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Hearing Date: 7/22/21  
Hearing Time: 9am  
Judge/Clerk: \_\_\_\_\_  
Presentation of Orders

E-FILED  
THURSTON COUNTY, WA  
SUPERIOR COURT  
07/20/2021 11:11:39 AM  
Linda Myhre Enlow  
Thurston County Clerk

21-4-00443-34  
PROR 101  
Proposed Order Findings  
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IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON  
COUNTY OF Thurston

The Guardianship of Hazel Belle Ursa Smith,

Case No.: 21-4-00443-34

Minor/Child/Respondent.

**Cover Sheet: Proposed Orders**

Please find the attached: Proposed Orders for 7/22/21 review hearing and presentation of orders.

Dated this 20th day of July, 2021

BRECKAN LAW PLLC

By: Breckan Scott-Gabriel, WSBA 41585  
Attorney for Petitioner

**Cover Sheet: Proposed Orders**

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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).

*Order on Review Hearing*

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- 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 \_\_\_\_\_ day of July, 2021.

<p>14</p> <p>15 _____</p> <p>16 Presented By: Commissioner Indu Thomas</p> <p>17</p> <p>18 _____</p> <p>19 Breckan Scott-Gabriel, WSBA 41585 Attorney for Petitioners</p> <p>20 Approved as to Form:</p> <p>21 _____</p> <p>22 John Smith Grandfather of Minors, Proposed Intervenor</p>	<p>Approved as to Form:</p> <p>_____</p> <p>Selena Smith Respondent-Mother</p> <p>Approved as to Form:</p> <p>_____</p> <p>James Wells Respondent-Father</p>
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