

Instructor Guide

Training for Court Visitors and Guardians ad Litem

The Uniform Guardianship Act as it Relates to Minors

Washington State Superior Courts, Court Visitors,
Guardians ad Litem and Training Providers



Department of Social and Health Services
Aging and Long-Term Support Administration

2024

This curriculum was developed from feedback and input gathered from a combination of historical resources, stakeholders, advisory members and subject matter experts listed below.

The materials and/or forms included within this publication are for use by Washington State Title 11 Court visitors and guardians ad litem, Superior Courts, and training providers as a guide. DSHS nor any contributor(s) make express or implied warranties regarding the accuracy, timeliness or reliability of statements, forms, articles, or other materials contained herein. Court visitors, guardians ad litem, legal professionals and lay persons must depend on their own legal knowledge, research and expertise when referring to or utilizing any information contained herein. Any views or conclusions expressed herein are not necessarily those of DSHS, the Superior Court, or individuals listed below. Please note that all suggestions for improvement of this handbook are highly encouraged. If you have any comments, questions, or feedback for this curriculum, please contact DSHS\AL TSA\HCS TCDU Training developer at TCDUTrngDev1@dshs.wa.gov. If you need legal advice, please seek a qualified attorney.

Please note that this training may be adapted to meet county specific procedures and requirements. Ask your trainer or local county courts for specific forms that are available, recommended or required. Each county in Washington may vary and have specific tools available to you. It is your responsibility to become familiar with these tools.

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Introduction to This Guide

This is your Instructor Guide for Court Visitors and Guardians Ad Litem Uniform Guardianship Act Training for Minors. This model program is for Washington State Superior Courts, guardians ad litem and training providers.

It is available to individuals who facilitate education and learning experiences for potential and existing court visitors and guardian ad litem. This instructor's guide contains space for each instructor to create a lesson plan that works best for their learner population and county.

Instructors are encouraged to enhance the information in this guide to support the learners understanding and to prepare them to support minors and families in Washington State. Enhancements might include relevant county specific information, specific forms or guidance, stories, experiences and resources.

Your Training Tools

Electronic Slide Presentation

Instructors for this course may choose to use the developed PowerPoint presentation as a cue for the information in the learner manual. The slide presentation may be modified by individual trainers with additional details, resources, experiences, expectations, video/media, etc. that would benefit the learner for their specific county. PowerPoint should only be used to enhance the learning experience and should not be the focal point. Remember that technology sometimes does not work and always come prepared to present without it if necessary.

Learner Manual

A manual has been developed from feedback and input gathered from a combination of historical resources, stakeholders, advisory members, and subject matter experts. Each learner should receive a copy of the learner manual in electronic or print format at the start of each class.

Manuals are available electronically online at <https://www.dshs.wa.gov/os/publications-library>.

Handouts

No separate handouts come with this curriculum package. The instructor is encouraged to provide additional handouts, links, or website resources relevant to their specific county.

Evaluation

A sample evaluation is available on page (7-8) of this guide. You may use this evaluation or create your own.

Evaluations help you to gather information from the learners to measure training effectiveness. The most difficult part of an evaluation may include graciously accepting valuable criticism. Evaluations should be given with encouragement to be honest and provide constructive feedback.

Competency Exam

Currently, there is no competency exam for this course. Each lesson has checkpoints included. Instructors may use the checkpoints to evaluate the learning objectives.

Facilitating the Course

Objective

Each lesson has learning objectives. Learning objectives state what the learner will be able to do after the lesson. Communicating objectives at the start of each lesson gives learners a clear expectation of what you expect from them in each section.

Presentation

The learner manual contains a lot of information. Avoid reading directly from the manual. Learn the material in advance of your first class and practice, practice, practice! Practice with the flow and making the presentation as natural and fluid as possible. Your comfort with the materials will increase with use. Use your own words while following the teaching sequence. The PowerPoint is a great tool to keep you on sequence. Presentation can be done by the learners themselves, by the instructor, or by prepared materials. Presentation should only account for 1/3 of your class time.

Application/Activities

Instructors are encouraged to create activities throughout the course to engage their learners and give them an opportunity to apply what they are learning. Instructors may create relevant scenarios for the learners to consider, encourage discussions and problem solving. Have relevant county specific forms and tools available for learners to complete for practice.

Application and feedback should account for 2/3 of your time. We remember 90% of what we see, hear, say AND do.

