

Recommendations of the Guardian Ad Litem Workgroup

History of the Guardian Ad Litem Program

The North Dakota Guardian Ad Litem (GAL) program aims to provide effective, independent advocacy in the children's best interest before the juvenile court. The program, as it is known today, was launched through a federal grant and administered through the Court Administrator's office in Bismarck. The pilot project was started in Grand Forks and Fargo while being housed at the University of North Dakota under the administrative umbrella of the Social Work Department. In 2003, the GAL program was contracted through Youthworks and implemented state-wide, serving the eight judicial districts.

In May 2004, a GAL subcommittee was formed to evaluate and monitor the program's work. In 2014, the Court Improvement Program (CIP) began to collect data related to the GAL report content and recommendations made to the court. Based on findings from the data and stakeholder feedback, the subcommittee created a universal order appointing GALs along with report timeline requirements. To save costs for the program, in 2015, the post-disposition monitoring of cases was eliminated. In 2017, the CIP program was discontinued, and the GAL subcommittee was dissolved. For the following years, the GAL program administrator brought GAL data and topics to the juvenile court director's meetings and later to the CIP Taskforce. In June 2023, the GAL contract with Youthworks was updated to include the creation of a new GAL workgroup. Members of the workgroup included:

- Heather Traynor, CIP Coordinator
- Cathy Ferderer, Juvenile Court Coordinator
- Barb Oliger, GAL Program Administrator
- Meg Morley, GAL Program Coordinator and Supervisor - Unit 1 and 2
- Sharla Price, GAL Program Coordinator and Supervisor - Unit 3 and 4
- Karen Kringlie, Juvenile Court Director – Unit 2
- Leah Honeyman, Case Management Administrator, Children and Family Services
- Jessica Ahrendt, Public Defender – Grand Forks
- Dan Gast, Judicial Referee – Unit 2
- Kara Brinster, Foster County State's Attorney
- Sloan Henry, ICWA Family Preservationist
- Kristi Frederick, Ward County Human Service Zone Director

The June 2023 contract was also updated to include that:

- Youthworks will cooperate with the Court Improvement Program's GAL workgroup to examine national best practices and current ND GAL practices to make

recommendations to the Court, ND Department of Health and Human Services and the Lay GAL Program/Youthworks for system improvements.

- Youthworks will cooperate with the Court Improvement Program's GAL workgroup to examine the recruitment, training, and case management practices of the GAL program and address identified issues to assist the program and make practice improvements.
- By June 30th, 2024, Youthworks will provide the court a report and recommendations of the Lay GAL workgroup and information on any recommendations implemented or rejected by Youthworks.

Methodology

The Guardian Ad Litem workgroup met monthly either via Zoom or in-person, administered surveys of stakeholders, reviewed and analyzed data from the GAL case management system and other GAL reports, and analyzed the program structure and model of GAL service delivery in Children in Need of Protection (CHIPS), termination of parental rights (TPR) and guardianship cases. The workgroup also reviewed GAL practices and program structures in other states (Minnesota and Florida) and discussed service delivery and best practices with technical assistance provided by the National Association of Counsel for Children (NACC).

Findings and Recommendations

The following are the findings and recommendations made by the GAL workgroup during its assessment.

GAL Structure and Caseload

1. Regional full-time contracted Lay GALs by judicial district
2. Establish a caseload maximum
3. ICWA specialized GAL in each district

Monitoring of Cases

4. Post disposition monitoring
5. Juvenile court director review of GAL caseload on a monthly basis
6. Coordinator approval of GAL reports
7. Record retention

Recruitment and Retention

8. Establish a minimum number of hours for part-time GALs
9. Exit interviews of GALs when leaving a position

Training

10. Create a multidisciplinary stakeholder workgroup to build/revamp the training curriculum
11. Specialized training curriculum with ICWA specifics

Appointment and monitoring of guardianship cases

12. Define role of GALs in guardianship cases in Rule 17

Create a workgroup to work on updates to Rule 17

The GAL workgroup makes the following recommendations to improve the efficiency and effectiveness of the Lay GAL program.

Recommendation
1. Regional full-time contracted Lay GALs by judicial district – Youthworks should consider regionalizing the roles of the GALs by hiring at least one full-time GAL position in each judicial district. The workgroup recognizes that the current structure does not adequately support the number of case assignments and workload for coordinators. Regionalization of the GAL positions could greatly enhance the availability and accessibility of GALs across counties and districts, allowing for a more streamlined process. By increasing the number of GAL full-time positions, the program would carry a more equal workload, resulting in a more efficient use of the program coordinators.
2. Establish a caseload maximum - Average caseloads for the GALs are often extremely high, given the number of cases each GAL is assigned to. Youthworks should consider establishing a caseload maximum for both part-time and full-time staff. Establishing a maximum caseload would ensure that the GAL would not be overburdened and overextended and would allow for a more equal workload, resulting in higher quality reports and a more efficient use of the GALs fact-gathering time and resources.
3. ICWA specialized GAL in each judicial district. - In North Dakota, Native American Families are overrepresented in CHIPS and TPR cases. In 2023, the Indian Child Welfare Act was applicable to 28% of families in CHIPS cases and 31% of families in TPR cases. To support the continued work of improving outcomes for Indian children, Youthworks should consider assigning and supporting an ICWA specialized GAL in each district to dedicate a majority of their caseload to ICWA applicable cases.

