

2

FILED
SUPERIOR COURT
THURSTON COUNTY, WA

2021 JUL 29 PM 1:42

LINDA MYHRE ENLOW
THURSTON COUNTY CLERK



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON
COUNTY OF THURSTON

In re the Guardianship of:

Hazel Smith

Case No.: 21-4-00443-34

Order on Review Hearing
(No Mandatory Form)


On July 6, 2021 the Court conducted a review hearing in the above referenced matter. After considering the respective documents filed, argument of parties (and those seeking to become a party), the court's file and material contained therein, and, the Court having deemed itself well advised in the particulars, ORDERS:

1. This matter is stayed pending a UCCJEA conference with the State of Colorado, which may have original and continuing jurisdiction. All other provisions contained herein continue to apply.
2. This Court declines to seal, *in toto*, the Declarations that had been filed under a sealed cover sheet because they do not meet the GR 22(b)(3) definition of a "personal healthcare record." The Court reserves hearing additional arguments and making Orders to redact and/or seal select portions of the record until a later date or close of the case.
3. This Court denies John Smith's Motion to Intervene/Join because, although he would have intervention as a matter of right pursuant to CR 24(a) as someone with "an interest in the welfare of the minor," his interest is "adequately represented by existing parties" pursuant to CR 24(a)(2).

- 1 4. The Court is denying the request by John Smith for disqualification of Commissioner
- 2 Thomas for an incident which occurred several years ago, because the Commissioner
- 3 was discharging her duties at the time and doing so is not a basis for disqualification.
- 4 5. Court cannot make Orders appointing attorneys for the parents, appointing a
- 5 Guardian Ad Litem, or requiring evaluations of the parties until an RCW 11.130.190
- 6 Petition for Minor Guardianship is filed.
- 7 6. Custody and physical placement of the child(ren) shall remain with Petitioners
- 8 Kathryn and Hans Stoker pending outcome of the UCCJEA conference and a full
- 9 hearing.
- 10 7. _____
- 11 _____
- 12 _____


13 SO ORDERED this 29th day of July, 2021.

14 
 15 _____
 16 Commissioner Indu Thomas

16 Presented By:
 17 
 18 _____
 19 Breckan Scott-Gabriel, WSBA 41585
 20 Attorney for Petitioners

16 Approved as to Form:
 17 Present by Video
 18 _____
 19 Selena Smith
 20 Respondent-Mother

19 Approved as to Form:
 20 Present by Video
 21 _____
 22 John Smith
 23 Grandfather of Minors, Proposed Intervenor

19 Approved as to Form:
 20 Not Present
 21 _____
 22 James Wells 
 23 Respondent-Father