# MOTION FOR LIMITED APPOINTMENT OF ATTORNEY FOR CHILD/REN

1. This is an action for \_, filed by , on , 20 .
2. The child/ren affected by this action is/are: [initials] born [year].
3. It is appropriate that an attorney be appointed on a limited basis for the child/ren, because: [select the reasons specific to the child or case]
   * The child is likely to be called as a witness to testify in this case
   * The child is refusing or resisting contact with a parent
   * Extraordinary, emergency or temporary remedies are requested by a parent, such as supervised visitation, termination or suspension of visitation, or awarding custody or visitation to a non-parent
   * A parent requests access to the child’s confidential medical records
   * The child’s requested relief on a specific issue is essential to resolution of the issue
   * Other:
4. An attorney from Iowa Center for Children’s Justice should be appointed for the limited purpose of: [select the scope of representation specific to the child or case]
   * Preparing the child to testify
   * Assisting the child in writing an affidavit
   * Filing a Statement of Requested Relief on behalf of the child
   * Representing the child at mediation
   * Representing the child at a hearing, specifically:
   * Representing the child at trial
   * Other:
5. I have contacted Iowa Center for Children’s Justice and confirmed that an attorney is available to represent the child/ren for this limited purpose.
6. I have informed my client of the fees and billing structure of Iowa Center for Children’s Justice.
7. I have contacted [name], counsel for the other party, who consents to/resists this motion.

WHEREFORE, the undersigned prays that the Court appoint an attorney from Iowa Center for Children’s Justice as attorney for the minor child/ren, [initials] for the limited purpose of \_\_\_\_\_\_\_\_\_\_.

# ORDER APPOINTING CHILD’S ATTORNEY FOR LIMITED REPRESENTATION

# On the date indicated, this matter came before the Court on a MOTION FOR LIMITED APPOINTMENT OF ATTORNEY FOR CHILD.

The Court FINDS that appointing an attorney for the child/ren is necessary to assist the Court in deciding the case properly because [factors/allegations].

An attorney from Iowa Center for Children’s Justice is hereby appointed as the attorney for the child/ren, [initials], born [birth year]. The attorney will represent the child/ren in a normal attorney-client relationship. She will not testify or submit a report to the Court, but may file motions, requests for relief or other legal filings consistent with the provisions of this Order. She will participate as an attorney in court proceedings as provided herein. The parties or their attorneys shall send copies to the Iowa Center for Children’s Justice attorney of all pleadings, documents, exhibits and discovery exchanges requested by the child’s attorney.

The attorney is appointed to represent the child/ren for the limited purpose of [parameters of representation].

The parties shall ensure that the Iowa Center for Children’s Justice attorney has access to the child/ren. Iowa Center for Children’s Justice shall also have access to confidential information about the child/ren without the necessity of any further order or release. Such information includes but is not limited to social services, drug and alcohol treatment, medical, mental health, law enforcement, school, probate and court records, records of trusts and accounts of which the child/ren is/are beneficiary, and other records relevant to the case, including court records of the parties.

The child’s attorney is authorized to interview any relevant person and inspect and copy any records relevant to the proceedings, if not prohibited by federal law. The child’s attorney may interview any person providing medical, mental health, social, educational, or other services to the child; may attend any meeting with the medical or mental health providers, service providers, organizations, or educational institutions regarding the child/ren if deemed necessary by the child’s attorney; and may inspect and copy any records relevant to the proceedings.

The parent, guardian, or other person having custody of the child shall immediately execute any release necessary to allow the child’s attorney to effect the authorization granted under this order.

The parties shall be responsible for paying attorney fees to Iowa Center for Children’s Justice as provided in Iowa Code 598.12A(3). The parties shall provide financial information to Iowa Center for Children’s Justice immediately upon request. Iowa Center for Children’s Justice may bill each party without the necessity of an additional order. Each party shall pay Iowa Center for Children’s Justice upon receipt of a periodic or final billing.

