

IN THE PEARL MUNICIPAL YOUTH COURT OF RANKIN COUNTY, MISSISSIPPI

IN THE INTEREST OF:

ORDER APPOINTING GUARDIAN AD LITEM

This cause came on for consideration of the need for the appointment of a guardian ad litem and the Court FINDS and ORDERS as follows:

1. _____ is appointed as Guardian Ad Litem ("GAL") on behalf of the above-named children. For purposes of this Order, the term "custodian" shall refer to the children's parent, guardian or custodian.
2. Upon presentation of this Order to any agency, hospital, organization, school, person or office including the Clerk of this Court, Department of Human Services, human service agencies, pediatricians, psychologists, psychiatrists, and law enforcement agencies, the aforementioned shall permit the GAL to inspect and/or copy any records relating to the children without consent by the children or his/her/their parents.
3. The GAL shall
 - (a) maintain any information received from any such source as confidential, and shall not disclose the same except in reports to this Court and other parties to this cause;
 - (b) upon presentation of this Order, have full access to all evidence and reports introduced during the proceedings;
 - (c) be noticed and have the right to appear at any hearings, interviews, investigations, depositions, or other proceedings concerning the children, and no proceedings shall take place unless the GAL is accompanying the children;
 - (d) be informed of all placement of the children and shall be a party to any agreement or plan entered into on behalf of the children;
 - (e) serve as an arm of this Court – to investigate, find facts, and make an independent report to the Court. There is no attorney-client relationship between the children and the GAL. There is no confidential relationship between the children and the GAL;
 - (f) investigate the allegations before this Court, process the information found, report all material information to the Court, and make a recommendation after providing the Court with a summary of all material information which weighs on the issues to be decided by the Court, including any information which does not support the recommendation;
 - (g) be consulted regarding all emergency matters, visitation issues, no-contact issues, and treatment issues regarding the children.
4. The GAL shall inform the children and the parent(s), guardian(s), or custodian(s) that the role of the GAL is to act as an arm of the court in protecting the interest of the children, and not as the parties' attorney, and that any statements made to the GAL affecting the health, safety, or welfare of the children will be reported to the court. Recommendations or reports by the GAL shall not constitute an ex parte communication.
5. If the GAL determines that it is the best interest of the children that (a) visitation by anyone with the children should be enabled, modified, suspended, or terminated or (b) any individual should have no contact with the children, then the GAL shall notify the children's custodian of such and shall request the Court Clerk to prepare an Order consistent with such recommendation. Such Order shall take effect immediately and if anyone objects to such Order, he/she shall be entitled to a Court review of such Order after he/she provides written notice of such objection to the Court Clerk and to the GAL.

SO ORDERED AND ADJUDGED, this the _____ day of _____, 20____.

John Shirley, Youth Court Judge