

GUARDIAN AD LITEM REFERRAL INFORMATION SHEET

ACCEPTANCE: Complete the acceptance by Guardian ad Litem. Immediately, sign it and return it to the Clerk, Juvenile Court, 2000 E. Michigan St., Orlando, FL 32806.

DUTIES: (1) INVESTIGATE- gather all necessary and relevant information. (2) MEDIATE -make sure all facts are brought before the Court. (3) ADVOCATE- make sure that the child's best interest is fully protected. These three duties require frequent and timely monitoring of the case which does not end at the Disposition Hearing, but usually continues through periodic six months review hearings.

VOLUNTEER INVESTIGATORS: Upon your request, we have available trained volunteer investigators to assist you with the preparation of the case.

ATTORNEY MANUALS: The Guardian ad Litem Program has an attorney's manual available. You should find this manual helpful. There may be someone in your office who has this manual; if not, please contact us and we will be happy to provide you with a manual.

OTHER REFERENCE MATERIALS: We have several reference books pertaining to juvenile proceedings. We also have videotapes of our training programs (basic dependency, DOM/GAL, and sexual abuse cases) available for use by GALs.

IMMUNITY FROM LIABILITY: Please read section 39.822 (1), Florida Statutes.

ATTORNEY FEES: Please read section 39.822(2), Florida Statutes.

DEPOSITIONS: Depositions can be taken at any time after the filing of the Petition. Depositions to perpetuate testimony may only be taken upon Court Order after the filing of a verified Petition and hearing. See Rule 8.245 (g)

Rules of Juvenile Procedure 8.245(g) permits deposition discovery in juvenile matters, but mandates that the deposition must be taken at the situs of the Adjudicatory Hearing (Juvenile Courthouse), unless the parties agree to another location or the Court enters an Order directing another location.

The procedure for setting a deposition in a juvenile matter is as follows:

- a. To coordinate the specific time and place for a deposition, you should call 836-7550 and tell them you are the Court-appointed GAL, the number of deponents, the case number, and the names of the children you represent.
- b. At that time, you will be given a specific time and place for the deposition you are setting up.
- c. The deposition will be done by the Electronic Court Reporter at no charge to you. The deposition will be tape recorded and you will be given a copy of the tape at the conclusion of the deposition. Should you need to have the deposition transcribed you must present a Motion to the Court so stating and provide a Court Order to the Electronic Court Reporter allowing them at least thirty (30) days for said transcription.
- d. After obtaining your time, do your Notice of Taking Deposition, furnishing copies of said Notice to the DCF Attorney, all other parties, and the Witness Management Office at Juvenile Court.
- e. Witness subpoenas will be necessary. They must be preceded by a Praecipe to the Juvenile Clerk. (See Exhibit X in Manual). Upon receipt of Praecipe, the Juvenile Clerk will issue the subpoena and send it to the Orange County Sheriff for service. The Sheriff needs at least 10 working days for service and will only serve the subpoena to an Orange County address. For urgent matters and non-Orange County addresses, it will be necessary to arrange for a private process server. Legal Aid may reimburse that cost (*please request reimbursement prior to incurring the expense*).
- f. Subpoena and notice all witnesses and parties to the room assigned to you.

SERVICE OF PROCESS: Juvenile Court provides this service without cost to the child in Guardian ad Litem cases. A Praecipe for Subpoena must, again, be forwarded to the Clerk of the Juvenile Court prior to issuance of subpoenas.

ADDITIONAL EXPENSES: Please contact the Legal Aid Society **BEFORE** incurring any additional expenses(i.e., expert witness) for which you expect reimbursement. We have limited funds for such matters.