

Superior Court of Washington, County of Snohomish

In re:

Petitioner/s *(person/s who started this case)*:

And Respondent/s *(other party/parties)*:

No. _____

Notice of Hearing and Motion for Order to Convert Pending Non-Parent Custody Case to Minor Guardianship, Consolidate the Cases, and Grant Leave to File an Amended Petition

(NTHG)

(No Pattern Form Developed)

I. Notice of Hearing

To the Court Clerk and all parties:

1. A court hearing has been scheduled, to be heard without oral argument:

on: Friday, _____, 2020 at 8:30 am

at: Snohomish County Superior Court, 3000 Rockefeller Avenue, Everett, WA 98201 in Department 4/Room 2E, by Judge Langbehn.

2. This matter will be considered solely on all the pleadings provided and a review of the Court file to determine the status of the case and ensure proper notice. No one need appear for the hearing. At the time and date set forth above, the court will consider the Motion set forth below, along with any supporting affidavits or pleadings, and any pleadings filed in response. A written decision will be issued by the Court.

II. Motion for Order to Convert Pending Non-Parent Custody Case to Minor Guardianship, Consolidate the Cases, and Grant Leave to File an Amended Petition

To both parties:

Deadline! Your papers must be filed and served by the deadline in your county's Local Court Rules, or by the State Court Rules if there is no local rule. Court Rules and forms are online at www.courts.wa.gov.

If you want the court to consider your side, you **must**:

- File your original documents with the Superior Court Clerk; AND
- Give the Judge/Commissioner a working copy of your papers, and a proposed order; AND
- Have a copy of your papers served on all other parties or their lawyers and file proof of service

Read your county's Local Court Rules, if any.

To the person receiving this motion:

If you do not agree with the requests in this motion, file a statement (using form FL All Family 135, *Declaration*) explaining why the court should not approve those requests. You may file other written proof supporting your side.

My name is: _____ . I am asking the Court for an order that (check all that apply):

- Converts my existing RCW 26.10 Non-Parent Custody (CUS) case to a RCW 11.130, Minor Guardianship Custody (MGC) case;
- Consolidates the cases under the Minor Guardianship Custody (MGC) cause number;
and
- Grants leave to amend the Petition filed in this action, so that it conforms to the requirements of RCW 11.130.190.

In support of this motion, I declare:

1. On _____, the above-captioned Non-Parent Custody action was filed in Snohomish County Superior Court.
2. My Non-Parent Custody case has not been dismissed, and is currently pending (final orders have not entered as to all parties).
3. I am a
 - a. Petitioner in this caseOR
 - b. Respondent in this case and one or more of the following applies (check all that apply):
 - i. The effective date of the repeal of RCW 26.10 has passed.
 - ii. All parties agree to the conversion and have joined in this Motion as evidence by their signature below.
 - iii. The matter has been set for trial, and that trial is set after the effective date of the repeal of RCW 26.10

iv. It is unlikely that the action will be finalized by the effective date of the repeal of RCW 26.10, even though the parties are making good faith efforts to finalize this case. My evidence in support of this assertion is set forth in a declaration or affidavit that I have filed with this motion, and is contained in the exhibits attached to that declaration, or portions of the court file referenced in that declaration

4. I ask the Court to convert my RCW 26.10 *Non-Parent Custody Petition* to an RCW 11.130 *Guardianship of Minor* so that I may take further action as necessary.
5. The Party Identification Table attached to this Motion as Exhibit A is true, complete, and accurate.
6. I have provided a Proposed Order and Amended Petition(s) using form WPF GDN M 102 (Minor Guardianship Petition) with this Motion.

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form are true.

Signed at (*city and state*): _____ Date: _____

▶ _____
Person making this motion signs here *Print name here*

I agree to accept legal papers for this case at (*check one*):

- my lawyer's address, listed below.
 the following address (*this does not have to be your home address*):

street address or PO box *city* *state* *zip*

(Optional) email: _____

(If this address changes before the case ends, you must notify all parties and the court clerk in writing. You may use the Notice of Address Change form (FL All Family 120). You must also update your Confidential Information form (FL All Family 001) if this case involves parentage or child support.)

Lawyer (if any) fills out below

▶ _____
Lawyer signs here *Print name and WSBA No.* *Date*

Lawyer's address *city* *state* *zip*

Email (*if applicable*): _____

I, _____, am a Petitioner Respondent in this case. I hereby join in this motion, and ask the Court to grant the relief requested.

Signature

Printed name

Date

I, _____, am a Petitioner Respondent in this case. I hereby join in this motion, and ask the Court to grant the relief requested.

Signature

Printed name

Date

Warning! Documents filed with the court are available for anyone to see unless they are sealed. Financial, medical, and confidential reports, as described in General Rule 22, **must** be sealed so they can only be seen by the court, the other party, and the lawyers in your case. Seal those documents by filing them separately, using a *Sealed* cover sheet (form FL All Family 011, 012, or 013). You may ask for an order to seal other documents.

EXHIBIT A

Party Identification Table

This table will be used to identify and add necessary parties in the new Minor Guardianship case. Please provide the full name of each party and minor currently named in the Non-Parent Custody Case. For each adult, please identify each minor with whom they have a relationship, and the nature of that relationship.

Current Role in Non-Parent Custody Case	Full Name	Relationship to Minor(s)
<i>EXAMPLE:</i>	<i>Jane Smith</i>	<i>Maternal Aunt of Sam</i>
<i>EXAMPLE:</i>	<i>David Smith</i>	<i>Legal Parent of all minors</i>
Petitioner 1		
Petitioner 2		
Respondent 1		
Respondent 2		
Respondent 3		
Respondent 4		

Please identify each minor child by their full name, and identify their legal parent(s). A legal parent may be a biological, adopted, or adjudicated parent. If the child only has one legal parent, write “unknown” under Legal Parent 2.

	Full Name	Legal Parent 1	Legal Parent 2
Minor 1			

Minor 2			
Minor 3			
Minor 4			
Minor 5			
Minor 6			