

HOUSE BILL NO. HB0314

Guardians ad litem.

Sponsored by: Representative(s) Simpson, Buchanan, Landon,
Martin, Olsen and Reese and Senator(s)
Burns, Decaria and Hanes

A BILL

for

1 AN ACT relating to the Wyoming supreme court; authorizing a
2 program to reimburse guardians ad litem as specified;
3 providing procedures for implementation of the program;
4 requiring rulemaking; specifying standards for the program
5 and participants; providing an appropriation; authorizing a
6 position; and providing for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.**

11

12 (a) For the fiscal year beginning July 1, 2005, there
13 is appropriated from the general fund to the Wyoming
14 supreme court two million one hundred thousand dollars
15 (\$2,100,000.00), or as much thereof as necessary, to
16 establish and administer a program to reimburse attorneys

1 providing legal representation as guardians ad litem in
2 child protection cases under W.S. 14-3-101 through
3 14-3-440, children in need of supervision cases under W.S.
4 14-6-401 through 14-6-440, or termination of parental
5 rights actions brought as a result of a child protection or
6 children in need of supervision action. The appropriation
7 under this section shall be subject to the following:

8
9 (i) The district judges' judicial conference
10 established in W.S. 5-3-102(b) shall:

11
12 (A) Recommend to the supreme court rules
13 and regulations governing standards for the legal
14 representation by attorneys as guardians ad litem in child
15 protection or children in need of supervision cases and for
16 the training of those attorneys;

17
18 (B) Require any attorney who seeks
19 reimbursement from the appropriation authorized by this
20 section for legal representation of children as a guardian
21 ad litem to meet the standards for guardians ad litem
22 established by the supreme court;

23

1 (C) Provide state-wide training approved by
2 the supreme court for attorneys who represent children as
3 guardians ad litem to enable those attorneys to meet the
4 standards for guardians ad litem established by the supreme
5 court;

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7 (D) Notwithstanding any other provision of
8 this section, an attorney appointed to serve only as a
9 guardian ad litem in a case in which a child has been
10 charged with the commission of a delinquent act may,
11 subject to rules recommended by the judicial conference and
12 adopted by the supreme court, be eligible for reimbursement
13 under this section.

14
15 (ii) The supreme court shall:

16
17 (A) Adopt rules and regulations governing
18 standards for the legal representation by attorneys as
19 guardians ad litem in child protection or children in need
20 of supervision cases and for the training of those
21 attorneys;

22
23 (B) Enter into agreements with the
24 individual counties of the state participating in the

1 program to provide reimbursement for the legal
2 representation of children by attorneys as guardians ad
3 litem in child protection or children in need of
4 supervision cases;

5

6 (C) Provide necessary administrative
7 support for the reimbursement program.

8

9 (iii) No state money appropriated under this
10 section shall be expended in any county unless the county
11 agrees to match, at a minimum, twenty-five percent (25%) of
12 the state money for the reimbursement of legal
13 representation of children by attorneys in child protection
14 or children in need of supervision cases. The supreme
15 court and the individual county shall establish the
16 reimbursement rate within the county for attorneys
17 providing legal representation as guardians ad litem in
18 child protection and children in need of supervision cases.

19

20 (b) The supreme court is authorized one (1) full-time
21 equivalent position to assist in the administration of the
22 reimbursement program authorized by this section. The
23 salary and benefits of the position and all equipment

1 necessary to implement the program shall be provided from
2 the appropriation in subsection (a) of this section.

3

4 **Section 2.** This act is effective July 1, 2005.

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(END)