Superior Court of the District of Columbia

Practice Standards for Guardians ad Litem in Custody and Related Consolidated Cases

Pursuant to D.C. Code Sections 16-918(b) and 16-831.06(c), the court is permitted to appoint an attorney to act as a guardian *ad litem* "to appear on behalf of the child and represent his best interests" in any proceeding "wherein the custody of a child is in question."¹ D.C. Code Section 11-1103 directs the Superior Court to adopt practice standards for all court-appointed attorneys in the Family Court. The following practice standards shall apply, therefore, to guardians *ad litem* who are appointed by the court to represent and advocate for the child's best interests in custody and related consolidated cases involving domestic violence, the dissolution of a marriage, separation, and parentage proceedings, where issues of legal and/or physical custody/placement, parenting plans, access and/or visitation, and related issues involving child support and maintenance shall be adjudicated. These standards do not apply to attorneys appointed as guardians *ad litem* for children in neglect proceedings pursuant to D.C. Code Title 16, Chapter 23.

These standards reflect the unique role of the guardian *ad litem* and the imperative that the standards foster zealous, effective, and competent legal representation of the child's best interests.

I. Appointment of a Guardian *ad Litem*.

- A. <u>Cases Where Appointment is Appropriate</u>. The court is not required to appoint a guardian *ad litem* but may, in the exercise of its discretion, appoint a guardian *ad litem* to advocate for the child's best interests in cases where the following condition or conditions exist:
 - 1. One or both parties request the appointment;
 - 2. There is a high level of conflict and acrimony between the parties or between a party(ies) and the child;
 - 3. There is a reasonable basis to believe that there is undue parental influence or manipulation;
 - 4. A child has substantial assets/trusts (property or income) and/or will inherit substantial assets; or is receiving Child Support, Temporary Assistance to Needy

¹ These Standards do not apply to attorneys appointed to represent a child's expressed wishes. *See* D.C. Bar Ethics Comm., Op. 295, n.1 (2000), *Restriction on Communications by a Lawyer Acting as Guardian ad Litem in a Child Abuse and Neglect Proceeding, available at* http://www.dcbar.org/for_lawyers/ethics/legal_ethics/opinions/opinion295.cfm.

Families (TANF), Supplemental Security Income (SSI), or Social Security Disability Insurance (SSDI);

- 5. There are past or present allegations of neglect and/or abuse of the child or a sibling, or there is a past or pending case involving the neglect and/or abuse of the child or involving a sibling;
- 6. There are past or present allegations of domestic violence, or there is a past or pending domestic violence case, involving any party or involving a significant other, spouse or family member where substantive issues involving placement, supervision, interaction, and access are implicated;
- 7. There are present and/or past mental health and/or substance abuse issues involving the child, a sibling and/or a parent(s) or others with significant access or interaction with the child;
- 8. There are special needs, disabilities or medical conditions involving the child and/or parent(s) or others with significant access to the child;
- 9. There is a party, significant other, spouse, or family member with considerable interaction and/or access to the child who has a criminal conviction that may reasonably implicate the health, safety, and/or welfare of the child;
- 10. There is a plan to relocate that will have a substantial impact upon the child's placement, access to, and/or visitation with the child;
- 11. There are issues involving a change in access to the child;
- 12. The action involves a third-party complaint (family member or other) where one or both parents oppose the action;
- 13. The child is of a developmentally appropriate age with reasoned judgment and has voiced a consistent desire to participate in the subject proceedings or has otherwise expressed certain views and concerns;
- 14. The appointment shall facilitate the judge's ability to decide the case with full knowledge of and access to relevant and material information, which is necessary to a best interests analysis, as required by case law and pertinent statute;
- 15. There have been attempts to abduct the child or otherwise remove the child from the jurisdiction of the court, from the state, or from the country; and/or there is a history of actual parental kidnapping or removal of the child from the jurisdiction without the consent of a parent; and/or there is the present likelihood that attempts in that regard will be made; and/or
- 16. Any other reason that the court deems appropriate.

