

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 Child
(ORAPGL)

Order Appointing Guardian ad Litem for a Child

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.

Do not use this form to appoint a GAL for a minor parent, or a child who is added as a party in this case, use form FL All Family 147 instead.

1. A motion to appoint a Guardian ad Litem (GAL) for the children listed below was made by the (*check one*): Petitioner Respondent Court:

Child's name	Age	Child's name	Age
1.		2.	
3.		4.	
5.		6.	

2. The court finds it is in the best interest of the children listed in 1 to appoint a Guardian ad Litem. The court has authority to make this appointment under (*check one*):

divorce (dissolution) law, ch. 26.09 RCW. parentage law, ch. 26.26A RCW and
 domestic violence law, ch. 26.50 RCW. ch. 26.26B RCW.

➤ **The Court Orders:**

3. (*GAL's name*): _____ is appointed Guardian ad Litem (GAL) for the children listed in 1 above. The GAL must always act in the children's best interests.

4. **GAL's Rights**

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

- Notice of any court hearing or proposed agreement involving these children, and

- Copies of all documents they file in this case.

The court clerk must give the GAL free, certified copies of this *Order*, upon request.

5. GAL’s Duties

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

- Going to all court hearings and pretrial conferences for this case that are related to the children, unless the court says otherwise, and
- Investigating and reporting factual information to the court on issues set out below.

The GAL is ordered to investigate and file a report only on the issues checked below, unless the court approves investigation into other issues (*check all that apply*):

All issues related to making a parenting plan for these children including any of the issues below whether they are specifically checked or not:

Only the issues that are checked below:

- | | | |
|---|-------------------------------------|--|
| <input type="checkbox"/> Parenting abilities | <input type="checkbox"/> Petitioner | <input type="checkbox"/> Respondent |
| <input type="checkbox"/> Abandonment or neglect by | <input type="checkbox"/> Petitioner | <input type="checkbox"/> Respondent |
| <input type="checkbox"/> Criminal history of | <input type="checkbox"/> Pet. | <input type="checkbox"/> Resp. <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Domestic violence of | <input type="checkbox"/> Pet. | <input type="checkbox"/> Resp. <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Mental health issues of | <input type="checkbox"/> Pet. | <input type="checkbox"/> Resp. <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Physical health issues of | <input type="checkbox"/> Pet. | <input type="checkbox"/> Resp. <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Sexual abuse allegations against | <input type="checkbox"/> Pet. | <input type="checkbox"/> Resp. <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Substance abuse of | <input type="checkbox"/> Pet. | <input type="checkbox"/> Resp. <input type="checkbox"/> Other: _____ |

- Any other issues discovered that could affect the **safety** of the children.
- All issues related to deciding who the legal parents are for these children.
- Whether genetic testing should be done to decide who the legal parents are.
- Whether the children’s names should be changed.
- For cases about *changing* a parenting/custody order: whether the children have been integrated into the home of the parent who has less time under the current order.
- Other: _____

6. GAL’s Report

The Guardian ad Litem’s (GAL’s) report must include:

- Facts about the issues listed in **5** above.
- The children’s preferences for the parenting plan (if they stated any),
- Any facts about whether the children stated their preferences voluntarily, and
- Any facts about the children’s level of understanding.

The report may include recommendations based on the investigation.

Deadline! Unless the court extends the deadline, the report must be filed and served on all parties by (*date*) _____, which is at least 60 days before the trial.

The parties (or their lawyers, if any) have the right to inspect and copy the GAL's file of data gathered during the investigation, including the names and addresses of everyone the GAL consulted. **Exception:** information in the GAL's file that is confidential by law or sealed by a court shall **not** be shared with the parties or their lawyers.

7. Access to the Children and Information

The Guardian ad Litem (GAL) is allowed reasonable access to the children, and to all records and people with information that affects the children, 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 Children, Youth, and Families (or equivalent agencies if outside Washington)
- All providers for the parents related to issues the GAL is ordered to investigate including mental health and substance abuse records where applicable.

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

8. Release of Information

The signatures of parties or children 12 or older below mean they give permission to the agencies and professionals listed in **7** above to share information related to the issues the GAL is ordered to investigate about themselves and the children with the GAL.

9. Confidentiality

The Guardian ad Litem (GAL) will:

- Have access to all Superior Court and Juvenile Court files related to their 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 their duties as GAL require otherwise);
- Tell the court if their report includes any sealed or confidential information; and
- File their 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.

10. 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. However, if the parties' financial circumstances change, the court may order the parties to pay the fees according to their ability to pay.

[] Other: _____

