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IN OPEN COURT

MAY 03 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 the welfare of Adeline Feulner:

NO: 07-3-01713-1

Heather Wood, petitioner

AND

ORDER CLARIFYING GUARDIAN AD
LITEM DISCOVERY ISSUES

Lenard Feulner, respondent

THIS MATTER having been brought upon the motion of Nancy Tarbell, Guardian ad Litem, requesting clarification of her obligations regarding a subpoena duces tecum, and also the taking of her deposition; the court having hear argument of the parties and of Kerry Stevens, attorney for Adeline and considered the documents and the law and being fully advised on the premises hereby makes the following findings and Order

Findings of Fact

- 1) That in this case, arising under RCW 26.26 and in accordance with the GALR rules 2 and 4, that the Guardian ad Litem is to be considered a party to this case.
- 2) That the GALR and RCW 26.09.220 (2) govern the release of reports and underlying data regarding the drug/alcohol testing and assessment and diagnostic reports and underlying data are to be made available to the parties.
- 3) Any other part of the GAL file is to be made available for review to the parties, except subject to the 4th point. This means sitting with the party as they physically review the GAL file. Any copies of documents the party shall make at their own expense, possibly from taking a screen shot of the page in the file.



1 4) Any part of the GAL file subject to any other protections of law or prohibited elsewhere (such
2 as health records from treating provider, or CPS records, etc) remain under those protections and
3 are not to be provided for review. The parent's may exercise other discovery avenues, rather
4 than the GAL file, to address those discovery needs.

5 5) The deposition request does not meet legal requirements and so is not enforceable. Should the
6 legal requirements be met, this matter may be re-noted for decision.

7 **ORDER**

8 The GAL shall make her file available for review (sitting with the party and them reading
9 the file) with the party able to take pictures of the page and make copies at their own expense.
10 The GAL file shall consist of the drug/alcohol reports and underlying data and all other notes and
11 list of contacts interviewed; the file shall NOT include information prohibited or protected by
12 law (such as health records or CPS records).


13 The deposition documents do not meet the legal requirements and so are not enforceable as
14 currently written.

15 DATED this 3 day of May, 2024.


16 
17 Judge/Court Commissioner


18 Presented by:

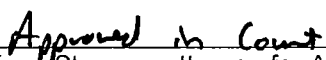
MICHELLE ADAMS

19 
20 Nancy Tarbell,
21 Guardian ad Litem for Adeline

22 Approved for Entry:

23 
24 Lenard Feulner, pro se

25 
Heather Wood, pro se


Kerry Stevens, attorney for Adeline