

IN THE JUVENILE COURT FOR _____ COUNTY, TENNESSEE

STATE OF TENNESSEE) CHILD/CHILDREN UNDER
) THE AGE OF EIGHTEEN
IN THE MATTER OF)
)
_____) DOCKET NO. _____

ORDER APPOINTING GUARDIAN AD LITEM AND ALLOWING DISCOVERY

It appearing to the Court that this matter involves a delinquent/unruly petition. It further appears that the child is or may be a dependent, neglect or abused child because of the following evidence that has been brought to the attention of the Court: _____

It is therefore ordered that _____ is hereby appointed as guardian ad litem for the above-named child(ren) to investigate the dependency, neglect or abuse issues. The guardian ad litem shall file a dependency petition if the investigation warrants and shall continue to 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.

If the guardian ad litem's investigation determines there is no dependency, neglect or abuse issues and the child may safely remain in the home or return to the home, then the guardian ad litem shall so notify the Court and file a motion to withdraw.

INDIGENCY/ADMINISTRATIVE FEE/PARTIAL PAYMENT OF GAL

[] It appearing, based on the affidavit of indigency filed in this cause, that the child and the 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.

Docket/Name _____

The child and parent/guardian, _____, are indigent but able to partially reimburse the Administrative Office of the Court's expense of the guardian ad litem and the parent/guardian shall pay into the Office of the Clerk of the Court the sum of \$_____ as follows

NO INDIGENCY

It appearing that the child and/or the parent/guardian _____ is NOT indigent and compensation of the guardian ad litem shall be paid by the parent/guardian 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