

Court Order 2  
**IN THE COURT OF COMMON PLEAS OF \_\_\_\_\_ COUNTY, OHIO**  
 Domestic Relations/General Division       Juvenile Division

In the matter of:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

JUDGE: \_\_\_\_\_

CASE NUMBER: \_\_\_\_\_

**ORDER APPOINTING GUARDIAN  
AD LITEM**

It appearing to the Court that the appointment of a Guardian Ad Litem (hereinafter referred to as GAL) is necessary to protect the interest of the following minor child(ren), it is hereby **ORDERED** as follows:

1. \_\_\_\_\_ is appointed as GAL for the minor child(ren),  
\_\_\_\_\_.

This appointment shall remain in effect until the GAL is discharged.

2. Unless the GAL is a volunteer, the GAL shall be compensated at a rate of \$ \_\_\_\_\_ per hour for reasonable and necessary time spent in this matter and shall be reimbursed for all reasonable and necessary expenses incurred in the course of the GAL's duties.

To secure payment for the costs and fees of the GAL, on or before \_\_\_\_\_, a deposit in the amount of \$ \_\_\_\_\_ shall be deposited with the Clerk of this Court by the parties as follows: \$ \_\_\_\_\_ payable to Plaintiff/Petitioner and \$ \_\_\_\_\_ payable by Defendant/Respondent.

3. The GAL shall conduct an investigation pursuant to Sup. R. 48.01- 48.07 and the Local Rules of Court and pursuant to the scope of the appointment as follows:

- This is a full scope appointment.  
 This is a limited scope appointment. The GAL shall address only the following issues:  
\_\_\_\_\_  
\_\_\_\_\_.

If this is a limited scope appointment, the GAL is relieved of the duties set forth in Sup. R. 48.03 (D) that are not applicable to the specific issue or issues outlined herein.

4. Each parent, guardian, or temporary or legal custodian shall sign any and all releases requested by the GAL to obtain records and reports about themselves and/or the child(ren), as may be relevant to the GAL's investigation. Each shall fully cooperate at all times with all requests of the GAL.

5. **Upon presentation of a copy of this order to any agency, hospital, physician, chiropractor, optometrist, dentist, nurse or other medical, dental or optical practitioner, psychologists, psychiatrists or other mental health practitioner, organization, school, person or office including, but not limited to, the Clerk of this Court, Job and Family Services Agencies, public children's service agencies, private child placing agencies, health departments, juvenile courts, juvenile probation department, adult probation departments and law enforcement agency, the GAL shall be permitted to inspect and copy any records relating to the child(ren), and/or parent, to confirm with any and all professionals who may provide information relative to said minor child(ren) and/or parent with respect to issues pending before this Court without the consent of the child and/or parents.**

6. The GAL shall make no disclosure about a case or investigation, except to the parties and their legal counsel in reports to the Court, as necessary, to perform the duties of the GAL, including as a mandated reporter or as directed by the Court or law permits.
7. The GAL shall be given notice of and shall appear at all hearings or proceedings scheduled in this matter and shall attend any hearing relevant to the responsibilities of the GAL. Further, the GAL shall be provided with copies of all pleadings, motions, notices and other documents filed in this matter by counsel for the parties and/or by unrepresented parties.
8. The GAL shall be given notice of any hearings, reviews, investigations, depositions or other proceedings concerning a child included within this order and shall be entitled to attend the same.
9. The GAL shall be notified prior to any change being made in the child(ren)'s residential placement and/or case plan by any party, except those actions taken to prevent immediate or threatened physical or emotional harm to the child as provided in ORC §2151.412, in which case the GAL shall be notified before the end of the next business day after the change is made.
10. Upon becoming aware that the GAL's recommendations differ from the wishes of the child(ren), if the child(ren) do not have a separate attorney, the GAL shall immediately notify the court in writing with notice to the parties or affected agencies, so as to allow the court to take action as it deems necessary.
11. The GAL shall provide a one page written summary to the Court at least five (5) days prior to the GAL pre-trial conference.
12. Unless the time period is modified by the Court, the GAL shall submit their full written report(s) with recommendations to the court, counsel of record and self-represented parties, in accordance with the following time requirements:
  - In abuse, neglect, dependency, unruly, and delinquency cases, not less than seven days prior to any initial dispositional hearing, permanent custody hearing, and any hearing upon a motion requesting a change in disposition; and
  - In proceedings involving the allocation of parental rights and responsibilities, not less than seven days before the final hearing date.
13. A written GAL report shall affirmatively state that the GAL's responsibilities have been met and shall detail the activities performed, hearings attended, persons interviewed, documents reviewed, experts consulted, and all other relevant information considered by the GAL in reaching the GAL's recommendations and in accomplishing the duties required by statute, court rule, and in the Order of Appointment. The report shall include the following statement in bold print as required by local rule:
 

**This report is being provided to the Court, unrepresented parties and legal counsel of record. If you are an attorney, you may share its contents with your client. However, any additional disclosure of this report must be approved in advance by the Court. Any person who copies this report, posts on social media or other mediums or discloses all or portions of the report to another person, without prior approval, shall be subject to Court action including penalties for contempt which include incarceration and fines.**

In addition, the Guardian *ad Litem*, when providing the report to unrepresented parties and legal counsel of record shall attach a cover sheet entitled **NOTICE** which sets out the language required above in bold print in 22-point font or larger.

14. The GAL shall be available to testify at any relevant hearings and may orally supplement the report at the conclusion of the hearing.
15. Should the case proceed to final contested hearing, this Court will require an additional GAL deposit to be determined at least thirty (30) days prior to the final hearing date.

16. At any time the fees of a guardian ad litem exceed \$2,500.00, the guardian ad litem shall file a motion for interim fees, served upon all parties, which must include a detailed statement and description of rendered services.
17. The GAL shall keep accurate records of the time spent, services rendered, and costs and expenses incurred while performing the responsibilities of a GAL. Unless the GAL is a volunteer, the GAL shall provide a monthly statement of fees and expenses to all parties. Upon the conclusion of his or her responsibilities, the GAL shall provide a motion for payment with an itemized statement and accounting to the Court, with a copy to each party or other entity responsible for payment. In addition, at any time prior to the conclusion of a case, the GAL may submit a motion for payment. The motion for payment shall contain an itemized list of duties performed, time expended, and costs and expenses. The parties or other entity responsible for payment shall pay those fees and expenses as ordered by the Court. The GAL fees and expenses shall be considered in the nature of domestic support orders for purposes of discharge ability in bankruptcy.
18. In addition to all orders set out herein, the GAL shall strictly comply with the requirements of Sup. R. 48 – 48.07 subject to the following: \_\_\_\_\_

\_\_\_\_\_  
Date Approved

\_\_\_\_\_  
Judge/Magistrate

CERTIFICATION

A copy of this order was hand-delivered, mailed or emailed to counsel of the parties or to the parties without counsel and to the guardian ad litem this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ .

\_\_\_\_\_