

**SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR SAN JUAN COUNTY**

350 Court Street, #7, Friday Harbor, WA 98250
Tel: (360) 370-7480 & (360) 378-2399 Fax: (360) 370-7485

Kathryn C. Loring
Judge

Jane M. Severin
Court Administrator

RE: RCW 11.130.155 GAL/COURT VISITOR REGISTRY APPLICATION

Dear Applicant:

To be considered for our RCW 11.130.155 GAL/Court Visitor Registry, originals of the following must be submitted by mail or hand-delivered to the address below:

1. Application Form (attached – pages 2-8).
2. Oath of Guardian ad Litem/Court Visitor (attached – page 9).
3. Initialed Scope of Work and Code of Conduct (attached – Pages 10-14).
4. Confidential Application and Release Form (attached – page 15).
5. Application and Notice Pursuant to the National Child Protection Act of 1993 as Amended by the Volunteers for Children Act (NCPA/VCA) (attached – pages 16-17)
6. Noncriminal Justice Applicant's Privacy Rights (attached – page 18)
7. Your résumé/CV.
8. Proof of Title 11.130 GAL / Court Visitor approved mandatory annual recertification training for renewal applications or mandatory initial training for new applications, or agreement to engage in such training within a reasonable time after it is made available if it is not yet developed.
9. Criminal History Report as per RCW 9.94A.030 to be scheduled through San Juan County Superior Court Administration Department.
10. Form W-9 (available at www.irs.gov).

Additionally, please make sure to download and read the following:

11. San Juan County Guardian ad Litem Administrative Policies.
12. San Juan County local court rules for GALS (LCR 94) ([Local-Court-Rules-2021-PDF \(sanjuanco.com\)](http://sanjuanco.com))

Please mail the completed applications **with all attachments** and original signatures to:

Jane Severin
Court Administrator
San Juan County Superior Court
350 Court Street # 7
Friday Harbor, Washington 98250

Thank you for your interest in serving as a RCW 11.130.155 Guardian Ad Litem and/or Court Visitor for San Juan County Superior Court.

Enclosures

**SAN JUAN COUNTY SUPERIOR COURT RCW 11.130.155
GAL/COURT VISITOR APPLICATION**

The following information provided by you will be made available to the public for review:

Name: _____

Business Name or Firm: _____

Business Address: _____

City and State: _____ Zip Code: _____

Business Phone: (_____) _____ Fax: (_____) _____

Alternate Phone: (_____) _____ *(This will not be kept confidential.)*

Email address: _____

WSBA or Washington State Certificate (if applicable) #: _____

1. I hereby apply to serve as a (please check one or both):

RCW 11.130.155 Guardian ad Litem

RCW 11.130.155 Court Visitor

2. I have never been convicted of a felony or a crime involving theft, dishonesty, or moral turpitude. **Must initial:** _____

3. My formal education is included in my resume/CV or set forth as follows:

4. I have completed the model training program required by RCW 11.130.155 and have provided proof of the same with this application am willing to complete the model training program required by RCW 11.130.155 within a reasonable time after it is made available.