Feedback

This is your opportunity to highlight and reinforce correct responses and to provide additional information as needed to achieve understanding. Feedback can be given before an activity, during an activity and after an activity. Application and feedback should account for 2/3 of your time.

County Specific



Instructors should be aware of county specific requirements for their learners, introduce these requirements and provide guidance on where to find relevant resources. The county specific slides within the presentation can be modified for your learner population.

Checkpoint



Each lesson ends with a checkpoint. Checkpoints should assess the learner on the learning objectives. Use each checkpoint to check for understanding from the learners. Checkpoints can be done individually, as a class or in small groups.

Schedule

Each instructor will determine length of each lesson based on learners attending class, additional information, resources and handouts covered during class time. Instructors may use this page to note their time in the column provided.

Topic	Time	Objectives
Course Introduction and Housekeeping		
Lesson 1		The learner will identify UGA actions related to minors and compare the roles and duties of court visitors and guardian's ad litem.
Lesson 2		The learner will describe the difference between actions for initiating a minor guardianship and emergency minor guardianship and summarize notice requirements.
Lesson 3		The learner will identify the rights of a parent and a minor and recognize the role of a court visitor and GAL to protect the rights of parents and children in minor guardianship proceedings.
Lesson 4		The learner will recognize ethical considerations for GALs and CVs.
Lesson 5		The learner will identify the GAL intake process and recognize the records to collect and investigate for each case.
Lesson 6		The learner will recognize GAL responsibilities when complex concerns arise during investigations.
Evaluation	10 min	

Course Evaluation Form

Workshop Information

Course Title: _____

Date: _____

Location: _____

Instructor: _____

Please respond honestly to each of the following questions, all feedback provided will be carefully considered in order to improve the quality of this training.

Your Comments

What was the most helpful part of the class?

What skills will you use/implement and how will you do that?

The trainer could improve the training by:

Workshop Feedback

Circle the number below that best describes the statement provided.

5 = Strongly Agree | 4 = Agree | 3 = Neutral | 2 = Disagree | 1 = Strongly Disagree

1. The training addressed the learning objectives.	5	4	3	2	1
2. The information presented was easy to understand.	5	4	3	2	1
3. The training taught me skills I need for my job or family interaction.	5	4	3	2	1
4. The training provided me with new tools (handouts, procedures, etc.) to improve my work.	5	4	3	2	1
5. The training materials and visual aids were helpful.	5	4	3	2	1
6. The activities were useful.	5	4	3	2	1
7. The setting was appropriate for the session.	5	4	3	2	1
8. The trainer was professional.	5	4	3	2	1
9. The trainer communicated skillfully and effectively.	5	4	3	2	1
10. The trainer was competent and able to answer questions.	5	4	3	2	1
11. The trainer was respectful.	5	4	3	2	1
12. The trainer was responsive to participants' needs and followed up on requests and concerns.	5	4	3	2	1
13. I would recommend this training to others.	5	4	3	2	1



Court Visitors and Guardians ad Litem

**Uniform Guardianship Act Training for Minors
Washington State Superior Courts, Guardians ad Litem and
Training Providers**



Module 1: Introduction to the UGA



Lesson 1: Introduction to Uniform Guardianship Act as it Relates to Minors and the Roles of Court Visitors and Guardians ad Litem.

Timing	Manual Pages	Slide Numbers
	5-14	5-14

Learning Objective: The learner will identify UGA actions related to minors and compare the roles and duties of court visitors and guardians ad litem.

Overview

The Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act (UGA) – RCW 11.130 – was designed to protect the rights and needs of individuals with incapacities, while also ensuring the liberty and autonomy of those individuals is restricted only to the extent necessary to adequately provide for their health and safety, or adequately manage their financial affairs.¹

Minors are individuals covered by the UGA. The law presumes minors do not have legal capacity. Specifically, the UGA governs the care and custody of minors whose parents cannot adequately meet their needs or are otherwise unable to perform parenting functions.

Under the UGA, a minor may be the subject of a full guardianship, a limited guardianship, an emergency guardianship, a conservatorship, or protective arrangement.

To ensure that a minor's rights and interests are protected within these legal processes, and that procedural safeguards have been complied with, the court may (or must, in certain circumstances) appoint a court visitor or guardian ad litem.