B. **Qualifications for Appointment**.

- 1. The lawyer appointed to serve as the guardian *ad litem* shall be a member in good standing of the District of Columbia Bar or authorized to practice law in the District of Columbia pursuant to D.C. Court of Appeals Rule 49, and otherwise satisfies the requirements for an appointment as set forth herein.
- 2. Prior to appearing as a guardian *ad litem*, the attorney shall receive the necessary training to provide competent representation, which includes familiarity with the following topics:
 - a. Relevant local and federal laws, court decisions and rules, administrative orders, and applicable legal standards;
 - b. The role of the guardian *ad litem* in custody cases;
 - c. District of Columbia Rules of Professional Conduct;
 - d. Evidence and court procedure;
 - e. Basic trial skills;
 - f. Information pertaining to recognizing, evaluating, and understanding evidence of child neglect and abuse;
 - g. Information regarding family dynamics and dysfunction, domestic violence, and substance abuse; and
 - h. Information on competence with regard to cultural, racial, ethnic, economic, or other differences among the guardian *ad litem*, parties, and the child.

As part of the training process, guardians *ad litem* shall be assigned as determined appropriate by the referring or sponsoring agency or organization to mentors or supervisors with family law experience who have represented parties in domestic relations cases. Guardians *ad litem* should seek the advice and input of these more experienced lawyers.

II. Appointment Order:

- A. <u>**Provisions of Appointment Order**</u>.² The court shall issue a written order that:
 - 1. Identifies the guardian *ad litem* and his or her contact information;
 - 2. Specifies the nature, scope and duration of appointment;

 $^{^{2}}$ A form guardian *ad litem* appointment order is attached hereto, which is subject to revision at the discretion of the judge presiding over the instant case.

- 3. Authorizes access by the guardian *ad litem* to the child and, as appropriate to the case and consistent with the best interest of the child, to all significant persons and relevant environments, including but not limited to, the parent's home(s), other home(s) where the child has access and spends significant time, the school placement, academic providers, and a nanny or other childcare provider;
- 4. Requires the parties to cooperate fully with the guardian *ad litem*, which cooperation shall include, but not be limited to, completing and signing release forms authorizing the guardian *ad litem* to obtain health care, education, and other information related to the child; providing the guardian *ad litem* with requested information; answering the guardian *ad litem*'s questions truthfully; and making the child available to the guardian *ad litem* upon the receipt of reasonable notice, except where reasonable notice is not possible due to an emergency;
- 5. Provides for payment by the parties for services rendered and expenses incurred by the guardian *ad litem*, if not provided by a pro bono attorney or by an attorney employed by a legal services organization or non-profit entity;
- 6. For pro bono appointments, provides for the guardian *ad litem* to serve without compensation and without the payment of court costs, filing and other fees, and directs the clerk's office to furnish to the guardian *ad litem* free of charge a copy of all pertinent documents in the court's file in the instant case or any other case involving a party or the child;
- 7. Provides for the guardian *ad litem* to obtain confidential court files upon appropriate waiver(s) and/or leave of court in accordance with court rules;
- 8. Requires that whenever the guardian *ad litem* prepares a written report, it shall be submitted to chambers (not filed in the public case file) with copies served upon the parties; unless there is good cause, the report shall be submitted at least five business days before the next scheduled hearing or proceeding;
- 9. Terminates the appointment 30 days after completion of the case ending in a judgment, adjudication, decree, or final order from which no appeal has been taken and the time allowed for an appeal has expired;
- 10. Requires the parties to serve the guardian *ad litem* with all papers filed in the case; and
- 11. Contains any other provisions as the court may determine appropriate, including provisions that a guardian *ad litem* may request the court to include.
- B. <u>Contempt Powers</u>. The court may enforce its orders under this subsection by use of its contempt powers.