5. I have attended the following Title 26 GAL Training(s) in the last three (3) years:

Date: _____ County/Sponsor: _____

Date: _____ County/Sponsor: _____

Date: _____ County/Sponsor: _____

Date: _____ County/Sponsor: _____

Date: _____ County/Sponsor: _____

6. I have attended the following Title 11.88 GAL training(s) in the last three (3) years:

Date: _____ County/Sponsor: _____

Date: _____ County/Sponsor: _____

Date: _____ County/Sponsor: _____

Date: _____ County/Sponsor: _____

7. I have attended the following Title 13 GAL/CASA Training(s) in the last three (3) years:

Date: _____ County/Sponsor: _____

Date: _____ County/Sponsor: _____

Date: _____ County/Sponsor: _____

Date: _____ County/Sponsor: _____

8. I have attended the following Title 11.130 GAL training(s) in the last three (3) years:

Date: _____ County/Sponsor: _____

Date: _____ County/Sponsor: _____

Date: _____ County/Sponsor: _____

Date: _____ County/Sponsor: _____

9. I have attended the following Title 11.130 Court Visitor training(s) in the last three (3) years:

Date: _____ State/County/Sponsor: _____

Date: _____ State/County/Sponsor: _____

Date: _____ State/County/Sponsor: _____

Date: _____ State/County/Sponsor: _____

10. I have the following number of years of experience as a:
- Title 11.88 GAL: _____
 - Title 13GAL/CASA: _____
 - Title 26 GAL: _____
 - Title 11.130 GAL: _____
 - Title 11.130 Court Visitor: _____
11. I have received the following number of appointments and the county or counties of appointment as a:
- Title 11.88 GAL: _____
 - Title 13 GAL/CASA: _____
 - Title 26 GAL: _____
 - Title 11.130 GAL: _____
 - Title 11.130 Court Visitor: _____
12. The following is a statement of my criminal history, if any, as defined by RCW 9.94A.030:
13. The following is a statement of my knowledge, training, and experience in each of the following areas: (i) the needs of impaired elderly people; (ii) physical disabilities; (iii) mental illness; (iv) developmental disabilities; (v) substance use disorder; (vi) the developmental needs and levels of children; and (vi) other areas related to the needs of persons subject to guardianship or conservatorship, legal procedure, and the requirements RCW 11.130. I have attached additional pages as necessary. *(Please do not refer to your résumé/CV as part of your response).*
14. The following is a list of all grievances found against me, and all GAL, CASA, or Court Visitor registries from which I have been removed for cause, including the County, case number, and date for each instance:
15. The following is a statement of the extent of liability coverage in force covering any errors, omissions and acts of professional negligence (provide name of company and policy limits):

16. I agree to advise the Court immediately in the event of any complaint, investigation or action being commenced, which could lead to professional discipline or suspension; removal or suspension from any county's GAL Registry; the suspension or revocation of my professional license; and/or to the filing of criminal charges for a felony or crime involving allegations of theft, dishonesty or moral turpitude. **Must initial:** _____

17. The following **must** be included with this application (**check the item below to acknowledge inclusion with your application**):

- Copy of the certificate from the training provider evidencing successful completion of the mandatory training; or
- I am willing to complete the model training program required by RCW 11.130.155 within a reasonable time after it is made available.
- Résumé/curriculum vitae, showing work and professional or personal experience in or related to the work of a RCW 11.130.155 Guardian ad Litem or Court Visitor
- Completed and signed statements regarding professional complaints, investigations, or disciplinary actions and claims or litigation (pages 6 and 7 of this application).
- Signed acknowledgment and agreement to be bound by the Court's policies regarding compensation (page 8 of this application).
- Signed Oath of Guardian ad Litem (page 9 of this application).
- Initialed Scope of Work of Guardian ad Litem and Court Visitor [Minor 11.130.195(4) or .380, Adult 11.130.280 or .380] (pages 10-12 of this application).
- Initialed Code of Conduct of Guardian ad Litem (pages 13-14 of this application).
- Signed release of information directed to all professional regulatory bodies, which have licensed or supervised the applicant within the last ten (10) years (page 15 of this application).
- Conviction Criminal History Report as per RCW 9.94A.030 to be scheduled through San Juan County Superior Court Administration.
- Signed Application and Notice Pursuant to the National Child Protection Act of 1993 as Amended by the Volunteers for Children Act (NCPA/VCA) (pages 16-17 of this application).
- Signed Noncriminal Justice Applicant's Privacy Rights (page 18 of this Application)
- I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed this _____ day of _____ 20____, at _____.
(City and State)

Signature and Printed Name of Applicant

Initials: _____

PROFESSIONAL COMPLAINTS, INVESTIGATIONS OR DISCIPLINARY ACTIONS

(Please check mark one box below.)

