

1. What is a guardian ad litem and why do I need one?

Answer: A guardian ad litem is an attorney that the court will appoint to represent the child's best interest. The law requires that a guardian ad litem be appointed in all guardianship cases.

2. Who are the interested persons that I need to list on the Petition?

Answer: **Both** of the child's parents, whether involved in the child's life or not. The only exception is if the parental rights were previously terminated. If whereabouts of a parent is unknown, notice needs to be given to him or her at their last known address.

Any adult siblings of the child.

Maternal and paternal grandparents of the child.

Anyone who currently has placement or custody of the child.

If under the supervision of the Department of Social Services, the social worker.

3. What if the parent(s) try to fight it?

Answer: Then you will have to prove to the court at a contested hearing that the parent(s) is unfit. These proceedings often become very complicated and I would recommend that you have an attorney represent you if this becomes a contested matter.

4. What happens if after six months or a year the parent comes back and wants to end the guardianship?

Answer: That parent would need to put the request to terminate the guardianship in writing and submit it to the court. The court would schedule a hearing to determine whether the guardianship should end. Most often, the court has no choice, other than if the parent were found unfit, to not grant a termination of the guardianship.