- C. <u>Continuation of Appointment Post-Judgment Proceedings</u>. A guardian *ad litem*'s appointment may be extended to authorize representation of the child's best interests in post-judgment proceedings, consistent with the guardian *ad litem*'s assessment of the child's best interests and with the guardian *ad litem*'s willingness to continue to serve.
- D. <u>Appointment on Appeal</u>. If notice of appeal has been entered, the guardian *ad litem* may seek an appointment on appeal, subject to any Rules of the D.C. Court of Appeals.

III. Role of the Guardian *ad Litem*.

- A. <u>Attorney Appointed to Represent the Child's Best Interests</u>. The guardian *ad litem* is an attorney appointed by the court to represent the child's best interests in domestic relations proceedings. The guardian *ad litem* shall represent the child's best interests at any hearing and during all stages of the proceedings, unless relieved, replaced, or the appointment terminates. The guardian *ad litem* shall function independently and is a full and active participant in the proceedings who shall investigate, assess, and evaluate the issues, and shall zealously advocate for the child's best interests. In determining what is in the child's best interests, the guardian *ad litem* should use objective criteria and avoid relying on personal life experiences or stereotypical views of individuals whose backgrounds differ from that of the guardian *ad litem*.
- B. <u>Guardian ad Litem to Have Rights of a Party</u>. Unless excluded by statute, rule, or case law, the guardian ad litem shall have certain rights of a party and fully participate in every court proceeding, at any stage, and shall receive court notice of the same. The guardian ad litem shall be authorized to: participate in pre-trial conferences, trial, mediations and negotiations; propound discovery; call witnesses; cross-examine witnesses; submit evidence; give an opening statement and closing argument; submit findings of fact and conclusions of law; preserve issues for appeal; file pleadings and motions; apply for protective orders; and take such actions during the pre-trial, trial and post-trial proceedings as are necessary to zealously advocate for the best interests of the child.
- C. **Duties of the Guardian** *ad Litem*. In fulfilling his or her role, the guardian *ad litem* shall have the following duties:
 - 1. <u>Initial Tasks</u>. Immediately after being appointed, the guardian *ad litem* shall review the case file. The guardian *ad litem* shall inform other parties or counsel of the appointment, and that as guardian *ad litem*, he or she should be served with copies of all pleadings filed in the case and any discovery exchanges, and is entitled to notice of and to fully participate in all hearings related to the appointment.

Building a Relationship with the Child.

- a. When the guardian *ad litem* meets with the child, all communications should be adapted to the child's age, level of education, cognitive and emotional development, cultural background, and degree of language acquisition, using an interpreter if necessary.
- b. The guardian *ad litem* should inform the child, in a developmentally appropriate manner, about the court system, the proceedings, and the guardian *ad litem*'s role and responsibilities.
- c. The guardian *ad litem* should consider meeting with the child in an environment familiar to the child, including the child's home(s) where appropriate. It is important for the guardian *ad litem* to recognize that children may not be comfortable talking to the guardian *ad litem* in an office. Further, it is generally important for the guardian *ad litem* to observe a child's home(s) and current circumstances to be confident that the child's surroundings are safe and appropriate. While not a mandated reporter of abuse or neglect,³ the guardian *ad litem* should consider making a report to the court and/or appropriate child protection authorities when the guardian *ad litem* has concerns about the safety of the child.
- d. The guardian *ad litem* should be prepared to spend meaningful time with the child. The guardian *ad litem* should, when appropriate, meet with the child outside the presence of the parties to ensure the child has a safe space to discuss the case and other matters with the guardian *ad litem*. Even preverbal children can provide valuable information about their needs through their behavior, including their interactions with their caretakers and other adults.
- 3. <u>Investigations</u>. The guardian *ad litem* shall conduct thorough, continuing, and independent investigations in accordance with the zealous representation of the child's best interests, with an awareness of and sensitivity to how his or her actions may impact the child's social, emotional, and educational wellbeing, including as appropriate:
 - a. reviewing any non-confidential court files of the child, siblings, parties to the case, and household members; reviewing relevant confidential court files with special court authorization; and reviewing case-related records of any social service agency and other service providers;

³ See D.C. Code § 4-1321.01 et seq.; D.C. Code § 22-3020.52; see also D.C. Code § 16-2301 et seq. (statutory definition of "neglected child" and related definitions). But see D.C. Code § 4-1321.02(b); D.C. Code § 22-3020.52(c)(1).

