

FILED

OCT 25 2023

KITSAP COUNTY CLERK
DAVID T. LEWIS III

Superior Court of Washington, County of Kitsap

In re:

Petitioner/s (*person/s who started this case*):

LENARD R. FEULNER

And Respondent/s (*other party/parties*):

HEATHER L. WOOD

No. 07-3-01713-1

Order Appointing
Guardian ad Litem for a Child
(ORAPGL)

Order Appointing Guardian ad Litem for a Child

Use this form to appoint a GAL to investigate and report on a child's best interests for a Parenting Plan, Residential Schedule, or parentage decision.

Do not use this form to appoint a GAL for a minor parent, or a child who is added as a party in this case, use form FL All Family 147 instead.

1. A motion to appoint a Guardian ad Litem (GAL) for the children listed below was made by the (*check one*): ☐ Petitioner ☐ Respondent ☒ Court:

Child's name	Age	Child's name	Age
1. ADELINE FEULNER	16	2.	
3.		4.	
5.		6.	

2. The court finds it is in the best interest of the children listed in 1 to appoint a Guardian ad Litem. The court has authority to make this appointment under (*check one*):

☐ divorce (dissolution) law, ch. 26.09 RCW. ☒ parentage law, ch. 26.26A RCW and
☐ domestic violence law, ch. 26.50 RCW. ch. 26.26B RCW.

➤ **The Court Orders:**

3. (*GAL's name*): NANCY TARBELL is appointed Guardian ad Litem (GAL) for the children listed in 1 above. The GAL must always act in the children's best interests.

4. **GAL's Rights**

All parties must serve the Guardian ad Litem (GAL) with:

- Notice of any court hearing or proposed agreement involving these children, and



- Copies of all documents they file in this case.

The court clerk must give the GAL free, certified copies of this *Order*, upon request.

5. GAL's Duties

The Guardian ad Litem's (GAL's) duties include:

- Going to all court hearings and pretrial conferences for this case that are related to the children, unless the court says otherwise, and
- Investigating and reporting factual information to the court on issues set out below.

The GAL is ordered to investigate and file a report only on the issues checked below, unless the court approves investigation into other issues (*check all that apply*):

☒ All issues related to making a parenting plan for these children including any of the issues below whether they are specifically checked or not:

☒ Only the issues that are checked below:

<input checked="" type="checkbox"/> Parenting abilities	<input checked="" type="checkbox"/> Petitioner <input checked="" type="checkbox"/> Respondent
<input checked="" type="checkbox"/> Abandonment or neglect by	<input checked="" type="checkbox"/> Petitioner <input checked="" type="checkbox"/> Respondent
<input type="checkbox"/> Criminal history of	<input type="checkbox"/> Pet. <input type="checkbox"/> Resp. <input type="checkbox"/> Other: _____
<input type="checkbox"/> Domestic violence of	<input type="checkbox"/> Pet. <input type="checkbox"/> Resp. <input type="checkbox"/> Other: _____
<input type="checkbox"/> Mental health issues of	<input type="checkbox"/> Pet. <input type="checkbox"/> Resp. <input type="checkbox"/> Other: _____
<input type="checkbox"/> Physical health issues of	<input type="checkbox"/> Pet. <input type="checkbox"/> Resp. <input type="checkbox"/> Other: _____
<input type="checkbox"/> Sexual abuse allegations against	<input type="checkbox"/> Pet. <input type="checkbox"/> Resp. <input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/> Substance abuse of	<input checked="" type="checkbox"/> Pet. <input checked="" type="checkbox"/> Resp. <input checked="" type="checkbox"/> Other: <u>Child</u>

☒ Any other issues discovered that could affect the **safety** of the children.

☐ All issues related to deciding who the legal parents are for these children.

☐ Whether genetic testing should be done to decide who the legal parents are.

☐ Whether the children's names should be changed.

☐ For cases about *changing* a parenting/custody order: whether the children have been integrated into the home of the parent who has less time under the current order.

☒ Other: Child has also filed for emancipation & has a GAL per separate order under cause no. 23-2-01534-18.

6. GAL's Report

The Guardian ad Litem's (GAL's) report must include:

- Facts about the issues listed in **5** above.
- The children's preferences for the parenting plan (if they stated any),
- Any facts about whether the children stated their preferences voluntarily, and
- Any facts about the children's level of understanding.

The report may include recommendations based on the investigation.

Deadline! Unless the court extends the deadline, the report must be filed and served on all parties by (date) _____, which is at least 60 days before the trial.

Trial set for 3/12/2024.

The parties (or their lawyers, if any) have the right to inspect and copy the GAL's file of data gathered during the investigation, including the names and addresses of everyone the GAL consulted. **Exception:** information in the GAL's file that is confidential by law or sealed by a court shall **not** be shared with the parties or their lawyers.

7. Access to the Children and Information

The Guardian ad Litem (GAL) is allowed reasonable access to the children, and to all records and people with information that affects the children, including:

- Child care providers
- Physical and mental health care providers
- Schools and other educational institutions
- Law enforcement agencies, Child Protective Services, and the Department of Children, Youth, and Families (or equivalent agencies if outside Washington)
- All providers for the parents related to issues the GAL is ordered to investigate including mental health and substance abuse records where applicable.

Note: agencies may withhold or black out legally protected parts of requested information.

8. Release of Information

The signatures of parties or children 12 or older below mean they give permission to the agencies and professionals listed in 7 above to share information related to the issues the GAL is ordered to investigate about themselves and the children with the GAL.

9. Confidentiality

The Guardian ad Litem (GAL) will:

- Have access to all Superior Court and Juvenile Court files related to their duties, including sealed and confidential documents. **Exception:** The GAL will not have access to information sealed under RCW 13.50.050(7);
- Keep confidential any sealed and confidential information (unless their duties as GAL require otherwise);
- Tell the court if their report includes any sealed or confidential information; and
- File their report in two parts: one public and one sealed as required by GR 22.

Any party or the GAL may ask the court to make confidential any reports or documents placed in the file, if there is a good reason to do so.

10. GAL's Fees

The Guardian ad Litem's (GAL's) hourly fee is \$ 75.00. The GAL may not charge more than a total of \$ 3,000.00 without court review and approval. (40 hours)

The GAL's fees will be paid as follows (*check one*):

- [] ___ % paid by Petitioner _____
___ % paid by Respondent _____
___ % paid by (*specify*): _____

[X] 100% or \$ _____ paid by the County at public expense. However, if the parties' financial circumstances change, the court may order the parties to pay the fees according to their ability to pay.

[] Other: _____

Billing Process:

- The GAL must file an itemized statement of time and expenses with the court and provide a copy to the person/s or entity responsible for payment.
- The GAL may file any request for payment with the court, along with an itemized statement and a proposed order.

11. Appointment Ends

The GAL's appointment ends when the GAL is discharged by the court or earlier if:

☒ the final *Parenting Plan* or *Residential Schedule* is signed by the court.

☐ parentage is decided.

☐ other (specify): _____

12. Other Orders (if any):

Ordered.

Date 10/25/2023 Judge or Commissioner JENNIFER FORBES

Petitioner and Respondent or their lawyers fill out below:

A party's signature authorizes release of information as described in 8 above.

This document (check any that apply):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me

This document (check any that apply):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me

Petitioner signs here or lawyer signs here + WSBA #

Respondent signs here or lawyer signs here + WSBA #

Print Name

Date

Print Name

Date

Children age 12 or older sign below to authorize release of information as described in 8:

Child signs here

Print name

Date

Other child signs here

Print name

Date

Guardian ad Litem signs below to accept appointment:

GAL signs here

Print name

Date