

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

ALEXANDER MYTON,	:	CIVIL ACTION
	:	
Plaintiff,	:	FILE NO. 21-1-03662
	:	
vs.	:	
	:	
	:	
LAKIA STARKS,	:	
	:	
Defendant.	:	

ORDER APPOINTING GUARDIAN AD LITEM

The Court having found that the appointment of a **GUARDIAN AD LITEM** to represent the minor child/children in this action is necessary, the Court hereby appointments Tyler J. Browning, Esq., as **GUARDIAN AD LITEM**; and,

It appearing to the court that said child/children is/are entitled to the appointment of a **GUARDIAN AD LITEM**, it is **ORDERED** that:

Tyler J. Browning, Esq.
Browning & Smith, LLC
31 Atlanta Street, Suite 201
Marietta, Georgia 30060
770.424.1500
770.424.1740
tyler@browningsmith.com

be appointed **GUARDIAN AD LITEM** for the purpose of representing the best interest of the child/children in this action. Tyler J. Browning shall act as an investigatory arm of the Court and shall have qualified immunity from any and all demands, claims, damages, actions, and causes of action, whatsoever, arising out of the good faith exercise of his duties as the Guardian ad Litem;

This order shall apply to all cases in which a **GUARDIAN AD LITEM** is appointed by this Court pursuant to O.C.G.A. §29-4-7 to represent the best interests of minor children. The **GUARDIAN AD LITEM** shall have all the powers and rights as set out in this Order. In order to perform his/her function, the **GUARDIAN AD LITEM** shall have the full right and authority to completely investigate all aspects of the case; interview witnesses, those suggested by the parties and others thought by the Guardian to possess helpful information and viewpoints; subpoena witnesses for any hearing; and examine all witness at any hearing. In the event that a party or other person shall refuse to cooperate or be interviewed, the **GUARDIAN AD LITEM** shall so report to the Court and shall prepare the case without the assistance of the party or witness unless the Court otherwise directs.

The **GUARDIAN AD LITEM** shall have the right to inspect all records relating to the minor child or children maintained by the clerk of the court, the Department of Family and Children's Service, the Juvenile Court, any school, hospital, doctor, or other mental health provider, and any other social or human services agency, without the necessity of written consent by the parents or the Court. This order authorizes any individual or organization to release those records to the **GUARDIAN AD LITEM**. The **GUARDIAN AD LITEM** shall have the right, upon reasonable notice, to examine any residence where any person seeking custody proposes to house the minors. The **GUARDIAN AD LITEM** is entitled to request financial, medial, mental health and other records of the parties. The **GUARDIAN AD LITEM** may request this Court to order examination of the child or children by a medical or mental health professional, if appropriate. The **GUARDIAN AD LITEM** shall have the right to confer with the court ordered custody evaluator at any and all times on all issues related to the parties and in the best interest of the minor child.

The **GUARDIAN AD LITEM** shall be entitled to notice of and shall be entitled to participate in all hearings, trials, investigations, depositions or other proceedings concerning the child or children, and counsel for all other parties are responsible for ensuring that the guardian receives this notice at the earliest possible time. The **GUARDIAN AD LITEM** shall be served with copies of all pleadings, notices, discovery, reports and any other documents files in this action.

The **GUARDIAN AD LITEM** shall be notified of and shall participate in settlement negotiations and offers of settlement as they affect the best interest of the child or children.

The **GUARDIAN AD LITEM** shall have the right to request either party to submit to testing for drugs and/or alcohol.

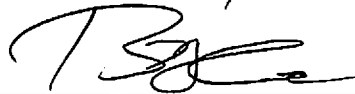
Counsel for the parties, and anyone acting in concert with counsel, shall not communicate with or meet with the parties' minor child(ren) regarding the pending litigation without first securing the written consent of the **GUARDIAN AD LITEM**.

The **GUARDIAN AD LITEM** shall be able to speak to and obtain records of any counselor or therapist, including but not limited to school counselors, seeing the minor child(ren), without the consent of the parents.

It is hereby **ORDERED, ADJUDGED, and DECREED** that the Plaintiff is to make an initial payment to the **GUARDIAN AD LITEM and the firm of Browning & Smith, LLC**, in the amount of \$_____1750_____, and that the Defendant is to make an initial payment to the **GUARDIAN AD LITEM and the firm of Browning & Smith, LLC**, in the amount of \$_____1750_____, for a total retainer amount for the **GUARDIAN AD LITEM** of \$_____3500_____. This amount shall be used to defray a portion of the **GUARDIAN AD LITEM'S** fees and expenses incurred in this case. The **GUARDIAN AD LITEM** will not begin the investigation until the retainer has been paid in

full by both parties. The **GUARDIAN AD LITEM** shall periodically submit to the attorneys of record a statement for services rendered and, after the initial deposit is exhausted, the Court shall determine how the balance of the **GUARDIAN AD LITEM'S** fees shall be paid. The **GUARDIAN AD LITEM'S** rate shall be \$250.00 per hour.

SO ORDERED this the 30 day of July, 2021.



Chief Judge, Robert Leonard
Superior Court of Cobb County

CERTIFICATE OF SERVICE


This is to certify that I have this day served all interested parties in the within and foregoing matter by depositing a copy of the **Order** dated the 30 day of July 2021, in the regular United States Mail in the properly addressed envelopes with adequate postage thereon addressed as follows or via email through PeachCourt to counsel of record:

TYLER BROWNING, ESQ., GAL
TYLER@BROWNINGSMITH.COM

CHRISTINE TRIEBSCHE, ESQ.
TRIEBSCH@BELLSOUTH.NET

REGINA MINCEY, ESQ.
REGINA@BELLWASHINGTON.COM

This 30 day of July 2021.



Mimi Anna Scaljon, Esq.
Staff Attorney to
Judge Robert D. Leonard II