

SUPERIOR COURT, COUNTY OF SAN BERNARDINO
DISTRICT

Case No. _____

Case Name: _____

ORDER APPOINTING COUNSEL FOR MINOR
PROBATE CODE SECTIONS
1470 and 1516.5

The Court appoints private legal counsel for the ward (proposed ward), based upon the following determination:

1. The minor is not represented by legal counsel AND
2. Counsel would be helpful to the resolution of this case or is necessary to protect

the minor's interests because: (check all that apply)

- a. Allegations of physical or financial abuse to the minor

- b. Conflicting allegations of fitness of parents/potential guardian

- c. Petition to have child declared free from custody and control of parent(s) per Probate Code Section 1516.5

- d. Petition for medical treatment of minor under Probate Code Section 2357 (mandatory)

IT IS THEREFORE ORDERED THAT:

Pursuant to Probate Code Section 1470 and/or 1516.5, the Court hereby appoints _____, whose office address and telephone number is: _____ as counsel for the minor _____.

Counsel is appointed to address the following issue(s):

Counsel shall have:

1. Reasonable access to the minor with adequate notice;
2. Notice of any proceeding;
3. Access to any and all documents, report, and test results pertaining to the proposed ward/ward from therapists, physicians, mental health professionals, regional centers, schools, etc.;
4. Full access to any mental health professional and/or medical professional treating the minor;
5. Full access to daycare providers, home health care providers, babysitters, teachers, schools, recreational facilities and any other individual who, in the attorney's opinion, has information which would be beneficial to the attorney in representing the minor's best interests;

6. The right to assert any privilege on behalf of the minor;
7. The right to veto any physical or psychological evaluation, for purposes of the proceedings, which has not been ordered by the Court;
8. Pursuant to Family Code Section 3152, the minor's counsel may request to the Court to authorize release of relevant Child Protective Services reports or files concerning the minor; and
9. The right to seek independent psychological or medical evaluation for purpose of any pending proceeding, upon application to the Court.

The attorney shall advise the Court as to the client's wishes in the proceeding. The attorney shall also evaluate the issues before the Court and report to the Court his/her observations and recommendations or opinions as to what actions are in the client's best interests. In the event of an irreconcilable conflict between the wishes of the client and the recommendations of the appointed attorney concerning the best interests of the client, the appointed attorney shall, at the earliest opportunity, advise the Court of such conflict. The attorney shall, if practical, ensure that the client is afforded an opportunity to address the Court directly. The Court, in its discretion, may discharge the existing appointed counsel and appoint a new attorney to represent the interests of the client in further proceedings.

Dated: _____

Judge/Commissioner