- b. reviewing the child's medical, social, educational, psychiatric, and psychological evaluations and/or records to which the guardian *ad litem* will be granted access;
- c. contacting lawyers for the parties;
- d. contacting and meeting with the parties, with permission of their lawyers if the parties are represented by counsel;
- e. interviewing individuals who are significantly involved with the child;
- f. reviewing evidence related to the statutory custody factors set forth in D.C. Code Section 16-914(a)(3) directly, rather than relying principally upon other descriptions and characterizations from parties, counsel, witnesses, or other individuals;
- g. ascertaining and assessing the child's views in a developmentally appropriate manner;
- h. staying apprised of other relevant court proceedings affecting the child; and
- i. where feasible, assisting the parties in identifying and accessing services for the child and family and verifying implementation of such services.
- 4. <u>Pre-trial Responsibilities</u>. The guardian *ad litem* shall:
 - a. conduct thorough, continuing, and independent investigations as set forth more fully in paragraph 3 above;
 - b. conduct discovery when appropriate;
 - c. develop a theory and strategy of the case to implement at hearings, including presentation of factual and legal issues;
 - d. stay apprised of other relevant court proceedings affecting the child, the parties, and other household members;
 - e. attend meetings involving issues within the scope of the appointment;
 - f. take action to expedite the proceedings when appropriate;
 - g. participate in and, when appropriate, initiate negotiations and mediation. When necessary, the guardian *ad litem* should clarify that he or she is not acting as a mediator; and a guardian *ad litem* who participates in a mediation should be bound by the confidentiality and privilege rules governing the mediation. If a settlement agreement is reached by the

parties and submitted to the court, the guardian *ad litem* may notify the court of the guardian *ad litem*'s position with respect to whether it is in the child's best interests;

- h. participate in depositions, pre-trial conferences, and hearings; and
- i. file or make petitions, motions, responses, or objections when necessary.
- 5. <u>Hearings</u>. The guardian *ad litem* shall appear in court on the dates and times scheduled for hearings and proceedings, and shall be prepared to represent fully and zealously the child's best interests. Although the guardian *ad litem*'s position regarding the child's best interests may align with positions of other parties, the guardian *ad litem* shall be prepared to participate fully and shall not simply defer to or endorse the positions of other parties. Specifically, the guardian *ad litem* shall:
 - a. identify herself or himself as the guardian *ad litem* at the beginning of any court hearing;
 - b. make appropriate motions, file briefs, and preserve issues for appeal as appropriate;
 - c. present and cross-examine witnesses and offer exhibits as necessary;
 - d. if a child is to meet with the judge or testify, prepare the child by familiarizing the child with the places, people, procedures, and questioning to which the child will be exposed, and seek to minimize any harm to the child from the process;
 - e. make an opening statement and a closing argument proposing specific findings of fact and conclusions of law; and
 - f. advocate for a written order that conforms to the court's oral rulings and includes all statutorily required findings and notices.
- 6. <u>Child's Interview or Testimony</u>. The guardian *ad litem* shall take a position based on the child's best interests regarding whether the child should be interviewed by the judge or testify and shall file any necessary motions to further that position.⁴ Children, if they do testify, can be determined to be competent.⁵

⁴ See N.D. McN. v. R.J.H., Sr., 979 A.2d 1195 (D.C. 2009); In re Jam.J., 825 A.2d 902 (D.C. 2003).

