

FRANKLIN COUNTY DOMESTIC RELATIONS AND JUVENILE COURT
DOMESTIC GUARDIAN AD LITEM LIST AND JUVENILE APPOINTMENT LISTS
INFORMATION AND APPLICATION INSTRUCTIONS

LOCAL RULES

The application rules apply to persons seeking to be placed on the appointment lists for the first time and to attorneys who were on the lists prior to March 1, 2009 and who seek to maintain their eligibility.

The GAL list in custody cases are addressed in Local Domestic Rule 15 and Local Juvenile Rule 27. The Juvenile Appointment List is addressed in Local Juvenile Rule 4. The local rules are available on the court's website: fccourts.org

Although many of the requirements are similar, it is important that you are familiar with the requirements of the rules and your obligations under them. The information herein is only a general summary of the appointment list requirements. If, after consulting the rules, you still have questions, you may contact Administrative Magistrate Gina Palmer at 614-525-7145 or at Gina_Palmer@fccourts.org

YOUR CONTACT INFORMATION

Enter your basic contact information in the space provided. (1) Cell Phone number: Check "Preferred" if you would like your cell phone to be your primary telephone contact for parties and opposing counsel. Otherwise, your cell phone number will not be included on the published appointment list but may be used for contact by court personnel. (2) Email Address: Your email address will be the primary method for communication by the Administrative Magistrate concerning the appointment list but will not be published without your consent.

REQUIREMENTS FOR ALL APPOINTMENT LISTS

All applications for the Domestic GAL List and the Juvenile Appointment List must be accompanied by:

(1) A resume stating the applicant's training, experience and expertise demonstrating the applicant's ability to successfully perform the duties and responsibilities of the guardian ad litem and/or appointed counsel on the Juvenile Appointment List. You may also include any other training or experience, including foreign language proficiency, that would be helpful in the role of a guardian ad litem or appointed counsel;

(2) A copy of the applicant's BCI criminal background check.

This can be obtained through the Franklin County Sheriff's Office at 410 South High Street, Columbus, Ohio, telephone: 614-525-5090. There is a fee of approximately \$35 and the results normally take about 1 to 2 weeks to complete. The results of the record check should be **sent to you**, not to the court, and be included with your application. The court will accept a comparable BCI check from other law enforcement agencies.

(3) Your original notarized background disclosure statement.

Note that an explanation is required for any "Yes" answers, including speeding tickets and similar offenses. Documentation supporting the explanation should be included if available.

Additional requirements for specific lists are explained below.

DOMESTIC GAL LIST

Appointments from this list are made for minor children in domestic relations and juvenile cases involving the allocation of parental rights, custody, visitation and related issues. Other than final divorce proceedings heard by the judges, these cases are generally heard by the domestic magistrates and the juvenile custody magistrates on the third floor. Upon appointment, you will receive a copy of the court order which will allocate fees between the parties and include the next scheduled hearing date. It is the parties' responsibility to pay the GAL and the GAL may use appropriate remedies to collect their fees (motions for contempt, requests for interim fees, etc.) However, by being placed on the appointment list, you are indicating your willingness to accept one case per year on a *pro bono* basis.

Fees: You may determine the hourly rate you wish to charge for GAL services. While the local rule establishes a minimum deposit of \$800.00, you may ask for more or less than the standard deposit. The application also allows you to make your fees or deposit negotiable on a case-by-case basis.

Pre-service Training Requirement: In addition to the requirements stated above, your application must include a copy of your certificate of completion of an approved six-hour pre-service training for guardians ad litem or a copy of your Supreme Court CLE transcript listing the course. This course is offered by the Supreme Court and, in some cases, the Court Appointed Special Advocate Program (CASA). Course offerings are normally included on their respective websites.

JUVENILE APPOINTMENT LIST

There are six lists for which you may apply for appointments. You may apply to be included on as many lists as you choose, provided you meet the qualifications for each list. The lists are set forth on the application form and Local Rule 4.

Except for Preliminary Hearings in delinquency or abuse, neglect, dependency cases (see below), or when a judge or magistrate appoints an individual directly from the bench, appointments are generally made by the Appointed Counsel office on the 5th floor on a rotating basis from the attorneys on each list. You will be notified by email from the appointed counsel office of the availability of a new appointment. You are expected to reply within 48 hours or the case will be offered to another attorney.

