

Chart 7: Appointment Laws in Adoption, Guardianship, Unmarried Parent, and Divorce Cases*

STATE	Adoption	Guardianship	Unmarried Parent	Divorce
Alabama	Req'd if contested	Discretionary	Required	GAL - Discretionary - Att'y
Alaska	Discretionary	Discretionary	No statutory reference	Att'y or GAL- Discretionary -Att'y/Gov't Att'y
Arizona	Discretionary	Discretionary; Req'd to terminate guardianship	No statutory reference	Att'y - Discretionary - Att'y
Arkansas	Discretionary	Discretionary	No statutory reference	Att'y - Discretionary - Att'y
California	No statutory reference	Discretionary; Req'd if abuse or neglect	Req'd if minor is a party	Hybrid - Discretionary - Att'y/Gov't Att'y
Colorado	Discretionary	Discretionary	Discretionary	Att'y or GAL - Discretionary - GAL - Att'y/Other Prof.
Connecticut	Discretionary	Discretionary; Req'd if abuse or neglect	No statutory reference	Att'y or GAL - Discretionary - GAL - Att'y/Other Prof.
Delaware	Required if Div of Fam Services	Discretionary	Discretionary	Att'y or GAL - Discretionary - GAL - Att'y/Other Prof.
District of Columbia	Discretionary	Discretionary	No statutory reference	GAL - Discretionary Att'y
Florida	Req'd if abandoned infant	Discretionary	Discretionary	Att'y or GAL req'd if abuse involved - GAL - Att'y/Certified Citizen
Georgia	Discretionary	Discretionary	Discretionary	GAL - Discretionary - Att'y
Hawaii	Discretionary	Discretionary	Discretionary	GAL - Discretionary Att'y/ Gov't/Att'y/Professional
Idaho	No statute	Required	No statute	Att'y - Discretionary - Att'y
Illinois	Required	Discretionary	Discretionary	Att'y - Hybrid or GAL - Discretionary - Att'y/ Gov't/Att'y
Indiana	No statutory reference	Discretionary	Required	GAL - Discretionary Att'y/CASA trained
Iowa	Discretionary	Discretionary	Discretionary	Att'y or GAL - Discretionary Att'y
Kansas	Discretionary	Discretionary	Req'd if minor is a party	GAL - Discretionary - Att'y/Other Professional
Kentucky	Req'd if contested	Discretionary	No statutory reference	GAL - Discretionary Att'y
Louisiana	Req'd if father contests	Discretionary	No statutory reference	Att'y - Req'd if abuse involved - Att'y
Maine	Discretionary	Discretionary	No statute	GAL - Discretionary - Att'y/Other Professional
Maryland	Req'd if minor over 10	Discretionary	Required	GAL - Discretionary - Att'y
Massachusetts	Required if contested	Discretionary	Discretionary	Att'y or GAL - Discretionary - Att'y/Disinterested Person
Michigan	No statutory reference	Discretionary	Discretionary	Hybrid - Discretionary - Att'y
Minnesota	Discretionary	Discretionary	Discretionary	GAL - Req'd if abuse involved - Att'y/Professional
Mississippi	Req'd if contested	Discretionary	Discretionary	GAL - Req'd if abuse involved - Att'y/Professional
Missouri	Required	Discretionary	Required	GAL - Req'd if abuse - Att'y
Montana	Discretionary	Discretionary	Required	GAL - Discretionary - Att'y
Nebraska	Discretionary	Discretionary	Required	Att'y or GAL - Discretionary - Att'y
Nevada	No statute	Discretionary	Required	GAL - Discretionary - Att'y/Other Professional
New Hampshire	Discretionary	Discretionary	Discretionary	GAL - Discretionary - Att'y/Other Professional
New Jersey	Req'd if approved agency recommends against	Discretionary	Discretionary	Att'y or GAL - Discretionary - GAL - Att'y/ Other Prof.
New Mexico	Req'd if contested	Discretionary	Req'd if minor is a party	GAL - Discretionary - Att'y
New York	Required in revocation of adoption consent	Required	Required	Att'y or GAL - Discretionary - Att'y/Gov't Att'y
North Carolina	Discretionary in contested	Discretionary	Required if father files	GAL - Discretionary - Does not specify
North Dakota	Required in relinquishment	Discretionary	No statutory reference	GAL - Discretionary - Att'y
Ohio	Discretionary	Discretionary	Required if mother's and child's interest in conflict	Att'y or GAL - Discretionary - GAL - Att'y/ Other Prof.
Oklahoma	Req'd if contested	Discretionary	No statute	GAL - Discretionary - Att'y
Oregon	No statute	No statute	No statute	Att'y - Req'd if a minor requests - Att'y
Pennsylvania	Discretionary	Discretionary	No statute	Att'y or Hybrid - Discretionary - Att'y
Rhode Island	Discretionary	Discretionary	No reference in statute	Att'y or GAL - Discretionary - Does not specify
South Carolina	Required	Discretionary	Req'd if action seeks to legitimize minor	GAL - Discretionary - Att'y/Other
South Dakota	No statute	Discretionary	No statute	Att'y - Discretionary - Att'y
Tennessee	Req'd if mentally disabled	Discretionary	No reference in statute	Att'y or GAL - Discretionary - Does not specify
Texas	Discretionary	Discretionary	Discretionary	Att'y or GAL or Att'y <i>Ad Litem</i> - Req'd if in best interest - GAL can be Att'y/Adult
Utah	Discretionary	Discretionary	Req'd if minor is a party	Att'y or GAL - Discretionary - GAL - Att'y/Gov't Att'y
Vermont	Req'd if contested	Discretionary	Discretionary	Att'y - Req'd if a minor is a witness - GAL is Discretionary - Att'y
Virginia	No statutory reference	Required	Req'd if minor is a party	Att'y or GAL - Req'd if abuse involved - Att'y
Washington	Discretionary	Discretionary	Discretionary	GAL - Discretionary - Att'y/Other
West Virginia	No statutory reference	Discretionary	Discretionary	Att'y or GAL - Req'd if abuse involved - GAL - does not specify
Wisconsin	Req'd if contested	Req'd if contested	Req'd if contested	GAL - Req'd if contested - Att'y
Wyoming	Discretionary	Discretionary	Discretionary	Hybrid - Req'd if abuse involved - Att'y

* This chart indicates specific statutory sections that provide for the appointment of an attorney or guardian *ad litem* for a child. The chart was prepared by ABA Child Custody and Adoption Pro Bono Project.