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SENATE BILL NO. 501

Offered January 14, 2026

Prefiled January 13, 2026

A BILL to require the Office of the Executive Secretary of the Supreme Court of Virginia to evaluate the use of guardians ad litem in court proceedings involving custody or visitation of a child.

Patron—Roem

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. § 1. *The Office of the Executive Secretary of the Supreme Court of Virginia (the Office) shall evaluate the use of guardians ad litem in court proceedings involving custody or visitation of a child. In conducting the study, the Office shall identify the number of cases where custody or visitation of a minor child is at issue, whether in circuit court or district court, and where a guardian ad litem was appointed to represent the child, as compared to the number of cases where a guardian ad litem was not appointed. In cases where a guardian ad litem was appointed to represent the best interests of the child, and such case does not involve allegations of child abuse, neglect, or abandonment necessitating the mandatory appointment of a guardian ad litem, the Office shall endeavor to determine consistent factors in such cases that led the court to make such discretionary appointment. Such factors may include contested custody cases or contested visitation schedules where the court determines the best interest of the child is not otherwise adequately represented, or other criteria as enumerated in § 20-124.3 of the Code of Virginia. Upon review and evaluation of such cases involving custody or visitation, the Office shall make a recommendation as to whether the appointment of a discreet and competent attorney-at-law, who is qualified pursuant to § 16.1-266.1 of the Code of Virginia as a guardian ad litem to represent the best interests of the child, shall be mandatory in all cases where the custody or visitation of a minor child is at issue. In determining such recommendation, the Office shall additionally consider (i) whether there are enough qualified attorneys who could be appointed as a guardian ad litem to meet the increased number of cases where such appointment is mandatory; (ii) the overall number of cases in which a guardian ad litem would be mandatorily appointed, and determine associated impacts and potential delays in case proceedings in instances where there are fewer available qualified attorneys to act as a guardian ad litem; and (iii) the potential costs associated with the appointment of guardians ad litem in cases where the parents or parties are determined to be indigent or unable to pay the required reimbursement for costs of such services performed by the guardian ad litem. The Office shall submit the results of its evaluation and any observations and recommendations to the General Assembly no later than January 1, 2027.*

INTRODUCED

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