

Department of Planning and Budget 2018 Fiscal Impact Statement

1. Bill Number: HB277E

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Collins

3. Committee: House Committee for Courts of Justice

4. Title: Certification form and report requirements for Guardians ad litem for children

5. Summary: Requires guardians ad litem appointed to represent a child in a matter to conduct an investigation in compliance with certain standards. The bill further requires the guardian ad litem to file a copy of any written report directed by the court with the clerk of court. The bill requires the guardian ad litem to furnish a copy of such report to all attorneys representing parties to the matter, and all parties proceeding pro se in the matter, before such court no later than 72 hours or, in child custody or visitation matters, 15 days prior to the dates set by the court for a trial or other hearing or proceeding on such matter unless otherwise ordered by the court.

The bill provides that, where a written report is not directed, the guardian ad litem shall inform all attorneys representing parties and parties proceeding pro se of any recommendations intended to be made to the court prior to any trial or other proceeding or hearing on the matter. The bill specifies that a guardian ad litem's report shall not be admitted into evidence unless the contents are otherwise established at the trial or other proceeding or hearing on the matter.

The bill requires the guardian ad litem to file with the court, with a copy to attorneys representing parties and parties proceeding pro se, a certification form of such guardian's compliance with certain standards, along with a summary of the investigation conducted by such guardian. The bill provides that the court shall grant a continuance as justice requires should such guardian ad litem fail to meet any specified requirements contained in the bill.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary (see Item 8)

8. Fiscal Implications: According to the Office of the Executive Secretary of the Supreme Court (OES), the proposed bill is not expected to have a material fiscal impact on the operations of the court system.

9. Specific Agency or Political Subdivisions Affected: Courts

10. Technical Amendment Necessary: No

11. Other Comments: None