

<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</p> <p>STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:</p>	<p><i>FOR COURT USE ONLY</i></p>
<p>PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARTY:</p>	
<p>ORDER APPOINTING COUNSEL FOR A CHILD</p>	<p>CASE NUMBER:</p>

1. The proceeding was heard:

On *(date)*: _____ at *(time)*: _____ in Dept.: _____ Room: _____
 Judge *(name)*: _____ Temporary Judge

Petitioner/Plaintiff present Attorney present *(name)*: _____
 Respondent/Defendant present Attorney present *(name)*: _____
 Other present Attorney present *(name)*: _____
 On the order to show cause or motion filed *(date)*: _____ by *(name)*: _____

THE COURT FINDS it is in the best interest of the child to appoint counsel to represent the child under Family Code section 3150(a).

<p>Counsel appointed for the child <i>(name of counsel)</i>:</p> <p>Address:</p> <p>Phone number: _____ E-mail address <i>(optional)</i>: _____</p>

2. **CHILD OR CHILDREN FOR WHOM COUNSEL IS APPOINTED**

<u>Name</u>	<u>Date of birth</u>	<u>Address <i>(if appropriate)</i></u>
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3. **REASON FOR APPOINTMENT *(specify)*:**

4. **COUNSEL FOR A CHILD IS CHARGED WITH THE FOLLOWING RESPONSIBILITIES:**

- a. Interviewing the child;
- b. Reviewing the court files and all accessible relevant records available to both parties;
- c. Making any further investigations counsel considers necessary to ascertain facts relevant to the custody or visitation hearing;
- d. Participating in the proceedings to the degree necessary to adequately represent the child, including introducing and examining counsel's own witnesses and presenting arguments to the court concerning the child's welfare; and
- e. Preparing, at the court's request, a written statement of issues and contentions setting forth the facts that bear on the best interest of the child consistent with the requirements of Family Code section 3151(b).

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5. COUNSEL FOR A CHILD HAS THE FOLLOWING RIGHTS:

- a. Reasonable access to the child;
- b. Standing to seek affirmative relief on behalf of the child;
- c. Notice of any proceeding, and all phases of that proceeding, including a request for examination affecting the child;
- d. To be heard in the proceeding and take any action available to a party in the proceeding;
- e. Access to the child's medical, dental, mental health, and other health-care records;
- f. Access to the child's school and educational records;
- g. To interview school personnel, caretakers, health-care providers, mental health professionals, and others who have assessed the child or provided care to the child;
- h. To interview mediators subject to the provisions of Family Code sections 3177 and 3182;
- i. To assert or waive any privilege on behalf of the child;
- j. To reasonable advance notice of and the right to refuse any physical or psychological examination, for purposes of the proceeding, that has not been ordered by the court;
- k. On approval of the court, to seek independent psychological or physical examination or evaluation of the child for purposes of the pending proceeding;
- l. On noticed motion to all parties and the local child protective services agency, to request the court to authorize release of relevant reports or files concerning the child represented by the counsel of the relevant local child protective services agency as provided by Family Code section 3152; and
- m. Not to be called as a witness in the proceeding. (Fam. Code, §§ 3151(b) and 3151.5).

6. DETERMINATION OF FEES AND PAYMENT

- a. Counsel for the child will be compensated as follows:
 - (1) *(Specify amount or rate and terms):*
 - (2) The court reserves jurisdiction to determine compensation payable to counsel for the child.
 - (3) The court reserves jurisdiction to retroactively modify the compensation payable to counsel for the child.
- b. The court finds that the parties are able to pay the compensation and expenses for the child's counsel. The parties are ordered to pay counsel for the child as follows:
 - (1) % Petitioner/Plaintiff % Respondent/Defendant
 - Petitioner/Plaintiff must make installment payments of \$ _____ per month until paid or modified by court order.
 - Respondent/Defendant must make installment payments of \$ _____ per month until paid or modified by court order.
 - (2) The court reserves jurisdiction to reallocate attorney's fees and costs between the parties.
- c. The court finds that both parties are unable to pay all a portion of the costs for the minor child's counsel. Minors' counsel must be paid as follows:
 - (1) The court will pay all the fees and expenses for the child's attorney.
 - (2) % Petitioner/Plaintiff % Respondent/Defendant % Payable by the court.
 - Petitioner/Plaintiff must make installment payments of \$ _____ per month until paid or modified by court order.
 - Respondent/Defendant must make installment payments of \$ _____ per month until paid or modified by court order.
 - (3) The court reserves jurisdiction to reallocate attorney's fees and costs between the parties.
 - (4) The court may seek reimbursement from the parties if the court pays all or a portion of the compensation for the child's counsel.
- d. Other:

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NOTICE

Any party required to pay court-ordered attorney's fees or reimburse the court for attorney's fees paid on a party's behalf must pay interest on overdue amounts at the legal rate, which is currently 10 percent per year. Failure to pay court-ordered attorney's fees or reimburse the court for fees paid on a party's behalf may result in a legal action being initiated to collect overdue payments and interest on overdue amounts.

7. ADDITIONAL ORDERS

- a. The parties and their counsel are ordered to cooperate with counsel for the child to permit the performance of his or her duties.
- b. Counsel for the child must be provided with complete copies of all relevant copies of proceedings within 10 days of the appointment.
- c. The parties must provide complete information concerning the child's school, medical, psychological, psychiatric, and other pertinent records to the child's counsel on request. The parties must execute such waivers and releases necessary to facilitate the child's counsel in securing access to records for the child.
- d. The parties and/or their counsel must not compromise, settle, dismiss, or otherwise remove from the court's calendar all or any portion of the issues, claims, or proceedings concerning which the child's counsel has been appointed, without participation of the child's counsel or advance notice to the child's counsel.

8. OTHER ORDERS

9. Counsel must continue to represent the child until relieved by the court.

THE COURT SO ORDERS.

Date:

JUDICIAL OFFICER