

NO. 90468-5

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SUPREME COURT OF THE STATE OF WASHINGTON

In re the Dependency of M.H.P., a minor child

**STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Petitioner,

v.

P. PARVIN AND L. BRAMLETT,

Respondents.

STATEMENT OF ADDITIONAL AUTHORITIES

Robert W. Ferguson
Attorney General
Anne E. Egeler, WSBA 20258
Deputy Solicitor General
Trisha L. McArdle, WSBA 16371
Senior Counsel
OID #91087
P.O. Box 40100
Olympia, WA. 98504-0100
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Attorneys for DSHS

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PCGraves@perkinscoie.com
EWolff@perkinscoie.com
Attorneys for CASA,
Diana Farrow

COMES NOW the Petitioner State of Washington, Department of Social and Health Services, and the Court Appointed Special Advocate ("CASA") and pursuant to RAP 10.8 submits to the Court the following documents: Motion and Order to Seal Documents, and Motion and Protective Order for Expert Witness and Services Funding Request. These orders were entered November 21, 2014 by King County Superior Court Judge Wesley Saint Clair in a pending termination of parental rights proceeding, and are being submitted in opposition to parents' motion to dismiss appeal as moot.

DATED this 22nd day of January, 2015.

Respectfully submitted by:

ROBERT W. FERGUSON
Attorney General



TRISHA L. McARDLE, WSBA 16371

ANNE E. EGELER, WSBA 20258

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Olympia, WA 98504-0100

360-753-7085

trishal@atg.wa.gov

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Attorneys for DSHS

STATEMENT OF
ADDITIONAL AUTHORITIES

Paul Graves - by John email approval
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ERIC WOLFF, WSBA 43047 1-22-15
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EWolff@perkinscoie.com
Attorneys for CASA, Diana Farrow

STATEMENT OF
ADDITIONAL AUTHORITIES

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FILED
KING COUNTY WASHINGTON

NOV 21 2014

SUPERIOR COURT CLERK
BY EDWARD P CHESVICK
DEPUTY

IN THE SUPERIOR COURT OF WASHINGTON
FOR KING COUNTY

IN RE THE DEPENDENCY OF:)	NO. 14-7-01705-5KNT
)	14-7-01706-3KNT
J.M.)	14-7-01707-1KNT
Z.T.)	
K. W-T)	MOTION AND ORDER TO SEAL
)	DOCUMENTS, CrR 3.1(f)
)	(ORS)
)	
<u>Minor Children,</u>)	CLERK'S ACTION REQUIRED

MOTION

Defendant, appearing *ex parte*, moves that the documents referenced below be placed under court seal. The grounds for this motion are that these records are confidential, privileged and governed by rules of confidentiality for attorney work product, CrR 3.1(f).

DATED this 19th day of November, 2014


Gail Levy, WSBA #22057

FINDINGS: The court finds that said documents, pursuant to CrR 3.1(f) are protected by the attorney-client and work product privileges, and are not subject to disclosure to the state or to the public. Now, therefore,

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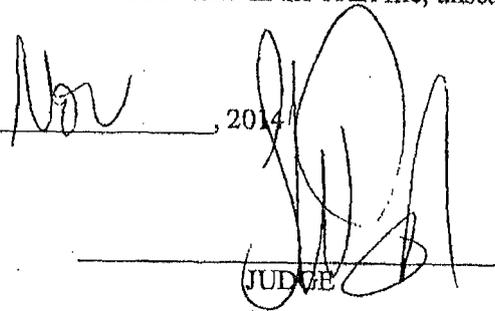
IT IS ORDERED that the following documents be placed under court seal, that said documents be used only by the court for purposes of the defense motion to authorize expert services at public expense, and that said documents shall not otherwise be disclosed to the public or the state absent further order of the court.

Order Authorizing Expert Services at Public Expense Dated: 11/19/2014

Motion and Certification for Appointment of Expert Dated: 11/19/2014

IT IS FURTHER ORDERED that this order shall be filed in the court file, unsealed.

