

HB 2774 -- OFFICE OF GUARDIAN AD LITEM

SPONSOR: Riley

This bill creates the "Office of Guardian Ad Litem", a state wide pilot program to provide guardians ad litem to represent children in cases relating to child abuse and neglect throughout the state.

The pilot program shall employ or contract with, supervise, and manage attorneys providing legal representation as guardians ad litem in the following cases and actions:

- (1) Child protection cases under this chapter;
- (2) Children in need of supervision cases under this chapter to the extent an attorney has been appointed to serve only as a guardian ad litem; and
- (3) Termination of parental rights actions brought as a result of a child protection or child in need of supervision action.

The office shall enter into agreements with each county participating in the program. Agreements shall require counties to comply with all program rules and policies. The agreement shall establish the compensation rate within the county for attorneys providing legal representation as guardians ad litem in program cases and the reimbursement requirements. A county that does not participate in the program shall be responsible for the full cost of guardians ad litem's legal fees in its county.

Counties that choose to participate in the Pilot Program should coordinate with its court to:

- (1) Appoint the program to provide services when appointing a guardian ad litem; and
- (2) Assign an attorney participating in the program to act as guardian ad litem

The program shall pay from the "Guardian Ad Litem Fund" as described and established in the bill, all of the fees for the legal representation of children by its attorneys as guardians ad litem in cases. Participating counties shall reimburse the program at least 25% of the agreed program fees and at least 25% of the program's administrative cost prorated by program funds expended in each county.

The bill also describes the procedures and policies the Office will

need to adopt and follow as well as requiring the Office to submit an annual report to the Chairs of the House Budget Committee and the Senate Committee on Appropriations on or before December first of each year of the reimbursement for legal representation of children by its guardians ad litem. Counties not participating in the Program shall submit a report to the Chairs of the House Budget Committee and the Senate Committee on Appropriations on or before December first of each year of the same information as it applies to the guardians ad litem in its county.

The Governor shall appoint a director for the Office that meets the qualifications explained in the bill. The Director's appointment shall last 4 years.