Lesson Content



Lesson 1: Introduction to Uniform Guardianship Act (UGA) as it Relates to Minors and the Roles of Court Visitors and Guardians ad Litem

The learner will identify UGA actions related to minors and compare the roles and duties of court visitors and guardian ad litem.

Slide 5



Overview

To ensure a minor's rights and interests are protected ... the court may ... appoint a court visitor or guardian ad litem.

Slide 6

Summary of UGA Actions



-  Basis for Appointment
-  Limited versus Full Guardianship
-  Emergency Guardianship
-  Immediate Orders within a Guardianship

Slide 7

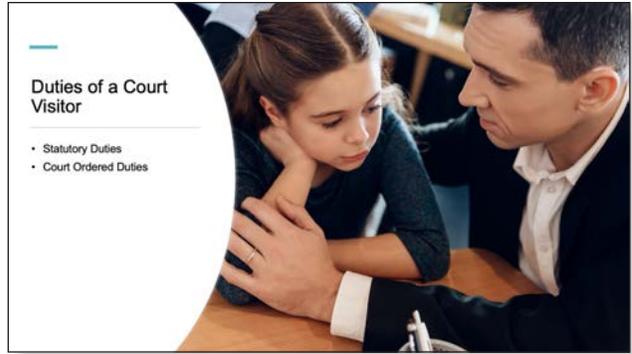
Summary of UGA Actions

-  Standby Guardianship
-  Minor Conservatorship
-  Protective Arrangement for a minor
-  Eligibility/Qualifications for CVs and GALs

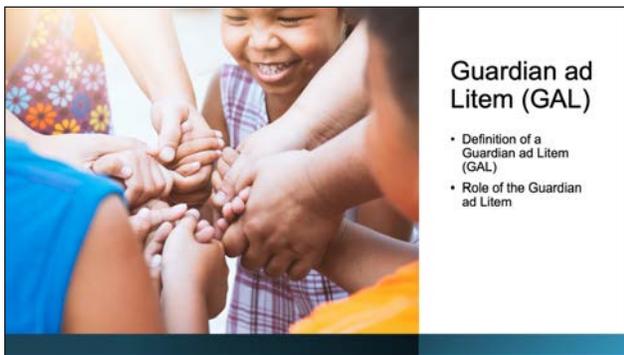
Slide 8



Slide 9



Slide 10



Slide 11



Slide 12

i

County Specific

What you need to know about county specific procedures related to minors: court visitors vs. guardian ad litem.

How to find this information...

Slide 13

County Specific

?

Checkpoint

Check your knowledge

Slide 14

Checkpoint Answers

Lesson 1:

1. D | 2. C | 3. A | 4. C | 5. B | 6. C | 7. A

Lesson Resources

Chapter [11.130](#) RCW UNIFORM GUARDIANSHIP, CONSERVATORSHIP AND OTHER PROTECTIVE ARRANGMENTS ACT

SECTIONS

ARTICLE 1 GENERAL PROVISIONS

- [11.130.001](#) Intent
- [11.130.010](#) (10, 12, 18) Definitions
- [11.130.075](#) Guardian ad litem
- [11.130.080](#) Request for notice

ARTICLE 2 GUARDIANSHIP OF MINOR

- [11.130.185](#) Basis for appointment of guardian for minor
- [11.130.195](#) (4) Notice of hearing for appointment of guardian for minor
- [11.130.220](#) Standby guardian for minor

ARTICLE 5 OTHER PROTECTIVE ARRANGMENTS

- [11.130.605](#) (7) Appointment and role of court visitor

CHAPTER 9.94A RCW SENTENCING REFORM ACT OF 1981

- [9.94A.030](#) Definitions
- [GDN M409](#) Form: Order Appointing Guardian ad Litem or Court Visitor



Module 2: Procedural and Ethical Considerations for GALs and Court Visitors



Lesson 2: Procedural Considerations for GALs and Court Visitors

Timing	Manual Pages	Slide Numbers
	16-22	16-24

Learning Objective: The learner will describe the difference between actions for initiating a minor guardianship and emergency minor guardianship and summarize notice requirements.

Overview

A guardian ad litem and/or court visitor should understand and be familiar with the procedural requirements of the UGA.

A CV assists the court in ensuring notice requirements are met. Both a CV and GAL shall ensure that the minor's rights are understood by the minor and protected within the guardianship process. A CV and GAL may have to review and explain court forms and procedures to parents and/or minors.

