a guardianship of the estate.*  
They are usually both.

*A full guardianship v. a limited guardianship.* They are usually full and are full, unless stated otherwise. A limited guardianship may be as individualized as an IEP – which means that they can be a lot of work to design.

RCW11.88.010(1) defines when a person may qualify for a guardianship:

Guardianship of the Person: individual has a significant risk of personal harm based upon a demonstrated inability to adequately provide for nutrition, health, housing, or physical safety

Guardianship of the Estate: individual has a significant risk of personal harm based upon a demonstrated inability to adequately manage property or financial affairs.

A guardianship is not permanent, but is always reviewable by a court, which can change it to fit the needs of the person.

Any person interested in the welfare of a person under a guardianship can file a notice with the court and with the guardian called a Request of Special Notice of Proceeding. A person filing such a request will receive notice of every time the guardian is going to court to seek approval, which should be not less than every three years. An interested person clearly includes a residential or other care-provider, but not include the general public.

The law allows the Attorney General to petition for guardianship, if there is no one else available. Sometimes a case manager just calls a private attorney and arranges for them to do the work.

If the client lives in a setting where the Dept assesses "participation," then it is possible to get the Dept, in effect, to pay for the guardianship.

Below are some resources that I provide to individuals who contact me with questions regarding guardianship. I have included a website for general information; the link to the King County Superior Court forms page; information regarding certified professional guardians which includes a resource list; the King County Bar association link for Attorney resources; and information about the King County Family Court Facilitator program, which has staff who can assist with forms and court procedures regarding guardianship.

Let me know if you have questions--

General Guardianship Information:

<http://www.arcofkingcounty.org/guide/legal/about/guardianship/>

Guardianship forms:

<http://www.kingcounty.gov/courts/scforms/guardianship.aspx>

Certified Professional Guardian Program:

<http://www.courts.wa.gov/programs%5Forgs/guardian/>

King County Bar Association:

<http://www.kcba.org/>

King County Family Court Facilitator Program:

<http://www.kingcounty.gov/courts/FamilyCourt/facilitator.aspx>

King County Family Law Facilitator's office:

(206) 296-9092.

I hope this is useful—

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