

## 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, Supreme Court of Virginia, requesting qualification, and including your social security number and 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 initial qualification as a guardian *ad litem*.

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

- A **letter** requesting qualification and which states your social security number and 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.d 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 with one qualified GAL on two cases involving children in the juvenile and domestic relations district court, **a Nomination Certificate signed by the qualified GAL 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 within 2 years of your qualification date (i.e. If your qualification date is July 1, 2014, you must complete the 6 hours of continuing education by July 1, 2016). 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 your 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 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 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*.