

ENROLLED ACT NO. 137, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2005 GENERAL SESSION

AN ACT relating to the Wyoming supreme court; authorizing a program to reimburse guardians ad litem as specified; providing procedures for implementation of the program; requiring rulemaking; specifying standards for the program and participants; providing an appropriation; authorizing a position; providing a reporting requirement; and providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.**

(a) For the fiscal year beginning July 1, 2005, there is appropriated from the general fund to the Wyoming supreme court two million one hundred thousand dollars (\$2,100,000.00), or as much thereof as necessary, to establish and administer a program to reimburse attorneys providing legal representation as guardians ad litem in child protection cases under W.S. 14-3-101 through 14-3-440, children in need of supervision cases under W.S. 14-6-401 through 14-6-440, or termination of parental rights actions brought as a result of a child protection or children in need of supervision action. The appropriation under this section shall be subject to the following:

(i) The district judges' judicial conference shall:

(A) Recommend to the board of judicial policy and administration rules and regulations governing standards for the legal representation by attorneys as guardians ad litem in child protection or children in need of supervision cases and for the training of those attorneys;

ORIGINAL HOUSE  
BILL NO. 0314

ENROLLED ACT NO. 137, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2005 GENERAL SESSION

(B) Require any attorney who seeks reimbursement from the appropriation authorized by this section for legal representation of children as a guardian ad litem to meet the standards for guardians ad litem established by the board of judicial policy and administration;

(C) Notwithstanding any other provision of this section, an attorney appointed to serve only as a guardian ad litem in a case in which a child has been charged with the commission of a delinquent act may, subject to rules recommended by the judicial conference and adopted by the supreme court, be eligible for reimbursement under this section. The rules shall include a method for legal representation for juveniles based upon a system which mandates a negotiated contract between a county and each service provider for services on an hourly basis, a per case basis or by a time limited contract;

(D) Recommend standards for attorneys that will ensure their advice remains independent of private providers and that their recommendations consider cost impacts and savings to the state of Wyoming.

(ii) The board of judicial policy and administration shall adopt rules and regulations governing standards for the legal representation by attorneys as guardians ad litem in child protection or children in need of supervision cases and for the training of those attorneys;

(iii) The supreme court shall:

(A) Enter into agreements with the individual counties of the state participating in the program to provide reimbursement for the legal

ORIGINAL HOUSE  
BILL NO. 0314

ENROLLED ACT NO. 137, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2005 GENERAL SESSION

representation of children by attorneys as guardians ad litem in child protection or children in need of supervision cases;

(B) Provide necessary administrative support for the reimbursement program.

(iv) No state money appropriated under this section shall be expended in any county unless the county agrees to match, at a minimum, twenty-five percent (25%) of the state money for the reimbursement of legal representation of children by attorneys in child protection or children in need of supervision cases. In consultation with the board of judicial policy and administration, the supreme court and the individual county shall establish the reimbursement rate within the county for attorneys providing legal representation as guardians ad litem in child protection and children in need of supervision cases.

(b) The supreme court is authorized one (1) full-time equivalent position to assist in the administration of the reimbursement program authorized by this section. The salary and benefits of the position and all equipment necessary to implement the program shall be provided from the appropriation in subsection (a) of this section.

(c) The supreme court shall report each year on or before November 1 to the joint judiciary interim committee and the joint appropriations interim committee on the results of the program authorized by this section including the number of cases and the amount of monies expended for reimbursements and the amounts of matching monies from participating counties.

ORIGINAL HOUSE  
BILL NO. 0314

ENROLLED ACT NO. 137, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2005 GENERAL SESSION

**Section 2.** This act is effective July 1, 2005.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk