



Guardian Ad Litem & Child Intermediary

The Law

WHAT IS A GUARDIAN AD LITEM?

A guardian ad litem is a person appointed by the court to protect the interests of a minor who is without a parent or guardian, or when the minor's parents are incompetent or hostile toward the minor. They are usually appointed in cases that involve a child in need of protective services, a child who is neglected, or a child in foster care. In appointing a guardian ad litem, the court must consider someone with the same racial or ethnic heritage. If that is not possible, the person must know about and appreciate the child's racial and ethnic heritage.

WHAT DOES A GUARDIAN AD LITEM DO?

The guardian ad litem is suppose to tell the court what is best for the child in terms of custody, support and visitation. They do an investigation that is independent of the court. They must make a written report to the court.

WHAT IS A CHILD INTERMEDIARY?

A child intermediary is appointed to the child by the court when a criminal charge of abuse is filed against the parent or caretaker of the child. They are to look after the best interest of the child. If a guardian ad litem has been appointed that person should be the child intermediary.

WHAT DOES A CHILD INTERMEDIARY DO?

The child intermediary is responsible to prevent further trauma to the child by coordinating the delivery of resources and services. They are also responsible to advise the court of the child's special needs and his or her ability to cooperate with the proceedings. In addition they are to see that the rights established for victims are extended to the child.

A child intermediary has more powers than a guardian ad litem. In addition to having the power to gain access to all reports, evaluations and records necessary, they also can make motions or objections, and may also petition the court to appoint an attorney who will protect the best interest of the child.

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Questions

1. What is a Guardian ad Litem?
2. What is a Child Intermediary?
3. Under what situations would a guardian ad litem be appointed by the court?
4. When would the court appoint a child intermediary?
5. Can the child intermediary be the same as the guardian ad litem?
6. What is the difference between a child intermediary and a guardian ad litem?
7. What qualifications must be considered when appointing a guardian ad litem?

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Activity: Your Turn

A guardian ad litem is appointed by the court to protect the interests of the minor who is without a parent or guardian, or when the minor's parents are incompetent or hostile toward the minor. They are usually appointed in cases that involve a child in need of protective services, a child who is neglected, or a child in foster care.

A child intermediary is appointed to the child by the court when a criminal charge of abuse is filed against a parent or caretaker of the child.

Make up three situations where the courts would appoint a guardian ad litem and three situations where the court would appoint a child intermediary. Be specific about the situations. Also list the responsibilities of the guardian ad litem and child intermediary in each situation.

Ad Litem 1.

Ad Litem 2.

Ad Litem 3

Child Intermediary 1.

Child Intermediary 2.

Child Intermediary 3.