DATED this 21 day of Nov, 2014



JUDGE
J. Wesley Saint Clair

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FILED
KING COUNTY, WASHINGTON

NOV 21 2014

SUPERIOR COURT CLERK
BY EDWARD P CHESVICK
DEPUTY

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

IN RE THE DEPENDENCY OF:

J.M.
Z.T.
K.W-T

)
)
) No. 14-7-01705-5KNT ←
) 14-7-01706-3KNT
) 14-7-01707-1KNT
)
)

) MOTION AND PROTECTIVE ORDER
) FOR EXPERT WITNESS AND
) SERVICES FUNDING REQUEST

Minor Children,

MOTION

Mother, **J.T.** requests a protective order limiting the disclosure of the

following documents and the information contained in these documents:

1. Order Authorizing Expert Services at Public Expense,
Dated 11/19/2014
2. Motion and Certification for Appointment of Expert,
Dated 11/19/2014

These documents were provided to the Office of Public Defense (OPD) and the records and information concerning these documents will be provided to various agencies in the future to conduct financial business.

This request is made pursuant to the recent Washington Supreme Court decision in *Yakima County v. Yakima Herald-Republic* 170 Wn. 2d 775 (2011). The Supreme Court ruled that documents prepared by court personnel in connection with court cases and maintained by the

MOTION AND PROTECTIVE ORDER
FOR EXPERT WITNESS AND SERVICES
FUNDING REQUEST - 1

SOCIETY OF COUNSEL
REPRESENTING ACCUSED PERSONS
1401 E. Jefferson Street, Suite 200
Seattle, WA 98122
(206) 322-8400/FAX (206) 726-3170

ORIGINAL

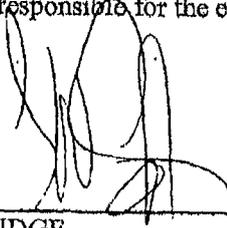
1 court are judicial documents governed by the court rules for disclosure and not the Public
2 Records Act (PRA). In addition, such documents when transferred to non-judicial county entities
3 are governed by the PRA unless they are subject to protective order.

4 The documents listed above, contain information that is work product and confidential
5 under CrR 3.1(f). They outline the defense theory of its case and identify potential experts. Thus,
6 pursuant to the most recent Supreme Court decision, the defense request that a protective order
7 should place restrictions on various agencies from releasing any of these materials or any
8 information contained in these materials.

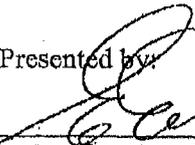
9 **ORDER**

10 IT IS HEREBY ORDERED that any King County records or information that concern
11 the above-mentioned documents and are releases to a King County Agency, the Washington
12 State Auditor, the Washington State Department of Revenue, the Internal Revenue Service
13 pursuant to state or federal law, or a state or county government financial institution for payment
14 purposes are subject to a protective order and, upon proper service of this order, shall not be
15 released to any requestor, including pursuant to a PRA request, to the King County Prosecuting
16 Attorney's Office Criminal Division, to the Assistant Attorney General's Office, or to any
17 governmental agency responsible for the investigation or prosecution of the above-listed
18 defendant, until further order of the court. Defense counsel is responsible for the effecting
19 service.

20 DONE this 20 day of Nov, 2014.



JUDGE
J. Wesley Saint Clair

21 Presented by:

22 Gail Levy, Attorney for the Mother
23 Bar#22057

MOTION AND PROTECTIVE ORDER
FOR EXPERT WITNESS AND SERVICES
FUNDING REQUEST - 2

ORIGINAL

SOCIETY OF COUNSEL
REPRESENTING ACCUSED PERSONS
1401 E. Jefferson Street, Suite 200
Seattle, WA 98122
(206) 322-8400/FAX (206) 726-3170

FILED

14 JUL 11 AM 9:37

KING COUNTY
SUPERIOR COURT CLERK
E-FILED

CASE NUMBER: 14-7-01705-5 KNT

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

In re the Dependency Termination of

J.M.