Description of the nature, status and outcome of any professional complaints, investigations or disciplinary actions, lawsuits or professional liability claims, and any order for removal as Guardian ad Litem prior to completion of Guardian ad Litem duties. Please provide summary and outcome only and attach additional pages if needed.

- I affirm that there have been no professional complaints, investigations or disciplinary actions, lawsuits or professional liability claims and any order for removal as Guardian ad Litem prior to completion of Guardian ad Litem duties.
- I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Date: _____

Signature

Print Name

CLAIMS OR LITIGATION

(Please check mark one box below.)

- Description of any claims, or litigation that has been commenced, involving allegations of improper fee charges, charges of fraud, theft or other forms of dishonesty or professional malpractice or misconduct. Please provide summary and outcome only and attach additional pages if needed.

- I affirm that there have been no claims or litigation involving allegations of improper fee charges, charges of fraud, theft or other forms of dishonesty or professional malpractice or misconduct.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Date: _____

Signature

Print Name

**ACKNOWLEDGMENT AND AGREEMENT TO BE BOUND BY THE COURT'S
POLICIES REGARDING COMPENSATION**

Appointed Guardians ad Litem and Court Visitors are responsible for managing their assigned cases within the scope and fee scales set by the bench. All bills must be timely and itemized with a copy of the Order Appointing the Guardian ad Litem or Court Visitor submitted at the time of billing.

The order of appointment for a particular case will include the number of initial hours authorized (maximum of 15 hours for visitors, 30 hours for GALs). These maximums may be adjusted up front in a given case, depending on the allegations and needs as determined by the Court. If the court visitor or GAL believes additional hours are needed, a motion for authorization will need to be presented to the Court prior to exceeding the initial maximum.

I certify that I have read and agree to be bound by the Court's policies in cases in which compensation is sought at public expense. Currently, the rate for County cases is set at: \$75/hour up to 15 hours maximum for visitors and 30 hours for GALs, including costs.

Date: _____

Signature

Print Name

OATH OF GUARDIAN AD LITEM OR COURT VISITOR

I am on the Guardian ad Litem and/or Court Visitor Registry for San Juan County. Whenever appointed to act as Guardian ad Litem or Court Visitor, I will perform all duties required of me by law and by order or rule of the San Juan County Superior Court. By my signature below and my initials on the attached, I acknowledge I have read the attached San Juan County Superior Court Guardian Ad Litem Code of Conduct and Guardian ad Litem and Court Visitor Scope of Services [RCW 11.130.280 or .380 (Adult) and RCW 11.130.195(4) or .380 (Minor)] and understand and agree to be bound and will abide by the same.

I declare, under penalty of perjury of the laws of the State of Washington, that the foregoing is true and correct.

Date: _____

Signature

Printed Name

Business Address

City and State

Zip Code

(_____)_____
Business Telephone Number

**SAN JUAN COUNTY GUARDIAN AD LITEM AND COURT VISITOR SCOPE OF WORK
[RCW 11.130.195(4), 11.130.380 (Minor)]**

The following description of a Guardian ad Litem's responsibilities and actions is presented as an outline of the various actions that may be required. The Court will provide individual instructions in the order appointing you in each individual case, and a case may not require all of the activities enumerated here.

- a. Interview the petitioner, parents and the minor;
- b. Ascertain the minor's needs and best interest and file a report with the court regarding those needs and interests; and
- c. Investigate any other matter relating to the petition as the court directs, including alleged deficiencies of the parents, much like in any Title 26 case.

The following description of a Court Visitor's responsibilities and actions is presented as an outline of the various actions that may be required. The Court will provide individual instructions in the order appointing you in each individual case and a case may not require all of the activities enumerated here.

- a. Meet with the minor and explain the rights of the minor in this action as outlined in the notice requirements under RCW 11.130.195;
- b. Interview the petitioner and the minor;
- c. Determine if the parent(s) can be located with due diligence;
- d. Ascertain the minor's views or positions regarding the guardianship and file a report with the court regarding the minor's views or positions;
- e. Inform the court if the minor wishes the court to reconsider any prior order limiting information served upon the minor;
- f. Investigate any other matter relating to the petition the court directs; and
- g. Ascertain whether the parent consents to the guardian for the minor.

