

By Mr. LoPresti, a petition (accompanied by bill, Senate, No. 819) of Michael LoPresti, Jr., for legislation relative to the appointment of guardians ad litem. The Judiciary.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety.

AN ACT RELATIVE TO GUARDIANS AD LITEM.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 34 of chapter 201 of the General Laws,  
2 as appearing in the 1988 Official Edition, is hereby amended by  
3 adding after the last sentence the following sentence: — The court  
4 shall specify in any such order of appointment that a guardian  
5 ad litem for a minor shall be a Guardian ad Litem Next Friend.

1 SECTION 2. Chapter 215 of the General Laws, as appearing  
2 in the 1988 Official Edition, is hereby amended by striking section  
3 56A and inserting in place thereof the following section: —

4 Section 56A. During the pendency of any proceeding, a justice  
5 of the probate and family department of the trial court may  
6 appoint a guardian ad litem to investigate or evaluate any  
7 questions or issues raised in the proceeding and related to the care,  
8 custody or maintenance of minor children or related to any  
9 domestic relations issue except where the investigation is for such  
10 issues governed by section sixteen of chapter two hundred and  
11 eight.

12 The court shall include in the written order of appointment a  
13 specific description of the role and duties which the guardian ad  
14 litem is to perform and assume in the investigation or evaluation  
15 in the proceeding in which the appointment is ordered. The court  
16 shall designate the term of a guardian ad litem's service and shall  
17 designate the guardian ad litem as one or both of the following:

18 (i) A Guardian ad Litem Evaluator; or (ii) A Guardian ad Litem  
19 Investigator. When appointing a Guardian ad Litem Evaluator,  
20 the court shall specify in its order who is to be evaluated and the  
21 purpose of such evaluation.

22 A Guardian ad Litem Evaluator shall be a psychiatrist,  
23 psychologist, licensed independent clinical social worker or other  
24 appropriate mental health professional appointed by the probate  
25 court to evaluate the mental and emotional health of the child  
26 or any party to the proceeding or any other mental health issues  
27 pertinent to a determination of the best interests of the child and  
28 make written recommendations and report thereon.

29 A Guardian ad Litem Investigator shall be an attorney, social  
30 worker or other appropriate professional or lay person appointed  
31 by the court to conduct an investigation into the facts of the  
32 proceedings at issue and make written recommendations and  
33 report thereon.

34 A court shall fix compensation for any guardians ad litem and  
35 all such compensation and any expenses approved by the court  
36 shall be paid by the parties or the commonwealth as ordered by  
37 the court.

38 A guardian ad litem shall have access to all records of the child  
39 which are available to either parent, unless otherwise ordered by  
40 the court.

41 A guardian ad litem shall be given timely notice of any hearings  
42 in the pending case.

43 Within a time period specified in the order of appointment, the  
44 guardian ad litem shall file with the court a written report detailing  
45 the results of the investigation or evaluation or any interim report  
46 as ordered by the court, setting forth any recommendation, if a  
47 recommendation is requested by the written order of appoint-  
48 ment. If any proceeding in which a guardian ad litem is appointed,  
49 the guardian ad litem shall file a current report with the Clerk  
50 of Court or Register of Probate no later than thirty days prior  
51 to any final hearing involving the placement or custody of the child  
52 unless otherwise ordered by the court. The written report shall  
53 be open to inspection by the parties and their counsel. Upon a  
54 request of the guardian ad litem or any of the parties, a judgment  
55 or order shall not enter until the court has reviewed the guardian  
56 ad litem's report.

57 A guardian ad litem shall not act as the child's attorney. Upon  
58 a determination by the court that the best interests of the child  
59 would not otherwise be protected, the court may appoint special  
60 counsel for the child to serve as the child's legal advocate. The  
61 court in such cases may assess the child's reasonable attorney's  
62 fees and costs against the parties or against the commonwealth.

The following is a list of the names of the persons who were members of the Board of Directors of the National Board of Health during the year 1918-1919. The names are arranged in alphabetical order of their surnames.

