



Judicial Council of California

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January 19, 2024

Subject Text

Meeting materials
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File #: 23-167, Version: 1

Title

Rules and Forms | Civil Practice and Procedure: Appointment of Guardian ad Litem (Action Required)

Summary

The Civil and Small Claims Advisory Committee, the Family and Juvenile Law Advisory Committee, and the Probate and Mental Health Advisory Committee propose adopting one form, revising two forms, revising and renumbering one form, and revoking one form to reflect a change in the law and to clarify and modernize the existing forms. The mandatory forms in the proposal are used to apply for and order the appointment of a guardian ad litem in a civil action or proceeding, including a family law proceeding, and in a proceeding under the Probate Code.

Recommendation

The Civil and Small Claims Advisory Committee, the Family and Juvenile Law Advisory Committee, and the Probate and Mental Health Advisory Committee recommend that the Judicial Council, effective January 1, 2024:

1. Adopt *Order Appointing Guardian ad Litem--Civil and Family Law* (form CIV-011/FL-936) for mandatory use to appoint a guardian ad litem in civil and family law proceedings;
2. Revise *Application and Order for Appointment of Guardian ad Litem--Civil* (form CIV-010), retitle it as *Application for Appointment of Guardian ad Litem--Civil and Family Law*, and renumber it as form CIV-010/FL-935 to separate the application from the order, incorporate new statutorily required elements, update its language, and clarify that it is intended for use in family law proceedings;
3. Revise *Petition for Appointment of Guardian ad Litem--Probate* (form DE-350/GC-100) and *Order Appointing Guardian ad Litem--Probate* (form DE-351/GC-101) to incorporate new statutorily required elements and update their language; and
4. Revoke *Application and Order for Appointment of Guardian ad Litem of Minor--Family Law* (form FL-935) because it is now unnecessary.