

VERMONT SUPERIOR COURT, CIVIL DIVISION, WASHINGTON UNIT

R.W. v. J.M.

No. 22-CV-04290 (Vt. Super. Ct. Mar. 27, 2026) · No. 22-CV-04290 · Decided June 24, 2026

SUMMARY

The Vermont Superior Court, Washington Unit, appoints Allison Ericson, Esq., as guardian ad litem for the minor A.M. under V.R.C.P. 17(b) in litigation involving R.W. and J.M. The order defines the GAL’s investigative and reporting responsibilities, limits the scope of representation, and anticipates completion of the review within 60 days.

CASE DETAILS

COURT	Vermont Superior Court, Civil Division, Washington Unit
WRITING FOR THE COURT	Daniel P. Richardson
DECIDED	June 24, 2026
DOCKET	22-CV-04290
DISPOSITION	other
PROCEDURAL POSTURE	The court addressed the defendant's motion seeking appointment of an independent representative for minor party A.M. and appointed a guardian ad litem pursuant to V.R.C.P. 17(b).
PRECEDENTIAL VALUE	Nonprecedential case-specific trial-court order

TOPICS

- guardian ad litem
- guardianship procedure
- guardianships
- family law procedure
- civil procedure

PRACTICE AREAS

- guardianship
- civil procedure
- family law

QUESTIONS PRESENTED

- Whether A.M., a minor party, required an independent representative under V.R.C.P. 17(b).
- What scope of authority and duties should govern the appointed guardian ad litem before the court considers the motion to remove R.W. as A.M.'s next friend.

HOLDINGS

1. A.M. was a minor in need of an independent representative to determine her understanding of the litigation, her ability to act in a mature and understanding manner concerning her rights and interests, and, if possible, her preferences for proceeding.
2. Allison Ericson, Esq., was appointed guardian ad litem for A.M., subject to court supervision, with authority and duties limited to investigating A.M.'s understanding, maturity, concerns, preferences, and best interests; reviewing pertinent materials; meeting with relevant persons; reporting to the court and parties; and safeguarding A.M.'s rights and interests.

KEY QUOTATIONS

“The role of the Guardian ad Litem is to act as an independent advisor and advocate whose goal shall be to safeguard the minor’s best interest and rights.”

FACTUAL BACKGROUND

A.M. is a minor party in litigation involving R.W. and J.M. The court determined that A.M. needed an independent representative to assess her understanding of the litigation, ability to act maturely concerning her rights, and preferences about proceeding. The order appointed Allison Ericson, Esq., as guardian ad litem and defined her investigative, reporting, advocacy, confidentiality, and access responsibilities.

PROCEDURAL HISTORY

The underlying civil proceeding involves claims concerning allegedly falsified abuse claims and includes R.W. and the minor A.M. The court had previously determined in a February 24, 2026 order that A.M. was a minor needing an independent representative, and it appointed a guardian ad litem to investigate A.M.'s understanding, maturity, preferences, and best interests before further proceedings on J.M.'s motion to remove R.W. as A.M.'s next friend.

DISPOSITION

other

OPINION

Rw v. Jm

PER CURIAM.

VERMONT SUPERIOR COURT CIVIL DIVISION

Washington Unit Case No. 22-CV-04290 65 State Street Montpelier VT 05602 802-828-2091
www.vermontjudiciary.org R.W., et al. v. J.M., et al

ORDER OF APPOINTMENT OF GUARDIAN AD LITEM—MINOR

Pursuant to V.R.C.P. 17(b), on Motion of Defendant, J.M: The Court has determined in its February 24, 2026 Order that A.M., a party in the above- entitled proceeding, is a minor in need of an independent representative to determine her understanding of the present litigation, her ability to act in a mature and understanding manner about her rights and interests in the present matter,

and to determine, if possible, her preferences for proceeding in the present litigation. Currently pending before the Court is R.W. v. J.M., Docket No. 22-CV-4290, which is a claim of falsified abuse claims involving R.W. (mother) and brought on her behalf and on behalf of A.M.. It is hereby ORDERED that Allison Ericson, Esq., is appointed Guardian ad Litem of the minor A.M. to represent the interest of said minor in the above-entitled proceeding, subject to the supervision of the Court. The scope of representation at this time shall be limited to the following: A. To determine the extent to which A.M. understands this litigation, including the legal claims asserted and supporting allegations, and her and her parents' roles in it. B. To determine whether or to what extent A.M.'s presence of mind and maturity are such that her views should (more or less) inform the court's understanding of her best interests. C. To determine her concerns or considered preferences as to (a) whether she remains a party to this case, (b) whether she believes her and R.W.'s interests are aligned in pursuit of the asserted claims and allegations, (c) whether her best interests might be better served if she were represented by a GAL, and (d) any other matter that arises during the meeting and is relevant to the goals of Rule 17(b) to provide a representative who can act on A.M.'s behalf and interests and to protect A.M. through the Court process. D. And to so report to the court and the parties without undue delay, after which the GAL may be discharged. E. The role of the Guardian ad Litem is to act as an independent advisor and advocate whose goal shall be to safeguard the minor's best interest and rights. F. In carrying out the role and responsibilities as Guardian ad Litem, the Guardian ad Litem shall meet with the minor, the minor's attorney, and any others who may be necessary for understanding of the issues in the proceeding. Additionally, the Guardian ad Litem shall: review and be familiar with all pertinent pleadings, reports and other documents filed with the Court. The Guardian ad Litem may also, at her discretion: talk with the parties; observe the minor with any of the other parties; and talk with third parties having relevant information, with such authorization to third parties to release information as ordered by the Court. G. The Guardian ad Litem may be called as a witness only when their testimony would be directly probative of the minor's best interest, and no other persons could be employed or subpoenaed to testify on the same subject matter. H. The Guardian ad Litem shall have immediate access to the minor. I. The use of confidential information acquired as a result of this appointment is limited to the necessary and reasonable performance of the Guardian ad Litem's duties and shall not be disclosed to persons other than the parties or the Court. Unless Guardian ad Litem indicates a need for additional time, the Court will expect her review to be completed within the next 60 days. Upon completion of the Guardian ad Litem's review, the Court will set this matter for a hearing to review and determine next steps in resolving J.M.'s motion to remove R.W. as A.M.'s next friend, consistent with the Court's earlier order. Electronically signed on 3/27/2026 10:50 AM pursuant to V.R.E.F. 9(d) _____

Daniel P. Richardson Superior Court Judge