⁵ See e.g., Barnes v. United States, 600 A.2d 821 (D.C. 1991); Smith v. United States, 414 A.2d 1189 (D.C. 1980); Robinson v. United States, 357 A.2d 412 (D.C. 1976); Edmondson v. United States, 346 A.2d 515 (D.C. 1975); In re Lewis, 88 A.2d 582 (D.C. 1952).

The guardian *ad litem* should seek to minimize any adverse consequences that may arise from a child being interviewed by a judge or called as a witness by seeking all appropriate accommodations permitted by law. The child should be told in advance that in-chambers or court testimony will be shared with the parties. The guardian *ad litem* should be cognizant that the trial court can limit questions and should request that all parties submit questions to chambers in advance.⁶

7. **<u>Reports</u>**. The guardian *ad litem* may prepare written and/or oral reports during the *pendente lite*, pre-trial, trial, and post-trial stages of the proceedings. Whenever the guardian *ad litem* submits a written report, it shall be provided directly to the judge's chambers and to the parties at least five business days before the next scheduled hearing or proceeding, unless good cause is shown. All written reports shall be served upon the parties by first class mail or e-service as appropriate and shall be accompanied by a certificate of service in conformity with court rules. All written reports should be limited to information the guardian *ad litem*: (a) believes to be supported by admissible evidence; and (b) intends to introduce at trial or an evidentiary hearing. The judge shall make a docket entry in the court's official case file that the written report was submitted and the date of submission.

IV. Applicability of District of Columbia Rules of Professional Conduct.

The District of Columbia Rules of Professional Conduct apply to guardians *ad litem* just as they do to all other attorneys practicing before the court, and specifically with respect to the following ethical issues that often arise for guardians *ad litem*:

- A. Zealous Representation of Child's Best Interests.⁷ A guardian *ad litem* shall represent the child's best interests zealously and diligently within the bounds of the law. In doing so, the guardian *ad litem* has professional discretion in determining the means by which the matter should be pursued. Because the guardian *ad litem* represents the child's best interests, and not the child's expressed wishes, the guardian *ad litem* is not bound by the explicit direction of the child and may make recommendations to the court that are different from the child's expressed wishes. However, the guardian *ad litem* should inform the court if the child's wishes are different from the guardian *ad litem*'s recommendations and, in some instances as set forth in paragraph C below, an expressed wishes attorney may be appointed.
- B. <u>Confidentiality of Communications</u>.⁸ The guardian *ad litem* shall comply with applicable District of Columbia Rules of Professional Conduct and ethics opinions

⁶ See e.g., Jam.J., 825 A.2d 902; In re T.W., 623 A.2d 116 (D.C. 1993). For further case law on children's testimony, see generally Ravdin & Brenneman, *Domestic Relations Manual for the District of Columbia* (Matthew Bender 2012).

⁷ D.C. Rules of Prof'l Conduct R. 1.3.

⁸ D.C. Rules of Prof²l Conduct R. 1.6, R. 1.14.

with respect to the confidentiality of communications between the guardian *ad litem* and the child and other confidential information obtained during the representation. The guardian *ad litem* may disclose the child's confidential information if the child consents or if the guardian *ad litem* believes doing so would be in the best interests of the child. The guardian *ad litem* shall consider the potential impact upon the child of any such disclosures to the court and the parties.

