

# Guardian *ad Litem* Project

A Project of the Cleveland Metropolitan Bar Association  
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## Guardian ad Litem Qualification Policy and Procedure

- I. To become an approved Guardian ad Litem practicing in the Cuyahoga County Court of Common Pleas, Juvenile Division, applicants shall meet all requirements set forth in Rule 48 of the Rules of Superintendence for the Courts of Ohio, Rule 17 of the Cuyahoga County Juvenile Court Local Rules, and the following requirements:
  - A. Be an attorney licensed to practice law, registered, and active in the state of Ohio;
  - B. Complete New Guardian ad Litem Training sponsored by the Cleveland Metropolitan Bar Association Guardian ad Litem Project;
  - C. Complete and submit an Attorney Information and Statement of Interest form and provide the attorney's Declarations page or other proof demonstrating that the applicant maintains professional liability insurance to the Guardian ad Litem Project;
  - D. Complete and submit a request for a search of the Central Registry to the Ohio Department of Job and Family Services Central Registry and a similar search in other states where they applicant has resided at any time during the last 10 years;
  - E. Submit the results of the Central Registry search(s) to the Guardian ad Litem Project.
- II. Criminal and Civil Background Checks
  - A. Criminal Background Checks - An applicant who has been charged with a criminal offense might be disqualified from serving as Guardian ad Litem in the Cuyahoga County Juvenile Court. Any applicant to become a Guardian ad Litem and all current Guardians ad Litem who have been charged with a criminal offense shall provide the following information to the Guardian ad Litem Project:
    1. The year charged
    2. The case number
    3. The court the where the case was disposed
    4. The disposition
    5. The sentence, if any
    6. The date the sentence was completed
    7. A description of the applicant's involvement in the case

The information required in Section II A shall be provided for the following types of cases:

1. A domestic violence charge regardless of when the applicant was charged;
2. A felony charge regardless of when the applicant was charged;
3. A misdemeanor charge, other than minor misdemeanors, within the last 5 years, or if the applicant has been charged with more than one misdemeanor, without regard to the length of time that has passed since the applicant was charged;
4. A DUI charge within the last 5 years, or if the applicant has been charged with more than one misdemeanor, without regard to when the applicant was charged;
5. Driver's License Suspension, without regard to when the applicant's driver's license was suspended.

B. Civil Background Checks - An applicant who has been a party in certain civil cases might be disqualified from serving as Guardian ad Litem in the Cuyahoga County Juvenile Court. Any applicant to become a Guardian ad Litem and all current Guardians ad Litem who have been parties to a civil case, other than as Guardian ad Litem, during the last 5 years shall provide the following information to the Guardian ad Litem Project:

1. The year the case was filed
2. The case number
3. The court where the case was filed
4. The result
5. A description of the applicant's involvement in the case

An applicant who is currently or who has been a party to a divorce or child custody proceeding, except as a Guardian ad Litem, shall provide the following information to the Guardian ad Litem Project:

1. Whether Domestic Violence was ever one of the grounds for the divorce or an allegation in the custody case;
2. Whether a child protective agency was ever involved with the applicant or the applicant's child(ren);
3. Whether the applicant was ever determined to be unsuitable or unfit to parent the child(ren).
4. A description of the applicant's involvement in the case

III. If an applicant's Central Registry search results identify that the applicant has been involved in substantiated or indicated child abuse or neglect within the last 10 years, the applicant shall provide to the Guardian ad Litem Project an affidavit explaining the circumstances that gave rise to the substantiated or indicated abuse or neglect.

- IV. The Guardian ad Litem Project Administrator shall review all Attorney Information and Statement of Interest forms and shall submit all forms that disclose any information that might disqualify the applicant from serving as a Guardian ad Litem to the Guardian ad Litem Qualification Panel appointed by the Chair of the Advisory Committee for consideration under its procedures.
- V. On a case by case basis, the Qualification Panel shall make a recommendation to the Guardian ad Litem Project's Executive Committee, which consists of the officers of the Advisory Committee, as to whether the applicant should be permitted to receive Guardian ad Litem appointments from the Court and the reasons for the recommendation. The Guardian ad Litem Project Administrator will inform the applicant of the decision of the Executive Committee.
- VI. On an annual basis or more frequently upon request of the Guardian ad Litem Project, all current Guardians ad Litem shall submit a Compliance Statement to either certify to the Guardian ad Litem Project that they are unaware of any circumstances that would disqualify them from serving as a Guardian ad Litem or disclose any information that might disqualify them from serving as Guardian ad Litem, and shall report the training they have attended to comply with division (E) of Rule 48 of the Rules of Superintendence for the Courts of Ohio.
- VII. To remain qualified for Guardian ad Litem appointments, all Guardians ad Litem qualified under this policy must complete six (6) hours of Advanced Training/Continuing education specifically designated as continuing education for Guardians ad Litem each year following the year they completed New Guardian ad Litem Training.