Juvenile Appointment List Orientation Sessions: Local Juvenile Rule 4(B)(3) requires that all applicants for any of the Juvenile Court Appointment Lists who were not eligible prior to March 1, 2009, attend an orientation session in order to be eligible for placement on the lists. The primary purpose of the session is to familiarize applicants with the requirements for submitting bills for payment. The Administrative Magistrate will briefly discuss the general requirements for the appointment lists but the majority of the session is conducted by the Assigned Counsel staff, who will discuss the billing rules in detail.

The orientation sessions are scheduled quarterly. The current schedule is posted on the court's website, fccourts.org under the link for the Domestic/Juvenile Appointment Lists.

All sessions start at 12:00 Noon and last approximately one hour. The sessions are held in the administration conference room on the 6th floor of the court. Attendees should check in with the receptionist in administration (down the hall behind the Assignment Office) and you will be directed to the conference room.

The current billing rules of the court are posted on the court's website (fccourts.org) under the section on Domestic/Juvenile Appointment Lists. The court follows the billing requirements of the Ohio Public Defender's Office. Those rules, and the required billing software available for download, can be found at their

website, opd.ohio.gov, under the link for Reimbursement. All attendees are encouraged to familiarize themselves with the billing rules prior to the orientation session.

There is no formal sign-up or application required to attend the session. However, please notify Administrative Magistrate Gina Palmer if you plan to attend so we will know about how many people to expect. He can be reached at 614-525-7145 or at Gina_Palmer@fcccourts.org

Individual List Requirements

Lists 1 and 6: These are appointments as GAL for the types of cases on each list. If you are applying for either of these lists, your application must also include a copy of your certificate of completion of an approved six-hour pre-service training for guardians ad litem or a copy of your Supreme Court CLE transcript listing the course. This course is offered by the Supreme Court and, in some cases, the Court Appointed Special Advocate Program (CASA). Course offerings are normally included on their respective websites.

Lists 2, 3 and 4: Your application must also include completed case observation forms (2 cases per list) OR a request for waiver of the observation requirement stating the reasons a waiver should be granted. The forms are included in the application package.

List 5: If applying for List 5, an affidavit required by Local Court Rule 4(B)(3)(c) regarding serving as lead counsel or co-counsel on cases defined as Category 1 or 2 in R.C. 2152.02 must be included. This requirement cannot be waived.

If you wish to be eligible for more than one list but do not meet the requirements for all of them at the time of your initial application (for example, you are qualified for GAL List 1 but do not have case observations completed for lists 2, 3 or 4), after attending the orientation session, you may be approved for other lists after you meet the additional requirements. You should then submit a new application form indicating the additional lists you are requesting with the accompanying case observation forms or affidavit (you do not need to re-submit the background disclosure statement, criminal record check, resume, etc.).

Preliminary Hearings: Preliminary hearings (prelims) on delinquency cases are scheduled every business day at 9:00 on the fifth floor. These appointments are made from attorneys who are approved for List 2. In addition, preliminary hearings in abuse, neglect and dependency cases are conducted every business day at 1:30 p.m. on the fifth floor. Appointments are made from attorneys who are approved for Lists 1 and/or 3 for these cases. Three attorneys are assigned to appear each day to receive appointments. Dates for attorneys are assigned on a random rotating basis through the appointment list data base. A new schedule is issued every few months. However, available appointments depend on the number and type of cases set each day and there is no guarantee that an attorney will receive an appointment on any given day.

If you would like to be included in the rotation to receive assigned dates for preliminary hearing appointments, check the appropriate box on the application form for Lists 1, 2 and/or 3

Liability Insurance: All applicants for the juvenile appointment lists must either maintain professional liability (malpractice) insurance equal to the minimum coverages required by the Code of Professional Responsibility or comply with DR1-104 (Rule of Professional Conduct Rule 1.4(c) at the time of each appointment. It is not necessary to include a copy of policy declarations with the application. Certifying compliance on the application is sufficient.