GALs and CVs should be mindful of ethical guidelines and considerations when working with individuals in Minor Guardianship proceedings. As professionals, GALs and CVs must be cognizant of how their conduct is perceived by the parties within the proceedings and should always strive to act in a manner that avoids bias, cultural incompetence or indiscriminate treatment.

Lesson Content



Lesson 2: Procedural and Ethical Considerations for GALs and Court Visitors

The learner will describe the difference between actions for initiating a minor guardianship and emergency minor guardianship and summarize notice requirements.

Slide 16



Initiating a Minor Guardianship Action

- Who May File
- Contents of Petition
- Required Documents

Slide 18



Overview

...notice requirements ...minor's rights are understood by the minor and protected within the guardianship process...review and explain court forms and procedures with parents and/or minors...

Slide 17

Initiating Emergency Minor Guardianship

 HOW INITIATED	 BASIS FOR APPOINTMENT	 DURATION
---	--	---

Slide 19

Notice Requirements

Minor Guardianship

- Personal service
- Notice by other means
- Additional notice requirements

Immediate Order for Emergency Guardianship

- Reasonable notice
- Immediate emergency guardianship

Slide 20

Notice Requirements

- Role of Court Visitor
 - Unable to serve parent
 - Parent waives notice or consent
- Hearings
 - Initial hearings
 - Status/review hearings

Slide 21

Notice Requirements

- Finalization of Guardianship
- Termination of Guardianship

Slide 22

i

County Specific

County specific differences between actions for initiating a minor guardianship and emergency minor guardianship and summarize notice requirements.

How to find this information...

Slide 23

County Specific

?

Checkpoint

Check your knowledge

Slide 24

Checkpoint Answers

Lesson 2:

1. B | 2. B | 3. B | 4. A | 5. D | 6. A

Lesson Resources

[RCW 11.130.190\(1\)](#)

[RCW 11.130.190\(2\)](#)



Lesson 3: Protecting the Rights of Parents and Children in Minor Guardianship Proceedings

Timing	Manual Pages	Slide Numbers
	23-25	25-31

Learning Objective: The learner will identify the rights of a parent and a minor and recognize the role of a court visitor and GAL to protect the rights of parents and children in minor guardianship proceedings.

Overview

Parents and minors who are twelve years or older have rights in minor guardianship proceedings. Under the law, a parent is presumed the appropriate custodian for a child, so the court will only appoint a guardian under specific conditions.

CVs and GALs are responsible for explaining legal papers and correspondence, confirming parental consent and understanding the minor's wishes or position.

Lesson Content



Lesson 3: Protecting the Rights of Parents and Children in Minor Guardianship Proceedings

The learner will identify the rights of a parent, and a minor and recognize the role of a court visitor and GAL to protect the rights of parents and children in minor guardianship proceedings.

Slide 25

Overview

Parents and minors (12+) have rights in minor guardianship proceedings.



Slide 26

Rights of Parents



Slide 27

Rights of Minors



Slide 28

Role of CV and GAL

- Legal Papers and Correspondence
- Confirmation of Parent Consent
- The Minors Wishes/Position



Slide 29

County Specific



County specific information on rights of a parent, and a minor or the role of a court visitor and GAL to protect the rights of parents and children in minor guardianship proceedings.
How to find this information...

Slide 30

County Specific



Slide 31

Checkpoint Answers

Lesson 3:

1. D | 2. A | 3. B | 4. A

Lesson Resources

[RCW 11.130.190\(1\)](#)

[RCW 11.130.190\(2\)](#)



Lesson 4: Ethical Considerations for GALs and Court Visitors

Timing	Manual Pages	Slide Numbers
	26-34	32-42

Learning Objective: The learner will recognize ethical considerations for GALs and CVs.

Overview

GALs and CVs, regardless if you are an attorney, are officers of the court and must be aware of professional conduct in and out of the courtroom. Statutes and rules in Washington state govern attorney CVs and GALs.

CVs and GALs should represent the best interest of the person(s) for whom they are appointed. This representation should consider the diverse, person-centered needs of each individual. The diversity of each individual includes but is not limited to race, ethnicity, economic status, sexual orientations, abilities, religion, gender identity and age. CVs and GALs are encouraged to consider the whole-person and seek education around unfamiliar topics to best support these individuals.

Lesson Content



Lesson 4: Ethical Considerations for GALs and Court Visitors

The learner will recognize ethical considerations for GALs and Court Visitors.

