

APPLICATION FOR GUARDIAN AD LITEM REGISTRY

Guardianship/Probate/Trust – Title 11

Mail or deliver the completed application, with all attachments, to:

Kitsap County Superior Court Administrator
614 Division Street, MS-24
Port Orchard, WA 98366

Name: ANGELA K. CARLSON-WHITLEY

Business Name or Firm: CARLSON-WHITLEY & LUTHER, LLP

Business Address: 222 Lee Street SW, Suite 112

City and State: Tumwater, WA Zip Code: 98501

Business Phone: (360) 915-9774 Fax: (360) 915-8759

Email Address: acarlsonwhitley@gmail.com; ACarlson-Whitley@CWL.comcastbiz.net

Non-Attorney Attorney WSBA or Washington State Certification No: 24186

I am willing to serve as a Guardian ad Litem for Guardianships at public expense.

I have no pending investigations or action against me involving felony allegations, professional certification or license suspension and/or revocation.

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 the suspension or revocation of my professional license, or to the filing of criminal charges for felony or crime involving allegations of theft, dishonesty or moral turpitude.

I have read and agree to be bound by the Kitsap County Superior Court Guardian ad Litem Registry Code of Conduct.

Summary of my experiences as a GAL including years of experience and number of appointments. Certified Title 11 GAL 2010 to present and 1994-1995. Currently on registries in Thurston, Mason, Lewis, Grays Harbor, and Kitsap Counties, and have also been appointed as a Title 11 GAL by the Squaxin Island Tribe. Appointments to date: 184. Primary area of practice as an attorney: Guardianship/Trust Administration—representing professional and family guardians, facilities, and AIPs/IPs.

Number of times serving as a Guardian as Litem that I have been removed for failure to perform my duties as a Guardian ad Litem: None.

I include the following with my application (please check all applicable boxes):

- Curriculum vitae, showing work and professional or personal experience in or related to the field that would assist in the performance and completion of Guardian ad Litem duties;
- Completed Washington State Patrol Conviction Criminal History;
- Signed release of information directed to all professional regulatory bodies which have licensed or supervised the applicant within the last ten years;
- Copies of any professional complaints, investigations or disciplinary actions, lawsuits or professional liability claims filed, whether pending or completed, including a statement for each setting out the current status and any applicable response to said claims;
- Copies of any order for removal of the Guardian ad Litem prior to completion of the Guardian ad Litem's duties;
- 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;
- Copy of fee schedule;

AND, EITHER

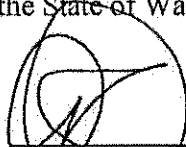
- Certificate of Qualification/Training for Guardian ad Litem seeking appointment under RCW Title 11,

OR

- I am currently on the Guardian ad Litem Registry and have *not* included a certificate of updated training taken within the last year because Kitsap County waived the requirement for 2020 due to COVID-19.

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

DATED: 5/29/20



Signature of Applicant

Tumwater
City Where Signed

ANGELA K. CARLSON-WHITLEY
Printed Name

ANGELA K. CARLSON-WHITLEY
Carlson-Whitley & Luther, LLP

222 Lee Street SW, Ste. 112
Tumwater, WA 98501

(360) 915-9774 phone
(360) 915-8759 fax

SUMMARY

Experienced guardianship/trust attorney with robust practice advising and representing certified professional and family guardians, facilities, and alleged incapacitated persons/incapacitated persons in guardianship proceedings and trust administration. Certified Title 11 Guardian Ad Litem.

PROFESSIONAL EXPERIENCE

Carlson-Whitley & Luther, LLP—Tumwater, WA 2011 - present
Partner

- Title 11 Certified Guardian Ad Litem in Thurston, Mason, Grays Harbor, Kitsap, and Lewis Counties.
- Trust Guardian ad Litem and Certified Settlement Guardian ad Litem.
- Represent Certified Professional and Family Member Guardians, Nursing Facilities and Hospitals, and Alleged Incapacitated Persons/Incapacitated Persons in guardianship proceedings.
- Represent Trustees/Trust Administration.

Sole Practitioner—Olympia, WA 2010 - 2011
Private Practice Attorney

- Title 11 Certified Guardian Ad Litem in Thurston, Mason, Grays Harbor, and Kitsap Counties.
- Represent Certified Professional and Family Member Guardians in guardianship proceedings.
- Contract work in guardianship proceedings for local guardianship attorneys.

