



What is a Guardian ad Litem?

A Guardian ad Litem is an attorney, psychologist or social worker who has been appointed by the Domestic Relations or Juvenile Court to represent a child in a legal proceeding and/or to advise the Court as to what they believe is in the child's best interests. Individuals who serve as a Guardian ad Litem have completed training provided by the Ohio Supreme Court. Further, each county has additional requirements which individuals must meet in order to serve as a Guardian ad Litem in that county.

There are many reasons why a Guardian ad Litem may be appointed. In some cases, one or both of the parties may feel that a Guardian is needed to fully represent the child's wishes and/or interests. In some cases, the Court may be concerned about a parent's behavior and feel further investigation is necessary. Sometimes a Guardian ad Litem is chosen simply from the list of approved Guardians; other times, the parties and their counsel are allowed to mutually agree upon a Guardian.

A Guardian ad Litem must conduct his or her investigation in accordance with Superintendence Rule 48 which includes interviewing the parties and the child, observing the child with each party, and obtaining school and medical records. The extent of the Guardian ad Litem's investigation depends upon the facts and issues in each particular case.

A Guardian ad Litem is paid based upon an hourly rate (the same as most domestic relations attorneys); however, the hourly rate for a Guardian ad Litem is typically less than that of an attorney and varies by county. A determination as to the division of the Guardian ad Litem's fees is typically made by the Court or by agreement of the parties at the end of the case.