

Committee Opinion
August 20, 1980

LEGAL ETHICS OPINION 385

GUARDIAN AD LITEM – FEES.

It would be ethically impermissible for an attorney appointed to represent another as guardian ad litem to receive any form of compensation from an attorney representing the adverse party in the case. [See ECs 5-22 and 2-24; DR:5-106(A).] Furthermore, it would not be ethically proper for the guardian ad litem to enter into an agreement whereby he would be compensated from the award granted in a separate case in which he also acts as guardian ad litem for his client. [See DR:5-106(A), see also Va. Code § 8.01-9(A) (1950).] There is no specific ethical requirement that a lawyer serving as guardian ad litem appeal an adverse ruling on behalf of his ward. [However, see DR:6-101 and DR:7-101(A) and (B) (2).]

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