

LJuCR 3.4

APPOINTMENT OF COUNSEL AND SCHEDULING OF DEPENDENCY FACT-FINDING HEARING

(a) [Deleted]

Amended effective 9/1/99

(c) Scheduling of Hearing. Any request for continuance of the fact-finding hearing shall identify the 75th day from the filing of the petition. A motion to continue beyond the 75th day shall be supported by a declaration of exceptional circumstances. The order continuing the hearing beyond 75 days shall identify the exceptional circumstances found by the Court.

Amended effective 9/1/99

(e) Appointment of Attorney or Guardian Ad Litem.

(1) Minor Parents. Juvenile Court staff shall review all dependency, guardianship and termination petitions to determine whether an attorney and/or guardian ad litem should be appointed for a parent under the age of 18. Juvenile Court staff shall apply to the court for an Order Assigning Lawyer or Guardian Ad Litem for a minor parent. Juvenile Court staff shall forward the dependency, guardianship, or termination petition to the appointed attorney.

Amended effective 9/1/99

(2) Attorney for Child. A child over the age of 12 may request the appointment of an attorney by informing the Guardian ad Litem or by written request to Juvenile Court staff. Juvenile Court staff shall apply to the Court for an Order Assigning Lawyer for the child.

Effective 9/1/99

(3) Request for Appointed Counsel by Parent/Guardian. A parent or guardian may request appointment of counsel in a dependency, guardianship or termination proceeding by completing a Motion and Declaration for Assignment of Lawyer. Juvenile Court staff will help the parent or guardian complete the requisite documents and will present the motion and Order Assigning Lawyer to the court. If the order is signed, a copy of the order along with the dependency, termination, or guardianship petition shall be delivered immediately to the assigned lawyer by Juvenile Court staff. Copies of the order shall be furnished to all parties.

If the motion for counsel is denied, the parent or guardian may request the court to review its decision. The parent or guardian shall contact the Juvenile Court Coordinator to initiate the review process.

Amended effective 9/1/99

(f) Private Counsel. If private counsel is retained by any party to the proceedings, such counsel shall immediately file a notice of appearance with the Clerk of Court and provide a copy to Juvenile Court staff, the child's guardian ad litem, if any, the Attorney General's Office, other counsel, and the supervising agency. If the child's guardian ad litem is a CASA, providing a copy of the notice of appearance to the CASA Program is deemed notice to the guardian ad litem.

Amended effective 9/1/99

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