



Focused on Resolution through Dialogue

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Dear GAL Client:

I wanted to take a minute to try to go over a few things regarding my involvement as the Guardian Ad Litem (GAL) in your case, pursuant to the Order that the Judge entered. I'm looking forward to being able to assist in your case, we'll also have a chance to cover this and several other topics when we meet in person for the first time and throughout the case.

### **Financial Aspect of Appointment**

First, the financial aspect of my appointment. **My retainer in this case will be \$3,000.00 (\$1,500.00 each) and it represents an initial payment and is not a flat fee, however, my plan is to make the most of the time and only bill above that amount if necessary. You will be billed via an hourly rate of \$200.00 for all of my time in this matter.** Billable time includes but is not limited to: interviews with the parties/third parties, telephone calls with parties or their counsels, emails, reviewing pleadings, preparing for hearings/trial (if necessary) and court appearances.

**Regarding the payment of the initial retainer (split 50/50 per the Order, so \$1,500.00 each),** please make payment of your share of the retainer as soon as possible, as I will not meet or begin work on the case until payment has been made. My office will accept payment by check, cash, money order or cashier's check. The easiest way to pay is online at [www.tersteggelaw.com](http://www.tersteggelaw.com).

### **Brief Overview of Appointment**

So I wanted to explain briefly that my responsibility as the GAL is to act as the "eyes and ears of the Court" with respect to the best interests of you and your child(ren). As such, I have a duty to investigate and report to the Court all matters relevant to her best interests. After I have completed my investigation, I will provide my recommendation to the parties and the attorneys regarding the contested issues in this matter should that be necessary. If the parties are unable to agree on the contested issues after my recommendation, the ultimate decision maker on the best interests of the

kids will be the judge, and not me. I stress this point because often the parties think that the GAL has the final say, which is simply not the case.

As part of my duties I will need to speak to you on multiple occasions, very likely make home visit(s) and talk to other "collateral witnesses" like other household and family members, alternate care providers, friends - or if it's necessitated, individuals like pediatricians, other health care providers, coaches, etc. - essentially anyone that has relevant information that supports your position on whatever the issues are.

A few very important points that you should know right off the bat - and I apologize if this is repeated information from what your respective attorney(s) have already told you:

- 1) I do not represent you and cannot provide you with legal advice. That is for you to go over with your attorney.
- 2) Furthermore, I am not the attorney for your child(ren). Rather, as I explained above, I was appointed to investigate and give a recommendation regarding their best interests - that's my only role in this matter.
- 3) As the Court's representative for you and your child(ren)'s best interests, nothing that is said in our meetings or conversations is confidential. This is an important distinction that differs from the attorney/client privilege. Anything we talk about, or anything you send me, could be repeated in communications with the other party/their attorney or used in the Court proceedings, hypothetically.

I wanted to let you know and encourage you to feel free to reach out to me with anything you think I should know as it relates to your child(ren), whenever you have something to share. I don't want you to think that you're ever "bothering me" when you reach out to me via email (which is just easier to compile and organize everything) or over the phone - I'm always open to hear whatever you need to tell me, and I'd much rather have "too much" information than not enough.

This is an important point because as I'm sure your attorney told you, I can only make a recommendation based on the information I have at my disposal. Therefore, if you feel there's something that I should be considering in my investigation/determination of you and your child(ren)'s best interests, please advise me of that as soon as possible and if you have supporting documentation (text messages, emails, written reports, etc.) - send that to me via email as well.

I frequently check my e-mail and as I mentioned, it's my preferred method of communication, however we will set up a phone call or video conversation ASAP to meet each other and get this process started.

As a heads up, I also may need to have one or both of you sign releases with respect to records for you or and or to allow communications with school/medical professionals that I need to aid my investigation, I will keep you posted on that after our initial meetings and throughout my involvement.

Please let me know your schedule for this upcoming week and times that work for you to do our initial meeting. We'll discuss home visits and other steps as well once we connect.

I know this is stressful having someone that you don't know looking into the best interests of your children - but I assure you, I know how vital the role of the GAL is in the family court system and I take the responsibility very seriously.

Thanks for taking the time to review this and I look forward to touching base and your reply about some dates/times to connect this week.

Best Regards,  
  
Martia P. Terstegge

Your Home Address for Home Visits: \_\_\_\_\_

Your Child(ren)'s Names and d/o/b: \_\_\_\_\_

\_\_\_\_\_

Best Days/Times for Home Visit with you and child(ren): \_\_\_\_\_

- Reviewed and Signed this Agreement
- Provided All Contact Info Above
- Made Payment to GAL of \$1,500.00
- Signed Release(s) with current providers of minor(s)
- Gave copy of this document to your attorney (if you have one)
  
- I hereby give the GAL appointed in my case permission to take photographs of my home for legal purposes.

\_\_\_\_\_  
Signature