

Appointment of Guardian ad Litem

NOTICE: Family and divorce laws change often. These forms may not be appropriate for all situations. They are intended to be useful in many cases and may have to be changed in some way to fit your case. Talk to a lawyer if you are unsure that these forms are the most appropriate for your situation. **Court staff cannot give legal advice.**

A Guardian ad Litem (GAL) is an attorney who is appointed by the court to represent the best interests (not wishes) of a minor child. A GAL **must** be appointed if a minor child has been born during the marriage and one of the parties believes the other party is not the father or if one of the parties is seeking to substantially change the amount of time a child will spend with a parent. A GAL **may** be appointed if there are other legal custody or physical placement issues for which the court believes is in the best interests of the child which need to be protected.

For fee information, contact the court in the county in which the case is filed. You may be required to pay a deposit once a GAL is appointed.

Either party may request a GAL be appointed by completing the instructions below. Once the request is made, the judge reviews the request and orders the GAL at his/her discretion. The judge may appoint a GAL even if neither party requests one.

Procedural Checklist

- 1. Complete the **Petition for Appointment of Guardian ad Litem (FA-4136V)** form.
- 2. Make two copies.
- 3. Keep one copy for your records and mail a copy of the **Petition for Appointment of Guardian ad Litem** form to the other party.
- 4. Complete the **Declaration of Mailing (FA-4121V)** form and make a copy for your records. See the **Service Packet (FA-5000V)** for more information.
- 5. File the original **Petition for Appointment of Guardian ad Litem** and **Declaration of Mailing (FA-4121V)** form with the court. Ask the Clerk of Court how the parties will be notified of the court's decision.