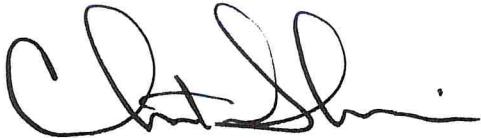




**ISLAND COUNTY SUPERIOR COURT
TITLE 26 GUARDIAN AD LITEM
REGISTRY POLICIES AND PROCEDURES**

Title	Document Code No.
TITLE 26 Guardian Ad Litem Registry	ICJCS PP 100-43
Department/Issuing Agency	Effective date
Island County Superior Court	
Approved	
	
Christon C. Skinner, Judge	Carolyn L. Cliff, Judge
Affected Organization Units/Positions	
Superior Court Administration	

1.0 SUBJECT TITLE: Title 26 Guardian ad Litem Registry

1.1 EFFECTIVE DATE: January 1, 2025

1.2 TYPE OF ACTION: Update

1.3 KEYWORDS: Title 26

2.0	PURPOSE	To delineate policies, procedures for the RCW 26 Guardian Ad Litem Registry
3.0	ORGANIZATIONS AFFECTED	Superior Court Administration
4.0	REFERENCES	RCW 26.09.220 RCW 26.12.175 RCW 9.94A 030 Washington State Court Rules: Superior Court Guardian ad Litem Rules (GALR) Local Court Rules for Superior Court of Island County (GALR)

5.0 DEFINITIONS:

5.1	RCW	Revised Code of Washington
5.2	SCA	Superior Court Administrator
5.3	GAL	Guardian ad Litem
5.4	GALR	Superior Court Guardian ad Litem Rules (State and Local)

6.0 ADMINISTRATIVE POLICY

6.1	The Island County SCA shall be responsible for maintaining a registry of those qualified to serve as a GAL in family law proceedings as provided in RCW 26.09.220 and RCW 26.12.175.
6.2	All registry applicants must meet the qualifications set forth in RCW 26.09.220, RCW 26.12.175, RCW 9.94A.030 and all requirements for training and certification established by statute, Washington State Court Rules, Superior Court Guardian ad Litem Rules and the Island Superior Court Guardian ad Litem Code of Conduct to be considered for placement or retention on the registry.
6.3	Applications for placement on the registry shall be reviewed by the Island County SCA to determine compliance with this policy. The SCA shall review all applications and periodic updates to determine compliance with these polices and applicable State Laws.
6.4	The registry shall be open for new applications throughout the year. All required information as specified in 6.5 must be received by the Island County SCA in order to be considered for the registry. To remain on the registry, all GALs must comply with the requirements of Section 10.
6.5	<p>New applicants must submit the following documents to the Island County SCA.</p> <p>A. Completed application for Guardian ad Litem Registry including:</p> <ol style="list-style-type: none"> 1. Statement certifying applicant has read and agrees to be bound by the Island County Superior Court Guardian ad Litem Code of Conduct. 2. Level of formal education. 3. General training related to the duties of a Title 26 Guardian ad Litem 4. Specific training related to issues potentially faced by children in a dissolution, custody, paternity, and other family law proceedings. 5. Specific training or education related to child disability or developmental issues.

