

IN THE CIRCUIT COURT OF THE 11<sup>TH</sup> JUDICIAL CIRCUIT  
IN AND FOR MIAMI DADE COUNTY, FLORIDA

IN RE: THE MATTER OF:

CASE #:

,  
Father/Mother,  
and

FAMILY DIVISION:

,  
Mother/Father.  
\_\_\_\_\_ /

**ORDER APPOINTING GUARDIAN AD LITEM**

This cause having come before this Honorable Court on \_\_\_\_\_, and the Court having reviewed the Motion and the file and being otherwise fully advised in the premises, hereby ORDERS AND ADJUDGES as follows:

1. This Court grants the Motion for Appointment of a Guardian Ad Litem and appoints the GAL pursuant to Chapter 61 of the Florida Statutes. The Court finds that these proceedings are of a kind where the appointment of a Guardian Ad Litem is required to advance the best interests of the minor child/children.
2. \_\_\_\_\_ is appointed to serve as a private Guardian Ad Litem for the minor children: LIST FULL NAMES OF THE CHILDREN AND THIE BIRTH DATES AND FILE ORDER WITH NOTICE OF CONFIDENTIAL FILING.
3. The Guardian Ad Litem's contact information is:

NAME

FULL ADDRESS

TELEPHONE NUMBER

EMAIL ADDRESSES

4. The parties agree that The GAL's experience as a Guardian Ad Litem, reputation in the community and expertise as a Family Law Practitioner make this GAL uniquely qualified to serve as a guardian in this case.
5. The parties shall advance the fees of the private Guardian Ad Litem with the Mother being responsible for \_\_\_\_\_% and the Father being responsible for \_\_\_\_\_%, without prejudice to either party to seek a reallocation by the Court at final hearing. The Guardian Ad Litem's initial retainer is \$\_\_\_\_\_.00 and it shall be paid within 15 days of the date of this order; \_\_\_\_\_% of the retainer shall be held in trust and applied to the final bill. The Guardian Ad Litem's reasonable and necessary hourly rate is \$\_\_\_\_\_per hour. The rate is reasonable given the reputation and experience of the GAL in the community.
6. The Guardian Ad Litem shall keep time records of hours expended on this case. After the retainer amount of \$\_\_\_\_\_ is applied to work performed, any Guardian Ad Litem fees and costs remaining shall be paid, in full, within 15 days of the bill being presented to the parties, unless there is a written agreement with the GAL to the contrary.
7. The parties to this action are jointly and severally liable for the GAL's fees. The GAL fees and costs are in the nature of child support.
8. The Guardian Ad Litem shall be a party to any judicial proceedings involving child/children's issues from the date of this Order until the date of discharge and shall have all of the powers, privileges, responsibilities and protections authorized in section 61.403 of the Florida Statutes and as provided in this Order to the extent necessary to advance the best interests of the minor child.
9. The Guardian Ad Litem must be provided with copies of all pleadings, notices, stipulations and other documents relevant to the child/children's issues filed in this action and is entitled to reasonable notice before any action affecting the child is taken by the parties, their counsel or the Court. The Guardian is entitled to be present at all depositions, hearings or other proceedings concerning the child/children including mediation. If a party provides the Guardian Ad Litem with any document that is not relevant to the children's issues the party waives any objection to the Guardian Ad Litem's billing for review of that document.

10. The Guardian Ad Litem may investigate the allegations of the pleadings and motions affecting the minor child, and after proper notice may interview the minor child/children, witnesses or any other person having information concerning the welfare of the minor child/children.
11. The parties or any other person entrusted by the parties with the care of the minor child shall allow the Guardian Ad Litem access to the minor child at reasonable times and locations and no person shall obstruct the Guardian Ad Litem from the minor child.
12. Within 20 days of the date of the entry of this Order, the parties shall provide the Guardian Ad Litem with the full names, physical mailing addresses, telephone numbers, email address of the respective collateral contacts/witnesses that each parent wants the Guardian Ad Litem to interview. The list shall include a brief description of the subject of that person's relationship with the examinees (ex: minor child's pediatrician/teacher) as well as the issues the witness can speak to.
13. The parties shall execute releases for the child's doctors and other providers, if necessary, within 5 days of the request by the Guardian Ad Litem. If either party objects, they must file their objection within the 5 days.
14. Upon presentation of a copy of this Order to any agency or organization, including but not limited to schools, hospitals, clerk of any court of this state, Department of Children and Families, human services agencies and/or child caring agencies, medical and mental health professional, including but not limited to, doctors, nurses, pediatricians, psychologists, psychiatrists, therapist, coaches, counselors and staff, and law enforcement agencies, the Guardian Ad Litem is hereby designated, and is authorized to inspect and copy any records relating to the above named child without consent of the child, the child's parents or care givers. Said agency or Organization shall not interfere with the Guardian Ad Litem's access to the minor children or their records. This Court further directs any agency or organization presented with this Order to comply with its terms.

15. In the event that information's and/or witnesses are needed from the School Board, in the county where the child resides or has resided, then pursuant to Florida statute 61.403, upon presentation of a copy of this Order to the School Board, that body is hereby directed and ordered to provide the designated Guardian Ad Litem with reasonable access to interview any school related witnesses having information concerning the welfare of the child and to inspect and copy any and all school records relating to the minor child for whom the Guardian Ad Litem is appointed.
16. The Guardian ad Litem shall maintain any information received from any source described in Florida Statutes section 61.403 as confidential and shall not disclose such information except in reports to the Court served upon both parties to this cause and their counsel or as directed by the court.
17. The Guardian ad Litem, may from time to time, be allowed to request a status conference with the Court, without the necessity of filing a pleadings, but may request by letter to the Court directly from the Guardian Ad Litem, without the necessity of counsel, with notice to counsel and the parties.
18. The Guardian Ad Litem may raise issues regarding his/her fees without having to hire counsel by filing a motion with the Court and providing notice to the parties.
19. The Guardian ad Litem shall submit written recommendations to the Court, whether incidental, temporary or permanent, which affect the interest or welfare of the minor child. The Guardian Ad Litem may file interim reports as deemed necessary to advance the best interest of the minor child/children. The filing of an interim shall not trigger the GAL's discharge.
20. The Guardian Ad Litem shall file a written report with the Court, which may include recommendations and a statement of the wishes of the minor child. The Guardian ad Litem shall list the names and addresses of the persons interviewed whose statements have been referenced in the report. The Guardian Ad Litem shall only list the initials of a non-party minor child and shall not disclose any information about any non-party minor child without court order. The report shall be admitted into evidence and the parties waive hearsay



days after the entry of a final order or judgment in these proceedings. The Court shall retain jurisdiction to enforce the payment of GAL fees and costs even if the GAL is discharged.

25. If the Guardian ad Litem, pursuant to statute, requires the appointment of counsel to represent them in the above referenced cause, then the Guardian ad Litem shall submit an ex-parte order on the appointment of counsel and counsel's fees shall be paid by the parties under the same conditions that the Guardian Ad Litem fees are paid pursuant to this Order.

26. The Court reserves jurisdiction of this matter to enter any further orders that may be necessary and/or required with regard to the appointment of the Guardian Ad Litem.

**DONE AND ORDERED IN CHAMBERS** in Miami, Miami Dade County, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Honorable Circuit Court Judge

CC: Counsel of Record  
The parties