

FILED
 Superior Court of California
 County of Los Angeles

MAR 18 2022

Sherri R. Carter, Executive Officer/Clerk
 By Kodi Elzie, Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF LOS ANGELES**

IN RE MINOR'S COUNSEL
 APPOINTMENTS [FAMILY CODE
 SECTION 3153(b)]

) THE FAMILY LAW SUPERVISING
) JUDGE'S STANDING ORDER RE:
) APPOINTMENT OF MINOR'S COUNSEL
)
)
)

Pursuant to California Rule of Court, Rule 10.603, the Presiding Judge has delegated to the Supervising Judge of the Family Law Division authority to establish this court-wide order.

California Family Code Section 3150 permits the Court to appoint counsel to represent the interests of a minor child in a custody or visitation proceeding (Minor's Counsel) under specified circumstances as set forth in the Family Code and California Rule of Court, Rules 5.240, 5.241 and 5.242. Those rules also set forth eligibility requirements for counsel so appointed. The Court is authorized to determine a reasonable sum for compensation and expenses of counsel so appointed under Family Code section 3153.

The Court establishes the following requirements and procedures for minor's counsel accepting or continuing any appointment to represent a minor if the Court determines under the provisions of California Rule of Court, Rule 5.241(b) [determination of ability to pay] that both parents together

cannot afford the cost of minor's counsel and that the County of Los Angeles shall pay all or some of the cost of Minor's Counsel:

1. Minor's Counsel shall not bill in excess of \$150.00 per hour.
2. The Court shall establish at the time of the appointment an initial ceiling level on the Minor's Counsel fees and costs in each case which the Court may modify from time to time for good cause shown.
3. Absent further order of court, Minor's Counsel shall not be reimbursed beyond this Court-authorized amount.
4. The initial ceiling levels are:
 - a. LEVEL ONE: \$3,000.00. This level contemplates that Minor's Counsel will interview the child and parents, and will likely make one court appearance.
 - b. LEVEL TWO: \$4,000.00. This level contemplates that Minor's Counsel will perform the work indicated in Level One but is representing two minor children in the same custody or visitation proceeding and/or there are more than two parties claiming rights of custody or visitation with the minor children.
 - c. LEVEL THREE: \$5,000.00. This level contemplates that Minor's Counsel will perform work materially in excess of Level One by seeking information from other persons or sources and will likely make two or three court appearances.
 - d. LEVEL FOUR: \$6,500.00. This level contemplates that Minor's Counsel will perform the work indicated in Level Three but is representing two minor children in the same custody or visitation proceeding and/or there are more than two parties claiming rights of custody or visitation with the minor children.
 - e. LEVEL FIVE: \$7,500.00. This level contemplates that Minor's Counsel will engage in complex factual investigations and/or complex legal issues and will likely make more than three court appearances.
 - f. LEVEL SIX: For this level, the initial appointment and limit is to be determined by the Court based on the totality of the circumstances. This level applies to cases of

very significant factual and/or legal complexity and/or aggravated allegations of high conflict or abuse, or where a minor otherwise has extraordinary needs.

5. Minor's Counsel shall be compensated through the Professional Appointee Court Expense, ("PACE.") Minor's Counsel shall comply with the rules and procedures of the PACE program [which may be accessed at [http://www.lacourt.ca.gov/generalinfo/pace/pdf/Instructions for All New Appointees.pdf](http://www.lacourt.ca.gov/generalinfo/pace/pdf/Instructions%20for%20All%20New%20Appointees.pdf)].
6. If payment is requested by any Minor's Counsel that exceeds \$125,000 in any fiscal year (July 1 to June 30), PACE will notify the Supervising Judge of the Family Law Division.
7. If payment is requested by any Minor's Counsel who has received compensation for Probate Code 1470 and 1471 appointments (including reappointments) and Family Code section 3153(b) appointments that exceeds \$150,000 in any fiscal year (July 1 to June 30), PACE will notify the Supervising Judge of the Family Law Division.
8. Requests for additional compensation by Court-appointed counsel above the initial ceiling level shall be submitted in writing and must include the total amount previously approved for the attorney on the case, as well as establish good cause for the additional compensation. The Court may award additional compensation upon competent evidence of good cause. Requests for additional fees and costs shall be made on the Request by Court Appointed Counsel or Expert for Payment of or Authorization for Additional Time or Expenses form.
9. Minor's Counsel must inform the Court at every hearing of the status of all fees incurred, whether or not yet billed.

This order supersedes the existing general order dated June 5, 2019.

GOOD CAUSE APPEARING, IT IS SO ORDERED.

DATED: March 18, 2022



AMY PELLMAN
Supervising Judge, Family Law Department