- C. Conflicts of Interest.⁹ The guardian *ad litem* should always give careful consideration to potential conflicts and seek guidance as necessary. When the guardian *ad litem*'s assessment of the child's best interests conflicts with the views of the child, the guardian ad litem shall notify the court of the conflict and in some circumstances, an attorney may be appointed to represent the child's expressed wishes. The new attorney for the child will represent the child's expressed wishes, while the guardian ad litem will advocate with regard to the child's best interests. As soon as the court resolves the issue that caused the conflict, the attorney for the child representing the child's expressed wishes may request leave of court to withdraw. The guardian *ad litem* also shall consider if a conflict of interest exists with regard to serving as the guardian *ad litem* for more than one child or sibling. The guardian *ad* litem shall not represent two or more siblings when their interests are adverse and shall never represent siblings when it is alleged that one sibling has physically or sexually abused the other. If the guardian *ad litem* determines that representation of multiple children could result in taking two or more adverse positions in the case, he or she shall make a request to the court for the appointment of a second guardian ad litem or may have to withdraw from representation of all of the children.
- D. **Dealing with Represented and Unrepresented Parties**.¹⁰ The guardian *ad litem* shall not contact or interview represented parties without permission from the party's attorney; provided that, the guardian *ad litem* may contact represented parties without such consent for the limited purpose of scheduling visits with the child. The guardian *ad litem* may not circumvent the District of Columbia Rules of Professional Conduct concerning communication with a represented party by requesting that a third party ask a represented party for information. In dealing with a person who is not represented by counsel, the guardian *ad litem* shall not state or imply that he or she is disinterested, and if the unrepresented person misunderstands the guardian *ad litem*'s role, he or she shall make reasonable efforts to correct the misunderstanding.
- E. <u>*Ex-Parte* Communications</u>.¹¹ The guardian *ad litem* shall not engage in *ex-parte* communications with the court except: (1) in the event that a request for an emergency hearing is necessary to prevent imminent harm to the minor child, or (2) as authorized by the parties or counsel on behalf of the parties.

⁹ D.C. Rules of Prof'l Conduct R. 1.7; D.C. Bar Ethics Comm., Op. 295 (2000); *In re. A.S. & J.S.*, 118 Daily Wash. L. Rptr. 2221, 2227 n.15 (D.C. Super. Ct. Oct. 11, 1990).

¹⁰ D.C. Rules of Prof'l Conduct R. 4.3; D.C. Bar Ethics Comm., Op. 295 (2000).

¹¹ D.C. Rules of Prof'l Conduct R. 3.5(b).

- F. **Independence and Objectivity**.¹² The guardian *ad litem* shall maintain independence, objectivity, and fairness, as well as the appearance of fairness in dealings with parties and professionals, both in and out of the courtroom. It is important to the fulfillment of the guardian *ad litem*'s role and duties to make every effort to develop and maintain a professional working relationship with all parties, their counsel, and others who have significant access and/or interaction with the child, and to do so without sacrificing independence and focus.
- G. <u>Guardian *ad Litem* as Witness or to Provide Testimony</u>.¹³ Unless required by law, a guardian *ad litem* shall not be called as a witness nor shall a guardian *ad litem* testify, orally or in writing, in any hearing or evidentiary proceeding.

 ¹² D.C. Rules of Prof'l Conduct R. 3.4, R. 4.1; D.C. Bar, Voluntary Standards for Civility in Professional Conduct, available at http://www.dcbar.org/for_lawyers/ethics/legal_ethics/voluntary_standards_for_civility/index.cfm.
 ¹³ D.C. Rules of Prof'l Conduct R. 3.7; S.S. v D.M., 597 A.2d 870 (D.C. 1991).

Bibliography

- American Bar Association Section on Family Law. *Standards of Practice for Lawyers Representing Children in Custody Cases.* Washington, DC: 2003. *Available at* <u>http://www.americanbar.org/content/dam/aba/migrated/domviol/pdfs/0908/Standards</u> <u>of Practice for Lawyers Representing Children.authcheckdam.pdf.</u>
- Council for Court Excellence. Proposed District of Columbia Practice Standards for Lawyers Representing Children in Custody, Visitation, and Other Domestic Relations Branch Cases. Washington, DC: 2011. Available at <u>http://www.courtexcellence.org/uploads/publications/Proposed_DC_Practice_Standards_Report_July_2011.pdf</u>.
- Council for Court Excellence, Custody Guardian Ad Litem Standards Subcommittee. 50 State Survey of Guardian ad Litem Custody Standards/Guidelines. Washington, DC: 2011. (Unpublished).
- Court of Appeals of Maryland, Standing Committee on Rules of Practice and Procedure. *Rules Order: Appendix: Maryland Guidelines for Practice for Court-Appointed Lawyers Representing Children in Cases Involving Child Custody or Child Access.* Annapolis, MD: 2007. *Available at* <u>http://www.courts.state.md.us/rules/rodocs/ro157.pdf</u>.

