

**Superior Court of Washington
County of**

In re the Marriage of:
In re the Domestic Partnership of:

and
Petitioner,
Respondent.

No.

**Order Appointing Guardian ad
Litem on Behalf of Minor
(ORAPGL)**

I. Basis

1.1 Basis for the Appointment

This appointment is being made pursuant to

RCW 26.09 Dissolution
RCW 26.26 Parentage Act
RCW 26.50 Domestic Violence

1.2 Children to Whom the Order Applies

The petitioner respondent court moved for appointment of a guardian ad litem for the following minor child(ren) in this action:

Name

Age

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

II. Findings

After reviewing the case record to date and the basis for the motion, the court ***finds*** that the motion should be granted because appointment of a guardian ad litem is in the best interest of the child(ren).

III. Order

It is Ordered:

3.1 Appointment of Guardian ad Litem

_____ is appointed as guardian ad litem for the above-named minor child(ren) of the parties and shall receive copies of all pleadings and notice of all court proceedings regarding the child(ren).

3.2 Duties of the Guardian ad Litem

The guardian ad litem shall investigate and report factual information regarding the issues ordered to be reported or investigated to the court. The guardian ad litem shall always represent the child(ren)'s best interests. The guardian ad litem may make recommendations based upon his or her investigation. The guardian ad litem shall report the child(ren)'s expressed preferences regarding the parenting plan to the court, together with the facts relative to whether any preferences are being expressed voluntarily and the degree of the child(ren)'s understanding.

The guardian ad litem shall make a full and complete written report to the court and counsel/parties on or before (date) _____ and at least 60 days before trial provided that an extension may be granted by the court. This report shall include recommendations and bases for those recommendations.

Issues ordered to investigate and report:

all issues relating to development of a parenting plan			
substance abuse of	mother	father	other _____
domestic violence of	mother	father	other _____
mental health issues of	mother	father	other _____
physical health issues of	mother	father	other _____
sexual abuse allegations of	mother	father	other _____
criminal history of	mother	father	other _____
abandonment or neglect by	mother	father	
integration into the non-primary parent's home			
other:			

The guardian ad litem shall also report to the court on any other issues discovered that could affect the safety of the child(ren).

3.3 Other Duties

Other duties of the guardian ad litem include appearing at all court hearings and pretrial conferences within the scope of appointment unless excused by the court and assisting the parties and counsel in reaching a resolution of the matters involving said child(ren).

3.4 Guardian ad Litem Access to Child(ren), Records and Information

To facilitate reasonable investigation of information pertaining to the best interest of the child(ren), the guardian ad litem shall have access to the child(ren) and to all records and information, including authorization to speak with interested persons, from the following sources: law enforcement agencies; Child Protective Services (or the equivalent out-of-state agency); health care providers; mental health care providers; child care providers; the Department of Social and Health Services (or the equivalent agency in another state); and educational institutions.

These agencies may withhold or blackout portions of requested information as warranted by law or by court order. The guardian ad litem shall maintain the confidentiality of information except as necessary to fulfill his or her duties as guardian ad litem.

Within the scope of appointment, the guardian ad litem shall have access to all Superior Court and Juvenile Court files, including any sealed/confidential portions thereof, other than records sealed pursuant to RCW 13.50.050(7). All information obtained from sealed or confidential files shall remain sealed or confidential, and the guardian ad litem shall inform the court if the guardian ad litem report contains sealed or confidential information.

The court clerk shall provide certified copies of this order to the guardian ad litem upon request and without charge.

Upon good cause shown, the guardian ad litem or the parties may move that the court make confidential any reports or documents placed in the court file by the guardian ad litem.

3.5 Payment of Fees and Costs

The guardian ad litem fee is \$_____ per hour up to \$_____, the maximum the guardian ad litem may charge without additional court review and approval.

The fees and costs of the guardian ad litem shall be paid as follows:

_____ % by petitioner and _____ % by respondent

_____ % by other: _____

Other:

If the guardian ad litem has been appointed at public expense, the court may assess this cost against the parties if there is a change in financial circumstances.

The total amount awarded shall be at the discretion of the court up to the maximum amount allowed after the guardian ad litem files an itemized statement of time with the court, along with a specific request for fees and a proposed Order. Guardians ad litem who are not volunteers shall provide the parties with an itemized accounting of their time and billing for services each month.

3.6 Consent of Children Over Twelve to Investigation

Does not apply.

has/have reached the age of twelve. Written consent for the guardian ad litem to consult with and obtain information from medical, psychiatric, or other experts who have served the child(ren) in the past [] has [] has not been given by the child.

3.7 Authorization for Release of Information

Does not apply.

Each party's signature hereunder constitutes an authorization for release of information by that party to the agencies listed in paragraph 3.4, above.

3.8 Termination of Appointment

The appointment terminates:

Upon entry of the final parenting plan or residential schedule.

Other:

3.9 Other

Dated: _____

Judge/Commissioner

Presented by:

Approved for entry:
Notice of presentation waived:

Signature of Party or Lawyer/WSBA No.

Signature of Party or Lawyer/WSBA No.

Print or Type Name

Print or Type Name

***Accepted upon approval by
the court***

Guardian Ad Litem

Signatures of the Parties:

Petitioner's Signature

Respondent's Signature

Child's Signature
(See Paragraph 3.6)

Child's Signature
(See Paragraph 3.6)