Slide 32

Statutory Requirements

A GAL or CV shall not engage in ex parte communications with any judicial officer involved in the matter for which the GAL or CV is appointed.

Slide 34

Overview

Attorney and non-attorney GALs and CVs are officers of the court and must be aware of professional conduct in and out of the courtroom.

Slide 33

Court Rules

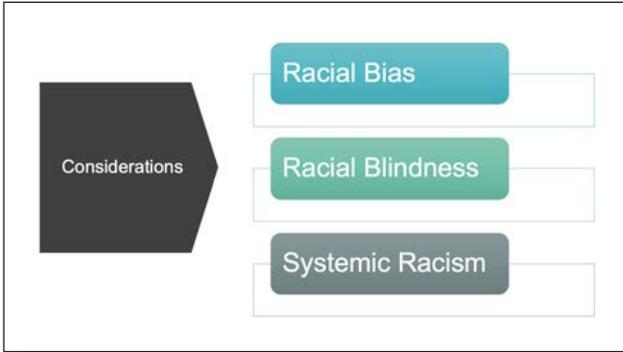
- State
- 17 Details of Etiquette for GALs
- Local



Slide 35



Slide 36



Slide 37



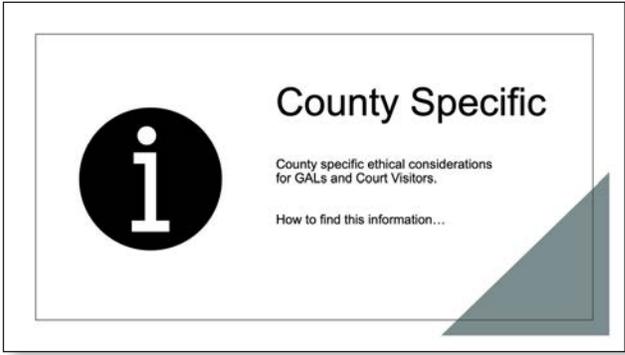
Slide 38



Slide 39



Slide 40



Slide 41

County Specific



Slide 42

Checkpoint Answers

Lesson 4:

1. B | 2. A | 3. B | 4. D

Lesson Resources

[RCW 11.130.150](#)

GALR2

https://www.courts.wa.gov/court_rules/?fa=court_rules.localsupbycrt

https://www.health.ny.gov/prevention/sexual_violence/docs/sogie_handbook.pdf

<https://www.cdc.gov/lgbthealth/youth.htm>

<https://store.samhsa.gov/sites/default/files/d7/priv/sma14-4849.pdf>



Module 3: Guardian Ad Litem Investigations in Minor Guardianship Proceedings



Lesson 5: Basics of a GAL Investigation and Report

Timing	Manual Pages	Slide Numbers
	36-42	44-50

Learning Objective: The learner will identify the GAL intake process and recognize the records to collect and investigate for each case.

Overview

The GAL has responsibilities for investigation and reporting for each case. Contact with parties and the child include intake and interviews, collection of information and documentation. A GAL will collect documentation and records in preparation for creating the GAL report. GAL reports can vary in length, content and style. It is important that the report, at the very least, include information on the issues the GAL was tasked with investigating and reporting on in the GAL order of appointment.

Individual counties may vary on reporting, check with your local county to see if there are specific forms or requirements.

Lesson Content



Lesson 5: Basics of a GAL Investigation and Report
The learner will identify the GAL intake process and recognize the records to collect and investigate for each case.

Slide 44

Intake



Introductory Steps



Intake

Slide 46

Overview

The GAL has responsibilities for investigation and reporting for each case. Individual counties may vary on reporting, check with your local county.

Slide 45

Interviews

- 1**
Interviews
• Documentation
- 2**
Individuals to Interview
• Petitioner and/or Proposed Guardian
• Parents
• Child(ren)
- 3**
Collateral Contacts

Slide 47



Home Visits and Parent/Child Observations

- Collecting Documents and Records
 - Department of Children, Youth and Families
 - Criminal History
 - Police and 911 Records
 - Medical and Mental Health Records
 - Academic Records
- GAL Report

Slide 48



County Specific

County specific information about interviews, intake, forms, reports and requirements

How to find this information...