	<p>6. Number of years' experience as a Title 26 Guardian ad Litem.</p> <p>7. Number of appointments as a Title 26 Guardian ad Litem and the county or counties of appointment.</p> <p>8. Name of any county in which the Guardian ad Litem has been removed from a registry pursuant to a grievance action, and the name of the court and cause number of any case in which the court has removed the Guardian ad Litem for cause.</p> <p>9. Founded allegations or abuse or neglect as defined in RCW 26.44.020.</p> <p>10. Criminal history background check, as defined in RCW 9.94.030.</p> <p>B. Curriculum vitae documenting educational, background qualifications, formal training, work, professional and/or personal experiences in or related to the field that would assist in the performance and completion of Guardian ad Litem duties.</p> <p>C. Description of nature, status and outcome of any professional complaints, investigations or disciplinary actions, lawsuits or professional liability claims, and any order for removal of the Guardian ad Litem prior to completion of the Guardian ad Litem's duties.</p> <p>D. Description of any claim(s) or litigation that has been commenced involving allegations or improper fee charges, charges of fraud, theft or other forms of dishonesty or professional malpractice or misconduct.</p> <p>E. Copy of fee schedule</p> <p>F. Signed release of information directed to all professional regulatory bodies which have licensed or supervised the applicant within the last ten years.</p> <p>G. A Certification of Qualification/Training for Guardian ad Litem Title 26, or for those applicants currently on the registry, a Certificate of Updated Training completed within the last year. Updated Training may also include 8 hours of seminars, workshops, classes or CLEs that involve subject matter relevant to the performance of a Title 26 Guardian Ad Litem.</p> <p>H. Any other required information and correspondence with reference to the person's service as a Guardian ad Litem and any action thereon by the Court</p>
6.6	<p>Persons applying will be notified 30 days after fingerprinting is completed of their placement on the registry and shall then be eligible for appointment as a Guardian ad Litem.</p>

6.7	A person, whose application for placement on the registry does not meet the court's requirements for placement on the registry, shall be notified of the apparent deficiency and be given an opportunity to correct the same. If after 30 days the applicant has not corrected the apparent deficiency, his or her name shall not be placed on the registry.
6.8	The SCA shall maintain a separate file on each Guardian ad Litem that will be located in the Superior Court Administration Office. Files shall include the items listed within this policy specifically outlined in Section 6.5. The information contained in the files excluding the criminal History background check shall be open for public review during normal business hours.

7.0 QUALIFICATIONS: Guardian ad Litem Registry

7.1	<p>In addition to any qualifications required under RCW 26.09.220 and RCW 26.12.175, the following shall be the qualifications for the Guardian ad Litem Registry:</p> <p>A. All guardians ad litem and investigators appointed under this title must comply with the training requirements established under RCW 2.56.030(15), prior to their appointment in cases under Title 26 RCW, except that volunteer guardians ad litem or court-appointed special advocates may comply with alternative training requirements approved by the office of the administrator for the courts that meet or exceed the statewide requirements.</p> <p>B. <u>All Applicants</u>: Shall be of high moral character, and shall not have any:</p> <ul style="list-style-type: none"> (1) Felony convictions or any convictions involving theft, dishonesty or moral turpitude (2) Professional certification or license suspension or revocation (3) Pending investigation or action for either (1) or (2) <p>B. <u>All Applicants</u>: Shall abide by the Guardian ad Litem Code of Conduct, the Superior Court Guardian ad Litem Rules and this Administrative Policy, adopted by the Island County Superior Court, and any and all updates to the policy.</p> <p>C. <u>All Applicants</u>: Shall take at minimum, one county pay case per year.</p>
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8.0 APPOINTMENT OF GUARDIAN AD LITEM FROM REGISTRY

8.1	Application to the Court for appointment of a Guardian ad Litem in all family law proceedings shall be made by submitting an Order Appointing Guardian ad Litem to the Office of the SCA. The Court shall appoint from the names on the registry per GALR 5. The parties may make a joint recommendation for appointment of a Guardian ad Litem from the registry.
8.2	The Order shall then be submitted to a Judge or Commissioner for signature, or such other action as may be appropriate, and a copy delivered to the SCA's Office.
8.3	If the parties stipulate to recommend the appointment of a specific Guardian ad Litem on the registry, the parties must present, prior to appointment, a written stipulation signed by both parties and their attorneys which specifies the amount of the retainer charged, the agreement between the parties regarding payment of the retainer and the fees, and the hourly rate charged by the recommended person. The Order, once signed, shall be presented to the SCA Office for Registry data.

