

February 3, 1999

S 25. GUARDIAN AD LITEM/ATTYS. TO PROVIDE FOR ATTORNEY REPRESENTATION OF CHILDREN REPRESENTED BY GUARDIAN AD LITEM PROGRAM THROUGHOUT PROCEEDINGS OF THE CASE. Amends GS 7B-601(a) to remove the restriction that an attorney representing a child be appointed only for the dispositional phase of the proceedings, thereby allowing appointment during the adjudicatory phase as well.

Intro. by Wellons.

Ref. to Judiciary I

GS 7B

March 2, 1999

S 25. GUARDIAN AD LITEM/ATTYS. Intro. 2/3/99. Senate committee substitute makes the following changes to 1st edition. Adds to the bill the following additional changes to GS 7B-601: (1) adds a statement that the juvenile is a party in all actions; (2) provides that the appointment of a guardian ad litem for a juvenile ends when the permanent plan has been achieved for the juvenile and approved by the court (now, at the end of two years); (3) adds to the duties of the guardian ad litem conducting follow up investigations to insure that the orders of the court are being properly executed and to report to the court when the needs of the juvenile are not being met (now, these are items that a court may order); (4) adds a provision specifying that the guardian ad litem has the authority to obtain any information or reports that may be relevant to the case, even confidential records (now, the court may grant such authority); and (5) adds a provision specifying that when the guardian ad litem seeks such confidential records, no privilege other than the attorney-client privilege may be invoked to prevent the obtaining of the records (now, the statute specifies that the physician-patient and husband-wife privileges may not be so invoked).