

## Waukesha County Circuit Court Business Center Guardian ad Litem (GAL) Guidelines

The following guidelines will be utilized by the Waukesha County Circuit Court Business Center and are meant to provide clarity and assistance to all Court appointed Guardian ad Litem (GAL).

1. Upon the Court's decision to appoint a GAL, a "Court Order for Guardian ad Litem" will be prepared in court by the Clerk and provided to the parties advising them of the expectations and financial requirements. Parties will be advised to pay the initial deposit to the Circuit Court Business Center upon leaving the courtroom. Any request to defer payment of the GAL deposit will be handled by the Business Center.
2. The Clerk will then prepare a "Court Order Appointing Guardian ad Litem and Consent to Act". Once the Order for GAL appointment has been signed by the Court, the GAL will be added to the case. The GAL will then opt into the case, print the Consent to Act and eFile the signed copy with the Court.
3. If either party does not pay or make payment arrangements as ordered, the Business Center will contact the party, send reminder notices, and/or enter income assignments. If these attempts are unsuccessful, a payment hearing before the Court Official is required. Further violations will result in one of the following: automatic Automated Clearing House (ACH) withdrawal monthly from the party's bank account; order to liquidate assets and pay deposit with these funds; order funds from savings and/or investment accounts to pay deposits and/or GAL fees; tax intercept and/or a referral to a collection agency.
4. The GAL shall provide the parties with a monthly billing statement. When their bill is at or near 75% of the total deposit/additional deposit ordered, the GAL must send a letter requesting payment, and an additional deposit if work is to be continued along with an itemized billing statement and sworn affidavit. After a review for accuracy, a "Court Order for Payment and Request of Additional Deposit for Guardian ad Litem" (if applicable) will be prepared by the Business Center for the Judge's signature.
5. Upon receipt of a signed Court Order for Payment, the Business Center will pay the GAL invoice with funds paid by the parties that are held in Trust.
6. When the GAL's bill is submitted for final payment, the GAL will send the Attorney Communication Letter requesting final payment along with an itemized billing statement and sworn affidavit. After a review for accuracy, a "Court Order for Final Payment of Guardian ad Litem Fees" will be prepared by the Business Center for the Judge's signature. If the GAL and the Business Center are effectively managing the deposits ordered by the Court, sufficient funds should be available for payout at the conclusion of the GAL's services.

7. If the parties have not made sufficient payments in order to pay the final GAL bill in full, the entire bill will be recalculated to determine the County's obligation to pay the final GAL invoice. Any amount due to the GAL at the SCR rate of \$100 per hour will be paid to the GAL at the conclusion of the case. If the party is on a payment plan and current, the payments will be applied to the county's advancement of fees, if applicable, and when that portion is paid in full, any additional payments will be sent to the GAL for any fees still due above the advancement amount. Additionally, if the party is not on a payment plan or has defaulted on a payment plan, a civil judgment will be entered against the party for any amount advanced by the county and the party will be referred to collections. In this case, any remaining funds due the GAL over the \$100 advancement by the County will be the responsibility of the GAL to collect. Please note that every enforcement action within the Clerk's authority will be used to secure payment in full.
8. If funds remain in the GAL Trust after the GAL has been paid in full and after the County has been reimbursed for any fees advanced, the remaining funds will be returned to the parties.
9. When it has been determined that all proceedings requiring services of the Guardian ad Litem have concluded the GAL will file a "Court Order Discharging Guardian ad Litem" with the Family Division for Judge's signature.
10. Upon Court Order Appointing Guardian ad Litem for Minor Parent, an assessment of \$300.00 is created by the Business Center for the Minor Parent. The Court will not collect the fee until the Minor Parent attains the age of 18 years. The Business Center schedules a Reminder Notice to be sent to the Minor Parent 30 days after their 18<sup>th</sup> birthday. The party is responsible for paying the fee in full or setting up a payment plan, which would include a \$15 payment plan fee. If the party does not pay in full or set up a payment plan, the account will be sent to collections.

Efforts to help case participants manage the costs of the variety of services that may be required in Family and Paternity matters are dependent upon the good faith efforts of the litigants. There are many financial issues people face and the Court's Business Center will work with each party to establish payment arrangements that meet their financial abilities and ensure that their Court ordered financial obligations are met.