Thurston County Volunteer Legal Services - Olympia, WA 2010 - 2016
Volunteer Attorney

- Give legal advice to low-income clients on a variety of issues, including family law, landlord/tenant law, employment law, real property law, and guardianship/probate matters.

Joint Legal Assistance Office/Family Law Services - Camp Pendleton, CA 1999 - 2001
Volunteer Attorney/Family Law Specialist

- Researched family law issues.
- Drafted interoffice and legal memoranda along with documents for deploying service members. Prepared office and client correspondence.
- Performed client interviews.
- Gave appropriate legal advice to military families on a wide range of topics, including family law, immigration law, landlord/tenant law, contract law, and consumer law.
- Presented "Wills & Powers of Attorney" briefs to deploying units, explaining the importance of having a will, power of attorney, and power of attorney for health care before deploying overseas.

Legal Team Echo (Criminal Defense) - Camp Pendleton, CA 2000
Volunteer Defense Attorney

- Researched and wrote memoranda for supervising judge advocate on military criminal defense issues to be used to defend members of the Marine Corps being prosecuted under the UCMJ for offenses such as desertion, forgery, assault, drunk driving, and use or possession of controlled substances.

Lifetime Advocacy Plus, Certified Professional Guardianship Agency - Seattle, WA 1992 – 1995
In-house Counsel & Legal Services Coordinator

- Certified Title 11 Guardian Ad Litem, King, Snohomish, and Pierce Counties
- Drafted over 200 guardianship reports and accountings for Lifetime Advocacy Plus, a professional guardianship agency, as well as petitions for guardianship and other interim reports, trust accountings, and pleadings.
- Presented guardianship reports and accountings in person and by mail to various County Superior Courts.
- Performed a systematic review of all of Lifetime Advocacy Plus’ guardianships in each of its five offices throughout the state.
- Developed and maintained a tickler system for guardianship reports and accountings.
- Managed all of Lifetime Advocacy Plus’ guardianship reports and accountings, ensuring that they were filed in a timely manner, either in-house or through coordination with outside counsel of record.

The Honorable Thomas S. Zilly, U.S. District Judge - Seattle, WA Jan. – April 1994
Judicial Extern

- Reviewed briefs, researched and analyzed substantive and procedural issues, wrote bench memoranda, and drafted orders.

Thurston County Office of Assigned Counsel – Olympia, WA May – Nov. 1993
Legal Intern (Rule 9)

- Performed legal research, wrote memoranda and briefs.
- Conducted preliminary jail interviews.
- Assisted attorneys and participated in preliminary hearings and arraignments.
- Served as second chair in a felony trial, including writing the trial memorandum and motions in limine, assisting in voir dire, and conducting cross-examination of a witness.

EDUCATION

University of Puget Sound School of Law - Tacoma, WA – J.D.
The Evergreen State College - Olympia, WA,
B.A. in Literature and Cross-Cultural Studies

PUBLICATIONS

Comment, Dowry Death: A Violation of the Right to Life Under Article Six of the International Covenant on Civil and Political Rights, 17 U. Puget Sound L. Rev. 637 (1994).

ACTIVITIES

- **Chair**, Thurston County Guardianship Roundtable, Nov. 2010 – August 2018
- **Member**, Probate/Guardianship Pattern Forms Subcommittee, Jan. 2012 – present
- **Member**, GAL Training Standing Committee, June 2012 – present
- **Member**, WINGS Legislative Committee, inception - July 2016
- **Member**, WSBA Elder Law Section’s Legislative Committee, Sept. 2013 – April 2015
- **Member**, Washington Women Lawyers Judicial Evaluation Committee, Sept. 2014
- **Member**, Washington Academy of Elder Law Attorneys, Jan. 2015 – Dec. 2015
- **Secretary**, Mason County Bar Association, Jan. 2013 - present
- **Board Member**, Mason County Bar Association, Jan. 2013 – present

CARLSON-WHITLEY & LUTHER, LLP
Attorneys at Law

Judith E. Luther
Angela K. Carlson-Whitley

222 Lee Street SW, Suite 112
Tumwater, Washington 98501
Phone (360) 915-9774 • Fax (360) 915-8759

May 29, 20120

Kitsap County Superior Court
614 Division St., MS-24
Port Orchard, WA 98366

RE: Release of Information

To: Washington State Bar Association:

I am an attorney licensed to practice law in the State of Washington. My Washington State Bar Number is 24186. I hereby authorize the Washington State Bar Association to release any information necessary to determine my fitness to serve as a Title 11 Guardian Ad Litem in guardianship cases in Kitsap County to:

Frank A. Maiocco, Jr.
Court Administrator
Kitsap County Superior Court
614 Division Street, MS-24
Port Orchard, WA 98366
(360) 377-7140

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

Thank you.

