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**SUPERIOR COURT OF WASHINGTON
COUNTY OF GRAYS HARBOR**

In re

NO.

and

Petitioner,

**ORDER APPOINTING GUARDIAN AD
LITEM ON BEHALF OF MINOR
(CLERKS ACTION REQUIRED)**

Respondent.

I. BASIS

1.1 BASIS FOR THE APPOINTMENT.

This appointment is being made pursuant to RCW 26.09 Dissolution of Marriage
 RCW 26.10 Nonparental Custody (existing pre 1/1/2021)
 RCW 26.26 Uniform Parentage Act.

1.2 CHILDREN TO WHOM THE ORDER APPLIES.

The court moved for appointment of a guardian ad litem for the following minor child(ren) in this action:

Name

Age

II. FINDINGS

After reviewing the case record to date and the basis for the motion, the court FINDS that the motion should be granted because appointment of a guardian ad litem is in the best interest of the child(ren).

The court further FINDS that one or more of the parties in this case are indigent are not indigent.

III. ORDER

1 IT IS ORDERED THAT:

2 3.1 APPOINTMENT OF GUARDIAN AD LITEM.

3 _____ is appointed as guardian ad litem for the above-named minor child(ren) of
4 the parties and shall receive copies of all pleadings and notice of all court proceedings regarding the child(ren).

5 3.2 DUTIES OF THE GUARDIAN AD LITEM.

6 Subject to any limitations on this appointment set forth at the end of paragraph 3.9, the guardian ad litem shall
7 investigate and report factual information to the court concerning parenting arrangements for the child(ren), and
8 shall represent the child(ren)'s best interests. The guardian ad litem may make recommendations based upon
9 an independent investigation regarding the best interests of the child(ren). The guardian ad litem shall report a
child(ren)'s expressed preferences regarding the parenting plan to the court, together with the facts relative to
whether any preferences are being expressed voluntarily and the degree of the child(ren)'s understanding.

10 The guardian ad litem shall make a full and complete written report to the court and counsel/parties 10 days
11 prior to trial unless this requirement is waived by the parties/counsel or the court for good cause shown. This
report shall include recommendations and bases for those recommendations.

12 3.3 OTHER DUTIES.

13 Other duties of the guardian ad litem include appearing at all court hearings and pretrial conferences within the
14 scope of appointment unless excused by the court and assisting the parties and counsel in reaching a resolution
15 of the matters involving said child(ren).

16 3.4 GUARDIAN AD LITEM ACCESS TO CHILD(REN), RECORDS AND INFORMATION.

17 To facilitate reasonable investigation of information pertaining to the best interest of the child(ren), the
18 guardian ad litem shall have access to the child(ren) and to all records and information, including authorization
19 to speak with interested persons, from the following sources: law enforcement agencies; Child Protective
20 Services (or the equivalent out-of-state agency); health care providers; mental health care providers for the
children; chemical dependency and other treatment providers; child care providers; the Department of Social
and Health Services (or the equivalent agency in another state); and educational institutions.

21 These agencies may withhold or blackout portions of requested information as warranted by law or by court
22 order. The guardian ad litem shall maintain the confidentiality of information except as necessary to fulfill his
or her duties as guardian ad litem.

23 Within the scope of appointment, the guardian ad litem shall have access to all Superior Court and Juvenile
24 Court files, including any sealed/confidential portions thereof, other than records sealed pursuant to RCW
25 13.50.050(7). All information obtained from sealed or confidential files shall remain sealed or confidential, and
the guardian ad litem shall inform the court if the guardian ad litem report contains sealed or confidential
26 information.

27 The court clerk shall provide certified copies of this order to the guardian ad litem upon request and without
charge.

28 Upon good cause shown, the guardian ad litem or the parties may move that the court make confidential any
reports or documents placed in the court file by the guardian ad litem.

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2 3.5 PAYMENT OF FEES AND COSTS.

3 The fees and costs of the guardian ad litem shall be paid as follows:

4 [] This is an appointment where the court has found one or both parties to be indigent or that payment at
5 private pay rates would pose an undue financial hardship and therefore Grays Harbor County will
6 guarantee payment of the guardian ad litem fees at the rate of \$100.00 per hour up to a cap of
7 \$1,000.00 for fees in this matter (10 hours) unless the maximum is raised by the Court upon request of
8 the guardian ad litem. Reimbursement to the county by the parties will be determined upon
9 presentation of a motion for payment of fees by the guardian ad litem or at the time of trial.

