



3

FILED
SUPERIOR COURT
THURSTON COUNTY, WA
2021 JUL 29 PM 1:42
LINDA MYHRE ENLOW
THURSTON COUNTY CLERK

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

In re the Guardianship of:

Raven and Onawa Smith-Wells.

Case No.: 21-4-00452-34

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. As this Court previously found, Washington has original and continuing jurisdiction over Raven and Onawa Smith-Wells. There is an existing parenting plan case in Thurston County (Case No. 20-3-01280-34); this Court made decisions regarding parenting time/limitations in DVPO case No. 20-2-30788-34 (also in Thurston County) that are still binding; the children did not live continuously in another state for the six months preceding filing of this action; the children have substantial ties to and have historically resided in Washington State; the children's Father continues to reside in Washington State, and he agrees that the appropriate jurisdiction/venue is Thurston County, WA.
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

Order on Review Hearing

1 healthcare record.” The Court reserves hearing additional arguments and making
2 Orders to redact and/or seal select portions of the record until a later date or close of
3 the case.

4
5 3. This Court denies John Smith’s Motion to Intervene/Join because, although he would
6 have intervention as a matter of right pursuant to CR 24(a) as someone with “an
7 interest in the welfare of the minor,” his interest is “adequately represented by
8 existing parties” pursuant to CR 24(a)(2).

9 4. The Court is denying the request by John Smith for disqualification of Commissioner
10 Thomas for an incident which occurred several years ago, because the Commissioner
11 was discharging her duties at the time and doing so is not a basis for disqualification.

12 5. The Court denies the request for dismissal by John Smith on jurisdictional grounds
13 because the Court has original and continuing jurisdiction over Raven and Onawa
14 Smith-Wells as outlined in paragraph 1.

15
16 6. The Court finds that Jim Wells must comply with the requirements in DVPO Case
17 No. 20-2-30788-34 prior to exercising any parenting/visitation time.

18 7. The Court cannot make Orders appointing attorneys for the parents, appointing a
19 Guardian Ad Litem, or requiring evaluations until an RCW 11.130.190 Petition for
20 Minor Guardianship is filed.


21
22 8. Custody and physical placement of the child(ren) shall remain with Petitioners
23 Kathryn and Hans Stoker.

24 //

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

9. _____

SO ORDERED this 29th day of July, 2021.


Commissioner Indu Thomas

Presented By:

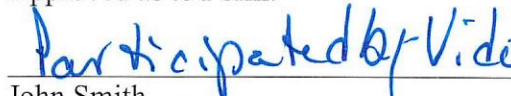

Breckan Scott-Gabriel, WSBA 41585
Attorney for Petitioners

Approved as to Form:

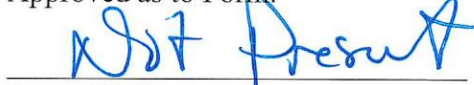
Approved Telephonically

Selena Smith
Respondent-Mother

Approved as to Form:


John Smith
Grandfather of Minors, Proposed Intervenor

Approved as to Form:


James Wells
Respondent-Father