

NEVADA

<p>Structure, organization, and delivery of Child Representation</p> <p>State-by-state, county-by-county, etc.</p>	<p>Judicial district system determines whether a volunteer is adequately trained to become a guardian ad litem. In counties of over 100,000 residents, volunteers must first complete a 12 hour training approved by the court and subsequent annual 6 hour trainings thereafter. In counties of under 100,000 residents, a volunteer may be qualified under the National CASA Association standards. NRS 432B.505</p>
<p>Funding Child Representation</p>	<p>-All expenses incurred in complying with the provisions of this chapter shall be a county charge if so ordered by the court. NRS 128.140</p> <p>-An attorney may not receive any compensation for services as a guardian ad litem. NRS 432B.420(3). However, if an attorney is representing a child but not serving as a GAL, he or she may be compensated. NRS 128.100</p>
<p>1. General Duties: Timely appointment, mandatory or discretionary, attorney or lay person, represent child's interests, undertake basic obligations, address conflict situations, address special needs and disabilities, and accommodate client preferences.</p>	<p>-After a petition is filed that a child is in need of protection pursuant to NRS 432B.490, the court shall appoint a guardian ad litem for the child. The person so appointed:</p> <p>(a) Must meet the requirements of NRS 432B.505 or, if such a person is not available, a representative of an agency which provides child welfare services, a juvenile probation officer, an officer of the court or another volunteer.</p> <p>(b) Must not be a parent or other person responsible for the child's welfare. NRS 432B.500(1)</p> <p>-The court may, if it finds it appropriate, appoint an attorney to represent the child. The child may be represented by an attorney at all stages of any proceedings held pursuant to NRS 432B.410 to 432B.590, inclusive. If the child is represented by an attorney, the attorney has the same authority and rights as an attorney representing a party to the proceedings. NRS 432B.420(1)</p> <p>1. In any proceeding for terminating parental rights, or any rehearing or appeal thereon, or any proceeding for restoring parental rights, the court may appoint an attorney to represent the child as his or her counsel and, if the child does not have a guardian ad litem appointed pursuant to NRS 432B.500, as his or her guardian ad litem. The child may be represented by an attorney at all stages of any proceedings for terminating parental rights. If the child is represented by an attorney, the attorney has the same authority and rights as an attorney representing a party to the proceedings.</p> <p>2. If the parent or parents of the child desire to be represented by counsel, but are indigent, the court may appoint an attorney for them. NRS 128.100</p>

	<p>-A guardian ad litem appointed pursuant to this section shall represent and protect the best interests of the child until excused by the court NRS 432B.500(3)(a)</p>
<p>2. Out of Court - Actions to be Taken: Meet with child, undertake an investigation, provide advice and counseling, file pleadings, request services, address special needs, negotiate settlements</p>	<p>-A guardian ad litem appointed pursuant to this section shall:</p> <ul style="list-style-type: none"> (b) Thoroughly research and ascertain the relevant facts of each case for which the guardian ad litem is appointed, and ensure that the court receives an independent, objective account of those facts; (c) Meet with the child wherever the child is placed as often as is necessary to determine that the child is safe and to ascertain the best interests of the child; (d) Explain to the child the role of the guardian ad litem and, when appropriate, the nature and purpose of each proceeding in the case; (e) Participate in the development and negotiation of any plans for and orders regarding the child, and monitor the implementation of those plans and orders to determine whether services are being provided in an appropriate and timely manner <p>...</p> <ul style="list-style-type: none"> (k) Perform such other duties as the court orders. NRS 432B.500(3) <p>-When the court appoints a guardian ad litem or special advocate for a child, an agency which provides child welfare services shall give the guardian ad litem or special advocate access to all reports and records relevant to the case. NAC 432B.280</p> <p>-Information maintained by an agency which provides child welfare services may, at the discretion of the agency which provides child welfare services, be made available only to ... the attorney and the guardian ad litem of the child, if the information is reasonably necessary to promote the safety, permanency and well-being of the child. NRS 432B.290</p>
<p>3. In Court – Active Participation in Hearings: Appear in court, explain proceedings to client, present evidence, ensure</p>	<p>A guardian ad litem appointed pursuant to this section shall:</p> <ul style="list-style-type: none"> (f) Appear at all proceedings regarding the child; (g) Inform the court of the desires of the child, but exercise independent judgment regarding the best interests of the child; (h) Present recommendations to the court and provide reasons in support of those recommendations; (i) Request the court to enter orders that are clear, specific and, when appropriate, include periods