REQUIREMENTS TO MAINTAIN ELIGIBILITY

Domestic GAL List: In addition to maintaining their good standing with the Supreme Court, every attorney on the list must:

- (1) Annually complete a three-hour continuing education course relating to GAL practice and report compliance to the Administrative Magistrate. See Domestic Local Rule 15(C)(4),(5).
- (2) Promptly notify the Administrative Magistrate of any changes in their status, including disciplinary or criminal proceedings, and their contact information (address, telephone number, etc.)
- (3) Annually certify to the Administrative Magistrate that they are unaware of any circumstances that would disqualify them from serving as a GAL. The certification form is available on the website. It is due during the month of December each year.

Juvenile Appointment Lists: In addition to maintaining their good standing with the Supreme Court, under Local Juvenile Rule 4(E), every attorney on the list must:

- (1) Attend six (6) hours of qualifying CLE, and six (6) meetings of the CBA Juvenile Law Committee and/or the Central Ohio Association of Juvenile Lawyers (COAJL). Some hours may be substituted under the local rule and some carry-over is allowed.
- (2) For GAL appointments on Lists 1 and 6, annually complete an **additional** three-hour continuing education course relating to GAL practice and report compliance to the Administrative Magistrate.
- (3) No later than January 1 of the applicable CLE reporting period pursuant to Rule X of the Supreme Court Rules for Government of the Bar, complete an eligibility report, on a form provided by the court, certifying compliance with all requirements of Local Juvenile Rule 4
- (4) Promptly advise the Administrative Magistrate of any grounds for disqualification or unavailability to serve and certify annually that they are unaware of any circumstances that would disqualify them from serving. The certification form is available on the website. It is due during the month of December each year.

**IN THE COURT OF COMMON PLEASE OF FRANKLIN COUNTY, OHIO
DIVISION OF DOMESTIC RELATIONS AND JUVENILE BRANCH**

**DOMESTIC GUARDIAN AD LITEM AND/OR JUVENILE APPOINTMENT LIST
APPLICATION**

Name: _____ Telephone: _____
Supreme Court No. _____ Cell Phone: _____
Office Address: _____ FAX: _____ Preferred

_____ Email: _____

___ DOMESTIC RELATIONS GUARDIAN AD LITEM LIST:

Pursuant to the Local Domestic Rule 15 and Local Juvenile Rule 27, I hereby apply for the Domestic GAL List.

The hourly rate I intend to charge for GAL services: \$ _____ per hour. Under the local rules, the initial deposit upon appointment is \$800.00. If you are willing to accept a lesser amount or will require an additional deposit, please enter the amount: \$ _____ .

Are your rates negotiable on a case-by-case basis? Initial Deposit: **Y** **N** Hourly Rate: **Y** **N**

I understand that by applying for the Domestic GAL list, I am indicating my commitment to accept a *pro bono* appointment at least once a year.

___ JUVENILE APPOINTMENT LIST:

Government of the Bar Rule X Reporting Period: **A through L** **M through Z**

Pursuant to Local Juvenile Court Rule 4, I hereby apply to be placed on the juvenile court appointment list. I will accept appointments from the following lists (check all lists from which you wish to receive appointments):

List 1. Attorneys who will serve in a dual capacity as attorney and guardian ad litem, or if a conflict exists between those roles solely as guardian ad litem for children in delinquency, unruly, abuse, neglect and dependency cases, and for adults, or solely as attorney for children in abuse, neglect and dependency cases.

___ I wish to be assigned dates for preliminary hearings

List 2. Attorneys who will represent children in delinquency and unruly cases; adults in criminal matters and contempt actions other than those specified in List 4, and; minor respondents in actions for juvenile protection orders under R.C. 2151.34.*****

*****Ky kuj "q'dg'cuuki pgf "f cvgu'hqt 'r tgrko kpcct { 'j gctkpi u

List 3. Attorneys who will serve as counsel for parties in abuse, neglect and dependency cases.

___ I wish to be assigned dates for preliminary hearings

List 4. Attorneys who will represent parties in parentage cases initiated by the state, and contempt actions related to custody, child support or visitation.

- List 5. Attorneys who will represent children charged with delinquency offenses when: A) the offense is a category one or category two offense, as defined in R.C.2152.02; B) relinquishment of jurisdiction for purposes of prosecution as an adult is requested; or C) the child is charged as a serious youthful offender.
- List 6. Attorneys who will serve in a dual capacity as attorney and guardian ad litem, or if a conflict exists between those roles solely as attorney or guardian ad litem, for children who file a complaint pursuant to O.R.C. 2151.85.