9.0 FEES

9.1	Fees paid by Island County shall be shall not exceed \$1500 per case. If additional fees are requested, a motion must be made to the Court with proper notice to all parties.
9.2	A copy of the order authorizing County paid fees and an affidavit of fees shall be submitted to the Island County SCA before payment will be made.

10.0 RETENTION ON GUARDIAN AD LITEM REGISTRY

10.1	A person shall remain on the registry unless the person fails to maintain the statutory certification court requirements for the registry, is removed by the person's own request, or has not been removed as set forth in this Administrative Policy, RCW 26.09.220 and RCW 26.12.175, or other controlling statute or court rule.
10.2	To remain on the registry, all Guardian's ad Litem must fulfill the following obligations on an annual basis, by February 1. <ul style="list-style-type: none"> A. Provide certificates of any recertifications or updated trainings completed within the last year. Updated trainings may also include 8 hours of seminars, workshops, classes or CLEs that involve subject matter relevant to the performance of a Title 26 Guardian Ad Litem. B. Provide a yearly Criminal History background check consistent with the requirements of RCW 9.94A.030 and RCW 26.12.175. C. Provide updates to original application information previously provided per section 6.5.

10.3	<p>If the SCA or the Court receives a written complaint alleging that:</p> <ul style="list-style-type: none"> A. a Guardian ad Litem has violated this policy regarding requirements for Participation on the registry; or B. a Guardian ad Litem has misrepresented his or her qualifications to be a Guardian ad Litem; or C. a Guardian ad Litem is not suitable to act as a Guardian ad Litem; or D. a Guardian ad Litem's conduct is being questioned in the case, or E. a Guardian ad Litem has exhibited inappropriate conduct in a particular case.
	<p>Refer to the Local Court Rule 79 (c) Grievance Procedures for Island County Superior Court.</p>
10.4	<p>The Guardian ad Litem and any complaining party shall be notified of any action or decision on the complaint or grievance. A copy of the decision shall be placed in the Guardian ad Litem's file maintained in the office of the SCA. A Guardian ad Litem or party seeking reconsideration of a decision shall do so in writing to the SCA, within ten (10) days of the date of decision.</p>
10.5	<p>The final decision of the Superior Court Judges shall be placed in the Guardian ad Litem's file and the Guardian ad Litem and the person making the grievance shall be notified of any action taken.</p>
10.6	<p>Nothing herein is intended to limit the discretion of the assigned Judge or Court Commissioner in a pending case to remove, retain, or sanction a GAL or party in a specific case heard before that Judge or Court Commissioner. Conduct of a GAL pertaining to the performance of his/her duties in a specific pending case shall be addressed in a properly noted hearing in the family law proceeding.</p>
10.7	<p>The Office of the Administrator of the Courts shall be notified of the names certified on the Guardian ad Litem Registry. The Office of the Administrator of the Courts shall be notified immediately of the name of any Guardian ad Litem removed from the rotational registry as a result of a grievance or decision of the Superior Court Judges.</p>

11.0 FORMS

11.1	Island County Superior Court Guardian ad Litem Application
11.2	Island County Superior Court Guardian ad Litem Code of Conduct
11.3	Island County Superior Court Guardian ad Litem Release of Information
11.4	Authorization for Initial or Annual Renewal Background Inquiry

APPLICATION FOR TITLE 26 GUARDIAN AD LITEM REGISTRY

Mail or deliver the completed application, with all attachments, to:

Island County Superior Court Administrator
1 NE 7th Street (mailing address)
101 NE 6th Street (physical address)
Coupeville, WA 98239

Name: _____

Business Name or Firm: _____

Business Address: _____

City and State: _____ Zip Code: _____

Business Phone: (____) _____ Fax: (____) _____

Email Address: _____

Non-Attorney Attorney WSBA or Washington State Certification No _____

I am willing to serve as a Guardian ad Litem at public expense.

I understand that I am required to take one public pay case per year.

