

How to

# Respond to a Motion for an Immediate Order-Emergency Minor Guardianship

## **WARNINGS!**

- If there is also a pending *Petition for Minor Guardianship*, you will need to file a separate response to that petition. See Instruction: Respond to a Contested Minor Guardianship.

## **Talk to a lawyer, if you can**

These instructions have been developed by the King County Superior Court Family Law Information Center. They provide *legal information* only and **are not intended** to be a substitute for legal advice.

**Facilitators cannot provide legal advice or complete your forms for you.** It's a good idea to talk to a lawyer before you file any forms.

- You can get information about their services at <https://kingcounty.gov/courts/superior-court/family/facilitator.aspx>.
- You can obtain a list of low-cost and free legal resources. <https://kingcounty.gov/~media/courts/superior-court/docs/family/facilitator/family-law-resources.ashx?la=en>

## Step 1: Attend the “Emergency Motion” hearing if notified.

If you were given notice of a hearing in the Ex Parte Department, be sure to participate. Ex Parte hearings are being conducted by Zoom until further notice. See <https://www.kingcounty.gov/courts/superior-court/ex-parte-probate.aspx>.

At the hearing, the Commissioner will decide if the *Immediate Order (Ex Parte) - Emergency Minor Guardianship* is approved.

## Step 2: Fill out these forms.

All of these forms can be downloaded at: [www.courts.wa.gov/forms/](http://www.courts.wa.gov/forms/)

| Form Name  | Form Number       | Notes   | Completed                |
|--|-------------------|---|--------------------------|
| <a href="#">Objection to Emergency Minor Guardianship Petition</a> | GDN M 301         |   | <input type="checkbox"/> |
| <a href="#">Emergency Minor Guardianship Order</a>                 | GDN M 203         | Fill this out the way you would like the Commissioner to decide at the next hearing | <input type="checkbox"/> |
| <a href="#">Declaration of (name): _____</a>                       | FL All Family 135 | Optional: give to any witness who wants to write a statement.                       |                          |

**If there is a request for temporary child support at the next hearing, you need to fill out these forms:**

|   |   |  |                          |
|---|---|--|--------------------------|
| <a href="#">Child Support Worksheets</a>                  | WSCSS-Worksheets  | Online Child Support Calculation software is available at: <a href="https://fortress.wa.gov/dshs/dcs/SSGen/Home/QuickEstimator">https://fortress.wa.gov/dshs/dcs/SSGen/Home/QuickEstimator</a> | <input type="checkbox"/> |
| <a href="#">Child Support Schedule &amp; Instructions</a> | Use this information to calculate Child Support Worksheets. |  |                          |
| <a href="#">Child Support Order</a>                       | FL All Family 130   | Fill this out the way that you would like the Commissioner to decide   | <input type="checkbox"/> |
| <a href="#">Financial Declaration of _____</a>            | FL All Family 131   |  | <input type="checkbox"/> |
| <a href="#">Sealed Financial Source Documents</a>         | FL All Family 011   | Use this coversheet to keep your financial records confidential  | <input type="checkbox"/> |

For the court to decide on financial issues, you must provide copies of financial documents, including:

- Your W-2s and complete personal tax returns for the past 2 years
- Your most recent pay stubs (at least 6 months)
- Complete partnership/corporate tax returns for the past 2 years if you have a 5% interest or more
- Statements from all of your banks and financial institutions for the past 6 months

**Print this, but do not fill it out yet. You will need it later.**

| Form Name              | Form Number        | Notes | Completed                |
|------------------------|--------------------|-------|--------------------------|
| Declaration of Service | WPF GDN<br>04.0850 |       | <input type="checkbox"/> |

### Step 3: Make copies.

- **Original** set to file with Clerk’s Office
- **Copy 1** for your personal records.
- **Other Copies** for each person who needs notice:
  - Party filing the petition or motion
  - Proposed guardian
  - each parent
  - the child (if 12 or older and the court has not signed an *Order on Motion to Withhold* giving you permission to withhold all documents and evidence after the *Summons, Notice, and Petition*)
  - any person who has the child in his/her custody
  - any attorney involved.

### Step 4: Confirm Attendance.

At least **two days** before the hearing before the assigned judge, contact the bailiff to confirm that you will be attending. The bailiff’s contact information for your assigned judge can be found [here](#) or in the Case Schedule for the Emergency Minor Guardianship, which you should have received from the petitioner.

### Step 5: File these forms with the Clerk’s Office.

By **noon the day before the hearing** before the assigned judge, file the following documents from Step 2 at the Clerk’s Office (room 2C in Kent and E-609 in Seattle), except:

- *Emergency Minor Guardianship Order*
- *Child Support Order* (if necessary).

**OR**

You may file these documents electronically through the Clerk's Office E-Filing website at <https://www.kingcounty.gov/courts/clerk/documents/efiling.aspx>.

**Step 6: Provide copies to all parties.**

By **noon the day before the hearing** before the assigned judge, mail or email all forms from Step 2 to the following parties:

- Party filing the petition or motion
- Proposed guardian
- each parent
- the child (if 12 or older and the court has not signed an *Order on Motion to Withhold* giving you permission to withhold all documents and evidence after the *Summons, Notice, and Petition*)
- any person who has the child in his/her custody
- any attorney involved.

If you do not have a mailing address or email address, you can provide notice via social media contact, SMS text, or hand delivery.

Then, complete the [Declaration of Service](#) form. Keep a copy for your own records and file the original with the Clerk's Office.

**Step 7: Email Proposed Orders to Assigned Judge.**

Your "Proposed Orders" are the following forms:

- *Emergency Minor Guardianship Order*
- If the petitioner is requesting child support, *Child Support Order*.

Email your proposed orders to your assigned judge by **noon the day before** your hearing.

**Step 8: Attend virtual hearing.**

Participate in the guardianship hearing, which will be a Zoom meeting with the assigned judge. Instructions on how to join the Zoom meeting are in the Case Schedule, a document provided by the person filing the motion. If you did not receive a copy of the Case Schedule, contact the bailiff for your assigned judge for information about how to connect to your Zoom Hearing.