

FREQUENTLY ASKED QUESTIONS GUARDIAN AD LITEM FOR CHILDREN PROGRAM

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

- Be an active member in good standing of the Virginia State Bar.
- Complete the seven-hour required course, “Representation of Children as a Guardian Ad Litem,” offered by Virginia CLE. *There are no substitutions for this course.*
- Demonstrate familiarity with the court system and a general background in juvenile law by completing one of the following:
 - Participate as an attorney, or as a third-year law student under Part 6, § IV, Para. 15, of the Rules of the Supreme Court of Virginia, in four cases in the juvenile and domestic relations district court involving children, excluding traffic cases; or
 - Associate with one qualified guardian ad litem in two cases in the juvenile court involving children, excluding traffic cases.
- Demonstrate proficiency in the representation of children by submitting a Nomination Certificate signed by one juvenile court judge before whom you have appeared, or by the qualified guardian ad litem whom you have assisted in 2 cases in the juvenile court.
- Send a letter to the Office of the Executive Secretary of the Supreme Court of Virginia requesting qualification, and including the judicial districts in which you would like to accept appointments as a guardian ad litem.

2. How long do I have to complete the basic requirements for qualification as a guardian ad litem for children?

All initial qualification requirements must be completed within the two-year period immediately prior to the date you request qualification as a guardian ad litem.

3. What does the Supreme Court of Virginia need to process my application for initial qualification as a guardian ad litem for children?

- A **letter** requesting qualification and which states the judicial districts in which you would like to accept appointments as a guardian ad litem.
- **Written certification of your familiarity with the court system and general background in juvenile law** as required by Standard I.B.4.c of the *Standards to Govern the Appointment of Guardians Ad Litem for Children*.
- The **appropriate Nomination Certificate**.
 - If complying with the provision of participating in four cases in the juvenile and domestic relations district court involving children, excluding traffic cases, **a Nomination Certificate signed by one juvenile court judge before whom you appeared.**
 - If complying with the provision of assisting one qualified guardian ad litem in two cases involving children in the juvenile and domestic relations district court, **a Nomination Certificate signed by the qualified guardian ad litem whom you assisted OR by a juvenile court judge before whom you appeared.**
- A **Certification of Attendance form** for the Virginia CLE course “Representation of Children as a Guardian Ad Litem.”

4. Where do I obtain the necessary qualification forms?

Forms are included in the notebook provided at the initial course, "Representation of Children as a Guardian Ad Litem," in the section directly behind the table of contents. Forms are also available online at: <http://www.courts.state.va.us/courtadmin/aoc/cip/programs/gal/children/home.html> under the "Forms" section.

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

Initial qualification is valid for a period of two years.

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

- Complete six hours of approved continuing education every two years on topics relating to the representation of children.
- File a certification of attendance form with the Office of the Executive Secretary, Supreme Court of Virginia, for each approved course.

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

A list of courses approved for continuing education credit for guardians ad litem is available online at: <http://www.courts.state.va.us/courtadmin/aoc/cip/programs/gal/children/home.html>, under the "Continuing Education Courses GALs for Children" link.

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 information outlined in Standard IV of the *Standards to Govern the Appointment of Guardians Ad Litem for Children*.

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

No. To remain on the list of qualified guardians ad litem, 6 hours of continuing education credit must be completed and reported to the Office of the Executive Secretary of the Supreme Court of Virginia within 2 years of your qualification date (i.e., If your qualification date is July 1, 2017, you must complete 6 hours of continuing education by June 30, 2019). Failure to do so will result in your name being removed from the list of qualified guardians ad litem.

9. May I take the initial course, "Representation of Children as a Guardian Ad Litem," before I learn the results of my Bar Exam?

Yes, but you may not complete Standard I.2.a or Standard I.2.b of the application, or request qualification as a guardian ad litem, before you are licensed.

10. May I take the initial course, "Representation of Children as a Guardian Ad Litem," and use it towards the 6-hour continuing education requirement?

Yes. However, continuing education credit for repeating this initial course is approved only once within a 6-year period. You may take the course for continuing education credit at any time following initial qualification, and then not again for 6 years. *Thus, this initial course may not be completed every two years and used towards the biennial continuing education requirement.*

11. 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 submit a written request to be removed, (ii) you fail to meet the biennial continuing education requirements, 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 one year of being removed from the list, certification of attendance indicating completion of the required six hours of approved continuing education and that such continuing education was completed within the past two years.
2. If more than one year passes since removal from the list, certification of attendance indicating completion of seven hours of approved continuing education and that such continuing education was completed within the past two years.
3. If more than five years pass since removal from the list, complete the initial qualification process as outlined in Standard I of the *Standards to Govern the Appointment of Guardians Ad litem for Children*.