I HEREBY CERTIFY THAT:

I am licensed to practice law in the State of Ohio.
 I am in good standing with the Ohio Supreme Court.
 For the Juvenile Appointment list:

- I do maintain the required professional liability insurance;
- I do not maintain the required professional liability insurance but will comply with DR1-104 [Rule of Professional Conduct Rule 1.4(c)] at the time of each appointment.

I attended the appointment list orientation on (date) _____ On list prior to 3/1/2009

I further certify that the information herein is true and accurate to the best of my knowledge and belief and that I have read and understand the duties and obligations of an attorney / guardian ad litem as set forth in the Local Domestic and Juvenile Rules of the court.

 Signature

 Date

**SUBMIT THE COMPLETED APPLICATION
 AND ACCOMPANYING DOCUMENTATION TO:**

**ADMINISTRATIVE MAGISTRATE
 373 SOUTH HIGH STREET, THIRD FLOOR
 COLUMBUS, OHIO 43215**

For Court Use Only – Do Not Write Below This Line

=====									
Data Base	_____			Approval To	Applicant	Appt Counsel Office			
Approved:	DR GAL	JUV		1	2	3	4	5	6
		Prelims							
Incomplete:	Application	BCI	Back Disc	Pre-Service	Resume				
	Case Observation		List 5 Affd						
	2	3	4						

Notes: _____

Name: _____
 First Middle Last

Current Business Address: _____

 City County State Zip Code

BACKGROUND DISCLOSURE STATEMENT

DRIVING HISTORY

YES NO

- 1. Do you have a valid Ohio driver's license?
- 2. Have you been convicted of any moving traffic violation in the past 10 years?
- 3. Have you had any traffic violations involving alcohol or drugs in the past 10 years?

BACKGROUND

- 4. Have you ever been convicted of a violation of law? Do not disclose expunged or sealed offenses.
- 5. Have you ever been charged with a crime involving a minor?
- 6. Have you ever committed an act that resulted in a child being adjudicated abused or neglected?
- 7. Do you have any condition or impairment which currently affects your ability to competently practice law?
- 8. Have you been ordered to pay child support or spousal support?
 - a. If so, are your payments current?

CONDUCT

- 9. Have you ever been disbarred, suspended, censured, sanctioned, or otherwise reprimanded or disqualified as a member of the legal profession or another profession, or as a holder of public office?
- 10. Have you ever been the subject of any written charges, complaints, or grievances to a court or administrative agency concerning your conduct as a Guardian ad Litem or attorney, including any now pending? Do not disclose referrals to the Bar Association or Disciplinary Counsel unless formal action was later taken.
- 11. Has any surety on any bond on which you were the principal been required to pay any money on your behalf in the past 10 years?
- 12. Have you been denied a license for business, trade, or profession in the past 10 years?

If you answered yes to any of the questions above, furnish a thorough explanation.

I, the undersigned applicant, have read the foregoing background disclosure statement and have answered all questions truthfully and completely. I understand that failure to answer any question completely and honestly will result in denial or loss of eligibility to serve as a guardian ad litem in the Franklin County Common Pleas Court, Division of Domestic Relations and Juvenile Branch, and may result in a referral to the City Attorney, County Prosecutor or the Columbus Bar Association for appropriate action. I further understand that I have the ongoing duty to supplement my answers to the questions herein.

STATE OF OHIO }
 } ss.
COUNTY OF _____ }

Signature of Applicant

Subscribed and sworn to or affirmed before me this _____ day

of _____,
month year

Notary Public

My commission expires _____

ATTORNEY APPLICANT CASE OBSERVATION FORM

DATE _____

ATTORNEY APPLICANT _____

TELEPHONE _____

MENTOR _____

TELEPHONE _____

CASE NAME _____

CASE NUMBER _____

TYPE OF CASE _____ ABUSE/NEGLECT/DEPENDENCY
 _____ FELONY DELINQUENCY
 _____ PARENTAGE/CUSTODY/VISITATION/CHILD SUPPORT

PLEASE RETURN THIS FORM WITH THE APPLICATION TO:

ADMINISTRATIVE MAGISTRATE
FRANKLIN COUNTY DOMESTIC RELATIONS COURT
373 SOUTH HIGH STREET 3RD FLOOR
COLUMBUS, OHIO 43215