Very truly yours,

Carlson-Whitley & Luther, LLP

Angela K. Carlson-Whitley
Attorney at Law

ACW:acw

CARLSON-WHITLEY & LUTHER, LLP
Attorneys at Law

Judith E. Luther
Angela K. Carlson-Whitley

222 Lee Street SW, Suite 112
Tumwater, Washington 98501
Phone (360) 915-9774 • Fax (360) 915-8759

Guardian ad Litem Fee Schedule

I am a licensed attorney in Washington State, practicing primarily in the area of guardianship and trust administration.

My usual hourly rate is \$250.00. My private-pay hourly rate for Title 11 GAL work is \$225.00, and for Trust and Probate GAL Work is \$250.

In county pay cases I am willing to reduce my hourly fee to the accepted county pay rate.

This information is meant to serve as information only to the court and potential parties and is not a fee agreement.

Professional Complaints:

I have never had any claims or litigation commenced against me as a Guardian ad Litem involving allegations of improper fee charges, charges of fraud, theft or other forms of dishonesty, professional malpractice, or misconduct, nor have I ever been accused of any unethical behavior.

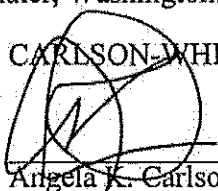
I have had two grievances filed against me as an attorney. The first, in November of 2014, related to a guardianship proceeding in which I represented petitioner. Complainant family member alleged he did not receive notice of the hearing on a petition for guardianship. Disciplinary counsel reviewed the response and materials submitted and dismissed the grievance, which is not a matter of public record. The second, in February of 2017, also involved a complainant family member in a guardianship proceeding. This complaint was dismissed without any notice to me, did not require a response, and is not a matter of public record.

Conflict of Interest:

If I know of a conflict of interest or there is likely to be a conflict or the appearance of a conflict of interest in any case with which I am associated, I will immediately bring the information to the attention of the court and all the parties.

Signed this 29th day of May, 2020, in Tumwater, Washington.

CARLSON-WHITLEY & LUTHER, LLP


Angela K. Carlson-Whitley, WSBA #24186
Attorney at Law/Guardian ad Litem

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IN THE SUPERIOR COURT OF WASHINGTON
FOR KITSAP COUNTY

In re the guardianship of)
NAME AIP,)
Respondent.)
No.
GUARDIAN AD LITEM STATEMENT OF
QUALIFICATIONS

TO: CLERK OF THE ABOVE-ENTITLED COURT.

GUARDIAN AD LITEM (GAL) STATEMENT OF QUALIFICATIONS
(This statement is presented as required by RCW 11.88.090(4)(b)(I).)

A. Requisite areas of background, knowledge, training, and experience are detailed below:

1. **Level of formal education:** J.D., May 1994, University of Puget Sound School of Law, Tacoma, Washington; B.A., 1991, The Evergreen State College, Olympia, Washington; Harvard University Extension School, Cambridge, Massachusetts, 1988-89.

2. **Training related to GAL's Duties:** Completion of GAL Training Program in 1994 and 1995; completion of GAL Training Program sponsored by the King County Bar Association in May 2010 and annual re-certification through 2016 and again in 2018; completion of GAL Training sponsored by Kitsap County Superior Court in May 2017.

3. **Number of years' experience as a GAL:** 10 (1994-95; 2010-present).

4. **Number of appointments as a GAL as of May 29, 2020, by County:** Grays Harbor - 29; King - 4; Kitsap - 31; Lewis - 12; Mason - 21; Snohomish - 1; Squaxin Island Tribal Court - 2; Thurston - 84.

5. **Criminal History (as defined in RCW 9.94A.030):** None.