NO. 14-7-01705-5 KNT
ORDER SETTING TERMINATION OF PARENTAL
RIGHTS CASE SCHEDULE

FILED DATE 7/11/2014
TRIAL DATE 11/17/2014
SCOMIS CODE *ORSCS

I. TERMINATION SCHEDULE NOTICES:

IMPORTANT NOTICE TO PARENTS!

YOU MUST COME TO THE HEARINGS LISTED ON THIS CASE SCHEDULE.

All hearings in this case will be held at the Maleng Regional Justice Center, 401 4th Ave. Kent, Washington except as otherwise directed at the pre-trial conference.

If you do not come to the preliminary hearing, or otherwise respond to the Notice and Summons, the Court will enter a default order permanently terminating your parental rights to your child(ren).

PRINT NAME

SIGN NAME

I TERMINATION SCHEDULE NOTICES: (continued)**STAY IN CONTACT WITH YOUR LAWYER!**

If you do not stay in contact with your lawyer, your lawyer may not be able to effectively represent you in court and the Court can enter an order permanently terminating your parental rights to your child(ren).

HOW TO GET A COURT-APPOINTED LAWYER:

To find out if you qualify for a Court-Appointed lawyer, visit the King County Department of Public Defense at one of these locations:

JUVENILE Court: Room 364 1211 East Alder, Seattle, WA	KENT Courthouse: Room 1M-1264 401 Fourth Avenue North, Kent, WA	SEATTLE Courthouse: Room E-820 516 Third Avenue, Seattle, WA
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The phone number for the King County Department of Public Defense is: (206) 296-7662. Financial Screening Hours are 8:00 a.m. to 4:30 p.m. For more information, please visit www.dpd@kingcounty.gov.

FILING A TERMINATION PETITION:

The Dependency Termination Petition must be filed electronically (attorney) or at the Court Clerk's Office (non-attorney).

For SEA designated cases, file at 1211 East Alder St. Room 346 Seattle, Washington.

For KNT designated cases, file at 401 4th Ave. N., Room 2C Kent, Washington.

STATEMENT OF EVIDENCE:

Each party shall prepare and submit Individual Statements of Evidence unless a Joint Statement of Evidence is being submitted.

- A copy of the Statement of Evidence must be given to the Judge by noon the day before the pre-trial conference. Take the Statement of Evidence to the coordinators' office on the Third floor of the Juvenile Courthouse.

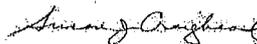
II. CASE SCHEDULE

√	CASE EVENTS	DATE
√	Termination Petition filed.	7/11/2014
√	Signed Order for Service by Publication filed.	7/21/2014
√	DEADLINE for filing of Answer.	9/15/2014
	Preliminary Hearing: Parents Must Attend. Date for Termination of Publication Hearing/Motion for Default. REVIEW of appointment of GAL/Attorney for Child(ren). DEADLINE for Discovery Cutoff. DCFS provides Assistant Attorney General with information necessary to draft Settlement Proposals. (If DCFS is Petitioner.) 8:00 AM Court Room 1L	10/2/2014
	DEADLINE - Settlement Proposals received by all parties.	10/6/2014
	DEADLINE for Exchange of Lists of Possible Witnesses.	10/15/2014
	DEADLINE - Parties meet and discuss Settlement Proposals, stipulations, and exhibits.	10/22/2014
√	DEADLINE - Parties file Joint/Individual Statements of Evidence 3 days prior to the pre-trial conference if parties intend to present a case at trial	
	Pre-Trial Conference: Parents Must Attend. Completion of Service of Process. **The date for the pre-trial conference will be set at the preliminary hearing and shall be approximately one month before trial. 1:30 PM Court Room 1L	
	Fact Finding trial: Parents Must Attend. 9:00 AM Court Room 3A	11/17/2014

The √ indicates a document that must be filed with the Superior Court Clerk's Office by the date shown.

