

Rule 907. Rights of Guardians Ad Litem**Rule 907.01 Rights in Every Case**

Subdivision 1. Generally. In every case in which a guardian ad litem is appointed pursuant to Rule 903, the guardian ad litem shall have the rights set forth in clauses (a) to (d).

(a) The guardian ad litem shall have access to the child or incompetent adult including meeting with the child alone as deemed appropriate by the guardian ad litem; and shall have access to all information relevant to the child's or incompetent adult's and family's situation which is accessible under applicable state and federal laws.

(b) The guardian ad litem shall be furnished copies of all pleadings, documents, and reports by the party which served or submitted them. A party submitting, providing, or serving pleadings, documents, or reports shall simultaneously provide copies to the guardian ad litem.

(c) The guardian ad litem shall be notified of all court hearings, administrative reviews, staffings, investigations, dispositions, and other proceedings concerning the case. Timely notice of all court hearings, administrative reviews, staffings, investigations, dispositions, and other proceedings concerning the case shall be provided to the guardian ad litem by the party scheduling the proceeding.

(d) The guardian ad litem shall have the right to participate in all proceedings through submission of written and oral reports, and may initiate and respond to motions.

Subd. 2. Not Unauthorized Practice of Law. The exercise of the rights listed in subdivision 1 by a guardian ad litem shall not constitute the unauthorized practice of law.

(Amended effective January 1, 1999; renumbered and amended effective January 1, 2005; amended effective January 1, 2007.)

Rule 907.02 Rights as a Party

In addition to the rights set forth in Rule 907.01 and any other rights set forth in statute, court order, or Rule, in every case in which a guardian ad litem is a party, the guardian ad litem shall have the right to:

- (a) legal representation;
- (b) be present at all hearings;
- (c) conduct discovery;
- (d) bring motions before the court;
- (e) participate in settlement agreements;
- (f) subpoena witnesses;
- (g) make argument in support of or against the petition;
- (h) present evidence;
- (i) cross-examine witnesses;
- (j) request review of the referee's findings and recommended order;
- (k) request review of the court's disposition upon a showing of a substantial change of circumstances or that the previous disposition was inappropriate;

MINNESOTA COURT RULES

GENERAL RULES OF PRACTICE

2

- (l) bring post-trial motions; and
- (m) appeal from orders of the court.

The exercise of these rights shall not constitute the unauthorized practice of law.

(Amended effective January 1, 1999; renumbered and amended effective January 1, 2005.)