SAN JUAN COUNTY COURT VISITOR SCOPE OF WORK
[RCW 11.130.280, or .380(2) (Adult)]

The following description of a Court Visitor's responsibilities and actions is presented as an outline of the various actions that may be required. The Court will provide individual instructions in the order appointing you in each individual case and a case may not require all of the activities enumerated here.

- a. Shall, within five days of receipt of notice of appointment file with the court and serve, either personally or by certified mail with return receipt, the respondent or his or her legal counsel, the petitioner or his or her legal counsel, and any interested party entitled to notice under RCW 11.130.080 with a statement including: His or her training related to the duties as court visitor; his or her criminal history as defined in RCW 9.94A.030 for the period covering ten years prior to the appointment; his or her hourly rate, if compensated; whether the court visitor has had any contact with a party to the proceeding prior to his or her appointment; and whether he or she has an apparent conflict of interest.
- b. Shall interview the respondent in person and, in a manner the respondent is best able to understand;
- c. Explain to the respondent the substance of the petition, the nature, purpose, and effect of the proceeding, the respondent's rights at the hearing on the petition, and the general powers and duties of a guardian;
- d. Determine the respondent's views about the appointment sought by the petitioner, including views about a proposed guardian, the guardian's proposed powers and duties, and the scope and duration of the proposed guardianship; and
- e. Inform the respondent that all costs and expenses of the proceeding, including the respondent's attorney's fees, may be paid from the respondent's assets.
- f. Interview the petitioner and proposed guardian, if any;
- g. Visit the respondent's present dwelling and any dwelling in which it is reasonably believed the respondent will live if the appointment is made;
- h. Obtain information from any physician or other person known to have treated, advised or assessed the respondent's relevant physical or mental condition; and
- i. Investigate the allegations in the petition and any other matter relating to the petition the court directs.
- j. Shall file a report in a record with the court and provide a copy of the report to the respondent, petitioner, and any interested party entitled to notice under RCW 11.130.080 at least fifteen days prior to the hearing on the petition filed under RCW 11.130.270, which must include:
 1. A summary of self-care and independent living tasks the respondent can manage without assistance or with existing supports, could manage with the assistance of appropriate supportive services, technological assistance, or supported decision making, and cannot manage;
 2. A recommendation regarding the appropriateness of guardianship, including whether a protective arrangement instead of guardianship or other less restrictive alternative for meeting the respondent's needs is available and:
 - i. If a guardianship is recommended, whether it should be full or limited; and
 - ii. If a limited guardianship is recommended, the powers to be granted to the guardian;

**SAN JUAN COUNTY COURT VISITOR SCOPE OF WORK
[RCW 11.130.280, or .380(2) (Adult)] con't**

3. A statement of the qualifications of the proposed guardian and whether the respondent approved or disapproves of the proposed guardian;
4. A statement whether the proposed dwelling meets the respondent's needs and whether the respondent has expressed a preference as to residence;
5. A statement whether the respondent declined a professional evaluation under RCW 11.130.290 and what other information is available to determine the respondent's needs and abilities without the professional evaluation;
6. A statement whether the respondent is able to attend a hearing at the location court proceedings typically are held;
7. A statement whether the respondent is able to participate in a hearing and which identifies any technology or other form of support that would enhance the respondent's ability to participate; and
8. Any other matter the court directs