4. Post disposition monitoring – In North Dakota GALs are no longer appointed to a child welfare case once there has been a disposition and they are then reappointed for a permanency hearing months later. Not having the availability to monitor the case while it continues to be open with the human services zones poses many challenges and makes it difficult to keep updated on the status of the child’s health and wellbeing. Reappointment later for permanency often times creates issues in the quality of reports and timeliness of reports being filed. It is recommended that Youthworks return to a post-dispositional monitoring model. Youthworks should consider outlining post-disposition monitoring parameters to include seeing each child one hour, once per month, and attending quarterly Children and Family Team Meetings.
5. Juvenile court director review of GAL caseload on a monthly basis – At the current time Youthworks submits their bills to the court administration fiscal office monthly. The workgroup recommends that the billing hours also be forwarded on to the juvenile court directors so they may review and provide oversight of billing hours in their perspective juvenile court units.
6. Coordinator approval of GAL reports - Quality GAL reports are crucial to reporting to the court what is in the best interest of the children in child welfare cases. Timely submission of reports is also imperative to ensure the parties involved are informed of the details of the case prior to the dispositional hearing. The workgroup recommends that all GAL reports be sent to an assigned supervisor at least one day prior the date the report is to be submitted to the court. Youthworks should consider supervisor reviews and approval of reports to ensure accuracy and that all required information regarding specific recommendations is appropriate to the facts of the case.
7. Record Retention – Currently there is no formalized process outlining what the GAL program must do with case file records upon case closure or how long to retain records. Youthworks should consider outlining a process for length of record retention and what to do with records when a case file is no longer active.
8. Establish a minimum number of hours for part-time GALs – Within the current structure part-time GALs currently do not have an established minimum number of hours they are to work each week. Youthworks should consider establishing a fifteen hour per week minimum requirement for part-time employees. Providing a required number of hours should positively impact recruitment and retention of employees.
9. Exit interviews of GALs when leaving a position – It was reported there is often a quick turnover of GALs within the program. While it can be speculated as to why employees leave the position it is sometimes unknown. To gain better insight into the reason for quick turnover, the workgroup recommends that Youthworks participate in exit interviews with GALs upon termination of their employment. Youthworks should consider compiling the feedback from the exit interviews to assist in advising program improvements and employee retention.

10. Create a multidisciplinary stakeholder workgroup to build/revamp the training curriculum – The state court administrator’s office must provide for the development and maintenance of the lay guardian ad litem training manual to serve as a resource for those providing services under Rule 17 and as a basis for GAL training programs. The workgroup recommends that a workgroup be developed under the auspices of the CIP Taskforce to review and update the GAL training model and curriculum.
11. Specialized training curriculum with ICWA specifics – Due to the high number of ICWA applicable cases assigned to GALs, the workgroup recommends that GALs assigned to ICWA cases complete specialized ICWA training.
12. Define role of GALs in guardianship cases in Rule 17- Consensus from the workgroup and those surveyed concluded that often times juvenile guardianship cases are more time consuming and difficult for GALs than CHIPS and TPR cases. Feedback from stakeholders informed the workgroup that there is uncertainty as to the exact role the GALs play when being assigned to a guardianship case. It is recommended that there be an update to Rule 17 to include a specific section referencing the role of the GAL in guardianship cases, which would outline standardized procedures and expectations of the GALs in such cases.
13. Create a workgroup to work on updates to Rule 17 – Rule 17 of North Dakota Rules of Juvenile Procedure outlines the qualifications, responsibilities and rights and duties of the Lay Guardian Ad Litem. The Rule was last updated in July, 2021. Upon review of the Rule and anticipated changes in roles and duties of the GALs and program, the workgroup recommends a specific subgroup of the CIP Taskforce be formed to review and update Rule 17 to reflect any newly implemented procedures.

Appendix A

RULE 17. JUVENILE COURT LAY GUARDIAN AD LITEM

Effective Date: 7/1/2021

(a) Qualifications.

(1) Before a person is eligible for service as a lay guardian ad litem, the person must satisfy the following minimum qualifications:

(A) Possess written credentials establishing that the person has:

(i) a bachelor's degree, preferably in a human service, education or related field; or

(ii) an associate degree in an academic field related to child care, child development, or children's services and at least three years of experience in the delivery or supervision of child care or children's services, child development services, or in the education of children.

