

IN THE CIRCUIT COURT FOR TALBOT COUNTY, MARYLAND

XXXXXXX

Plaintiff

v.

Case No: 20-D-

XXXXXXX

Defendant

ORDER APPOINTING COUNSEL FOR MINOR CHILD

Upon consideration of the issues in the captioned matter, it is this \_\_\_\_\_ day of \_\_\_\_\_ 2012, by the Circuit Court for Talbot County, Maryland, it is hereby

ORDERED, that the court approved attorney whose name is below

XXXXXXX

is appointed for the minor child; XXXXXX, born XXXXXX; to serve as

[ ] a BEST INTEREST ATTORNEY to represent the child=s interests before the Court. In this capacity, the Attorney is to investigate the child=s desires, the relative ability of the parties in their respective roles as parents, review any necessary medical, educational or other records of the children, and ascertain if the child has considered judgment. In addition they shall report to the Court findings and recommendations, waive or assert any privilege pursuant to *Nagle v. Hooks*, 296 Md. 123 (1983), and participate at all phases of discovery and trial discovery and trial, always representing the best interests of the child without being bound by the child=s directives or objectives,

[ ] a CHILD ADVOCATE pursuant to the Maryland Standards of Practice for Court-Appointed Lawyers Representing Children in Custody Cases. In this capacity, the Lawyer shall provide independent legal counsel for the child and owes the same duties of undivided loyalty, confidentiality, and competent representation as are due an adult client,

[ ] a CHILDS PRIVILEGE ATTORNEY, and is appointed in accordance with *Nagle v. Hooks*, 296 Md. 123 (1983), to decide whether to assert or waive, on behalf of the minor child, any statutory privilege. It is further

ORDERED, that an attorney appointed under any capacity in this order is entitled to have access to any and all privileged information regarding the child, 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. 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. It is further

ORDERED, that within ten days of the date of this Order, counsel for Plaintiff or 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. It is further

ORDERED, that within ten days 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 child(ren) and anyone else with whom the child(ren) may have a privilege pursuant to the Statute. It is further

ORDERED, that the attorney appointed herein shall not have ex parte communications with the Court. In addition, the attorney/client privilege shall be respected at all times. As such, the attorney appointed herein may not speak to represented parties without the prior permission of their respective attorneys, and attorneys for the parties may not speak with the child(ren) without prior permission of the attorney appointed herein. It is further

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 this appointment will terminate upon conclusion of trial. It is further

ORDERED, that the attorney=s services are to be compensated in the following manner:

[ ] *Payment into Escrow Account.* Plaintiff is hereby directed to pay the appointed attorney for deposit into the attorney=s trust account the sum of \$300.00 within 10 days of the date of this Order, and the Defendant is hereby directed to pay the appointed attorney for deposit into the attorney=s trust account the sum of \$300.00 within 10 days of the date of this Order as initial contributions toward the attorney=s fees in performing these services. Child counsel will not commence services until all deposits are paid in full and will report non-compliance to the court after 30 days. 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. A final allocation of fees will be determined by the Court at the hearing on the merits of the case, or upon motion of child=s counsel. Attorney for the child shall be entitled to charge an hourly fee for services not to exceed \$150.00 per hour.

**If you are unable to pay all or part of the attorney's fee, you may request a fee waiver. Call (410) 770-6806 for information.**

- [ ] *Pro Bono Representation.* Attorney for the child shall provide these services *pro bono publico*.
  
- [ ] *Fee Waiver and Court Compensation.* The Court waives the parties' obligation to pay for child counsel. Child counsel may submit a bill for services to the Court at the conclusion of the case, or earlier upon motion. Bills submitted after 30 days of the conclusion of the case will not be considered. The Court will compensate counsel for services at an amount not to exceed \$150.00 per hour, up to a maximum of \$1,000.00. Services rendered by counsel that would require payment over that amount shall be rendered *pro bono publico*, unless approved in advance by the court.
  