**SAN JUAN COUNTY GUARDIAN AD LITEM REGISTRY
CODE OF CONDUCT**

1. The Guardian ad Litem shall represent the best interests of the persons for whom he or she is appointed.
2. The Guardian ad Litem shall make a reasonable inquiry as to the facts and issues in dispute and shall decline the appointment if the Guardian ad Litem is not qualified, competent or able to complete the matter in a timely manner. The Guardian ad Litem shall locate professional resources as necessary to assist in the Guardian ad Litem's evaluation and recommendations.
3. The Guardian ad Litem shall maintain the ethical principles of the Guardian ad Litem's own profession.
4. The Guardian ad Litem shall remain qualified for the registry to which the Guardian ad Litem is appointed and shall promptly advise the court of any grounds for disqualification or unavailability to serve.
5. The Guardian ad Litem shall maintain independence and objectivity in the Guardian ad Litem investigation.
6. The Guardian ad Litem shall avoid any actual or apparent conflict of interest or impropriety in the conduct of Guardian ad Litem duties. The Guardian ad Litem shall avoid self-dealing or association from which the Guardian ad Litem might directly or indirectly benefit, other than for compensation as Guardian ad Litem. The Guardian ad Litem shall take action immediately to resolve any potential conflict or impropriety. The Guardian ad Litem shall advise the court and the parties of action taken, or resign from the matter, as may be necessary to resolve the conflict or impropriety.
7. The Guardian ad Litem shall treat the parties with respect, courtesy, fairness and good faith, regardless of race, color, creed, religion, national origin, cultural heritage, gender, age, education, economic status, marital status, sexual orientation or disability.
8. The Guardian ad Litem shall inform the court concerning all relevant information disclosed or made available to the Guardian ad Litem.
9. The Guardian ad Litem shall not guarantee or create the impression that any portion of the investigation will remain confidential.
10. The Guardian ad Litem shall maintain the privacy of the parties, and shall make no disclosures about the case or investigation except in reports to the court or as necessary to perform the duties of the Guardian ad Litem.

**SAN JUAN COUNTY GUARDIAN AD LITEM REGISTRY
CODE OF CONDUCT**

11. The Guardian ad Litem shall perform duties in a prompt and timely manner. The Guardian ad Litem shall maintain adequate documentation to substantiate recommendations and conclusions. The Guardian ad Litem shall keep complete and contemporaneous records of actions taken and the time and expense incurred.
12. The Guardian ad Litem shall report to law enforcement and/or Child Protective Services any child abuse or neglect as defined in RCW 26.44 or adult abuse as defined in RCW 74.34 as found by him or her.

**SAN JUAN COUNTY GUARDIAN AD LITEM
CONFIDENTIAL APPLICATION AND RELEASE**

The information provided by you on this page will be kept in a separate file due to confidentiality. For criminal history check purposes, please provide:

Full Name: _____ Date of Birth: _____
(including middle name)

Maiden Name: _____ All Aliases: _____

Driver's License #: _____ Email Address: _____
(mandatory)

Address: _____ Telephone #: _____

Zip Code Fax #: _____

RELEASE
(To be enclosed with your application)

TO:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Washington State Patrol | <input type="checkbox"/> Washington State Courts |
| <input checked="" type="checkbox"/> Washington State Bar Association | <input type="checkbox"/> Washington State Medical Association |
| <input type="checkbox"/> Washington State Nursing Commission | <input type="checkbox"/> Washington Board of Psychology |
| <input type="checkbox"/> Washington State Department of Licensing | |

I, _____, (Professional License No.: _____),
hereby authorize you for the purpose of my application and/or work as a San Juan County
Guardian ad Litem, to release information to and discuss such information with:

Jane Severin, Court Administrator
San Juan County Superior Court
350 Court Street, #7
Friday Harbor, WA 98250

This RELEASE includes, but is not limited to, all records and information concerning any
official disciplinary action or any pending active investigation you have with regard to me.

Signature/Date

APPLICATION AND NOTICE PURSUANT TO THE NATIONAL CHILD PROTECTION ACT OF 1993 AS AMENDED BY THE VOLUNTEERS FOR CHILDREN ACT

To the applicant:

The National Child Protection Act of 1993 (NCPA), Public Law (Pub. L.) 103-209, as amended by the Volunteers for Children Act (VCA), Pub. L. 105-251 (Sections 221 and 222 of Crime Identification Technology Act of 1998) codified at 42 United States Code (U.S.C.) Sections 5119a and 5119c, authorizes a state and national criminal history background check to determine the fitness of an employee, or volunteer, or a person with unsupervised access to children, the elderly, or individuals with disabilities.