I have no pending investigation or action against me involving criminal allegations, professional certification or license suspension and/or revocation.

I agree to advise the court immediately in the event of any complaint, investigation, or action being commenced which could lead to professional discipline, or the suspension or revocation of my professional license, or to the filing of criminal charges for felony or crime involving allegations of theft, dishonesty or moral turpitude.

I have read Island County Superior Court Title 26 Guardian ad Litem Registry Policies and Procedures and agree to be bound by the Island County Superior Court Guardian ad Litem Code of Conduct.

Summary of my experiences as a GAL including years of experience and number of appointments. (attach additional pages as needed).

Number of times serving as a Guardian ad Litem that I have been removed for failure to perform my duties as a Guardian ad Litem: _____

I include the following with my application (please check all applicable boxes)

- Curriculum vitae, showing work and professional or personal experience in or related to the field that would assist in the performance and completion of Guardian ad Litem duties
- Conviction Criminal History Report as per RCW 9.94A.030 to be scheduled through Island County Juvenile Court Services Department.
- Signed release of information directed to all professional regulatory bodies which have licensed or supervised the applicant within the last ten years
- Copies of any professional complaints, investigations, or disciplinary actions, lawsuits or professional liability claims filed, whether pending or completed, including a statement for each setting out the current status and any applicable response to said claims.
- Copies of any order for removal of the Guardian ad Litem prior to completion of the Guardian ad Litem's duties
- Description of any claims or litigation that has been commenced, involving, allegations of improper fee charges, charges of fraud, theft or other forms of dishonesty or professional malpractice or misconduct
- Copy of fee schedule
- Certificate of Qualification/training for Guardian ad Litem seeking appointment under RCW Title 26

OR

- I am currently on the Guardian ad Litem Registry and have included a certificate of updated training taken within the last year

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED: _____

Signature of Applicant

City Where Signed

Printed Name

**ISLAND COUNTY SUPERIOR COURT
GUARDIAN AD LITEM
CODE OF CONDUCT**

Adopted: JANUARY 1, 2025

Guardian ad Litems are officers of the court and in that capacity must:

1. Represent, investigate, and report to the court, the factors relevant to the best interest of the person for whom they are appointed.
2. Maintain independence, objectivity, and the appearance of fairness in dealings with parties and professionals, both in and out of the courtroom.
3. Conduct themselves professionally and maintain the ethical principals of the rules of conduct as set forth herein.
4. Remain qualified for the registry at all times during appointment and promptly advise the court of any grounds for disqualification or unavailability to serve.
5. Avoid conflicts of interest, both actual and apparent, and take action immediately to resolve any potential conflict or appearance of impropriety. Avoid self-dealing or association from which they might directly or indirectly benefit, other than from compensation as Guardian ad Litem.
6. Treat the parties with respect, courtesy, fairness, and good faith regardless of race, ethnicity, religion, national origin, cultural heritage, gender identity, age, education, economic status, marital status, sexual orientations, or abilities.
7. Make reasonable efforts to become informed about the facts of the case, contact all parties, and examine material information and sources of information, considering the positions of the parties, and decline the appointment if they are not qualified, competent, or able to complete the matter in a timely manner.
8. Not require any evaluations or tests of the parties except as authorized by statute or court order issued following notice and opportunity to be heard.
9. Inform the court concerning all pertinent information disclosed or made available to them during their appointment and file any report as required by court order or statute.
10. Limit duties to those outlined in the statute and as ordered by the court.
11. Identify themselves as a Guardian ad Litem when contacting individuals, inform the individual of their role as Guardian ad Litem at the earliest practicable time,

not guarantee or create the impression that any portion of the investigation will remain confidential, and inform all witnesses that information gathered by the Guardian ad Litem must be reported to the court.

