

IN THE JUVENILE COURT FOR _____ COUNTY, TENNESSEE

STATE OF TENNESSEE

) CHILD/CHILDREN UNDER

IN THE MATTER OF

) THE AGE OF EIGHTEEN

)

)

) DOCKET NO. _____

ORDER APPOINTING GUARDIAN AD LITEM AND ALLOWING DISCOVERY

It appearing to the Court that this matter involves a petition alleging dependency or termination of parental rights and that the appointment of a guardian ad litem for the above-named child(ren) is required, pursuant to T.C.A. § 37-1-149 and/or S.Ct. Rule 13, Sec 1.

It is ordered that _____ is hereby appointed as guardian ad litem for the above-named child(ren) and shall represent the child(ren) in the following matters as applicable: adjudicatory/dispositional phase, post-dispositional phase, termination of parental rights and all appeals before this Court, circuit court, Tennessee Court of Appeals and/or Tennessee Supreme Court, unless relieved of this appointment in a subsequent order.

INDIGENCY/ADMINISTRATIVE FEE/PARTIAL PAYMENT

It appearing, based upon the affidavit of indigency filed in this cause, and after due inquiry made, that the child(ren) and parent/guardian, _____, are indigent pursuant to T.C.A. § 37-1-126 and compensation of the guardian ad litem shall be paid by the Administrative Office of the Courts.

The parent/guardian, _____, is hereby assessed an administrative fee in the amount of \$_____ (minimum fee \$50.00; maximum fee \$200.00) pursuant to T.C.A. § 37-1-126.

This fee shall be paid to the Office of the Clerk of the Court prior to the disposition of the case or within two (2) weeks following the appointment of counsel, whichever shall first occur.

This fee shall be paid as follows: _____.

The administrative fee shall be waived by the court due to lack of sufficient financial resources.

The child(ren) and parent/guardian are indigent but _____ is able to partially reimburse the Administrative Office of the Courts' expense of the guardian ad litem and shall pay into the Office of the Clerk of the Court the sum of \$_____ per _____ until the sum of \$_____ is paid, or until further order of the Court.

CHILD OR PARENT NOT INDIGENT

It appearing that the child(ren) and/or parent/guardian _____ are NOT indigent and compensation of the guardian ad litem shall be paid as follows: _____

DISCOVERY

It is further ordered that, for the purpose of preparing for the adjudication of matters pending before the Court, the guardian ad litem shall have access to all documents and records pertaining to the child(ren), including, but not limited to, all records of the Department of Children’s Services and any other medical, health care, educational and/or psychological/psychiatric records. The guardian ad litem is further authorized to interview any individuals having contact with or providing services to the child(ren). All records and all information obtained by the guardian ad litem (including records related to the child(ren) or adults involved in this case) shall be maintained as confidential, for use only in the proceedings for which the guardian ad litem is hereby appointed. At the conclusion of these proceedings, any protected health information (as defined by C.F.R. 106.103) acquired by the guardian ad litem shall be returned to the Department of Children’s Services or to the health care provider or shall be destroyed. Work products of the office of the District Attorney, counsel for the Tennessee Department of Children’s Services or the police department and the identity of persons making reports/complaints to the Tennessee Department of Children’s Services are excluded from this order for discovery.

All of which is hereby ordered. Enter this the _____ day of _____, _____.

JUDGE/MAGISTRATE