



POLICY I: EXPENDITURE AUTHORIZATION

Wyoming Guardians *Ad Litem* Program

Empowering youth & families through legal advocacy

SECTION ONE: PURPOSE AUTHORITY & SCOPE

- A. This policy was created pursuant to Wyoming Statute § 14-12-103(d) and the Wyoming Guardians Ad Litem (GAL) Program Rules and Regulations, Chapter 1, § 2(b). The purpose of this policy is to set forth the guidelines for expenditure requests, reimbursements, approval, and related expenses.
- B. This policy encompasses all guardians *ad litem* attorneys contracted or employed with the State of Wyoming, Office of the State Public Defender, Guardians Ad Litem Program to provide GAL services in Wyoming and all Guardians Ad Litem Program Administrative Staff.
- C. Violations of these provisions may be subject to disciplinary action up to, and including, termination.

SECTION TWO: CASE-RELATED & MISCELLANEOUS REIMBURSEMENTS

- A. A GAL must seek prior approval from the GAL Program Administrator for all case-related expenditures. Program GALs will only be reimbursed for prior-approved extraordinary discovery costs, transcripts and expert witness fees.
 - I. To submit a GAL Program Expenditure Authorization, please go to the GAL Program website.
- B. To be reimbursed for these pre-approved expenses, please send the receipt or invoice to the GAL Program. Expenditures not submitted to the GAL Program for payment within 45 days will not be paid.

SECTION ONE: COUNTY PAID COSTS

- A. Pursuant to Wyoming Statute: there are some fees, costs, and expenses that a GAL may incur during the representation of a Wyoming GAL Program client that are properly paid by the county. Each county has a different procedure for payment of these costs, so the GAL should inquire with the county clerk or treasurer for specific procedures.
- B. Wyoming Statutes § 14-3-434, 14-6-235, and 14-6-434 address the fees, costs and expenses in abuse/neglect, delinquency and child in need of supervision (CHINS)

proceedings, respectively. These statutes state: “Witness fees, juror fees and travel expenses in the amounts allowable by law may be paid to persons other than the parties who are subpoenaed or required to appear at any hearing pursuant to this act.” W.S. §§ 14-3-434(a), 14-6-235(a) and 14-6-434(a).

C. Further, these statutes state, “The following costs and expenses, when approved and certified by the court to the county treasurer, shall be a charge upon the funds of the county where the proceedings are held and shall be paid by the board of county commissioners of that county:

- I. Witness fees and travel expense;
- II. Jury fees, costs and travel expense;
- III. Costs of service of process or notice by certified mail;
- IV. Costs of any physical or mental examinations or treatment ordered by the court;
- V. Reasonable compensation for services and costs of counsel appointed by the court;
- VI. Reasonable compensation for services and costs of a guardian ad litem appointed by the court; and
- VII. Any other costs of the proceedings which would be assessable as costs in the district court.” W.S. §§ 14-3-434(b), 14-6-235(b), and 14-6-434(b).

D. Although the state subsidizes the cost of legal representation by a GAL as described in (vi) above if the county participates with the GAL Program, the GAL Program is not authorized to pay for any of the other costs described above, those are still costs that should be paid by the counties. Costs should be presented to the Court by motion for approval and then paid by the county. These costs include all listed above, other than the costs of a GAL in (vi). Expert witness and discovery costs are paid by the GAL Program, as they are litigation tools. They are paid if pre-approved through the process described above.

E. Finally, the costs to be paid by the counties includes the cost of direct counsel (non-GAL representation) in CHINS cases, as described in (v) above. Clients in CHINS and delinquency proceedings have a statutory right to be represented by direct counsel (see W.S. §§ 14-6-222 and 14-6-422). In delinquency proceedings this is a public defender. In a CHINS proceeding, it is a local attorney, not under the public defender’s office or GAL Program and is paid by the county. For more information, please see GAL Program *Policy E: GALs in CHINS and Delinquency Proceedings*.

F. If there are any questions regarding these fees, costs and expenses, please contact the GAL Program Policy & Fiscal Analyst.