12. Appear at any hearing for which the duties of the Guardian ad Litem or any issues substantially within their duties and scope of appointment are to be addressed.
13. Not have ex parte contact or communication with any judicial officer involved in a matter in which he or she are appointed or serving.
14. Maintain the parties' privacy and shall make no disclosures about the case or investigation except in reports to the court, to the parties and their attorneys, or as necessary to perform their duties.
15. Perform duties in a prompt and timely manner.
16. Maintain documentation to substantiate recommendations and conclusions and keep records of actions taken by them.
17. Keep accurate records of time spent, services rendered, and expenses incurred in each case and file an itemized statement and accounting with the court and provide a copy to each party or other entity responsible for payment.
18. Promptly make available all records, including time and expense records, to the parties and/or their attorneys for review upon request, without formal discovery requests being made.
19. Be available to testify if called by a party or the court.
20. Report to law enforcement and/or child protective services any child abuse or neglect as defined in RCW 26.44 or adult abuse as defined in RCW 74.34 as found by him or her.

I have read and agree to be bound by the Island County Superior Court Guardian ad Litem Code of Conduct.

Applicant Signature

Date

Printed name

RELEASE OF INFORMATION

TO: Washington State Bar Association
 Washington State Medical Association
 Washington State Nursing Commission
 Washington State Board of Psychology
 Washington State Department of Licensing

I, _____ (Professional License No. _____) hereby authorize you, for the purpose of my application and/or work as an Island County Guardian ad Litem, to release information to and discuss such information with:

Megan Frazier
Superior Court Administrator
1 NE 7th Street (mailing address)
101 NE 6th Street (physical address)
Coupeville, WA 98239
(360) 678-7929

This RELEASE OF INFORMATION includes, but is not limited to, all records and information concerning any official disciplinary action or a pending active investigation you have with regard to me.

Signature

Date

Printed Name

Street Address

City / State / Zip

ISLAND COUNTY JUVENILE & FAMILY COURT SERVICES
Authorization for Initial or Annual Renewal Background Inquiry

NAME: _____

MAIDEN NAME: _____

DOB: _____

I, _____, as a prospective employee, volunteer or registered Guardian Ad Litem with the **Island County Juvenile & Family Court Services**, or **Island County Superior Court**, do hereby authorize the **Island County Juvenile & Family Court Services** to conduct a background investigation by method of fingerprinting. I understand that as a Title 11, Title 13, or Title 26 Guardian Ad Litem, I am required by statute to annually update my background information. Also, volunteers are required to annually update background checks per local policy. This background check includes an examination of State and National crime identification data, and is conducted by the Washington State Patrol.

I understand my rights under TITLE 5, UNITED STATES CODE, Section 552a, the PRIVACY ACT of 1974, and waive those rights with the understanding that information furnished will be used by the Island County Juvenile & Family Court Services & Island County Superior Court consistent with procedures to confirm the appropriateness of my status as a Guardian Ad Litem, volunteer or employee.

I hereby release from liability and promise to hold harmless, under any and all possible causes of legal action, the Island County Juvenile & Family Court Services & Island County Superior Court or any of its officers, agents or employees from all liability and expense (including expense of litigation) in connection with or as a result of any of their statements, acts, or omissions in the course of my background investigation/inquiry. I also agree to release from liability and promise to hold harmless, under any and all possible cause of legal action, any and all persons or entities who shall furnish any information or opinions to the officers, agents or employees of the Island County Juvenile & Family Court Services & Island County Superior Court.

In the event any adverse information be revealed, I understand that the investigator will compile the finding of fact and furnish me with an opportunity to challenge such information. Once I receive the notice to challenge, I understand that I will only be afforded 30 calendar days to do so. Challenges received outside that timeframe will not be accepted. I also understand that the Island County Juvenile & Family Court & Island County Superior Court will keep all collected information confidential and will be the final authority in determining whether or not to disqualify my continued status as a Guardian Ad Litem or volunteer based on the findings of fact on the background information.

Date

Applicant's Signature