The Court may enter further orders in favor of Iowa Center for Children’s Justice for fees and disbursements as submitted by the child’s attorney, pursuant to Iowa Code 598.12A(3).

Contact information for Iowa Center for Children’s Justice: 501 SW 7th Street, Suite G, Des Moines, Iowa 50309; phone number (515)414-9562; email address info@iaccj.org.

Upon entry of this Order, the attorney at Iowa Center for Children’s Justice shall file a Limited Appearance, and after completing the representation specified herein, the attorney shall file a Notice of Termination of Limited Appearance.

# MOTION TO APPOINT CHILD’S ATTORNEY

1. This is an action for \_, filed by , on , 202 .
2. The child/ren who are affected by this action is/are: [initials] born [year].
3. It is appropriate that an attorney be appointed for the child/ren, because:
   * The child may be called as a witness to testify in this case
   * The child is refusing or resisting contact with a parent
   * There is a high level of conflict/acrimony between the parties
   * There is a no-contact order between the child’s parents in a civil or criminal action
   * A parent is unrepresented
   * The child has independent views or concerns which should be considered by the court in reaching a decision
   * The child has special physical, mental health or educational needs
   * Extraordinary remedies such as supervised visitation, termination or suspension of visitation, or awarding custody or visitation to a non- parent are being considered
   * Relocation is being considered which could result in reduction of a child’s time with a parent or sibling, disruption of education, or other important connections of the child
   * There have been past findings or present allegations of child abuse, neglect or DHS involvement
   * There is a need to minimize the harm to the child from family separation or litigation
4. I have contacted Iowa Center for Children’s Justice and confirmed that an attorney is available to represent the child/ren.
5. I have informed my client of the fee schedule and billing structure of Iowa Center for Children’s Justice.
6. I have contacted [name], counsel for the other party, who consents to/resists this motion.

WHEREFORE, the undersigned prays that the Court appoint an attorney from Iowa Center for Children’s Justice as attorney for the minor child/ren, [initials].

# ORDER APPOINTING CHILD’S ATTORNEY

The court has before it a motion to appoint child’s attorney. The court finds that appointing an attorney for the child/ren is necessary because [factors/allegations].

An attorney from Iowa Center for Children’s Justice is hereby appointed as the attorney for the child/ren, identified in the motion. The attorney’s appointment is pursuant to section 598.12A. The attorney shall proceed as authorized under section 598.12A. The parties or their attorneys shall send copies to the Iowa Center for Children’s Justice attorney of all pleadings and discovery exchanges.

The parties shall ensure that the Iowa Center for Children’s Justice attorney has access to the child/ren. Iowa Center for Children’s Justice shall also have access to confidential information about the child/ren without the necessity of any further order or release. Such information includes but is not limited to social services, drug and alcohol treatment, medical, mental health, law enforcement, school, probate and court records, records of trusts and accounts of which the child/ren is/are beneficiary, and other records relevant to the case, including court records of the parties.

The child’s attorney is authorized to interview any relevant person and inspect and copy any records relevant to the proceedings, if not prohibited by federal law. The child’s attorney may interview any person providing medical, mental health, social, educational, or other services to the child; may attend any meeting with the medical or mental health providers, service providers, organizations, or educational institutions regarding the child/ren if deemed necessary by the child’s attorney; and may inspect and copy any records relevant to the proceedings.

The parent, guardian, or other person having custody of the child shall immediately execute any release necessary to allow the child’s attorney to effect the authorization granted under this order.

The parties shall be responsible for paying attorney fees to Iowa Center for Children’s Justice as provided in Iowa Code 598.12A(3). The parties shall provide financial information to Iowa Center for Children’s Justice immediately upon request. Iowa Center for Children’s Justice may bill each party without the necessity of an additional order. Each party shall pay Iowa Center for Children’s Justice upon receipt of a periodic or final billing.

The court may enter further orders in favor of Iowa Center for Children’s Justice for fees and disbursements as submitted by the child’s attorney, pursuant to Iowa Code 598.12A(3).

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