

RCW 11.130.370 Notice and hearing for appointment of conservator. (1) All petitions filed under RCW 11.130.365 for appointment of a conservator shall be heard within sixty days unless an extension of time is requested by a party or the court visitor within such sixty-day period and granted for good cause shown. If an extension is granted, the court shall set a new hearing date.

(2) (a) A copy of a petition under RCW 11.130.365 and notice of a hearing on the petition must be served personally on the respondent, the court visitor appointed under RCW 11.130.380, and the appointed or proposed guardian not more than five court days after the petition under RCW 11.130.365 has been filed. If the respondent's whereabouts are unknown or personal service cannot be made, service on the respondent must be made by publication.

(b) Notice under this subsection shall include a clear and easily readable statement of the legal rights of the respondent that could be restricted or transferred to a conservator by a conservatorship order as well as the right to counsel of choice and to a jury trial whether a basis exists under RCW 11.130.360(2) for the appointment of a conservator and the issue of the respondent's rights that will be retained or restricted if a conservator is appointed. Such notice must be in substantially the same form as set forth in RCW 11.130.657 and must be double-spaced and in a type size not smaller than sixteen-point font. The court may not grant the petition if notice substantially complying with this subsection is not served on the respondent.

(3) In a proceeding on a petition under RCW 11.130.365, the notice required under subsection (2) of this section must be served upon the persons required to be listed in the petition under RCW 11.130.365(2) (a) through (c) and any other notice party. Failure to give notice under this subsection does not preclude the court from appointing a conservator.

(4) After the appointment of a conservator, notice of a hearing on a petition for an order under this article, together with a copy of the petition, must be given to:

(a) The individual subject to conservatorship, if the individual is twelve years of age or older and not missing, detained, or unable to return to the United States;

(b) The conservator; and

(c) Any other notice party or person the court determines pursuant to RCW 11.130.420(6) or a subsequent court order. [2020 c 312 s 210; 2019 c 437 s 403.]

Effective dates—2020 c 312: See note following RCW 11.130.915.