<p>child is present, expand scope of representation into other needed areas, and undertake certain obligations post-disposition.</p>	<p>for compliance; (j) Review the progress of each case for which the guardian ad litem is appointed, and advocate for the expedient completion of the case; and (k) Perform such other duties as the court orders. NRS 432B.500(3)</p>
<p>4. Post-Hearing: Review courts order, communicate order to child, and monitor implementation of orders</p>	<p>A guardian ad litem appointed pursuant to this section shall ... (e) Participate in the development and negotiation of any plans for and orders regarding the child, and monitor the implementation of those plans and orders to determine whether services are being provided in an appropriate and timely manner ... (i) Request the court to enter orders that are clear, specific and, when appropriate, include periods for compliance...NRS 432B.500(3)</p> <p>-A motion for revocation or modification of an order issued pursuant to NRS 432B.550 or 432B.560 may be filed by the custodian of the child, the governmental organization or person responsible for supervising the care of the child, the guardian ad litem of the child or a parent or guardian. Notice of this motion must be given by registered or certified mail to all parties of the adjudicatory hearing, the custodian and the governmental organization or person responsible for supervising the care of the child. NRS 432B.570 (1)</p>
<p>5. Appellate Advocacy: Decision to appeal, withdrawal, participation in appeal, conclusion by appeal.</p>	<p>No explicit legal authority.</p>
<p>6. Cessation of Representation: Contacts post representation, if any</p>	<p>A guardian ad litem appointed pursuant to this section shall represent and protect the best interests of the child until excused by the court NRS 432B.500(3)(a)</p> <p>Upon the entry of a final order by the court establishing a guardianship pursuant to NRS 432B.4665:</p>

	<p>...</p> <p>3. Unless subsequently ordered by the court to assist the court, the following agencies and persons are excused from any responsibility to participate in the guardianship case:</p> <p>...</p> <p>(b) Any counsel or guardian ad litem appointed by the court to assist in the proceedings conducted pursuant to NRS 432B.410 to 432B.590, inclusive... NRS 432B.4675</p>
<p>7. General Representation Rules: Administrative structure is clear for appointment, support and accountability of the CR. The child's representative is independent from the court</p>	<p>-After a petition is filed that a child is in need of protection pursuant to NRS 432B.490, the court shall appoint a guardian ad litem for the child. The person so appointed must meet training requirements of NRS 432B.505 or, if such a person is not available, a representative of an agency which provides child welfare services, a juvenile probation officer, an officer of the court or another volunteer. NRS 432B.500(1)</p>
<p>8. Lawyer Training: Child representative trained, on-going training provided, new attorneys provided senior lawyer mentorship.</p>	<p>To qualify for appointment as a guardian ad litem in a judicial district that includes a county whose population is less than 100,000, a special advocate must be a volunteer from the community who completes an initial 12 hours of specialized training and, annually thereafter, completes 6 hours of specialized training. The training must be approved by the court and include information regarding:</p> <ul style="list-style-type: none"> (a) The dynamics of the abuse and neglect of children; (b) Factors to consider in determining the best interests of a child, including planning for the permanent placement of the child; (c) The interrelationships between the family system, legal process and system of child welfare; (d) Skills in mediation and negotiation; (e) Federal, state and local laws affecting children; (f) Cultural, ethnic and gender-specific issues; (g) Domestic violence; (h) Resources and services available in the community for children in need of protection; (i) Child development; (j) Standards for guardians ad litem; (k) Confidentiality issues; and

	<p>(1) Such other topics as the court deems appropriate.</p> <p>2. To qualify for appointment as a guardian ad litem pursuant to NRS 432B.500 in a judicial district that does not include a county whose population is less than 100,000, a special advocate must be qualified pursuant to the standards for training of the National Court Appointed Special Advocate Association or its successor. If such an Association ceases to exist, the court shall determine the standards for training. NRS 432B.505</p>
<p>9. Lawyer Compensation: Adequate and timely compensation, reimbursement provided for expenses.</p>	<p>-An attorney may not receive any compensation for services as a guardian ad litem. NRS 432B.420(3)</p> <p>- No compensation may be allowed a person serving as a guardian ad litem. NRS 432B.500 However, if an attorney is representing a child but not serving as a GAL, he or she may be compensated. NRS 128.100</p> <p>-All expenses incurred in complying with the provisions of this chapter shall be a county charge if so ordered by the court. NRS 128.140</p>
<p>10. Caseload Levels: Caseloads are of a manageable size</p>	<p>No explicit legal authority.</p>