1. Dr. J. H. Henshaw, Chairman

2. Dr. W. H. Clegg

3. Dr. J. H. Henshaw

4. Dr. W. H. Clegg

5. Dr. J. H. Henshaw

6. Dr. W. H. Clegg

7. Dr. J. H. Henshaw

8. Dr. W. H. Clegg

9. Dr. J. H. Henshaw

10. Dr. W. H. Clegg

11. Dr. J. H. Henshaw

12. Dr. W. H. Clegg

13. Dr. J. H. Henshaw

14. Dr. W. H. Clegg

15. Dr. J. H. Henshaw

16. Dr. W. H. Clegg

17. Dr. J. H. Henshaw

18. Dr. W. H. Clegg

19. Dr. J. H. Henshaw

20. Dr. W. H. Clegg

21. Dr. J. H. Henshaw

22. Dr. W. H. Clegg

23. Dr. J. H. Henshaw

24. Dr. W. H. Clegg

25. Dr. J. H. Henshaw

26. Dr. W. H. Clegg

27. Dr. J. H. Henshaw

28. Dr. W. H. Clegg

29. Dr. J. H. Henshaw

30. Dr. W. H. Clegg

31. Dr. J. H. Henshaw

32. Dr. W. H. Clegg

33. Dr. J. H. Henshaw

34. Dr. W. H. Clegg

35. Dr. J. H. Henshaw

36. Dr. W. H. Clegg

37. Dr. J. H. Henshaw

38. Dr. W. H. Clegg

39. Dr. J. H. Henshaw

40. Dr. W. H. Clegg

41. Dr. J. H. Henshaw

42. Dr. W. H. Clegg

43. Dr. J. H. Henshaw

44. Dr. W. H. Clegg

45. Dr. J. H. Henshaw

46. Dr. W. H. Clegg

47. Dr. J. H. Henshaw

48. Dr. W. H. Clegg

49. Dr. J. H. Henshaw

50. Dr. W. H. Clegg

51. Dr. J. H. Henshaw

52. Dr. W. H. Clegg

53. Dr. J. H. Henshaw

54. Dr. W. H. Clegg

55. Dr. J. H. Henshaw

56. Dr. W. H. Clegg

57. Dr. J. H. Henshaw

58. Dr. W. H. Clegg

59. Dr. J. H. Henshaw

60. Dr. W. H. Clegg

61. Dr. J. H. Henshaw

62. Dr. W. H. Clegg

63. Dr. J. H. Henshaw

64. Dr. W. H. Clegg

65. Dr. J. H. Henshaw

66. Dr. W. H. Clegg

67. Dr. J. H. Henshaw

68. Dr. W. H. Clegg

69. Dr. J. H. Henshaw

70. Dr. W. H. Clegg

71. Dr. J. H. Henshaw

72. Dr. W. H. Clegg

73. Dr. J. H. Henshaw

74. Dr. W. H. Clegg

75. Dr. J. H. Henshaw

76. Dr. W. H. Clegg

77. Dr. J. H. Henshaw

78. Dr. W. H. Clegg

79. Dr. J. H. Henshaw

80. Dr. W. H. Clegg

81. Dr. J. H. Henshaw

82. Dr. W. H. Clegg

83. Dr. J. H. Henshaw

84. Dr. W. H. Clegg

85. Dr. J. H. Henshaw

86. Dr. W. H. Clegg

87. Dr. J. H. Henshaw

88. Dr. W. H. Clegg

89. Dr. J. H. Henshaw

90. Dr. W. H. Clegg

91. Dr. J. H. Henshaw

92. Dr. W. H. Clegg

93. Dr. J. H. Henshaw

94. Dr. W. H. Clegg

95. Dr. J. H. Henshaw

96. Dr. W. H. Clegg

97. Dr. J. H. Henshaw

98. Dr. W. H. Clegg

99. Dr. J. H. Henshaw

100. Dr. W. H. Clegg