

## **GUARDIAN AD LITEM SAMPLE CHECKLIST**

1. \_\_\_\_Clerk's email to GAL and to Petitioner's attorney, attaching copy of Order appointing GAL and providing names and phone numbers of GAL and Petitioner's attorney.
2. \_\_\_\_Contact petitioner's attorney to obtain copy of petition, copy of evaluation report, and copies of any other documentation that petitioner's attorney thinks would be useful. Ask petitioner's attorney to also provide a list of contact information for respondent, family members, etc. including addresses, telephone numbers, and emails.
3. \_\_\_\_Review petition, make a list of people who should be contacted and documents that should be reviewed.
4. \_\_\_\_Research any description of respondent's incapacity that you are not familiar with, sufficiently to identify potential issues with communication, appearance, physical contact, etc.
5. \_\_\_\_Communicate with petitioner's attorney to see if there is additional information that would be useful to know. Eg., best way to contact and communicate with respondent; family issues to be aware of; names of other medical or psych providers who may have useful information; any related court proceedings; any complicating factors.
6. \_\_\_\_Determine whether proposed guardian has been identified. If not, see if petitioner's attorney and/or petitioner has recommendations for proposed guardian.
7. \_\_\_\_Arrange to meet with respondent, and determine whether a cold call or introduction by family member or other arrangement is most suitable under the circumstances.
8. \_\_\_\_Send copy of Order of Appointment to any physician or other medical provider that you plan to contact, with copy of statute authorizing disclosure of information, and request opportunity to speak by phone or in person.
9. \_\_\_\_Meet with respondent; explain proceeding and explain the role of the GAL; advise respondent of legal rights; serve respondent with copy of petition, notice, and order appointing GAL. Observe physical appearance and demeanor; note physical surroundings; observe interaction with family members or others who are present. Spend enough time to get a sense of the respondent's interests and capabilities, and to assess the respondent's understanding of the proceedings. Determine whether respondent objects to proceedings and, if so, whether it is appropriate for the respondent to be independently represented by counsel. Make specific notes of observations and conversations.
10. \_\_\_\_Determine whether emergency conditions exist for respondent that require immediate intervention by APS or other authorities. If so, initiate those interventions.
11. \_\_\_\_Contact and meet with petitioner. Review allegations of petition; determine relationship with respondent; determine plans for respondent; determine any alternatives that have been considered or explored. Make specific notes of conversation.

12. \_\_\_ If respondent resides in facility (assisted living, group home, nursing home) talk to staff about their observations of respondent; review chart for diagnoses, relevant behavioral and medical history, and to identify current care plan. Make specific notes about chart review and conversations.
13. \_\_\_ Contact and meet with others named in petition. Determine relationship with respondent; explore what each knows about the respondent's need for guardianship and about the suitability of the petitioner to serve as guardian. Make specific notes about conversations.
14. \_\_\_ Contact physician or other professional who provided evaluation report for proceedings and review evaluation, extent of knowledge and contacts with respondent, potential for improvement, recommendations for care and treatment. Make specific notes about conversations.
15. \_\_\_ Identify other professional service providers who can be expected to have knowledge of respondent's capacity and contact them to see if they confirm allegations in petition. Make specific notes about conversations.
16. \_\_\_ Request financial documentation from petitioner's attorney; determine extent of respondent's resources and sources of respondent's income.
17. \_\_\_ Verify accounts with financial institutions as appears appropriate and necessary.
18. \_\_\_ Determine whether there appears to be any indication of impropriety in handling of respondent's accounts or assets. If so, determine whether guardian and/or conservator should be authorized to investigate and pursue these potential issues.
19. \_\_\_ Review notes to determine whether return visits may be necessary to family, physicians, or others.
20. \_\_\_ Re-visit respondent. See if original assessment is affected by intervening investigation, or if respondent appears/acts/sounds appreciably different than at first contact.
21. \_\_\_ Contact petitioner's attorney and discuss findings, observations, and proposed recommendations.
22. \_\_\_ Conduct such other and further investigation as appears necessary and appropriate.
23. \_\_\_ Draft report for the court. Circulate draft report to petitioner's attorney and any other parties who have filed an appearance.
24. \_\_\_ Discuss any issues that arise from review of report. Arrange meetings or participate in meetings as necessary to resolve issues among parties.
24. \_\_\_ Finalize report; prepare bill for services; send copies to petitioner's counsel.
25. \_\_\_ File report with court ([CCRGalReport@FairfaxCounty.Gov](mailto:CCRGalReport@FairfaxCounty.Gov)), and send copies of final report to petitioner, all counsel, and respondent. Prior to the hearing date, check with Judge's law clerk that report has been received by the judge that will hear the petition. Take original and extra copies of report and bill for services to hearing and provide Judge with originals.