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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

M.M., a minor by and through her guardian  
ad litem DAVID EVANKOVICH,  
  
Plaintiff,  
  
v.  
  
COUNTY OF KERN et al.,  
  
Defendants.

No. 1:16-cv-00376-DAD-JLT  
  
ORDER FOR APPOINTMENT OF  
GUARDIAN AD LITEM  
  
(Doc. No. 6)

On March 21, 2016, plaintiff M.M., a minor by and through her guardian ad litem David Evankovich, filed a petition for the appointment of a guardian ad litem. (Doc. No. 6.)

“District courts have a special duty, derived from Federal Rule of Civil Procedure 17(c), to safeguard the interests of litigants who are minors.” *Robidoux v. Rosengren*, 638 F.3d 1177, 1181 (9th Cir. 2011). Rule 17 provides that “[t]he court must appoint a guardian ad litem—or issue another appropriate order—to protect a minor or incompetent person who is unrepresented in an action.” Fed. R. Civ. P. 17(c)(2). Local Rule 202(a) of this court further states, in pertinent part:

Upon commencement of an action or upon initial appearance in defense of an action by or on behalf of a minor . . . the attorney representing the minor or incompetent person shall present . . . a motion for the appointment of a guardian *ad litem* by the Court, or . . . a showing satisfactory to the Court that no such appointment is

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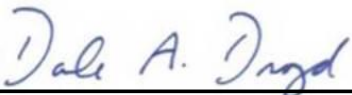
necessary to ensure adequate representation of the minor or incompetent person. *See* Fed. R. Civ. P. 17(c).

The decision to appoint a guardian ad litem “must normally be left to the sound discretion of the trial court.” *United States v. 30.64 Acres of Land*, 795 F.2d 796, 804 (9th Cir. 1986).

Petitioner David Evankovich petitions the court to appoint him as guardian ad litem to his minor child, plaintiff M.M. Plaintiff M.M. is a minor, born March 21, 1999. Petitioner states that he is the biological father to plaintiff M.M., and that he will represent and has no interests adverse to plaintiff M.M. Finding good cause, the court grants the petition (Doc. No. 6) and appoints David Evankovich guardian ad litem of M.M., a minor and plaintiff to this action.

IT IS SO ORDERED.

Dated: March 28, 2016

  
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UNITED STATES DISTRICT JUDGE