

Rule 4-906.01. GALs, staff, and volunteers

Intent:

To establish the policies and procedures for the selection, employment, and management of Volunteers, GALs, and Staff employed by the Administrative Office.

Applicability:

This rule applies to the Office and Program.

Statement of the Rule:

(1) GAL qualification and responsibilities. A GAL must:

- (1)(A) be a member in good standing with the Utah State Bar;
- (1)(B) demonstrate experience and interest in applicable law and procedures;
- (1)(C) perform the duties and responsibilities established in the Utah Code; and
- (1)(D) comply with all court rules and policies.

(2) Selection and employment.

- (2)(A) GALs and Staff employed by the Administrative Office are at-will employees subject to dismissal by the Director with or without cause.
- (2)(B) The Director must select, supervise, and discipline GALs and Staff in accordance with this Code and the judiciary's human resource policies.
- (2)(C) GAL and Staff applicants will be interviewed by a panel consisting of the Director or the Director's designee and two or more of the following persons:
 - (2)(C)(i) the local GAL office managing attorney;
 - (2)(C)(ii) the district court or juvenile court executive;
 - (2)(C)(iii) a Committee member;
 - (2)(C)(iv) a Utah State Bar Association member selected by the Director; or
 - (2)(C)(v) an individual selected by the Director.
- (2)(D) The interview committee established under paragraph (2)(C) will make hiring recommendations to the Director. The Director will make hiring decisions.

(3) Conflicts of interest and disqualification.

- (3)(A) If a GAL has a conflict of interest, the GAL must declare the conflict and request that the court appoint a conflict GAL.

(3)(B) Any party who perceives a conflict of interest may file a motion with the court setting forth the nature of the conflict and a request that the GAL be disqualified from further service in that case.

(3)(C) If a court finds that a conflict of interest exists, the court will relieve the GAL from further duties in that case and appoint a conflict GAL.

(3)(D) The Administrative Office may contract with an attorney to provide conflict GAL services.

(3)(E) If a conflict GAL is arranged on a case-by-case basis, the court will use the order form approved by the Council. The order will list the GAL's duties. The court will file the original order in the case and will distribute one copy each to:

(3)(E)(i) the appointed conflict GAL;

(3)(E)(ii) the GAL;

(3)(E)(iii) all parties of record;

(3)(E)(iv) the parents, guardians, or custodians of the child(ren);

(3)(E)(v) the court executive; and

(3)(E)(vi) the Director.

(3)(F) A conflict GAL's compensation may not exceed \$100 per hour or \$3,000 per case in any 12-month period, whichever is less. The per case compensation limit includes incidental expenses incurred in the case.

(3)(G) Under extraordinary circumstances, the Director may increase the compensation limit upon request from the conflict GAL. The request will include a justification showing that the case required work of much greater complexity than, or time far in excess of, that required in most GAL assignments. If a case is appealed, compensation will be as set forth above.

(3)(H) A conflict GAL is not an Office or Administrative Office employee.

(4) Staff and Volunteers.

(4)(A) The Director will develop a strong Volunteer component to the Program and provide support for Volunteer solicitation, screening, and training. Staff and Volunteer responsibilities will be as established by the Director and set forth in Utah Code.

(4)(B) A GAL must supervise Staff and Volunteer training. The Director will provide administrative support.

(4)(C) Staff and Volunteers will receive training in the areas of child abuse, child psychology, juvenile and district court procedures, and local child welfare agency procedures. Staff and Volunteers will also be trained in guidelines established by the National Court Appointed Special Advocate Association.

(4)(D) Volunteers serve at the pleasure of the Director.

Effective: June 22, 2026