6. **Knowledge or experience in needs of:**

(a) **Impaired elderly:** Completion of GAL Training Program and annual re-certification since 2010. Familiarity with medical conditions of elderly persons, such as Alzheimer's, and non-medical problems of aging, including functional capacities,

1 incapacities, and needs of elderly persons as described in the GAL Handbook. Work
2 experience as In-house Counsel for a professional guardianship organization with elderly
clients and as a guardianship attorney and Guardian ad Litem.

3 (b) **Persons with physical disabilities:** Completion of GAL Training Program
4 and annual re-certification since 2010. Familiarity with the capacities, incapacities, and
5 needs of persons with physical disabilities as described in the GAL Handbook. Personal
6 experience of having a sister with physical disabilities. Work experience as In-house
Counsel for a professional guardianship organization with physically disabled clients and
as a guardianship attorney and Guardian ad Litem.

7 (c) **Mental illness:** Completion of GAL Training Program and annual re-
8 certification since 2010. Familiarity with the capacities, incapacities, and needs of
9 persons with mental illness as described in the GAL Handbook. Work experience first as
In-house Counsel for a professional guardianship organization with mentally ill clients
and as a guardianship attorney and Guardian ad Litem.

10 (d) **Developmental disabilities:** Completion of GAL Training Program and
11 annual re-certification since 2010. Personal experience of having a developmentally
12 disabled sister, for whom I served as Standby Guardian from February 27, 1992 through
13 December 27, 1995. Familiarity with the capacities, incapacities, and needs of persons
with developmental disabilities as described in the GAL Handbook. Work experience
first as In-house Counsel for a professional guardianship organization with
developmentally disabled clients and as a guardianship attorney and Guardian ad Litem.

14 (e) **Other areas relevant to the needs of incapacitated persons:** Familiarity
15 with and legal training in alternatives to guardianship. I have drafted health care
16 directives and durable powers of attorney for health care and finances and am familiar
with representative payeeship, the VA fiduciary program, trusts, the informed consent
statute, and supported decision-making. I am familiar with services and resources
provided by outside agencies to assist incapacitated persons and their families.

17 **7. Legal procedure:** I am a licensed attorney and have had legal training and experience
18 with guardianship since 1992; first as a legal intern and later as an attorney for Lifetime
19 Advocacy Plus, a non-profit professional guardianship organization. I have drafted a wide range
20 of guardianship pleadings and have presented guardianship reports and accountings to Superior
21 Courts around the state. I have been in private practice since July 2010 and currently represent
22 professional and lay guardians and trustees in Thurston, Mason, Lewis, Grays Harbor, and Kitsap
23 Counties, as well as serving as Independent Counsel for the Alleged Incapacitated Person in
24 guardianship proceedings. I am a member of the State Pattern Forms Sub-Committee for Probate
25 and Guardianship. I served as the Chair of the Thurston County Guardianship Roundtable, a
26 professional association of judges, attorneys, guardians, and guardians ad litem, from 2010
through August of 2018. I have also served as a member of the Standing Committee for Title 11
GAL Training, and was a member of the WSBA Elder Law Section's Legislative Committee
from 2013 to 2015, which is responsible for reviewing and responding to proposed guardianship
legislation. I was a member of the WINGS Legislative Committee from inception through July
of 2016. I have also presented Continuing Legal Education courses on guardianship to volunteer
attorneys through Thurston County Volunteer Legal Services, and give presentations on
guardianship to members of the public through various organizations and schools. Finally, I have
attended numerous Continuing Legal Education courses on guardianship, trust, and related areas
of law and continue to do so regularly.

27 **8. The requirements of Chapter(s) 11.88 and 11.92 RCW:** I am familiar with the
28 above statutes and have completed the GAL training offered by the Washington State Bar

1 Association in February 1994 and March 1995, and completed the King County Bar
2 Association's GAL training in May 2010, with re-certification annually through 2016, and again
3 in 2018. In 2017 and 2019 I attended Kitsap County's re-certification course.

