

Superior Court of Washington, County of _____

In re:

Petitioner/s *(person/s who started this case)*:

And Respondent/s *(other party/parties)*:

No. _____

Order Appointing Guardian ad Litem for a
Minor Party
(ORAPGL)

Order Appointing Guardian ad Litem for a Minor Party

Use *this form* to appoint a GAL for a:

- Petitioner or Respondent who is under 18, or
- Child who is added as a party in a parentage case.

Do not use this form to appoint a GAL to investigate and report on a child's best interests for a Parenting Plan, Residential Schedule, or parentage decision; use form FL All Family 146 instead.

1. The Court has considered *(name)*: _____'s motion to appoint a Guardian ad Litem (GAL) for another party to this case.
2. The Court finds there are good reasons to appoint a GAL for *(name/s)*: _____, who is/are *(check one)*:
 - a minor party (under 18 years old). (RCW 4.08.050)
 - (for cases about parentage)* a child whose interests are not adequately represented.
 - The case was started by the state and the interests of the child and the state are in conflict.

➤ **The court orders:**

3. *(GAL's name)*: _____ is appointed Guardian ad Litem for the minor parties listed in section 2 above. The GAL must always act in the minor parties' best interests.

4. GAL's Rights

Notice – All parties must serve the Guardian ad Litem (GAL) with:

- Notice of any court hearing or proposed agreement involving the GAL's duties to the person/s listed in section 2, and
- Copies of all documents they file in this case.

Agreements – The GAL must have the opportunity to agree or object to any proposed agreed order.

Clerk's action – The court clerk must give the GAL free, certified copies of this *Order*, upon request.

For parentage cases only – GALs appointed for parties:

- File documents,
- Submit reports, and
- Note motions and request hearings.

Subject to the court's discretion, the GAL may also:

- Engage in and respond to discovery,
- Introduce exhibits and examine witnesses, and
- Make oral arguments.

5. GAL's Duties

The Guardian ad Litem's (GAL's) duties include:

- Protecting the legal interests of the person/s listed in section 2 in this case,
- Explaining (to the extent possible) the legal papers and correspondence related to this case to the person/s listed in section 2,
- Participate in court hearings related to the GAL's duties through written reports and supplemental oral reports, and
- Follow all court orders and go to all meetings and court hearings related to the GAL's duties or scope of appointment.

Other (*specify*): _____

The GAL must **investigate and report** to the court on the following issues:

- All issues related to deciding who are the legal parents of the children.
- Whether genetic testing should be done to decide who are the legal parents.

Other (*specify*): _____

6. **Access to the minor parties and information**

The Guardian ad Litem (GAL) is allowed reasonable access to the person/s listed in section 2, and to all records and people with information that affects that person/those persons, including:

- Child care providers
- Physical and mental health care providers
- Schools and other educational institutions
- Law enforcement agencies, Child Protective Services, and the Department of Social and Health Services (or equivalent agencies if outside Washington)

Note: agencies may withhold or black out legally protected parts of requested information.

7. **Confidentiality**

The Guardian ad Litem (GAL) will:

- Have access to all Superior Court and Juvenile Court files related to his/her duties, including sealed and confidential documents. *Exception:* The GAL will not have access to information sealed under RCW 13.50.050(7);
- Keep confidential any sealed and confidential information (unless his or her duties as GAL require otherwise);
- Tell the court if his/her report includes any sealed or confidential information; and
- File any report in two parts: one public and one sealed as required by GR 22.

Any party or the GAL may ask the court to make confidential any reports or documents placed in the file, if there is a good reason to do so.

8. **GAL's Fees**

The Guardian ad Litem's (GAL's) hourly fee is \$ _____. The GAL may not charge more than a total of \$ _____ without court review and approval.

The GAL's fees will be paid as follows (*check one*):

- _____ % paid by Petitioner
_____ % paid by Respondent
_____ % paid by (*specify*): _____
- _____ % or \$ _____ paid by the County at public expense.
- Other: _____

Billing Process:

- The GAL must file an itemized statement of time and expenses with the court and provide a copy to the person/s or entity responsible for payment.
- The GAL may file any request for payment with the court, along with an itemized statement and a proposed order.

9. **Appointment Ends**

The GAL's appointment ends when the GAL is discharged by the court or earlier if:

- the person listed in section 2 turns 18 (if the GAL was appointed only because that person was a minor); or
- the court approves an order deciding parentage (if the GAL was appointed for a child age two or older in a parentage case).

other (specify): _____

10. Other Orders (if any)

Ordered.

Date ▶ Judge or Commissioner

Petitioner and Respondent or their lawyers fill out below:

This document (check any that apply):
 is an agreement of the parties
 is presented by me
 may be signed by the court without notice to me

This document (check any that apply):
 is an agreement of the parties
 is presented by me
 may be signed by the court without notice to me

▶ _____
Petitioner signs here or lawyer signs here + WSBA #

▶ _____
Respondent signs here or lawyer signs here + WSBA #

Print Name Date

Print Name Date

This document (check any that apply):
 is an agreement of the parties
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 may be signed by the court without notice to me

This document (check any that apply):
 is an agreement of the parties
 is presented by me
 may be signed by the court without notice to me

▶ _____
Other party or lawyer signs here + WSBA #

▶ _____
Other party or lawyer signs here + WSBA #

Print Name Date

Print Name Date

Guardian ad litem signs below to accept appointment:

▶ _____
GAL signs here Print name Date