

Effective 5/13/2014

Renumbered 9/1/2021

78A-6-901 Office of Guardian ad Litem -- Appointment of director -- Duties of director -- Contracts in second, third, and fourth districts.

- (1) As used in this part:
 - (a) "Attorney guardian ad litem" means an attorney employed by the office.
 - (b) "Director" means the director of the office.
 - (c) "Office" means the Office of Guardian ad Litem, created in this section.
 - (d) "Private attorney guardian ad litem" means an attorney designated by the office pursuant to Section 78A-2-705 who is not an employee of the office.
- (2) There is created the Office of Guardian ad Litem under the direct supervision of the Guardian ad Litem Oversight Committee.
- (3)
 - (a) The Guardian ad Litem Oversight Committee shall appoint one person to serve full time as the guardian ad litem director for the state. The guardian ad litem director shall serve at the pleasure of the Guardian ad Litem Oversight Committee, in consultation with the state court administrator.
 - (b) The director shall be an attorney licensed to practice law in this state and selected on the basis of:
 - (i) professional ability;
 - (ii) experience in abuse, neglect, and dependency proceedings;
 - (iii) familiarity with the role, purpose, and function of guardians ad litem in both juvenile and district courts; and
 - (iv) ability to develop training curricula and reliable methods for data collection and evaluation.
 - (c) The director shall, prior to or immediately after the director's appointment, be trained in nationally recognized standards for an attorney guardian ad litem.
- (4) The guardian ad litem director shall:
 - (a) establish policy and procedure for the management of a statewide guardian ad litem program;
 - (b) manage the guardian ad litem program to assure that minors receive qualified guardian ad litem services in abuse, neglect, and dependency proceedings in accordance with state and federal law and policy;
 - (c) develop standards for contracts of employment and contracts with independent contractors, and employ or contract with attorneys licensed to practice law in this state, to act as attorney guardians ad litem in accordance with Section 78A-6-902;
 - (d) develop and provide training programs for volunteers in accordance with the United States Department of Justice National Court Appointed Special Advocates Association standards;
 - (e) develop and update a guardian ad litem manual that includes:
 - (i) best practices for an attorney guardian ad litem; and
 - (ii) statutory and case law relating to an attorney guardian ad litem;
 - (f) develop and provide a library of materials for the continuing education of attorney guardians ad litem and volunteers;
 - (g) educate court personnel regarding the role and function of guardians ad litem;
 - (h) develop needs assessment strategies, perform needs assessment surveys, and ensure that guardian ad litem training programs correspond with actual and perceived needs for training;
 - (i) design and implement evaluation tools based on specific objectives targeted in the needs assessments described in Subsection (4)(h);
 - (j) prepare and submit an annual report to the Guardian ad Litem Oversight Committee and the Child Welfare Legislative Oversight Panel regarding:

- (i) the development, policy, and management of the statewide guardian ad litem program;
 - (ii) the training and evaluation of attorney guardians ad litem and volunteers; and
 - (iii) the number of minors served by the office;
 - (k) hire, train, and supervise investigators; and
 - (l) administer the program of private attorney guardians ad litem established by Section 78A-2-705.
- (5) A contract of employment or independent contract described under Subsection (4)(c) shall provide that attorney guardians ad litem in the second, third, and fourth judicial districts devote their full time and attention to the role of attorney guardian ad litem, having no clients other than the minors whose interest they represent within the guardian ad litem program.