III. ORDER

The King County Juvenile Court shall issue a *case schedule* when a Petition for Termination of Parental Rights is filed in the King County Juvenile Court (Seattle or Regional Justice Center). Individuals involved in this action must comply with the above *schedule*. It is ORDERED that the party filing the petition must serve this *Order Setting Original Termination of Parental Rights Case Schedule* on all other parties.



DATED: 7/11/2014

PRESIDING JUDGE

SUPREME COURT OF THE STATE OF WASHINGTON

IN RE DEPENDENCY OF:

M.H.P.,

Minor Child,

STATE OF WASHINGTON,
DEPARTMENT OF SOCIAL AND
HEALTH SERVICES,

Petitioner,

P. PARVIN AND L. BRAMLETT,

Respondents.

DECLARATION OF
SERVICE

I, Nick Baluca, declare as follows:

I am a Legal Assistant employed by the Washington State Attorney General's Office. On January 23, 2015, I sent a copy of: Statement of Additional Authorities; and Declaration of Service.

Said copies were sent by US Mail, Legal Messenger and/or Electronic Mail, on the 23rd day of January, 2015, to: **Supreme Court**, e-mail address: Supreme@courts.wa.gov; **Suzanne Elliott**, 705 2nd Avenue, Suite 1300, Seattle, WA 98104-1797; e-mail address: suzanne-elliott@msn.com; **Kathryn Barnhouse and Kathleen Martin**, King County CASA Program, 401 4th Avenue N, Suite A2239, Kent, WA

98032-4429; e-mail: addresses: Kathryn.Barnhouse@kingcounty.gov; and Kathleen.Martin@kingcounty.gov; **Anne Egeler**, e-mail address: AnneE1@atg.wa.gov; **Paul Graves and Eric Wolff**, Perkins Coie, LLP, 1201 3rd Avenue, Suite 4900, Seattle, WA 98101; e-mail addresses: PGraves@perkinscoie.com and EWolff@perkinscoie.com.

I declare under penalty of perjury, under the law of the State of Washington that the foregoing is true and correct.

DATED this 23rd day of January, 2015 at Seattle, Washington.



NICK BALUCA
Legal Assistant
OID #91016

OFFICE RECEPTIONIST, CLERK

To: Baluca, Nick (ATG)
Cc: suzanne-elliott@msn.com; kathleen.martin@kingcounty.gov;
'Kathryn.barnhouse@kingcounty.gov'; Egeler, Anne (ATG); PGraves@perkinscoie.com;
EWolff@perkinscoie.com
Subject: RE: Stmt - In Re the Dependency of M.H.P.

Received 1-23-15

From: Baluca, Nick (ATG) [mailto:NickB@ATG.WA.GOV]
Sent: Friday, January 23, 2015 10:33 AM
To: OFFICE RECEPTIONIST, CLERK
Cc: suzanne-elliott@msn.com; kathleen.martin@kingcounty.gov; 'Kathryn.barnhouse@kingcounty.gov'; Egeler, Anne (ATG); PGraves@perkinscoie.com; EWolff@perkinscoie.com
Subject: Stmt - In Re the Dependency of M.H.P.

Attached please find a copy of Statement of Additional Authorities; and Declaration of Service for filing.

This is in reference to the following case:

Case Name: In Re the Dependency of M.H.P. minor child, State of Washington, Department of Social and Health Services, Petitioner v. P. Parvin and L. Bramlett, Respondents.

Supreme Court No.: 90468-5

Contact Name: Nick Baluca, Legal Assistant/Trisha L. McArdle, Assistant Attorney General

Contact #: (206) 389-3016/206-464-6708

Attorney Name: Trisha L. McArdle, WSBA# 16371

Email: nickb@ATG.WA.GOV

TrishaM@ATG.WA.GOV

If you have any questions, please let me know. Thank you.

<p>Nick Baluca LEGAL ASSISTANT 2/POWER USER SOCIAL AND HEALTH SERVICES 206-389-3016 (w) 206-464-6338 (f) nickb@atg.wa.gov</p>
<p><i>Washington State Attorney General's Office</i> 800 5th Ave. Suite 2000 Seattle, WA 98104</p>

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