Pursuant to the VCA, the entity (a) to which you have applied for employment or to serve as a volunteer; (b) by which you are employed or serve as a volunteer; or (c) which provides care to someone to whom you have or may have unsupervised access, may request a background check. Your rights and responsibilities under the VCA are as follows:

1. Provide a set of fingerprints.
2. Provide your name, address, and date of birth as it appears on a document made or issued by or under the authority of the United States Government, a State, political subdivision of a State, a foreign government, a political subdivision of a foreign government, an international governmental or an international quasi-governmental organization which, when completed with information concerning a particular individual, is of a type intended or commonly accepted for the purpose of identification of individuals. 18 U.S.C. §1028(d)(2).
3. Provide a certification that you (a) have not been convicted of a crime, (b) are not under indictment for a crime, or (c) have been convicted of a crime. If you are under indictment or have been convicted of a crime, you must declare the crime and the particulars of the conviction, if any.
4. You are entitled to (a) obtain a copy of any background check report and (b) challenge the accuracy and completeness of any information contained in any such report and obtain a prompt determination as to the validity of such challenge before a final determination is made by the state government agency performing the background check. Such request for a copy of your criminal history record and any challenge to the accuracy of such record should be addressed to

San Juan County Superior Court
Attn: Court Administrator
350 Court Street; No. 7
Friday Harbor, WA 98250

5. Prior to the completion of the background check, the entity may choose to deny you unsupervised access to a person to whom the entity provides care.

The governmental agency shall access and review State and Federal criminal history records and shall make reasonable efforts to make a determination whether you have been convicted of, or are under pending indictment for, a crime that bears upon your fitness and shall convey that determination to the qualified entity. The government agency shall make reasonable efforts to respond to the inquiry within 15 business days.

Name: _____
First Middle Maiden Last

Date of Birth: _____

Address: _____
Street

City State Zip

Document referenced: _____ *(please provide a copy of valid picture ID – must be current)*

I have been convicted of, or am under pending indictment for, the following crimes [include the dates, location/jurisdiction, circumstances and outcome]:

I have not been convicted of, nor am I under pending indictment for, any crimes.

I have been provided with a copy of this form. I have read and understood the foregoing and my certification is true and correct to the best of my knowledge and belief.

Date

Signature of Applicant

Notice Pursuant to the National Child Protection Act,
Amended by the Volunteers for Children Act (NCPA/VCA) - 2

-Noncriminal Justice Applicant's Privacy Rights

As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose, such as an application for placement on the Guardian ad Litem Registry you have certain rights which are discussed below.

- You must be provided written notification¹ that your fingerprints will be used to check the criminal history records of the FBI.
- If you have a criminal history record, the officials making a determination of your suitability for placement on the Guardian ad Litem Registry for San Juan County Superior Court must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The officials must advise you that the procedures for obtaining a change, correction, or updating of your criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a criminal history record, you will be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you placement on the Guardian ad Litem Registry based on information in the criminal history record.²

You have the right to expect that officials receiving the results of the criminal history record check will use it solely for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.

If you request a copy, the official will provide you with a copy of your FBI criminal history record for review and possible challenge. Also, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at <http://www.fbi.gov/about-us/cjis/background-checks>.

If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.)

I have read the foregoing notice and acknowledge receipt of a copy thereof on this _____ day of _____, 20____.

Printed Name: _____

¹ Written notification includes electronic notification, but excludes oral notification.

² See 5 U.S.C. 534(b); 42 U.S.C. 14616, Article IV(c); 28 CFR 20.21(c), 20.33(d), 50.12(b) and 906.2(d)