

JOHN J. FRENKIL,

*

IN THE

Plaintiff

*

CIRCUIT COURT FOR

v.

*

BALTIMORE COUNTY

JULIANA T. FRENKIL,

*

Defendant

*

Case No. 03-C-05-6260 DA

* * * * *

MOTION FOR AMENDMENT OF ORDER APPOINTING COUNSEL FOR MINOR CHILD

Now comes, _____, Best Interest Attorney and Child Privilege Attorney for the minor child, -----, and files this Motion For Amendment of Order Appointing Counsel for Minor Child and for reasons so states that:

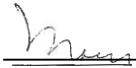
1. _____ was appointed Best Interest Attorney and Child Privilege Attorney on April 5, 2012 by Judge Vicki Ballou-Watts in an Order Appointing Counsel for Minor Child.
2. Since her appointment, _____ has become convinced that the minor child, _____, age 13, has considered judgment and can maturely express her thoughts, feelings and wishes in connection with this action for modification of custody.
3. For this reason, the undersigned counsel believes that the Order appointing her as counsel for the minor child should be modified to reflect that _____ is appointed as Child Advocate Attorney and Child Privilege Attorney for the minor child, _____.

WHEREFORE, Mary G. Loker, Esquire respectfully requests that this Honorable Court issue an Amendment to Order Appointing Counsel for Minor Child:

A. Appointing _____, Esquire as Child Advocate Attorney for the minor child, _____; and

B. Appointing _____, Esquire as Child Privilege Attorney for the minor child, _____; and

C. For such other and further relief as the nature of this cause may require.



Best Interest Attorney and
Child Privilege Attorney for the Minor Child

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this ___ day of _____, 2016, a copy of the foregoing Motion For Amendment of Order Appointing Counsel for Minor Child was mailed first class, postage prepaid, to: -----

JOHN J. FRENKIL,

* IN THE

Plaintiff

* CIRCUIT COURT FOR

v.

* BALTIMORE COUNTY

JULIANA T. FRENKIL,

*

Defendant

* Case No. 03-C-05-6260 DA

* * * * *

**SECOND AMENDED
ORDER APPOINTING COUNSEL FOR MINOR CHILD**

This matter having come before the Court, it is this _____ day of _____
_ 2012, by the Circuit Court for Baltimore County,

ORDERED that

Marv G. Loker, Esquire
Name of Attorney Appointed

3421 Sweet Air Road
Address

Phoenix, Maryland 21131
City, State, Zip

(410) 628-1300
Telephone Number

Is appointed to represent the minor child
Tori M. Frenkil (DOB 01112/1999)

Name(s) and Date(s) of Birth for Children

Before the Court in this matter in the following capacity:

[] **Best Interest Attorney.** The attorney is hereby appointed to provide independent legal services for the purpose of protecting the best interests of the children, without being bound by the children's directives or objectives.

[] **Child Advocate Attorney.** The attorney is hereby appointed to provide independent legal counsel for the children. As such, this attorney owes the same duties of undivided loyalty, confidentiality, and competent representation as are due an adult client.

[] **Child Privilege Attorney.** The attorney is hereby appointed to decide whether to assert or waive, on behalf of the minor children, any statutory privilege pursuant to Nagle v. Hooks, 296 Md. 123 (1983). It is further

ORDERED, that the parties shall fully cooperate with the attorney appointed herein in the performance of the duties instructed by this Court, it is further

ORDERED, that within ten (10) days of the date of this Order, counsel for Plaintiff, or Plaintiff shall provide to the attorney appointed herein copies of all pleadings and papers filed in the above action and any non-privileged correspondence between the parties or counsel for the parties. It is further

ORDERED, that within ten (10) days of the date of this Order, each party is to provide the attorney appointed herein with the names and known addresses and telephone numbers of any and all mental health providers who have evaluated or treated the child(ren) and anyone else with whom the children may have a privilege pursuant to the Statute. It is further

ORDERED, that the attorney appointed herein shall have reasonable access to the children and to all otherwise privileged or confidential information, including but not limited to any protected health information, about the children, without the necessity of any further Order of the Court. The attorney's access to privileged and confidential information shall be without the necessity of a signed release, including medical, dental, psychiatric/psychological, social services, drug and alcohol treatment, law enforcement and educational records and information. It is further

ORDERED, that the attorney appointed herein shall provide

() (*Best Interest Attorney*) Written recommendations to be filed on or before _____, 2008.

() (*Child's Privilege Attorney*) A written document/line asserting or waiving the privilege, to be filed on or before _____, 2008. It is further

ORDERED, that the attorney appointed herein shall be compensated as follows:

[] **Payment into attorney's trust account.** Plaintiff is hereby directed to pay the appointed attorney for deposit into the attorney trust account the sum of \$ _____ within thirty (30) days of the date of this Order, and the Defendant is hereby directed to pay the appointed attorney for deposit into the attorney's trust account the sum of \$ _____ within thirty (30) days of the date of this Order as initial contributions toward the attorney's fees in performing these services. A final allocation of fees will be determined by the Court at the hearing on the merits of the case, or upon motion of children's attorney. The attorney for the children shall be entitled to charge an hourly fee for services not to exceed \$ _____. It is further

[] **Pro Bono representation.** The attorney appointed herein shall provide representation on a pro-bono basis.

[] **Other Means.** _____

It is further

ORDERED, that the attorney appointed herein shall not have any *ex parte* communications with the Court unless the Court so directs. In addition, the attorney/client privilege shall be respected at all times. As such, the attorney appointed herein may not speak to the parties without prior permission of their respective attorneys, and the attorneys for the parties may not speak with the children without the prior permission of the attorney appointed herein. It is further

ORDERED, the absent further order of this Court, the attorney appointed herein shall not be required to participate in any appeal in this matter. It is further

ORDERED, that although the minor children are not parties to this action, the attorney appointed herein shall be entitled to engage in discovery as part of the performance of the duties assigned herein, and to file Motions or seek Orders as appropriate, in the fulfillment of the duties appointed herein.

JUDGE

NOTICE TO CLERK: Kindly forward copies of this Order to:

Jonathan B. Rudie, Esquire
Court Square Building
200 E. Lexington Street, Suite 403
Baltimore, Maryland 21202

Kristine K. Howanski, Esquire
Howanski & Meadows, LLC
401 Washington Avenue, Suite 803
Towson, Maryland 21204

Michael Kaplan, Esquire
Court Square Building
200 E. Lexington Street, Suite 403
Baltimore, Maryland 21202