

**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF KLAMATH**

_____,
Petitioner

Case No. _____

v.

**ORDER APPOINTING
LEGAL COUNSEL
FOR MINOR CHILDREN**

_____,
Respondent.

THIS MATTER came before the court:

- At the request of the children referenced below.
- Upon motion of Petitioner Respondent.
- On the court's own motion.

IT IS HEREBY ORDERED that:

1. Under the provisions of ORS 107.425(6), _____ is appointed as attorney for the minor child(ren) in this proceeding until resolution of pending pleadings. Relief from representation may be obtained solely from the court upon motion to the court.

2. The children shall be treated as a party.

3. The attorney shall act as a:

- best interest attorney.
- traditional, advocacy attorney.

However, if after meeting the children, the attorney concludes a different type of representation is more appropriate, the attorney shall move the court to modify the type of appointment (in cases involving a child age 12 or older, the court presumes at the outset that a traditional advocacy attorney is appropriate).

4. Payment of the attorney shall be handled as follows:

- The court-appointed attorney has volunteered to perform services at no initial expense to the parties. The attorney shall keep track of the time expended and costs incurred. The court reserves jurisdiction to assess a child's attorney fees and costs to either or both parents at the conclusion of the proceeding. The court may decline to order any award for attorney fees and costs.
- The court-appointed attorney shall be paid by one parent: Petitioner Respondent. The payment arrangements are to be made between the attorney and the parent.
- The court-appointed attorney shall be paid by both parents. Each parent shall pay a retainer of \$ _____. Absent other order of the court, both parents are liable for 50 percent of any

remaining reasonable attorney fees and costs of the court-appointed attorney. The court shall retain jurisdiction to apportion the cost of the child's attorney between the parents as is equitable.

5. If the court-appointed attorney does report time, the attorney shall submit only summary bills to the parties to protect all attorney-client confidences.

6. The court-appointed attorney shall have access to all information regarding the children without the necessity of any further order of release. Such information includes but is not limited to records of social services, drug and alcohol treatment, medical records, counseling records, school records, and law enforcement records. Further, the attorney has authorization of the court to obtain medical records for a parent upon a showing of an explanation of relevance pursuant to federal law. The parents are ordered to sign releases, if necessary.

7. Each of the parties is ordered to facilitate and encourage access and communication between the children and the attorney appointed for representation in this proceeding. Neither party shall interfere in any way with any communication between the attorney and the children. Neither party shall monitor or record attorney/children communications. Both of the parties are enjoined from discussing with the children the nature, extent, or content of any communication between a child's appointed attorney and the child.
