



## 2022 South Dakota Legislature

# House Bill 1110

HOUSE JUDICIARY ENGROSSED

*Introduced by: The Committee on Judiciary at the request of the Chief Justice*

1 **An Act to revise a provision related to the appointment of a guardian ad litem or a**  
 2 **special advocate to represent an abused or neglected child.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That § 26-8A-20 be AMENDED:**

5 **26-8A-20.** If a child is an apparent or alleged abused or neglected child, the court  
 6 may appoint a special advocate to represent the best interests of the child and to assist  
 7 the child's attorney. If a child has been adjudicated an abused or neglected child and is  
 8 removed from the child's home with the child's parents, guardian, or custodian, the court  
 9 shall appoint ~~a guardian ad litem or a special advocate~~ special advocate if available, and  
 10 may appoint a guardian ad litem when determined necessary by the court, to represent  
 11 the best interests of the child and to assist the child's attorney. The guardian ad litem or  
 12 special advocate is an officer of the court for the purpose of representing the child's best  
 13 interests. The guardian ad litem or special advocate shall receive all reports concerning  
 14 the child and may cause the case to be reviewed by the court pursuant to § 26-8A-24.