

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,
IN AND FOR PALM BEACH COUNTY, FLORIDA

_____ Case No.: _____
Petitioner, Family Division
and
_____ Respondent.

ORDER APPOINTING GUARDIAN AD LITEM

Upon () Petitioner's () Respondent's () Court's own motion to appoint guardian ad litem for the minor child(ren) herein and the Court finding that

_____ a. verified allegations of child abuse or neglect as defined in section 415.503(3), Florida Statutes, have been made and are determined to be well-founded,

OR

_____ b. it is otherwise in the best interests of the child(ren) that a guardian ad litem be appointed to advance the best interests of the minor child(ren) because: _____

_____, it is ORDERED:

1. A guardian ad litem shall be appointed for the minor child(ren), _____
_____, {name(s)},
_____, {birth date(s)}, _____, {gender}, now
residing at _____
_____, {street address}.

2. The State of Florida Guardian Ad Litem Program for the Fifteenth Judicial Circuit shall assign a certified guardian ad litem for the minor child(ren). Upon filing of the Notice of Acceptance, the guardian shall be served c/o Guardian ad Litem Program, 205 North Dixie Highway, Suite 2.1100, West Palm Beach, Florida 33401.

Pursuant to the State of Florida Guardian ad Litem Standards of Operation adopted by the Supreme Court of Florida, if the Guardian ad Litem Program is appointed in the absence of a well founded allegation of abuse or neglect, an automatic discharge by the Court will occur upon filing of a Motion to Discharge by the Program if the Program does not have sufficient volunteer and/or supervisory resources available to accommodate this appointment.

OR

_____, {name}, an attorney in good standing with
The Florida Bar, is appointed to serve as a private guardian ad litem for the above minor child(ren). The fees of the private guardian shall be paid by:
() Petitioner () Respondent () each party equally () other {specify} _____

3. The guardian ad litem is a party to any judicial proceeding from the date of this order until the date of discharge and shall have all of the powers, privileges, and responsibilities authorized in section 61.403, F.S., to the extent necessary to advance the best interests of the minor child(ren).

4. The guardian ad litem must be provided with copies of all pleadings, notices, stipulations, and other documents filed in this action and is entitled to reasonable notice before any action affecting the child(ren) is taken by the parties, their counsel, or the Court. The guardian is entitled to be present at depositions, hearings, or other proceedings concerning the child(ren).
5. Upon presentation of this order to any agency, hospital, organization, school, person or office, including the Clerk of this Court, Department of Children and Families, human service agencies and/or child-caring agencies, medical and mental health professionals, including doctors, nurses, pediatricians, psychologists, psychiatrists, counselors and staff, and law enforcement agencies, the guardian ad litem hereby designated, Guardian Ad Litem Circuit Director, or program staff are hereby authorized to inspect and copy any records relating to the above-named child(ren) without consent of the child(ren), the child(ren)'s parents or care givers. However, before the guardian ad litem is given access to records of psychologist and/or psychiatrist, the minor child(ren) is entitled to notice and opportunity to be heard. Moreover, the mature minor child(ren) has the right to assert psychotherapist/patient privilege. See S.C., a minor child v. Guardian Ad Litem, 845 So. 2d 953 (Fla. 4th DCA 2003)..
6. The guardian ad litem shall maintain information received from any source described in section 61.403(2), Florida Statutes, as confidential and shall not disclose such information except in reports to the Court served upon parties to this cause and their counsel, or as directed by the Court.
7. The parties or any other person entrusted by the parties with the care of the minor child(ren) shall allow the guardian ad litem access to the minor child(ren) at reasonable times and locations. No person shall obstruct the guardian from the minor child(ren).
8. The guardian shall file a written report with the Court, which may include recommendations and a statement of the wishes of the minor child(ren). The report must be filed and served on all parties prior to the hearing at which it will be presented unless the Court waives such time period. The report shall address the following, subject to any conditions ordered by this Court:
 - ___ a. alleged abuse or neglect;
 - ___ b. preference(s) of the child(ren);
 - ___ c. parent and child relationship;
 - ___ d. medical need(s) of the child(ren);
 - ___ e. education;
 - ___ f. substance abuse
 - ___ g. conditions of the home
 - ___ h. best interest of the child(ren) regarding scientific tests
 - ___ i. other _____
9. The guardian ad litem is automatically discharged without further order 30 days after the entry of a final order or judgment in this proceeding, unless otherwise ordered.

DONE AND ORDERED in Palm Beach County, Florida, this _____ day of _____, 2004.

CIRCUIT JUDGE

Copies furnished to:

Petitioner (or his or her attorney) _____

Respondent (or his or her attorney) _____

Guardian Ad Litem Program, 205 N. Dixie Highway, Juvenile Wing, Rm. 2.1100, W.P.B., FL 33402 (inter-office)ord.guard.fam./11-10-99