

STATE OF RHODE ISLAND
PROVIDENCE, SC.

FAMILY COURT

PAMELA DOS REIS

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:
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v

F.C. No.:

FRANK DOS REIS

GUARDIAN AD LITEM PRELIMINARY REPORT

Now comes Kenneth A. Schreiber, Esquire, the Guardian Ad Litem in the above-captioned matter and hereby files the following preliminary report:

Introduction.

The Guardian Ad Litem was appointed by the Honorable Chief Justice Jeremiah Jeremiah on October 5, 2009. No pleadings were reviewed as of this date and incomplete testimony was heard on that date. The Court asked the Guardian to initially interview the minor child, [REDACTED], age 6, and report back to the Court with any findings and recommendations regarding all salient elements pertaining to the minor child.

Mother/Plaintiff

Your Guardian interviewed Mother at the courthouse and again at the marital domicile. The home is located at 14 Roberts Circle, Johnston, Rhode Island. Although I did not observe each room in the home, it appeared to be a well kept property both outside and inside. [REDACTED]'s room was clean and neat and decorated with many dolls, toys, Webkins, etc. She is employed as a sheriff at the Rhode Island Traffic Tribunal. Her hours of employment are 8:00 a.m. to 4:30 p.m., Monday through Friday and while she does serve individuals after hours, she indicated she has flexibility with her schedule.

Father/Defendant

Your Guardian was able to speak with the father at the courthouse and again the morning of October 6, 2009. Father is currently living at 17 Adams Circle, Rehoboth, Ma. He is employed as a correctional officer at the Adult Correction Institute and his hours of employment are 7:00 a.m. to 3:00 p.m. Saturday through Wednesday (Thursday and Friday are his days off). The home he is presently staying at he describes as quite large and filled with [REDACTED]'s cousins. He indicated it was about a thirty (30) minute drive from the marital domicile and fairly close to the school [REDACTED] attends. I believe he has had one visit since the restraining order was granted and he is anxious to spend time with his daughter.

Both parties were cooperative to the limited extent your Guardian was able to communicate with them. Both parties displayed the genuine and sincere affection for their daughter and neither displayed any animosity or criticism with respect to the other's character as it relates to being a parent.

[REDACTED]

As indicated previously, [REDACTED] is about 6 ½ years of age (d/o/b 3/15/03). She is in obvious good health as she displayed acrobatic skills as well as a short demonstration of her karate talent. At first, she was a little bit shy (which is certainly understandable since she was meeting a stranger) but within a very short time, she "warmed up" to the interview and displayed no hesitation, speaking freely and impulsively. A wide range of topics were discussed privately in her room. She spoke with clarity, energy and enthusiasm. She was bright and articulate and to an extent grasped some of the ongoing situation. She attends school at St. Mary's Bay View Academy in East Providence, Rhode Island. She likes her teacher (Mrs. Wiswell) and is driven to school on a daily basis. Although she has a beautifully decorated room, she did volunteer that on occasion she and her mother slept on the couch downstairs (this was not confirmed with mother and your guardian thought if in fact true, it was an aberration). She likes her neighborhood, friends and

also spoke very fondly of her extended family, ie. grandparents, cousins, etc. Most of all she, she professed her love for both parents and the fact that she "missed" her father very much.

██████████ is a bright and energetic little girl. Like so many children her age, she is pure and innocent. She was entertaining but never boisterous. Your guardian saw no external adverse affects displayed by this very beautiful child from the circumstances surrounding her. Of course, this needs to be explored in much more detail as she begins to further comprehend and understand what is actually happening around her.

Third party/Godfather/Williams

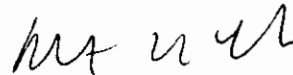
██████████ refers to her Godfather as "Chiefy". A picture of the two of them smiling together appears on her bureau. Her room is filled with gifts from her Chiefy. She describes him as someone who she plays catch with, plays on the swings, plays hide and seek and swims in the pool (the property has a pool on it) as well. ██████████ indicated he spends a lot of time at the house and sometimes sleeps over. She has met his wife Virginia as well but did not know anything about any garbage which was dropped off at her home by Chiefy. Again, she spoke freely about her relationship with her Godfather. When asked about what she thought a Godfather was, she said "a second father". Your Guardian corrected her that she only has one Daddy. She was unaffected and moved on to tell me another story. She could not quantify the extent Chiefy is at the home but said he was there "a lot" and they had dinner together often (father, mother and Chiefy).

She also spoke of the arguments her parents had in her presence. Both used bad words. She knew the arguments were about "money and bills". She was somewhat uncomfortable about discussing the specifics of any one argument but indicated they occurred frequently. Certainly, she should be spared any exposure to those adult disagreements in the future. In short, in the limited time I interviewed her (approximately one hour) it was an absolute pleasure to have what your Guardian perceived as productive dialogue. This young girl needs to be protected from any adverse outside influences during this pending matter.

Recommendations

With respect to Dad, visitation should commence immediately and arrangements should be made for ██████████ to see her father, both during the day and overnight hours. Your Guardian is available with the assistance of counsel and the Court, to coordinate a temporary schedule which would be in the best interest of the minor child. With respect to third party/Williams, at this time your guardian would prefer to defer on making any recommendation due to the very limited time which was spent with the parties and the minor child. Your Guardian can say at this very early stage, "Chiefy" plays a very large role in ██████████'s life and she needs to be educated that there is only one father in her life. That distinction should be addressed forthwith. As to the continuing interaction of Chiefy, it may be necessary to have ██████████ seen by a counselor/physician to ascertain what, if any, harm there may be but your guardian would defer to the Court. Certainly, he has a great deal of influence on her since she showed great warmth and love for him in her remarks. Again, this was a very limited interview and I intend, with the Court's permission, to further investigate any and all claims made by the parties, interview all individuals who have information which may assist me and also visit with ██████████ on a consistent basis. In the interim, no recommendation is made as to Chiefy's continued interaction pending further order of the court, although again I found no evidence of harm to ██████████ at this time. She clearly has a place in her heart for "Chiefy". Your Guardian awaits further instruction from the Court.

Plaintiff,
By his attorney,



Kenneth A. Schreiber, Esq. (#3571)
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401-781-2000

CERTIFICATION

I hereby certify that a true copy of the within Order was mailed, postage prepaid, to Keven McKenna, 23 Acorn Street, Providence, RI 02903 and John Lynch, Esq., 600 Tollgate Road, Warwick, RI 02886 on this 6th day of October, 2009.