

IN THE CIRCUIT COURT FOR CHARLES COUNTY, MARYLAND

Plaintiff

vs.

Case No. ***

Defendant

ORDER APPOINTING COUNSEL FOR CHILDREN

(Best Interests Attorney)

This matter having come before the Court, it is this _____ day of _____, 2014, by the Circuit Court for Charles County, Maryland,

ORDERED, that ***, telephone number ***, is hereby appointed as a Best Interest Attorney (*Guardian ad litem*), in accordance with Maryland Rule 9-205.1, and the Maryland Standards of Practice for Court-Appointed Lawyers Representing Children in custody cases, to provide independent legal services for the purpose of protecting the best interests of the minor children, *****, born on ***, and ***, born on *****, without being bound by the children’s directives or objectives including consenting or not to the release of medical and/or psychiatric/psychological information pursuant to Nagle vs. Hooks; and it is further,

ORDERED, that the parties shall fully cooperate with the attorney appointed herein in the performance of the duties instructed by this Court; and it is further,

ORDERED, that the attorney appointed herein shall have reasonable access to the child and to all otherwise privileged or confidential information about the children, including but not limited to any protected health information, without the necessity of any further Order of Court; access to privileged and confidential information shall be without the necessity of a signed release, including medical, dental, psychiatric/psychological, social services, drug and alcohol treatment, law enforcement and educational records and information; and it is further,

ORDERED, that the attorney appointed herein shall be compensated as follows: that the parties shall be equally responsible for all fees of the Best Interests Attorney; that the parties shall each deposit \$750.00 into the Trust Account of the Best Interests Attorney, within ten (10) days of the date of this order, as an initial contribution towards the attorney’s fees in performance of the services identified herein; the attorney is authorized to draw from the trust account as the fee is earned, upon submission of an itemized monthly statement to the court, counsel, and any unrepresented party; the Best Interests Attorney will not be required to begin work until the funds have been deposited; and it is further,

ORDERED, that additional fees and payment are to be determined at the *Pendente Lite* Hearing; and it is further

ORDERED, that final allocation of fees shall be determined by the Court at a hearing on the merits of this case or upon the Petition of the attorney appointed herein; and it is further,

ORDERED, that the attorney appointed herein shall submit a bill for services to the Court at the conclusion of the case, or upon earlier motion; and it is further,

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ORDERED, that absent further Order of this Court, the attorney appointed herein shall not be required to participate in any appeal in this matter; and it is further,

ORDERED, that although the minor children are not parties to this action, the attorney appointed herein shall be entitled to engage in discovery as part of the performance of the duties assigned herein, and to file motions or seek orders as appropriate in the fulfillment of the duties appointed herein; and it is further,

ORDERED, that within ten (10) days of the date of this Order, counsel for Plaintiff, or the Plaintiff shall provide to the attorney appointed herein copies of all pleadings and papers filed in the above action and any correspondence between the parties or counsel for the parties; and it is further,

ORDERED, that within ten (10) days of the date of this Order, each party is to provide the attorney appointed herein the names and known addresses and telephone numbers of any and all mental health providers who have evaluated or treated the children and anyone else with whom the children may have a privilege pursuant to the Statute; and it is further,

ORDERED, that the attorney appointed herein shall not have any *ex parte* communications with the Court; the attorney/client privilege shall be respected at all times; the attorney appointed herein may not speak to the parties without the prior permission of their respective attorneys, and the attorneys for the parties may not speak with the children without the prior permission of the attorney appointed herein; and it is further,

ORDERED, that the Best Interest Attorney's appointment shall conclude upon entry of a final custody order.

There is a Hearing before a Judge of the Circuit Court on ***, **at 9:30 a.m.** on the merits of modification of custody, visitation and child support.

JUDGE

cc: ***, Attorney for the Plaintiff
Plaintiff
***, Attorney for the Defendant
Defendant
***, Attorney for the Children