10 [] This is a private pay appointment. The guardian ad litem rate shall be \$ _____ per hour for up to
11 10 hours of investigation. The parties shall each deposit the sum of \$ _____ into the trust account
12 of the guardian ad litem from which the guardian ad litem shall be paid upon incurring fees and
13 providing a billing to the parties or their attorney(s).

14 The total amount awarded shall be at the discretion of the court after the guardian ad litem files an itemized
15 statement of time with the court, along with a specific request for fees and a proposed order.

16 3.6 CONSENT OF CHILDREN OVER TWELVE TO INVESTIGATION.

17 This order shall serve as authority for the guardian ad litem to obtain records regarding counseling, medical,
18 mental health, and other related information pertaining to all children in this matter, regardless of their age.
19 The guardian ad litem shall not release these records to any other person absent further court order.

20 3.7 AUTHORIZATION FOR RELEASE OF INFORMATION.

21 Upon request of the guardian ad litem, the clerk of the Superior Court, District Court or any Municipal Court is
22 ordered to provide the guardian ad litem with the criminal history of the parties and any information contained
23 within a criminal file of a parent or child, said information to be kept confidential and sealed if submitted to the
24 Court for consideration.

25 3.8 TERMINATION OF APPOINTMENT.

26 The appointment terminates upon entry of the final parenting plan or residential schedule or an order
27 discharging the guardian ad litem.

28 3.9 OTHER:

All adults residing in the parties home shall be subject to the guardian ad litem's investigation and shall sign
releases of information to assist the guardian ad litem in the investigation. The records of all children of either
party are to be released to the guardian ad litem. Said records shall be sealed from the party not the subject
child.

Random UAs may be requested by the guardian ad litem's office in cases which involve allegations of
substance abuse. UAs must be taken on the day requested or they will be considered a dirty UA. The guardian
ad litem shall have full access to all treatment providers, UA and other drug testing agencies and results of such
tests, and such other information as may be necessary to conduct the investigation in this case. The parties shall
execute any authorization to release information to the guardian ad litem that may be requested or required.

1 For all drug testing, the parties shall submit to appropriate private providers to be selected by the parties or the
2 guardian ad litem until final resolution of this matter. UA services will be [] at county expense [X] paid by
3 the parties at time of sample submittal.

4 The guardian ad litem may meet and consult with either party at any stage of these proceedings. The guardian
5 ad litem is not required to obtain independent permission from either parties' attorney prior to any
6 communication with said party.

7 The guardian ad litem shall have full authority to contact and obtain information from any and all school
8 officials and staff, pre-school officials and staff, daycare providers and staff, with regard to the children in this
9 action without notification to the parents.

10 The guardian ad litem shall have full authority, without notification to, or authorization of, the parents or
11 guardians, to speak with the children directly at their pre-school, school, daycare provider or at any other
12 location where the parents have authorized others to oversee the children in any capacity.

13 The guardian ad litem shall have discretion as to whether or not to obtain documents pertaining to the medical
14 or other health related treatment or diagnosis of one of the adult parties. Neither party shall attempt to utilize
15 the guardian ad litem to obtain documents not otherwise obtainable by that party. If, however, such documents
16 are obtained due to a request of one of the parties, that party shall bear the full cost incurred to obtain such
17 records. Such payment shall be made in advance of the order for the records being placed by the guardian ad
18 litem. All medical and mental health records of a party shall be protected by the guardian ad litem to the extent
19 that counsel only may review the documents upon request at a time and place set by the guardian ad litem but
20 that no copies of the documents shall be provided to either party or their counsel. At no time may a party view
21 the medical or mental health records of an opposing parties. Any such documents filed with the court shall be
22 under seal for viewing only by the court in camera absent a court order stating otherwise.

23 The guardian ad litem shall have access to all records of any court in the state of Washington that pertain to a
24 parent or legal custodian of any child covered by this order. All such records shall remain confidential and, if
25 filed with the court, shall be filed under seal.

26 DCYF is hereby ordered to cooperate with the Guardian ad Litem without delay in responding to questions
27 and providing documents upon request that relate to either of the parties or the minor child(ren) in this case
28 as to referrals and/or investigations in any county in the state of Washington. Any documents requested by
the Guardian ad Litem should be provided within two weeks of such a request.

[] If this box is checked, the guardian ad litem's investigation shall be limited to _____

_____.

Dated: _____ Judge/Commissioner

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Presented by:

Approved for entry:
Notice of Presentation waived:

Guardian ad Litem

Petitioner/Attorney for Petitioner

Respondent /Attorney for Respondent