SUPERIOR COURT OF CALIFORNIA, COUNTY OF SOLANO

STREET ADDRESS:	☐ 600 Union Avenue	☐ 321 Tuolumne Street
MAILING ADDRESS:	P.O. Caller 5000	321 Tuolumne Street
CITY AND ZIP CODE:	Fairfield, CA 94533	Vallejo, CA 94590

FOR COURT USE ONLY

PETITIONER/PLAINTIFF:

RESPONDENT/DEFENDANT:

CLAIMANT:

ORDER APPOINTING COUNSEL FOR MINOR(S)

Case Number:

1. Date:
   Judge/Commissioner (name):
   ☐ Temporary Judge
   ☐ Petitioner/Plaintiff present ☐ Attorney present (name):
   ☐ Respondent/Defendant present ☐ Attorney present (name):
   ☐ Claimant present ☐ Attorney present (name):
   ☐ Attorney for minor present (name):

THE COURT FINDS

Pursuant to *Family Code* §3150(a), it is in the best interest of the minor child(ren) to appoint private counsel to represent the interests of the child(ren).

1. a. Counsel appointed for child(ren): Name:
   Address: Phone number:
   b. Alternate counsel appointed for child(ren): Name:
   Address: Phone number:

2. Child(ren) for whom counsel appointed.

Name	Birth date	Address

3. Pursuant to *Family Code* §3151(a), counsel is charged with the following duties:
   a. Interviewing the child(ren);
   b. Reviewing the court files and all accessible relevant records available to the parties;
   c. Making such investigation as counsel deems necessary to ascertain facts relevant to the custody/visitation hearing;
   d. Participate in the proceedings to the degree necessary to adequately represent the child(ren), including introducing and examining counsel's own witnesses, and present to the court concerning the child(ren)'s welfare;
   e. At the Court's request, counsel shall prepare a written statement of issues and contentions setting forth the facts that bear on the best interests of the child(ren) consistent with the requirements of §3151(b).

4. Pursuant to §3151(c), counsel shall have the following rights regarding the child(ren):
   a. Reasonable access to the child(ren);
   b. Notice of any and all proceedings, included any requested examinations affecting the child(ren);
   c. Access to medical, dental, mental health and other health care records for the child(ren);
   d. Access to school and educational records for the child(ren) and the right to interview school personnel, caretakers, health care providers, mental health professionals and others who have assessed the child(ren) or provided care to the child(ren);
   e. To veto any physical or psychological examination for purposes of the within proceedings, which has not been ordered by the court (*Family Code* §3152(b)(4));
   f. To assert on behalf of the child(ren) any privilege for discovery purposes (*Family Code* §3151(b)(5));
   g. The right to seek independent psychological or physical examination or evaluation of the child(ren) for purposes of the pending proceedings, upon application to the court and the right to refuse any such examination not ordered by the court;
   h. The right to receive relevant reports and/or files of the local child protective agency, upon motion to the court (*Family Code* §3152);
   i. The right to assert or waive any privilege on behalf of the child(ren);
   j. Access to police department records and/or files regarding the child(ren) and/or parties;

OTHER ORDERS

a. The parties and their counsel are ordered to cooperate with the child(ren)'s counsel to permit the child(ren)'s counsel to perform the duties of said appointment
b. Child(ren)'s counsel shall be provided with complete copies of all relevant pleadings within ten (10) days of this appointment.
c. The parties shall provide complete information concerning the minor's child(ren)'s school, medical, psychological, psychiatric, and other pertinent records to the child(ren)'s counsel upon request. The parties shall execute such waivers and releases requested to facilitate the child(ren)'s counsel in securing access to records for the minor child(ren).
d. The parties and/or their counsel shall not compromise, settle, dismiss or otherwise remove from the court's calendar all or any portion of the issues, claims or proceedings concerning which child(ren)'s counsel has been appointed, without participation of child(ren)'s counsel or advance notice to child(ren)'s counsel.
e. All filing fees, court reporting and recording fees, charges for certified copies, and other costs payable to the Superior Court are waived on behalf of the minor child(ren). A copy of this order accompanying such pleadings shall suffice, and the Clerk of the Court is ordered to accept all documents for filing without further fee waiver or other action.
f. Minor child(ren)'s counsel may place the above-referenced matter on calendar by providing the parties with ten (10) days advance written notice.

6. Compensation

a. Counsel for the minor child(ren) shall be compensated as follows:
☐ Hourly rate $ _____ ☐ Other (e.g., flat fee) $ _____ ☐ Retainer $ _____ ☐ Payable by County $ _____

b. The parties are ordered to pay said compensation as follows:
☐ ____ % Petitioner/Plaintiff ☐ ____ % Respondent/Defendant ☐ ____ % Claimant
☐ The court reserves jurisdiction for the purpose of allocating the attorney fees and costs for the court appointed counsel for the minor child(ren).

c. Counsel shall continue to represent the child(ren) until relieved by the court.

***NOTICE*: All custodians of records relating to the minor child(ren), and all providers of services who have a confidential or non-confidential relationship with the minor child(ren), shall communicate with, and shall reveal to the child(ren)'s counsel both confidential and non-confidential communications from and relating to the minor child(ren), and shall permit the child(ren)'s counsel to inspect and copy any records relating to the minor child(ren), upon presentation of a certified copy of this order, regardless whether the child(ren)'s parent(s) or guardian(s) have executed waivers or releases on behalf of the child(ren)**.

IT IS SO ORDERED.

Date: _____ _____
JUDGE / COMMISSIONER OF THE SUPERIOR COURT

CLERK'S CERTIFICATE

I certify that the foregoing Order Appointing Counsel for Minor(s) is a true and correct copy of the original on file in the court.

Date _____ CHARLES D. RAMEY, Clerk, by _____ Deputy

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