

Personal Injury Claims of Minor Children - What is a Guardian Ad Litem? What Laws Apply to the Appointment of a Guardian Ad Litem?

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In Florida, there are a number of laws, statutes and court procedures that apply to the settlement of a personal injury claim for a minor child. In some cases, the Court appoints a Guardian Ad Litem. What is a Guardian Ad Litem? When is a Guardian Ad Litem appointed on cases involving the approval of a personal injury settlement for a minor child?

What is a Guardian Ad Litem?

A Guardian Ad Litem (in personal injury settlement matters) is typically a local attorney with experience in handling or reviewing the claims of a minor. The Guardian Ad Litem is appointed to look after the financial interest and well being of the minor child pertaining to the proposed settlement. The Guardian Ad Litem will typically address the following issues and others:

What is the amount of the settlement?

What were the injuries caused by the accident or incident?

How much insurance was available to compensate the minor for the claimed injuries?

How is the minor child doing at the present time?

What was the amount of medical bills?

Does the settlement represent a fair settlement of the minor's personal injury claim?

Is it in the best interest of the minor child to settle the claim?

When is a Guardian Ad Litem Appointed?

A simple answer to this question would be as follows:

A Guardian Ad Litem is appointed when the Judge wants a Guardian Ad Litem. Most judges will use [Section 744.3025, Florida Statutes](#) - Claims of Minors - when making a decision to appoint a Guardian Ad Litem. Pursuant to Section 744.3025, Florida Statutes, a court may appoint a Guardian Ad Litem in which the gross settlement is over \$15,000. The court is required to appoint a Guardian Ad Litem when the gross settlement is \$50,000 or more.