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SENATE BILL NO. 7

Senate Amendments in [] — February 3, 2016

A BILL to amend and reenact § 16.1-266.1 of the Code of Virginia, relating to appointed counsel for parents or guardians.

Patrons Prior to Engrossment—Senator Stanley; Delegate: Rasoul

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-266.1 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-266.1. Standards for attorneys appointed as guardians ad litem; list of qualified attorneys; attorneys appointed for parents or guardians.

A. On or before January 1, 1995, the Judicial Council of Virginia, in conjunction with the Virginia State Bar and the Virginia Bar Association, shall adopt standards for attorneys appointed as guardians ad litem pursuant to § 16.1-266. The standards shall, ~~in so far~~ *insofar* as practicable, take into consideration the following criteria: (i) license or permission to practice law in Virginia, (ii) current training in the roles, responsibilities and duties of guardian ad litem representation, (iii) familiarity with the court system and general background in juvenile law, and (iv) demonstrated proficiency in this area of the law.

B. The Judicial Council shall maintain a list of attorneys admitted to practice law in Virginia who are qualified to serve as guardians ad litem based upon the standards and shall make the names available to the courts. If no attorney who is on the list is reasonably available, a judge in his discretion, may appoint any discreet and competent attorney who is admitted to practice law in Virginia.

C. *Counsel appointed for a parent or guardian pursuant to subsection D of § 16.1-266 shall be selected from the list of attorneys who are qualified to serve as guardians ad litem. If no attorney who is on the list is reasonably available [or appropriate considering the particular circumstances of the parent or case] , a judge in his discretion may appoint any discreet and competent attorney who is admitted to practice law in Virginia.*

ENGROSSED

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