

House File 2580

H-8168

1 Amend House File 2580 as follows:

2 1. Page 2, by striking lines 1 through 7 and inserting:

3 <4. a. If a child is under the age of ten, the same person
4 may serve as the child's counsel and the child's guardian ad
5 litem. A court may appoint a separate guardian ad litem if the
6 court finds that the same person cannot adequately represent
7 the child as the child's counsel while advocating for the best
8 interests of the child as guardian ad litem in accordance with
9 section 232.2, subsection 25, paragraph "e". If a child's
10 guardian ad litem is also acting as the child's counsel, each
11 report submitted to a court by the guardian ad litem shall
12 contain a statement indicating whether a separate guardian ad
13 litem is required based on the child's age or the guardian ad
14 litem's interviews and investigations conducted up to the time
15 the report is submitted to the court.

16 b. If a child attains ten years of age while represented by
17 a guardian ad litem pursuant to this section, the court shall
18 enter an order discharging the guardian ad litem and appoint
19 counsel for the child pursuant to the provisions of this
20 section. A court may appoint a guardian ad litem discharged
21 pursuant to this subsection as counsel for the child if the
22 person can properly represent the legal interests of the
23 child.>

24 2. Page 2, line 9, by striking <subsection:> and inserting
25 <subsections:>

26 3. Page 2, line 10, by striking <The> and inserting <If a
27 child remains in foster care after the matter which caused the
28 child to be placed in foster care has resolved, the>

29 4. By striking page 3, line 32, through page 4, line 4, and
30 inserting:

31 <NEW SUBSECTION. 4. a. If a child is under the age of
32 ten, the same person may serve as the child's counsel and the
33 child's guardian ad litem. A court may appoint a separate
34 guardian ad litem if the court finds that the same person
35 cannot adequately represent the child as the child's counsel

1 while advocating for the best interests of the child as
2 guardian ad litem in accordance with section 232.2, subsection
3 25, paragraph "e". If a child's guardian ad litem is also
4 acting as the child's counsel, each report submitted to a court
5 by the guardian ad litem shall contain a statement indicating
6 whether a separate guardian ad litem is required based on
7 the child's age or the guardian ad litem's interviews and
8 investigations conducted up to the time the report is submitted
9 to the court.

10 b. If a child attains ten years of age while represented by
11 a guardian ad litem pursuant to this section, the court shall
12 enter an order discharging the guardian ad litem and appoint
13 counsel for the child pursuant to the provisions of this
14 section. A court may appoint a guardian ad litem discharged
15 pursuant to this subsection as counsel for the child if the
16 person can properly represent the legal interests of the
17 child.>

18 5. Page 4, line 5, by striking <The> and inserting <If a
19 child remains in foster care after the matter which caused the
20 child to be placed in foster care has resolved, the>

21 6. Page 5, by striking lines 27 through 34 and inserting:
22 <NEW SUBSECTION. 4. a. If a child is under the age of
23 ten, the same person may serve as the child's counsel and the
24 child's guardian ad litem. A court may appoint a separate
25 guardian ad litem if the court finds that the same person
26 cannot adequately represent the child as the child's counsel
27 while advocating for the best interests of the child as
28 guardian ad litem in accordance with section 232.2, subsection
29 25, paragraph "e". If a child's guardian ad litem is also
30 acting as the child's counsel, each report submitted to a court
31 by the guardian ad litem shall contain a statement indicating
32 whether a separate guardian ad litem is required based on
33 the child's age or the guardian ad litem's interviews and
34 investigations conducted up to the time the report is submitted
35 to the court.

1 *b.* If a child attains ten years of age while represented by
2 a guardian ad litem pursuant to this section, the court shall
3 enter an order discharging the guardian ad litem and appoint
4 counsel for the child pursuant to the provisions of this
5 section. A court may appoint a guardian ad litem discharged
6 pursuant to this subsection as counsel for the child if the
7 person can properly represent the legal interests of the
8 child.>

9 7. Page 5, line 35, by striking <The> and inserting <If a
10 child remains in foster care after the matter which caused the
11 child to be placed in foster care has resolved, the>

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