

THE ELEVENTH JUDICIAL CIRCUIT
DADE COUNTY, FLORIDA

CASE NO. 81-1
(Court Administration)

IN RE: CREATION OF GUARDIAN
AD LITEM PROGRAM FOR THE
ELEVENTH JUDICIAL CIRCUIT
OF FLORIDA

ADMINISTRATIVE ORDER
NO. 81-16

WHEREAS, the Legislature of the State of Florida, pursuant to Section §27.07(16), Florida Statutes, has mandated the appointment of a guardian ad litem to represent children in any abuse or neglect judicial proceeding; and

WHEREAS, the Legislature has appropriated funds for a pilot project to test the effectiveness of lay citizens as guardians ad litem; and

WHEREAS, the Administrative Office of the Courts, Eleventh Judicial Circuit, has been appropriated funds for implementation of a Volunteer Guardian Ad Litem Program in cooperation with the Office of the State Courts Administrator.

NOW, THEREFORE, I, GERALD T. WETHERINGTON, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, do hereby create the Guardian Ad Litem Program in this Circuit.

MS. LILLIAN THORNTON is appointed Program Coordinator and shall be under the administrative direction of the Director of the Family Services Bureau, as created by Administrative Order No. 81-2, entered February 6, 1981, in Case No. 81-1, and substantive policies as set forth by the Administrative Judge of the Family Juvenile Department, under the direction of the Chief Judge.

The Children In Placement Program created by Administrative Order 79-40, dated June 15, 1979, is hereby placed under the direction of the Guardian Ad Litem Program.

The Guardian Ad Litem Program shall train lay citizen volunteers to serve as assistants to the court and perform functions of investigator, monitor, protector, spokesperson and reporter for the children alleged to be abused, neglected, or any child in any action whose rights may be affected. Such volunteers guardian ad litem shall thoroughly research and investigate what action if any, should be taken in the best interest of the child.

Any judge of this Circuit in his/her discretion may appoint a Guardian Ad Litem to represent any child alleged to be abused or neglected, or any child in any action whose rights may be adversely affected, to the extent duly qualified volunteers are available. Volunteer

Guardians Ad Litem shall represent the child under the direction of the Guardian Ad Litem Program. Upon receipt of a referral from a judge, Lillian Thornton, Circuit Coordinator, shall recommend a responsible adult person to act as Guardian Ad Litem. The judge may appoint a volunteer Guardian Ad Litem recommended by the Circuit Coordinator. Said volunteer shall immediately file an Acceptance with the Clerk of the Court who shall forward copies of the Order and Acceptance to all parties of record.

The duties of the volunteer guardian ad litem shall not encompass the practice of law. In the discretion of the appointing judge, an attorney may be appointed as guardian ad litem, or the Program may engage the services of an attorney to assist the volunteer guardian ad litem when necessary.

It is not the purpose of the Program or its volunteers to perform the services assigned to other agencies or professionals already responsible for children. The purpose of the Program is to assist children in abuse or neglect cases whose interests may be affected by existing court proceedings and to assist the court at the discretion of the presiding judge. To this end, all public and private agencies, professionals and other persons working with children are requested to provide all possible assistance to the court, the Program and its volunteers.

The Administrative Office of the Courts, under the direction of the Chief Judge, shall be authorized to staff the Program and seek funding and professional assistance as may be needed for the Program's efficient and successful operation.

Each volunteer in the Program shall be duly qualified, recruited, screened and trained. Due to the sensitive nature of the court records of children, each volunteer shall file a sworn Oath to faithfully discharge his/her duties and to maintain the confidentiality of all records and information pertaining to said children. Volunteers shall be supervised, monitored and periodically evaluated by the Program Coordinator and receive in-service training at regular intervals throughout their participation in the program.

In those cases in which the parents are financially able, the parent or parents of the child shall reimburse the court, in part or in whole, for the cost of providing guardian ad litem services.

DONE AND ORDERED in Chambers at Miami, Dade County, Florida, this 13th day of April, 1981.

GERALD T. WETHERINGTON. CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA