

FILED

FEB 09 2024

KITSAP COUNTY CLERK
DAVID T. LEWIS III

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KITSAP**

In re Adeline Feulner:

Case No: 07-3-01713-1

Heather Wood, petitioner

And

Lenard Feulner, respondent

**MOTION AND DECLARATION
REQUESTING CLARIFICATION OF
GUARDIAN AD LITEM AUTHORITY**

07-3-01713-1
MTAF 171
Motion and Affidavit Declaration
16103704



MOTION

COMES NOW Nancy Tarbell, Guardian ad Litem, appearing pro se, and moves the Court for CLARIFICATION OF GAL AUTHORITY. This Motion is supported by the court file and attached declaration.

DECLARATION

I was appointed Guardian ad Litem for Adeline Feulner by Judge Forbes on October 25, 2023. This appointment was affirmed with an *AMENDED Order Appointing GAL Nunc Pro Tunc to 10/25/23* entered on December 18, 2023. There have been many hearings, motions, and filings to date. At heart this is an action to establish an original parenting plan regarding Adeline. The original petition establishing this case was filed in 2008 with Ms. Wood as petitioner. Mr. Feulner has responded to the petition and filed at least two proposed parenting plans, that latest filed November 21, 2023.

On February 6, 2024 I read "Notice of Withdrawal of Petition by Heather Wood, mother & pro se Petitioner..." which was emailed to me. This document asserts that "she SERVES NOTICE of her WITHDRAWAL of her Petition effective immediately as a matter of right and not discretionary or requiring permission from an party or, indeed, THIS COURT --..."

Nancy Tarbell
Attorney at Law
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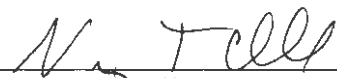
1 At that time I ceased undertaking new activity in anticipation of further court guidance.

2 The investigative role of Guardian ad Litem is extremely powerful, allowing access to all
3 manner of privileged information, including that of CPS, and un-redacted law enforcement
4 reports. And I am further tasked with requesting drug screening/evaluations/medical records of
5 the parties and of Adeline. My authority must be clear and unassailable as these records are
6 protected by layers of confidentiality requirements.

7 This matter is set for trial on March 12, 2024. I have very little to do to finish my
8 investigation and write the report. However, I, once again, do not know whether I have authority
9 to continue. Has this case come to an end? Or does it proceed with only Mr. Feulner's Proposed
10 Parenting Plan as a counterclaim which "can remain pending for independent adjudication by the
11 court"? CR 41 (a) (3). This is assuming that Mr. Feulner objects to the dismissal of the petition.
12 What is the effect of this filing?

13
14 I swear under penalty of perjury under the laws of the State of Washington that the above is true
15 and correct.

16 DATED this 9th day of February, 2024 and signed in Port Orchard, WA.

17 
18 _____
19 Nancy Tarbell,
Guardian ad Litem

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