

RE: FAMILY COURT

Circuit Court Portage County, Wis

FILED

JAN 16 2017

LOCAL COURT ORDER FOR APPOINTMENT OF GUARDIAN AD LITEM IN FAMILY CASES

PATRICIA A. BAKER
CLERK OF COURTS

1. Guardian ad Litem Procedures: in cases where the court deems it appropriate, an attorney acting on behalf of the best interests of the child or children in family law cases may be appointed as guardian ad litem for that child or children pursuant to Wis. Stats. 767.407.

a. Appointing a Guardian ad litem in Family law Actions: The parties may seek a specific attorney to act as Guardian ad litem (GAL), or a GAL may be appointed by the court, but in all cases the proposed GAL shall be contacted prior to appointment. The order for appointment will indicate the allowed hourly rate. The Family Court Commissioner or Court may require a party or parties to submit a Financial Disclosure form to be completed prior to the appointment of a GAL.

b. Deposit and Billing: Petitions for the appointment of an attorney to serve as a GAL in a family case shall be accompanied by a fee deposit of \$2,000.00 unless otherwise ordered by the Court. The Court, at its discretion, may order each party to contribute to such deposit and the amount of such contribution. This waiver pertains only to the deposit. This deposit shall be payable to the GAL, to be held in his/her trust account until such fees and expenses are approved by the court and payment ordered.

If the rate charged by the GAL comports with SCR §81.02 then Portage County shall have concurrent responsibility with the litigants for compensating the GAL.

c. Monthly billing and notice to the Court: Attorneys appointed to act as Guardian ad Litem may provide monthly billings to the parties. The Court shall be notified when the

amount of the fees and expenses reach the deposit amount with such notice to include the estimated final billing to conclude the case. At that time the Court may order the parties to pay an additional deposit to the GAL; set up a payment plan with the GAL; or make other orders to ensure the payment of the guardian ad litem. The court may also release all or part of the interim payment of fees and costs incurred by the Guardian ad litem.

d. Final Order Approving Fees of Guardian ad litem: Upon completion of the action the GAL shall submit a final bill to the Court itemizing time and expenses incurred and how much they have deposited to their Trust account for this matter, any withdrawals made, and the total balance due. The GAL shall use the Portage County standard GAL Order for Payment form. This final billing shall be submitted to the court within ninety (90) days of the entry of judgment or order.

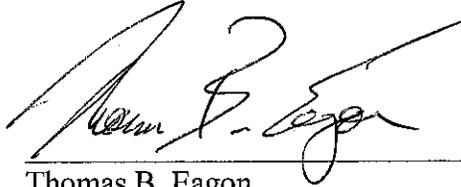
e. Payment and Collection of Fees Owed. Upon approval of the bill by the Court, if the case is one in which Portage County has concurrent responsibility for payment, the Clerk of Court shall pay the GAL all outstanding fees and costs, which shall not exceed the amount allowed under S.C.R. §81.02. The Clerk of Court shall then use all available methods to obtain reimbursement to the County from the parties.

If the case is not one in which the County has concurrent responsibility for payment, (to be paid privately) the Court shall enter judgment against the parties for the amount owed in favor of the GAL (including docketing) and the GAL shall be responsible for collection of the debt.

f. Subsequent Family Actions: If a subsequent action is filed that requires the appointment of a GAL, all fees owed must be paid in full prior to that appointment, unless the court waives that requirement.

Dated at Stevens Point, Wisconsin, this 5th day of January, 2017

BY THE COURT,



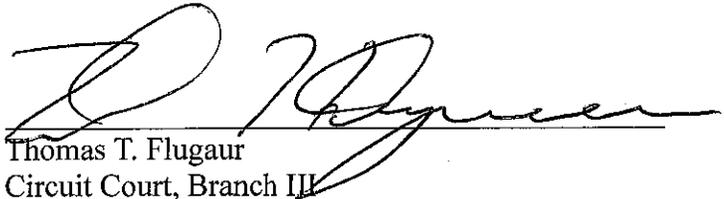
Thomas B. Eagon
Circuit Court, Branch 1

Dated at Stevens Point, Wisconsin, this 5th day of January, 2017



Robert Shannon
Circuit Court, Branch II

Dated at Stevens Point, Wisconsin, this 5th day of January, 2017



Thomas T. Flugaur
Circuit Court, Branch III

APPROVED this 11 day of January, 2017



HONORABLE Gregory Potter
Chief Judge, Sixth Judicial District