

Offered by the Supreme Court Commission on Elder Law

Rule 111. Qualification and Education of GALs in Guardianship Matters.

(a) Statement of Purpose. This rule is promulgated to insure that persons who are appointed by a circuit court as a guardian *ad litem* to participate in a guardianship proceeding, to work with or advocate for a minor not falling under Rule 906, or a person with a disability as defined under Section 11a-2 of the Probate Act of 1975, possess the ability, knowledge, and experience to do so in a competent and professional manner. To this end, each circuit court of this state shall develop a set of qualifications and educational requirements for persons appointed by the court as a guardian *ad litem*, to work with or advocate for a minor not falling under Rule 906, or a person with a disability as defined under Section 11a-2 of the Probate Act of 1975, and shall further develop a plan for the procurement of qualified guardians *ad litem* in accordance with the Plan.

(b) Submission of Qualifications and Plan. The chief judge of each judicial circuit of the State shall be responsible for the creation of the qualifications and plan, and for submitting them to the Conference of Chief Judges for approval. The chief judges of two or more contiguous judicial circuits may submit a plan for the creation of a single set of qualifications and plan encompassing those judicial circuits or encompassing contiguous counties within the circuits.

(c) Qualifications and Plan. The qualifications shall provide for the guardian *ad litem* to be an attorney who is licensed and in good standing with the Supreme Court of Illinois, or if otherwise licensed, to be in good standing within the guardian *ad litem*'s respective profession, if any. Certification requirements may address minimum experience requirements for attorneys appointed by the court to work with or advocate for a minor not falling under Rule 906 or a person with a disability as defined under Section 11a-2 of the Probate Act of 1975. In addition, the qualifications may include one or all of the following which are recommended:

(1) Prior to appointment, a guardian *ad litem* shall have six hours within the two years prior to the date the guardian *ad litem* qualifies for appointment in approved continuing education courses in the following areas: the role of a guardian *ad litem*; ethics in working with or advocating for a minor not falling under Rule 906 or a person with a disability as defined under Section 11a-2 of the Probate Act of 1975; relevant state and federal law applicable to work with or advocacy for a minor not falling under Rule 906 or a person with a disability as defined under Section 11a-2 of the Probate Act of 1975.

(2) Thereafter, six hours within every two years of periodic continuing education in similar courses shall be required to maintain qualification.

(3) Requirements for *pro bono* representation.

(4) Persons who work for governmental agencies may meet the requirements of this rule by attending appropriate in-house legal education classes.

(d) Conference of Chief Judges Review and Approval. By January 1, 2025, the Conference of Chief Judges shall review and approve qualifications and plans proposed under this rule and may request that a chief judge modify qualifications and plans which are proposed. Proposed amendments to qualifications and Plans shall also be submitted to the Conference of Chief Judges for approval. Upon approval, the chief judge of each circuit shall be responsible for approving qualifications of guardians *ad litem* and administering the plan of the circuit.