

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 279

S.P. 94

January 19, 2007

An Act To Improve the Responsiveness of Guardians Ad Litem

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator NASS of York.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 18-A MRSA §1-112, sub-§(a)**, as enacted by PL 2005, c. 360, §1, is
3 amended to read:

4 (a). In any proceeding under this Title for which the court may appoint a guardian
5 ad litem for a child involved in the proceeding, at the time of the appointment, the court
6 shall specify the guardian ad litem's length of appointment, duties and fee arrangements.
7 A guardian ad litem appointed under this section must reside within the same District
8 Court jurisdiction as the child.

9 **Sec. 2. 22 MRSA §4005, sub-§1, ¶A**, as amended by PL 1999, c. 251, §2, is
10 further amended to read:

11 A. The court, in every child protection proceeding except a request for a
12 preliminary protection order under section 4034 or a petition for a medical treatment
13 order under section 4071, but including hearings on those orders, shall appoint a
14 guardian ad litem for the child. A guardian ad litem appointed under this subsection
15 must reside within the same Probate Court jurisdiction as the child. The guardian ad
16 litem's reasonable costs and expenses must be paid by the District Court. The
17 appointment must be made as soon as possible after the proceeding is initiated.
18 ~~Guardians~~ A guardian ad litem appointed on or after March 1, 2000 must meet the
19 qualifications established by the Supreme Judicial Court.

20 **SUMMARY**

21 This bill requires that a guardian ad litem appointed by a District Court under the
22 Child and Family Services and Child Protection Act or a probate court reside within the
23 same jurisdiction as the child.