

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 63

H.P. 50

House of Representatives, January 11, 2017

### An Act To Ensure Complete Investigations by Guardians Ad Litem

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Reference to the Committee on Judiciary suggested and ordered printed.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT  
Clerk

Presented by Representative PICCHIOTTI of Fairfield.  
Cosponsored by Senator CYRWAY of Kennebec and  
Representatives: CHACE of Durham, ESPLING of New Gloucester, GUERIN of Glenburn,  
NADEAU of Winslow, SIROCKI of Scarborough, STROM of Pittsfield, VACHON of  
Scarborough.

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

2 **Sec. 1. 4 MRSA §1555, sub-§6**, as enacted by PL 2013, c. 406, §1, is amended to  
3 read:

4 **6. Report.** The guardian ad litem shall provide a copy of each report ordered by the  
5 court to the parties and the court at least 14 days before each report is due. A guardian ad  
6 litem shall provide a copy of the final written report to the parties and the court at least 14  
7 days in advance of the final hearing. Each report must be submitted on a court-approved  
8 form and must demonstrate that the guardian ad litem fulfilled each of the specific duties  
9 the court imposed on the guardian ad litem in the order issued pursuant to subsection 2,  
10 paragraph A. Reports are admissible as evidence and subject to cross-examination and  
11 rebuttal, whether or not objected to by a party. Any objections to a report must be filed at  
12 least 7 days before the applicable hearing.

13 **Sec. 2. 4 MRSA §1556, sub-§2, ¶E**, as enacted by PL 2013, c. 406, §1, is  
14 amended to read:

15 E. The guardian ad litem shall file such reports, motions, responses or objections as  
16 necessary and appropriate to the stage of the case to assist the court in identifying the  
17 best interests of the child and provide copies to all parties of record. Each report filed  
18 by the guardian ad litem must be submitted on a court-approved form and must  
19 demonstrate that the guardian ad litem fulfilled each of the specific duties the court  
20 imposed on the guardian ad litem in the order issued pursuant to paragraph A.

21 **Sec. 3. 4 MRSA §1558**, as enacted by PL 2013, c. 406, §1, is repealed.

22 **SUMMARY**

23 This bill removes the sunset provision from the consolidated law governing children's  
24 guardians ad litem in the Maine Revised Statutes, Title 4, chapter 32.

25 This bill also requires a guardian ad litem appointed as the court's agent to represent  
26 the best interests of one or more children to prepare reports to the court and the parties  
27 using court-approved forms. Each report must demonstrate that the guardian ad litem  
28 fulfilled each of the specific duties assigned to the guardian ad litem in the court's order  
29 of appointment.