

TOP 10 FAQ'S – GUARDIAN AD LITEM PROGRAM FOR INCAPACITATED PERSONS (ADULTS)

1. What are the basic requirements to become qualified as a guardian ad litem for incapacitated persons?

- Be an active member in good standing of the Virginia State Bar.
- Complete the six hour required course, “Representation of Incapacitated Persons as a Guardian Ad Litem” offered by Virginia CLE, and submit the CLE certification of attendance form to the Office of the Executive Secretary of the Supreme Court of Virginia. *There are no substitutions for this course.*
- Send a letter to the Office of the Executive Secretary of the Supreme Court of Virginia requesting qualification, certifying your case experience, and including your social security number and the Judicial Circuits in which you wish to accept appointments.

2. What constitutes the case experience requirement?

Complete one of the following in the two-year period prior to seeking qualification:

- Provide assistance to a qualified GAL for an incapacitated person in two cases in the circuit court.
- Serve as a guardian ad litem for an incapacitated person in two cases in the circuit court.
- Serve as counsel for the petitioner in two cases involving an incapacitated person in the circuit court.
- Be appointed by the circuit court as a guardian or conservator for an incapacitated person in two cases.

In lieu of bullets 2, 3, and 4 above, demonstrate proficiency by having a Nomination Certificate signed by a circuit court judge before whom you have appeared and submit the form to the Office of the Executive Secretary of the Supreme Court of Virginia.

3. What documentation does the Supreme Court of Virginia need in order to complete my application?

- A **letter** requesting qualification, certifying your case experience as required by paragraph C of the Standards to Govern Qualification, and including your social security number and the Judicial Circuits in which you wish to accept appointments.
- If complying with the provision of assisting a qualified guardian ad litem for an incapacitated person in two cases, **a nomination certificate signed by the qualified GAL whom you assisted**
- In lieu of certifying your case experience as it relates to (i) serving as a guardian ad litem for an incapacitated person in two cases in the circuit court, (ii) serving as counsel for the petitioner in two cases involving an incapacitated person in the circuit court, or (iii) being appointed by the circuit court as a guardian or conservator for an incapacitated person in two cases, a **nomination certificate signed by a circuit court judge before whom you have appeared**

- A **certification of attendance form** for the Virginia CLE course “Representation of Incapacitated Persons as a Guardian Ad Litem.”

4. Where do I obtain the necessary qualification forms?

Forms are included in the notebook provided at the initial required course and online at <http://www.courts.state.va.us/courtadmin/aoc/cip/programs/gal/adult/home.html>, under the “Forms” section.

5. For what period of time is my initial qualification valid?

The initial qualification is valid for a period of two years.

6. How do I maintain my qualification as a guardian ad litem for incapacitated persons?

- Complete six hours of approved continuing education every two (2) years on topics relating to the representation of incapacitated persons as a GAL.
- File a certification of attendance form with the Supreme Court for each approved course.

7. How will I know if a course has been approved for credit?

A list of courses approved for GAL credit is available online at http://www.courts.state.va.us/courtadmin/aoc/cip/programs/gal/adult/gal_cont_ed_adult.pdf. If you are seeking information about a course not included on the list, please call 804-786-9543. If the course has not previously been submitted for credit approval you will be asked to submit a detailed agenda or summary of course contents to the Office of the Executive Secretary of the Supreme Court of Virginia for review.

8. Can CLE hours be carried over to the next qualification period?

Yes, a maximum of six hours may be carried over from one two-year period to the next two-year period.

9. May I take the initial course to become a GAL before I learn the results of my Bar Exam?

Yes, but you may not complete your qualification as a GAL before you are licensed.

10. How can I be reinstated if my name is removed from the list of qualified guardians ad litem?

You may be removed from the list of qualified guardians ad litem if (i) you request to be removed, (ii) you fail to meet the biennial continuing education requirement, or (iii) your license to practice law in Virginia is suspended or revoked by the Virginia State Bar. You may again be included on the list of attorneys eligible for appointment as a guardian ad litem by submitting to the Office of the Executive Secretary:

1. **Within five (5) years** of being removed from the list, certification of attendance indicating your completion of the required six (6) hours of continuing education.
2. **If more than five (5) years pass** since removal from the list, you must complete the initial qualification process again.