- [ ] *Other Means.* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**JUDGE**

Recommended by: \_\_\_\_\_  
**DOMESTIC RELATIONS MASTER**

**CC:Family Law Services Coordinator**

## Sliding Scale Table

Family Size	Family Annual Income	Monthly Gross	Responsible Percentage	Service Amount
1	\$0.00 - \$6,301	\$0.00 - \$525	0%	\$0.00
	\$6,302 - \$12,603	\$526-\$1,050	25%	\$375.00
	\$12,604 - \$18,905	\$1,051 - \$1,575	50%	\$750.00
	\$18,906 - \$25,207	\$1,576 - \$2,100	75%	\$1,125.00
	\$25,208 and up	\$2,101 and up	100%	\$1,500.00
2	\$0.00 - \$8,240	\$0.00 - \$687	0%	
	\$8,241 - \$16,481	\$688 - \$1,373	25%	
	\$16,482 - \$24,722	\$1,374 - \$2,060	50%	
	\$24,723 - \$30,963	\$2,061 - \$2,580	75%	
	\$32,964 and up	\$2,581 and up	100%	
3	\$0.00 - \$15,876	\$0.00 - \$1,322	0%	
	\$10,119 - \$20,237	\$1,323 - \$1,764	25%	
	\$20,238 - \$30,539	\$1,765 - \$2,352	50%	
	\$30,540 - \$40,475	\$2,353 - \$3,136	75%	
	\$40,476 and up	\$3,137 and up	100%	
4	\$0.00 - \$12,118	\$0.00 - \$1,009	0%	
	\$12,119 - \$24,237	\$1,010 - \$2,019	25%	
	\$24,238 - \$36,356	\$2,020 - \$3,029	50%	
	\$36,357 - \$48,475	\$3,030 - \$4,039	75%	
	\$48,476 and up	\$4,040 and up	100%	
5	\$0.00 - \$14,057	\$0.00 - \$1,171	0%	
	\$14,058 - \$28,115	\$1,172 - \$2,342	25%	
	\$28,116 - \$42,173	\$2,343 - \$3,514	50%	
	\$42,174 - \$56,231	\$3,515 - \$4,645	75%	
	\$56,232 and up	\$4,686 and up	100%	
6	\$0.00 - \$10,118	\$0.00 - \$843	0%	
	\$10,119 - \$31,993	\$844 - \$2,665	25%	
	\$31,994 - \$47,990	\$2,666 - \$3,998	50%	
	\$47,991 - \$63,987	\$3,999 - \$5,332	75%	
	\$63,988 and up	\$5,333 and up	100%	
7	\$0.00 - \$16,360	\$0.00 - \$1,362	0%	
	\$16,361 - \$32,721	\$1,363 - \$2,726	25%	
	\$32,722 - \$49,081	\$2,727 - \$4,089	50%	
	\$49,082 - \$65,442	\$4,090- \$5,454	75%	
	\$65,443 and up	\$5,455 and up	100%	
8	\$0.00 - \$16,724	\$0.00 - \$1,393	0%	
	\$16,725 - \$33,448	\$1,394 - \$2,786	25%	
	\$33,449 - \$50,152	\$2,787 - \$4,178	50%	
	\$50,153- \$66,896	\$4,179 - \$5,574	75%	
	\$66,897 and up	\$5,575 and up	100%	
9	\$0.00 - \$17,087	\$0.00 - \$1,423	0%	
	\$17,088 - \$34,175	\$1,424 - \$2,847	25%	
	\$34,176 - \$51,262	\$2,848 - \$4,271	50%	
	\$51,263 - \$68,350	\$4,272 - \$5,695	75%	
	\$68,351 and up	\$5,696 and up	100%	
10	\$0.00 - \$1,450	\$0.00 - \$1,453	0%	
	\$1,451 - \$34,902	\$1,454 - \$2,908	25%	
	\$34,903 - \$52,353	\$2,909 - \$4,362	50%	
	\$52,354 - \$69,804	\$4,363 - \$5,816	75%	
	\$69,805 and up	\$5,817 and up	100%	