

JUVENILE COURT  
POLICY/PROCEDURE

**GUARDIAN AD LITEM APPOINTMENTS**

POLICY

Appointments of Guardian Ad Litem for juvenile cases shall be made in all cases as required by statute and in other cases in which the Court believes the appointment of a Guardian Ad Litem is necessary from the pool of attorneys appointed as part of the Guardian Ad Litem project.

Unless otherwise ordered by the Court, assignments are to be done on a random basis in accordance with an assignment grid developed by the Clerk of Courts.

PROCEDURE

The Court shall automatically appoint a GAL for all children under the age of 10 upon the filing of a Chapter 938 petition and under the age of 12 upon the filing of a CHIPS petition. The Court shall automatically appoint a GAL for all children (of any age) upon the filing of a Termination of Parental Rights Petition, a Guardianship Petition, or in the case of a contested adoption. The Court may appoint a GAL in other cases in which the circumstances of the case merit the involvement of a Guardian Ad Litem.

Upon determining a GAL should be appointed the Clerk for the Juvenile Court Commissioner will prepare an Order for Appointment listing the selected attorney's name and give the Order to the Commissioner for signature. After approval, the Clerk will notify the appointed attorney of the appointment and forward their copy of the Order to them. In any case in which the appointment is made by a Judge some time after the initial filing(s) and proceeding(s) have commenced, the Order for Appointment should be prepared by the Judge's Clerk making the appointment and signed by the Judge.

EXCEPTIONS/COMMENTS

**Exceptions** to appointments from the pool of selected attorneys may be made by the Court in the event that there has been a **previous GAL** appointed within the last 2 years for the child. In these cases, if the Court does not specify reappointment of the previous GAL, prior to preparation of an Order by the Clerk the case will be reviewed by a person designated by the Clerk of Courts to determine whether reappointment of a new GAL is in the child's best interest. In cases in which the child's interest can be equally well served by the appointment of an attorney from the GAL Project, the appropriate name of a Project GAL will be forwarded to the Court for approval.

The Court may also make exceptions to appointing an attorney from the GAL Project in the event the circumstances of the child and case are unique and require the expertise of an attorney not in the GAL Project.

The Court may appoint specific attorneys from the GAL Project and/or may reject the recommended attorney at his/her discretion. In these circumstances, the Clerk will forward the next name to the Court and adjust the case assignment schedule accordingly. In the event any individual attorney is "over-assigned" to cases, they may be removed from the "draw" for a period of time as may be deemed necessary by the Clerk of Courts to balance the assignments in compliance with conditions of appointment.

Attorneys interested in receiving GAL appointments may submit a letter of interest and a resume' to the Presiding Juvenile Judge with a copy to the Clerk of Courts.

The Juvenile Court Commissioner has the same authority as a Judge related to the appointment and/or removal of a GAL.

GAL appointments **terminate** when supervision is terminated.