

## **HOW DO I GET THE JUDGE TO APPOINT A LAWYER FOR MY CHILD?**

You prepare a “motion” to put before the judge. To prepare that motion, use the following blank forms. If you wish, you may type your motion on another piece of 8 ° x 11 inch paper, with the same margins as those on the blank form.

Make copies of your motion for everyone in the case, including every attorney. After you have sent those copies out, go to the court where your case is pending and file your motion with the clerk.

The clerk cannot accept you motion unless you have already filed an “appearance” form. If you haven’t yet filed the “appearance” form, the clerk has blank forms.

You will receive a court calendar in the mail telling you the date and time of your hearing, and also telling you the steps you must take to have the judge hear your case. There will be a number above your address on the envelope. This is the number of your case on the calendar.

Look at the beginning of the calendar for the date and time of your case, the courthouse in which it will be heard and then note the column number at the bottom of the column in which your case is listed. Be sure to read the instructions on the top of the calendar. Some require that you call the courthouse and the opposing party before the hearing date to say that you want to go ahead.

## **WHO PAYS FOR MY CHILD S LAWYER?**

Both parents are usually responsible for the child’s legal fees, with the cost split according to each parents’ ability to pay.

If the court determines that the parties are unable to pay the fees, the court may order that the State pay the fees.

Ultimately each parent is responsible for any fees accrued during this process. Legal fees are based on the time the lawyer spends on the case. Keep in mind that you will be charged for all contacts with the child’s attorney.

DOCKET NO.: \_\_\_\_\_  
(Plaintiff's name)

: SUPERIOR COURT  
: JUDICIAL DISTRICT OF \_\_\_\_\_

VS \_\_\_\_\_  
(Defendant's name)

: AT \_\_\_\_\_  
: (Date) \_\_\_\_\_

**MOTION FOR APPOINTMENT OF COUNSEL FOR MINOR CHILDREN**

I, \_\_\_\_\_, respectfully represent:

1. The instant action pending in this court concerns the custody of a minor child/children.
2. Child custody and/or visitation is currently in dispute.
3. It is in the best interest of the minor child/children that an attorney be appointed to represent the minor children.

WHEREFORE, \_\_\_\_\_, respectfully request that an attorney be appointed to represent the minor child/children in this matter.

THE PLAINTIFF/DEFENDANT

By \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Street Address)

\_\_\_\_\_  
(City, State, Zip)

**ORDER**

The above motion having been considered, Attorney \_\_\_\_\_  
is appointed counsel for the minor child/children. The fees for the Attorney for the minor child  
shall be paid as follows:

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THE COURT

By \_\_\_\_\_  
(judge)

**CERTIFICATION**

I hereby certify that a copy of the above was mailed on \_\_\_\_\_ to all counsel  
and pro se parties of record. (List all persons to whom you mailed this motion) \_\_\_\_\_

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(Your Name)