🎓 Planning for Age 18: Guardianship, Conservatorship & Other Options in Whatcom County

A friendly guide for families. Choosing the right support takes time, and you don't have to figure it out alone.

🗓️ What changes at 18?

- At 18, your child becomes **their own legal decision-maker**, unless a court appoints a guardian.
- **IEP rights move to your child at 18.** The school gives a notice about this by age 17.
- Schools **can't require** guardianship. It's your family's choice.
- ⏰ **Good time to start:** 6–8 months before your child turns 18.

🧑‍🤝‍🧑 Guardianship = the person

Personal decisions: where to live, medical care, services, and safety. This gives parents the **most legally binding control over safety**. A guardian still must include the adult in decisions and report to the court.

💰 Conservatorship = money & property

Bank accounts, property, contracts, and larger amounts of money. Helpful when the main worry is money, like scams or someone taking advantage.

⚖️ You can have **one, both, or neither.** Under Washington law (RCW 11.130), the court must look at less restrictive options first and grant **only the powers that are needed**. This is called a **limited guardianship**.

🤝 Less restrictive options (no court needed)

- **Supported decision-making agreement**: trusted people help your child make choices.
- **Durable power of attorney**: names someone to help with money or legal matters.
- **Health care directive**: names someone to help with medical decisions.
- **Representative payee**: manages SSI benefits for your child.
- **ABLE account**: a savings account for people with disabilities.
- 💡 With these, your adult child **keeps the final say** and can cancel them.

👣 Steps to get started in Whatcom County

1. 📖 **Read the guidebook** from The Arc of Whatcom County: **arcwhatcom.org/legal-planning-for-adulthood**
2. 📝 **Go to a free Arc paperwork session:** 2nd & 4th Wednesdays, 11 am–1 pm, Dan Godwin Community Center, 2602 McLeod Rd., Bellingham. No RSVP needed. 📞 360-715-0170. Staff help with guardianship, DDA, and SSI paperwork (no legal advice).
3. 💻 **Take the free online Adult Lay Guardian training** (English or Spanish) at **courts.wa.gov/guardianportal**. It's required. File the Declaration of Completion with your petition.
4. 🏛️ **Meet the Guardianship Facilitator**, Whatcom County Superior Court, 311 Grand Ave., Suite 301, Bellingham. 📞 360-778-5560, by appointment only. Pay $20 to the County Clerk first, and buy the ready-made guardianship packet at the Clerk's office (includes state petition GDN C 102). The Facilitator checks your forms but gives no legal advice.
5. 📨 **File the petition.** The court appoints a **court visitor** who meets your child and gets a statement from a doctor or psychologist. Then there is a hearing.

☎️ Free or low-cost legal help

- **Law Advocates:** 360-671-6079
- **CLEAR Hotline** (Northwest Justice Project): 888-201-1014
- **Disability Rights Washington:** 800-562-2702
- Disagreements or complex cases: please see an attorney.

🙋 **Questions? Contact your child's teacher:** _____