

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

PLAINTIFF/PETITIONER

CASE NO. _____

v.

JUDGE _____

DEFENDANT/PETITIONER

MAGISTRATE _____

ENTRY / MAGISTRATE'S ORDER APPOINTING GUARDIAN AD LITEM / AND ATTORNEY

Pursuant to Rule 15 of the Franklin County Rules of the Court of Common Pleas, Domestic Relations Division / Rule 27 of the Juvenile Branch, it appearing to the Court that the best interest of minor(s) and/or incompetent(s) would be served and protected by:

- (DR RULE 15) making (him, her, them) party(ies) defendant in this action and appointing a Guardian ad Litem
- (JU RULE 27) appointing an attorney in the dual capacity of Guardian ad Litem and attorney.

It is therefore ORDERED and ADJUDGED that _____ be appointed:

- (DR RULE 15) Guardian ad Litem for _____, who is/are designated party(ies) defendant to this action.
- (JU RULE 27) in the dual capacity of attorney and Guardian ad Litem, hereinafter referred to as the Guardian ad Litem, for _____.

It is further ORDERED and ADJUDGED that:

- Plaintiff shall deposit the sum of _____ and/or Defendant shall deposit the sum of _____ into the trust account of the Guardian ad Litem no later than _____. Said total deposit shall be at least \$800.00 unless agreed upon otherwise by the Guardian ad Litem.

Additional sums may be ordered and apportioned to the respective parties upon the Court's own motion or motion of the Guardian ad Litem, who may submit to the Court a request for an additional deposit, or a monthly affidavit of fees for approval and an order regarding payment of said deposit/fees. Said request shall be served on the parties, or their counsel if they are represented, and if there is no objection, an order regarding payments of said deposit/fees may be issued after seven days.

The Court retains jurisdiction to reallocate the above costs along with all costs of the proceedings, at the conclusion of the case.

- The Guardian ad Litem position is filled by an attorney on the Court list on a pro bono basis, both parties being indigent, and having filed proper affidavits.

Should either party no longer qualify for indigency status during the pendency of the matter, fees may be requested by the Guardian ad Litem and assessed at the discretion of the Court.

It is further ORDERED and ADJUDGED that:

1. Upon presentation of a copy of this court order, issued in compliance with 45 C.F.R. 164.512, to any agency, hospital, organization, school, person, or office including but not limited to the Clerk of Court, human services agencies, public children services agencies, private child placing agencies, pediatricians, psychiatrists, other physicians, psychologists, counselors, or law enforcement agencies, the Guardian ad Litem shall be permitted to inspect and copy any records, including treatment for physical and mental illness, and/or drug abuse, and/or AIDS (Acquired Immunodeficiency Syndrome), and/or the results of an HIV test or the fact that an HIV test was performed, relating to the child(ren) without the consent of the child(ren) or the child's parent(s) or legal guardian(s); and to discuss with the person providing the treatment or tests in issue all matters pertinent to treatment and findings related to the child(ren). At the conclusion of the case, the Guardian ad Litem shall maintain the confidentiality of records received pursuant to this order.
2. The Guardian ad Litem assigned to this cause shall maintain any information received from any such source as confidential and will not disclose the same except to report to the Court or as the law permits.
3. The Guardian ad Litem shall have reasonable access to the child at school or in placement without obtaining the consent of the child's parent, guardian or custodian.
4. The Guardian ad Litem shall be given notice of and shall appear at all hearings or proceedings scheduled in this cause and assure proper representation of the child(ren)'s best interest at said hearing.
5. The Guardian ad Litem fees are in the nature of child support for the purposes of dischargeability in bankruptcy.
6. The next hearing date is scheduled/continued to _____.

Pursuant to Civil Rule 41(B)(1) the parties are hereby given notice that failure to pay the Guardian ad Litem fees as ordered herein, or otherwise comply with this order, may result in the dismissal of their action or claim for relief.

JUDGE / MAGISTRATE

cc:

Counsel for Plaintiff/attorney code

Counsel for Defendant/attorney code

Guardian ad Litem/attorney code

Judge's assignment commissioner