

## **Rule 18. Guardian ad Litem Written Report**

- (A) For the purposes of this rule, "Final Hearing" shall include any abuse, neglect and dependency hearing in which a complaint or motion is pending and a disposition will be rendered, including all annual reviews and all dispositions in private custody cases and allocation of parental rights and responsibilities.
- (B) A Guardian ad litem shall file a written report with the court no less than seven (7) days prior to the final hearing in accordance with Rule 48 of the Rules of Superintendence for the Courts of Ohio or as otherwise ordered by the court.
- (C) The Guardian ad litem shall file a Notice of Submission of the Guardian ad Litem Report with the written report. Pursuant to the Ohio Rules of Juvenile Procedure, the Guardian ad litem shall serve the Notice of Submission of the Report on all parties or their legal representatives. Such submissions shall be made in compliance with The Ohio Rules of Superintendence, Rules 44(H) and 45(D).
- (D) The court shall make the report available to the parties or their legal representatives for inspection no less than seven (7) days prior to the final hearing, unless the due date for submission of the report is extended by the court. Written reports may be accessed in person at the clerk's office by the parties and their legal representatives.
- (E) The parties may waive the requirement of a written report with the approval of the court, except as prohibited by statute.
- (F) A Guardian ad litem may be ordered to file a written report on a case-by-case basis in all other cases including delinquency matters.
- (G) Each Guardian ad Litem Report shall detail the following when disclosure is in the best interests of the child:
  - (1) Activities performed;
  - (2) Hearings attended;
  - (3) Persons interviewed and dates of the interviews;
  - (4) Documents reviewed;
  - (5) Experts consulted;
  - (6) Summary of the child's case;
  - (7) Any special needs of the child (e.g., mental health, disabilities, etc.);
  - (8) That the Guardian ad litem ascertained the child's wishes or that the child lacked sufficient maturity to express his or her wishes;
  - (9) Dispositional and placement options (e.g., relatives, third parties, private placement, etc.)
  - (10) Specific recommendations, including recommendations of disposition, and the Guardian ad litem's reasons for that position;

- (11) All other recommendations, suggestions or concerns that the Guardian ad litem can identify as in the child's best interests;
  - (12) All other relevant information considered by the Guardian ad litem in reaching the Guardian ad litem's recommendations and in accomplishing the duties required by statute, by court rule, and in the court's Order of Appointment.
- (H) The Guardian ad litem may orally supplement the final report at the conclusion of the hearing.
  - (I) Each Guardian ad litem shall perform his or her duties in accordance with the Guidelines for Guardians ad litem adopted by the Guardian ad Litem Project Advisory Committee on June 2, 1994 and as amended, and Rule 48 of the Rules of Superintendence for the Courts of Ohio.
  - (J) All parties, agencies, and other individuals shall make good faith efforts to make the child available to the Guardian ad litem, and to provide the Guardian ad litem with the names and telephone numbers of any pertinent individuals whom the Guardian ad litem should contact. Similarly, all parties are obligated to provide the Guardian ad litem with any relevant written reports, documents, evaluations or other material that party wishes the Guardian ad litem to consider as part of the Guardian ad litem investigation.
  - (K) A Guardian ad litem may file a written motion requesting to restrict public access to the Guardian ad Litem Report or a portion of the report, after trial, to preserve the privacy, confidentiality, or safety of the parties or the person for whom the Guardian ad litem was appointed in accordance with Rule 45 of the Rules of Superintendence for the Courts of Ohio.