

RCW 11.130.355 Termination or modification of guardianship for adult. (1) An adult subject to guardianship, the guardian for the adult, or a person interested in the welfare of the adult may petition for:

(a) Termination of the guardianship on the ground that a basis for appointment under RCW 11.130.265 does not exist or termination would be in the best interest of the adult or for other good cause; or

(b) Modification of the guardianship on the ground that the extent of protection or assistance granted is not appropriate or for other good cause.

(2) The court shall hold a hearing to determine whether termination or modification of a guardianship for an adult is appropriate on:

(a) Petition under subsection (1) of this section that contains allegations that, if true, would support a reasonable belief that termination or modification of the guardianship may be appropriate, but the court may decline to hold a hearing if a petition based on the same or substantially similar facts was filed during the preceding six months;

(b) Communication from the adult, guardian, or person interested in the welfare of the adult which supports a reasonable belief that termination or modification of the guardianship may be appropriate, including because the functional needs of the adult or supports or services available to the adult have changed;

(c) A report from a guardian or conservator which indicates that termination or modification may be appropriate because the functional needs of the adult or supports or services available to the adult have changed or a protective arrangement instead of guardianship or other less restrictive alternative for meeting the adult's needs is available; or

(d) A determination by the court that a hearing would be in the best interest of the adult.

(3) Notice of a petition under subsection (2)(a) of this section must be given to the adult subject to guardianship, the guardian, and any other person the court determines.

(4) On presentation of prima facie evidence for termination of a guardianship for an adult, the court shall order termination unless it is proven that a basis for appointment of a guardian under RCW 11.130.265 exists.

(5) The court shall modify the powers granted to a guardian for an adult if the powers are excessive or inadequate due to a change in the abilities or limitations of the adult, the adult's supports, or other circumstances.

(6) Unless the court otherwise orders for good cause, before terminating or modifying a guardianship for an adult, the court shall follow the same procedures to safeguard the rights of the adult which apply to a petition for guardianship.

(7) An adult subject to guardianship who seeks to terminate or modify the terms of the guardianship has the right to choose an attorney to represent the adult in the matter. The court shall award reasonable attorneys' fees to the attorney for the adult as provided in RCW 11.130.100. [2019 c 437 s 320.]