Slide 49

County Specific



Slide 50

Checkpoint Answers

Lesson 5:

1. A | 2. A | 3. D | 4. D

Lesson Resources

<https://odysseyportal.courts.wa.gov/odyportal>

<https://dja-prd-ecexap1.kingcounty.gov/?q=node/501>

[RCW 26.09.004\(2\)](#)



Lesson 6: Complex Concerns in GAL Investigations

Timing	Manual Pages	Slide Numbers
	43-60	51-60

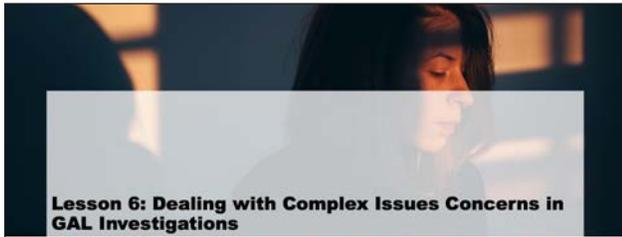
Learning Objective: The learner will recognize GAL responsibilities when complex concerns arise during investigations.

Overview

GALs encounter complex concerns during investigations. Each case might present a variety of concerns. Substance use, mental health disorders, domestic violence, abuse, neglect and trauma can all present challenges in a case.

It is the responsibility of the GAL to investigate these topics and to also be aware of child development stages.

Lesson Content



Lesson 6: Dealing with Complex Issues Concerns in GAL Investigations

The learner will recognize GAL responsibilities when complex concerns arise during investigations.

Slide 51



Overview

GALs encounter complex concerns during investigations. It is the responsibility of the GAL to investigate these topics and to also be aware of child development stages.

Slide 52

Substance Use

- Substance use disorder
- Interviewing a parent
- Actions to take



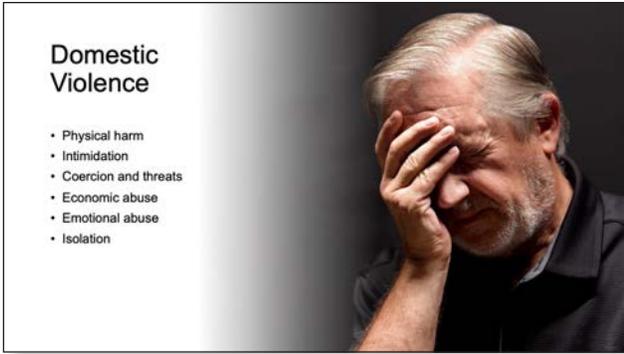
Slide 53



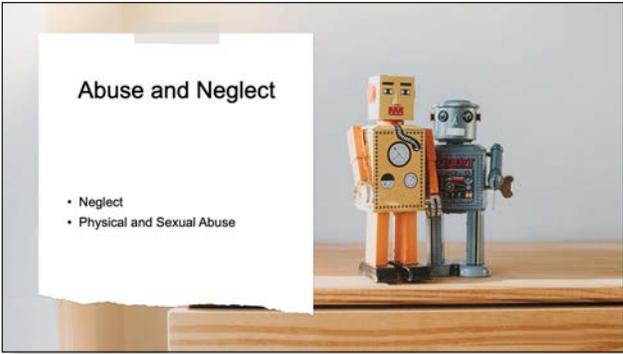
Mental Health

- Youth Mental Health
- Investigating Mental Health Conditions

Slide 54



Slide 55



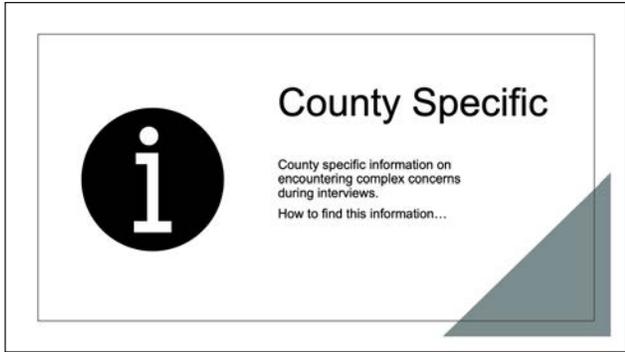
Slide 56



Slide 57



Slide 58



Slide 59

County Specific



Slide 60

Checkpoint Answers

Lesson 6:

1. B | 2. D | 3. A | 4. A | 5. D | 6. A

Lesson Resources

Washington State Title 26 Family Law Guardian
Ad Litem Guidebook, 2008





Transforming lives

DSHS 22-1944 (9/24)