

SPOKANE COUNTY SUPERIOR COURT

Statement of Policies and Procedures regarding Guardians Ad Litem in RCW Title 26 matters

I. General Policy

Any individual who wants to serve as Guardian Ad Litem (GAL) in any matter under RCW Title 26.12 (domestic relations/family law) must be listed on the Family Law Guardian Ad Litem Registry (Registry). The new GAL list will be compiled by random selection.

II. Administration

- 2.1 The Spokane County Superior Court Administrator's Office shall be responsible for and maintain a registry of those qualified to serve as GALs. The Registry will be continuously updated.
- 2.2 Application for placement on the Registry shall be reviewed by the GAL Committee of the Superior Court within 30 days of receipt of the application. The Committee shall review said applications and periodic updates to determine compliance with the policies and statutory requirements.
- 2.3 The Registry shall be continuously open for new applications and persons applying shall be notified of their placement on the Registry and the date thereof. Those applicants approved will be placed at the bottom of the Registry.
- 2.4 The Family Law Coordinator (Coordinator) shall maintain a separate file for each person deemed qualified to serve on said Registry. The file shall include the statement of background information and qualifications required under RCW 11.88.090, verification of completion of training, together with all correspondence (including evaluations) with reference to the person's service as a GAL and any action thereon by the Court.
- 2.5 Access and copying will be available pursuant to GR 31.1.

III. Qualifications

- 3.1 In addition to any qualifications required by statute, the following shall be the qualifications for this Registry:
 - a. Attorneys: Member of the Washington State Bar Association in good standing and three years experience in the practice of law.

b. Non-attorneys:

1. Graduate level degree in any of the following fields: social work, psychology, counseling, psychiatry or equivalent field; and current license or certification by the State of Washington in the following areas: social worker, mental health therapist, marriage and family counselor, psychologist or psychiatrist in good standing.
2. Must have professional experience in dealing with families in crisis.

c. All applicants: Shall be of high moral character, and shall not have any:

1. Felony convictions or any convictions involving theft, dishonesty, or moral turpitude;
2. A professional certification or license suspension or revocation;
3. A pending investigation or action for either (1) or (2).

IV. Appointment of GAL from registry:

- 4.1 Attorneys or pro se litigants shall schedule a Motion to Appoint a Guardian Ad Litem (GAL) on the family law calendar.
- 4.2 If the Motion is granted, the attorneys/parties shall contact the Coordinator to receive the first three available GAL names on the Registry list.
- 4.3 After the attorneys/parties receive notification of the next three available GALs, each attorney/party has the right to reject one of the names on the list and if they do not reject any of the proposed GALs, the Court shall select the first GAL available on the list.
- 4.4 If the attorneys/parties each reject a different name from the three available names given, the third GAL not rejected shall be appointed. If the attorneys/parties reject the same GAL, the Court will decide the GAL appointment from the remaining two names. If the attorneys/parties reject all three names, the next GAL available on the Registry shall be appointed.
- 4.5 The attorneys/parties shall have three judicial days to decide on a GAL and present the Order. If the Order is not presented within three judicial days, the Court shall appoint a GAL from the three names and sign an Order.
- 4.6 The attorneys/parties may request the background information and hourly rate of the GALs from the Coordinator at the time the attorneys/parties receive the three names.

- 4.7 The Order Appointing GAL must be initialed by the Coordinator before being submitted to the ex parte commissioner. Once the Order is signed, the GAL appointed shall be moved to the bottom of the Registry. The two names not chosen shall remain at the top of the Registry list.
- 4.8 **EXCEPTION:** The attorneys/parties may present a joint recommendation for a GAL from the Registry. The Addendum regarding this recommendation must be signed by all parties and attorneys and must be submitted with the Order. An Order shall be submitted to the Family Law Coordinator for initialing before presenting to the ex parte commissioner. The Coordinator must make sure the GAL chosen is on the Registry list. The GAL will be placed at the bottom of the Registry list.
- 4.9 Generally, a GAL will be required to accept county pay cases. If a GAL declines the appointment, he/she will be placed at the bottom of the Registry. If the GAL has previously accepted two county pay cases with the last 12 months, the GAL may decline the appointment and will remain in the same position of the Registry.

V. Retention on the Registry

- 5.1 A GAL shall remain on the Registry unless he or she fails to comply with the policies and procedures set forth herein or the person is removed or suspended as set forth in section VIII below.
- 5.2 Each GAL must submit the update of background information statement annually. The Coordinator will send out one reminder letter. If the GAL does not prepare an annual update, he/she will be suspended from the Registry until the annual statement has been received.
- 5.3 Each GAL must attend all required training. If a GAL does not attend a required training and does not view the tapes within 60 days of the training, the GAL will be suspended from the Registry until the tapes have reviewed.
- 5.4 If a GAL requests to be removed from the Registry, they shall do so in writing and submit the letter to the Coordinator.

VI. Evaluation Procedure – See LSPR 94.06

VII. Complaint Procedure – See LSPR 94.06

VIII. Discipline Procedure – See LSPR 94.06