Judicial Council of Virginia. Standards to Govern the Appointment of Guardians Ad Litem Pursuant to § 16.1-266, Code of Virginia. Richmond, VA: Updated as of 2011. Available at http://www.courts.state.va.us/courtadmin/aoc/cip/programs/gal/children/gal_performance___standards_children.pdf.

Revised Standards of Practice for CCAN and GAL Appointments, Superior Court of the District of Columbia Administrative Order No. 13-06 (March 28, 2013). Available at <u>http://www.dccourts.gov/internet/documents/13-06-</u> <u>ATTACHMENT-Revised-Standards-of-Practice-CCAN-GAL-Appointments.pdf</u>.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

FAMILY COURT DOMESTIC RELATIONS BRANCH

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Plaintiff)
Judge
Next Hearing Date:
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Related Cases:
Defendant.)

ORDER APPOINTING GUARDIAN AD LITEM

It is this _____ day of _____, 20__, by the District of Columbia Superior Court,

ORDERED that ______ is hereby appointed as the guardian *ad litem*

("GAL") for the minor child(ren): _____, born _____, and _____,

born _____; and it is further

ORDERED that the GAL shall represent the best interests of said child(ren) in the above-captioned case in all matters relating to custody and visitation; and it is further

ORDERED that the GAL shall undertake his or her duties hereunder in accordance with the *Practice Standards for the Appointment of Guardians ad Litem in Custody and Related Consolidated Cases;* and it is further

ORDERED that the GAL shall have access to the child(ren) and, as appropriate to the case and consistent with the best interest of the child(ren), to all significant persons and relevant environments, including but not limited to, the parent's home(s), other home(s) where the child(ren) has access and spends significant time, the school placement, related academic providers, a nanny or other childcare provider; and it is further

ORDERED that the parties shall cooperate fully with the GAL, which cooperation shall include but not be limited to: completing and signing release forms authorizing the GAL to obtain health care, education, and other information related to the minor child(ren); providing the GAL with requested information; answering the GAL's questions truthfully; and making the minor child(ren) available to the GAL upon the receipt of reasonable notice, except where reasonable notice is not possible due to an emergency; and it is further

[ORDERED that the parties shall provide payment for services rendered and expenses incurred by the GAL, if not provided by a pro bono attorney or by an attorney employed by a legal services organization or non-profit entity; and it is further]

[ORDERED that if the GAL serves without compensation, the GAL shall be permitted to participate in this case without the payment of court costs, filing and other fees, and the clerk's office shall provide to the GAL free of charge a copy of all pertinent documents in the court's file in the instant case or in any other case involving the parties or the child(ren); and it is further]

ORDERED that the GAL may obtain confidential court files upon appropriate waiver(s) and/or leave of court in accordance with court rules; and it is further

ORDERED that unless there is good cause, whenever the GAL writes a report, it shall be submitted to chambers five business days before the next scheduled hearing or proceeding, with copies served upon parties; and it is further

ORDERED that this appointment shall terminate 30 days after completion of the case ending in a judgment, adjudication, decree, or final order from which no appeal has been taken, and the time allowed for an appeal has expired; and it is further

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ORDERED that all parties shall serve the GAL with any papers filed in this case at the address set forth below.

Judge

Copies to:

Names and Addresses of Parties/Attorneys

Name and Address of GAL