



CIRCUIT COURT FOR KENT COUNTY, MARYLAND

103 N. Cross St

Chestertown, Maryland 21620

Civil/Family: 410-778-2853 Criminal/Juvenile: 410-778-7400

Case Number:

C-14-FM-

Other Reference Number(s):

VS.

ORDER APPOINTING COUNSEL FOR MINOR CHILD

UPON REQUEST AND CONSIDERATION, the Court finding that appointing an attorney who is experienced in representing children in family matters is necessary to help the Court decide this case properly, it is this day by the Circuit Court for Kent County, hereby,

ORDERED:

1. shall be and is hereby appointed to represent the minor child(ren), namely born as designated below,

Name, Esquire

Firm

Address

Chestertown, MD 21620

(410) Phone

e-mail

Best Interest Attorney: Court-appointed lawyer who provides independent legal services for the purpose of protecting a child’s interest, without being bound by the child’s directive or objectives. A BIA may not testify at trial or file a report with the Court. BIA may call witnesses and advocate on the child client’s best interest.

Child Advocate Attorney: Court-appointed lawyer who provides independent legal counsel for a child and who does the same duties of undivided loyalty, confidentiality and competent representation as are due an adult client.

Children’s Privilege Attorney: Court-appointed lawyer who decides whether to assert or waive any statutory privilege on behalf of minor child in custody action, in accordance with *Nagle v. Hooks*, 296 Md. 123 (1983).

2. As the attorney of record for the minor child(ren), the attorney shall perform the assigned role and duties in conformity with the Maryland Rules of Professional Conduct as well as the Maryland Standards of Practice for Court-Appointed Lawyers representing Children in Custody Cases.

3. The parties shall cooperate fully with the attorney herein and the duties instructed by their Court.

4. *On or before* , the parties shall 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 child(ren) and anyone else with whom the child(ren) may have a privilege pursuant to a statute.

5. Attorney appointed in this capacity shall have access to child(ren), without the need of signed releases to, privileged and confidential information, including but not limited to any protected health information, medical,

dental, social services, psychiatric or psychological treatment, drug and alcohol treatment, law enforcement and educational records.

6. Attorney appointed herein shall not have any ex parte communications with the Court. Attorney/Client privilege shall be respected at all times with regard to parties and child(ren).

7. The parties are directed to pay the attorney appointed herein an initial retainer fee, deposit into the attorney's trust account, in the amount of three hundred dollars (\$300.00) each within thirty (30) days of the date of this Order. The attorney shall not provide services with a value in excess of three thousand dollars (\$3,000.00) without first reporting same to the Court. The attorney shall not charge a fee which exceeds one hundred twenty-five dollars (\$125.00) per hour.

8. Either party may file with the Clerk of Court a written request for waiver of fee for Child Counsel within thirty (30) days. For more information, or to obtain the appropriate form, contact the Family Services Coordinator at (410) 810-1059.

9. The Court reserves the right to access as costs any unpaid fees owed to the attorney appointed herein to either party or both at the conclusion of this matter.

10. This appointment shall terminate after thirty (30) days from the entry of a final Court Order, unless otherwise ordered by this Court.

Judge