

## **LGALR 5     APPOINTMENTS OF GUARDIANS AD LITEM**

### **(a) Equitable distribution of workload.**

#### *(1) Appointment of Guardians ad Litem – Title 26.*

(A) Joint Recommendation. The parties or their attorneys may agree to jointly recommend a GAL from the registry. The court may adopt the joint recommendation or require the parties to use the procedures set forth in (B), below.

(B) By Rotation. If the parties are not in agreement to a GAL from the registry, then the court will direct the parties to contact the Registry Manager for a list of the next three names from the GAL registry.

(i) If after reviewing the three names the parties agree upon a GAL from the list, then they may present an Order of Appointment to the court for approval by stipulation.

(ii) If after reviewing the three names the parties cannot agree, each party may strike one name from the list of three. The court will appoint as GAL the first remaining name on the strike list. The Registry Manager will notify the parties or attorneys of the GAL appointed. If the court chooses a GAL other than from the list provided to the parties, then the court shall make findings on the record.

(C) Failure of Guardian ad Litem to Accept Appointment. A GAL chosen to serve by stipulation or from the rotational list who chooses not to serve shall go to the bottom of the rotational list.

(D) Indigent Parties. If either of the parties are found to be indigent, then the court shall determine whether to appoint the Family Court Investigator or a GAL from the registry at whole or partial county expense. The court may require either or both parties to contribute to the cost of the GAL investigation.

*(2) Appointment of Guardians ad Litem – Title 11.* Appointment of GALs in Title 11 RCW cases for adult respondents is by a strict rotation selection. The party seeking appointment of a GAL shall contact the Registry Manager for the next name on the register. The party shall be responsible for contacting that GAL to determine if the GAL is able to take the case. If the GAL is unavailable for whatever reason, the party shall contact the Registry Manager for the next name on the register. When an order appointing a Title 11 GAL for an adult respondent does not specify the maximum hours or fees that the GAL is authorized to expend, the maximum shall be 10 hours, unless the court authorizes more hours or fees by court order before they are expended.

*(3) Appointment of Guardians ad Litem – Title 13.* These GAL rules do not apply to appointment or management of Title 13 RCW GALs. The Dependency GAL program is managed separately.

**(b) Procedure to address complaints.**

(1) Complaints from GALs regarding registry or appointment matters shall be made in writing and be addressed to the Superior Court Administrator. A response to the complaint shall be provided within fifteen working days of receipt of the complaint.

(c) The term “guardian ad litem” is used for both guardians ad litem and court visitors throughout the Thurston County Local Court Rules. The term “guardian” and “guardianship” shall also apply to conservators and conservatorships under Title 11 unless stated otherwise.

[Adopted effective September 1, 2002; Amended as emergency rule December 30, 2003; April 2, 2004; Amended effective September 1, 2004; September 1, 2007; September 1, 2019; Amended as emergency rule January 1, 2021; Amended effective September 1, 2021; September 1, 2023.]