3 **9. Settlement Guardian ad Litem/Trust Guardian ad Litem:** I am familiar with the
4 requirements of SPR 98.16W and statutes pertaining to wrongful death, survivor's actions, and
5 personal injury. I have had personal experience with SPR 98.16W in the context of
6 guardianships, which often result from disabilities to minors caused by the negligence of another
7 requiring settlements under SPR 98.16W and the construction of special needs trusts. I
8 completed the Settlement GAL Training offered by the King County Bar Association on October
9 25, 2011, and served as a Settlement Guardian ad Litem in several cases. In addition, I am
10 familiar with the requirements of RCW 11 as it pertains to trusts, and represent both professional
11 and lay trustees. Finally, I have served as a Trust Guardian ad Litem for the purpose of
12 reviewing trust accountings when there is no guardian and no valid virtual representative who
13 can represent the beneficiary's interests with respect to the accountings due to a conflict of
14 interest between the beneficiary and his or her parents. RCW 11.96A.120(4); *Anderson v.*
15 *Dussault*, 321 P.3d 1206 (2014).

10 B. I have never been removed for cause as a GAL, nor have there ever been any professional
11 complaints, investigations, disciplinary actions, lawsuits, or professional liability claims charged
12 against me as a GAL, including those involving allegations of improper fee charges, fraud, theft,
13 or other forms of dishonesty or professional malpractice.

13 C. Prior to my appointment as GAL, I have not had any contact with any party to the
14 proceeding, other than a call from Petitioner's office regarding my availability for appointment,
15 nor is there any actual or apparent conflict of interest which would preclude me from serving as
16 GAL in this particular case.

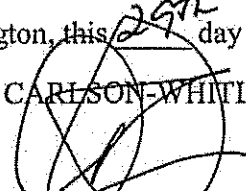
15 D. My regular hourly rate for GAL work in a guardianship is \$225.00 per hour plus costs, and
16 for Trust and Probate GAL work is \$250.00 per hour plus costs; however, I do accept county pay
17 cases for those with assets under \$3,000.00, which are charged at the county pay rate.

17 E. In accordance with RCW 11.88.090, within three (3) days of the later of the actual service
18 or filing of this statement, any party may set a hearing to show cause why I should not be
19 removed for any of the reasons enumerated under that statute.

19 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE
20 OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

21 Signed at Tumwater, Washington, this ^{29th} day of May, 2020.

22 CARLSON-WHITLEY & LUTHER, LLP

23 
24 ANGELA K. CARLSON-WHITLEY, WSBA #24186
25 Guardian ad Litem

THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KITSAP COUNTY

614 DIVISION STREET, MS-24
PORT ORCHARD, WASHINGTON 98366
(360) 337-7140

JEANETTE M. DALTON, JUDGE
DEPARTMENT NO. 1
MICHELLE ADAMS, JUDGE
DEPARTMENT NO. 2
MELISSA A. HEMSTREET, JUDGE
DEPARTMENT NO. 3
WILLIAM C. HOUSER, JUDGE
DEPARTMENT NO. 4
JEFFREY P. BASSETT, JUDGE
DEPARTMENT NO. 5

KEVIN D. HULL, JUDGE
DEPARTMENT NO. 6
JENNIFER A. FORBES, JUDGE
DEPARTMENT NO. 7
SALLY F. OLSEN, JUDGE
DEPARTMENT NO. 8

MATTHEW L. CLUCAS
COURT COMMISSIONER
FRANK A. MAIOCCO, JR.
COURT ADMINISTRATOR

June 25, 2020

Ms. Angela K. Carlson-Whitley
Carlson-Whitley & Luther, LLP
222 Lee Street SW, Suite 112
Tumwater, WA 98501

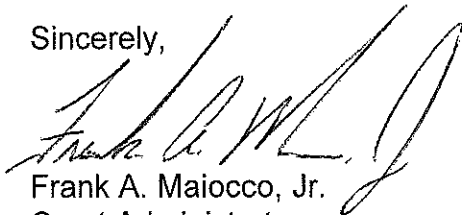
Re: Kitsap County Superior Court Title 11 Guardian ad Litem Registry, 2020-2021

Dear Ms. Carlson-Whitley:

The Kitsap County Superior Court Guardian ad Litem Committee has received and reviewed your application for the Title 11 Guardian ad Litem registry. We are pleased to include you on the 2020 - 2021 Registry, effective July 1, 2020.

Thank you for your interest and participation in Kitsap County's Guardian ad Litem program.

Sincerely,



Frank A. Maiocco, Jr.
Court Administrator
Kitsap County Superior Court