(B) Complete a minimum of 18 hours of specialized lay guardian ad litem training;

(C) Complete an additional 18 hours of approved guardian ad litem training every three years;

(D) Possess communication skills necessary to successfully conduct an interview, prepare a written report, and make an oral presentation.

(2) A person is not eligible for service as a lay guardian ad litem if the person:

(A) has pled guilty or been found guilty of a felony;

(B) has pled guilty or been found guilty of an offense under N.D.C.C. ch. 12.1-20 or equivalent statute or ordinance;

(C) has admitted or been adjudicated in juvenile court of an offense under N.D.C.C. ch. 12.1-20 or equivalent statute or ordinance; or

(D) has committed a substantiated instance of child abuse or neglect, regardless of whether a criminal conviction was obtained.

(b) Responsibilities of a lay guardian ad litem. A lay guardian ad litem must:

(1) advocate for the best interests of the child;

(2) complete work in a timely, unbiased, and respectful manner while exercising independent judgment, gathering information, participating in negotiations, and monitoring the case as ordered by the court, including:

(A) review relevant documents; including social services, psychological, psychiatric, medical, therapy, and education records;

(B) meet with and observe the child in the home setting or placement;

(C) interview parents and other interested parties with relevant information to the case.

(3) participate in meetings impacting the life of a child, including attending all court proceedings related to the deprivation matter and other activities as directed by the court in the child's best interest for pre or post adjudication matters such as, child-family team meetings, settlement negotiations and appropriate school meetings.

(4) obtain releases of information as required and observe all statutes, rules and regulations, regarding confidentiality. A lay guardian ad litem must not disclose or participate in the disclosure of information to any person, except as necessary to perform the guardian ad litem duties specifically provided by law.

(5) prepare a written report regarding the child's best interest, including conclusions with specific recommendations as appropriate to the facts of the case—psychological, psychiatric, parenting and chemical dependency evaluations or services or treatment deemed necessary—this report must be submitted to the juvenile court as directed by the court, and upon receipt copies must be provided to all parties by the juvenile court.

(6) treat all individuals with dignity, respect and sensitivity to religious background, racial or ethnic heritage, cultural, gender/orientation and socio-economic diversity.

(7) comply with all state laws regarding the reporting of child abuse or neglect.

(c) Rights and powers of a lay guardian ad litem.

(1) Court Proceedings. A lay guardian ad litem must attend all court proceedings unless excused by the court and must testify when requested. Except as allowed under Rule 5(d), a lay guardian ad litem may not call a witness, question a witness, file a motion, or act as a legal advocate.

(2) Interim Report. A lay guardian ad litem may submit an interim report and request a case status review. The interim report must be served on each party, who may serve and file a response within ten days after service of the report. The court may consider the interim report and any response without oral argument or evidentiary hearing. If the court finds grounds for a case status review, the court must set a hearing.

(d) Lay guardian ad litem review board.

(1) Membership. The lay guardian ad litem review board consists of seven members: a chair appointed by the Chief Justice; one referee; one state's attorney; one parents' counsel; one representative from social services, one representative from juvenile court and one lay guardian. Board staff are one person from the guardian ad litem program and one person from the Court Administrator's office.

(2) Terms. Board members are appointed by the Chief Justice for three-year terms and may serve no more than three consecutive three-year terms. Of the members initially appointed and as determined by lot at the first meeting, two will serve for one year, two will serve for two years, and three will serve for three years. Subject to the three term limit, each member is eligible for reappointment and serves until the member's successor is appointed.

(3) Board Responsibilities. The board, through panels established under this rule, must receive and review complaints concerning the performance and conduct of lay guardians providing services under this rule.

(4) Complaints - Procedure for Review.

(A) All complaints must be submitted in writing to the staff attorney for the State Court Administrators Office who will forward the complaint to the chair of the board. The complaint must include facts underlying the complaint, must specify the misconduct that is the subject of the complaint, and must be signed by the complainant.

(B) Upon receipt of a written complaint, the chair of the board must determine if the complaint is with regard to a pending case in which lay guardian ad litem services are being provided. If the complaint involves lay guardian ad litem conduct in a pending case, the chair must inform the complainant that the complaint may only be addressed before the court that is hearing the pending case, either by seeking removal of the lay guardian or by contesting the information or recommendation contained in the lay guardian ad litem's report or testimony. In pending cases, review of the complaint and communications with the complainant must be handled by the chair of the board in a manner that assures the judge or referee presiding in the case remains uninformed about the complaint. If the complaint concerns conduct unrelated to a pending case, the following procedures apply:

(i) The chair of the board must review the complaint to determine whether the allegations, if true, have merit. If the allegations are determined to be without merit, the complaint will not be reviewed further and the chair must notify the complainant of the disposition.

(ii) If the chair of the board determines the allegations in the complaint, if true, have merit, the complaint must be referred to a three-member panel of the board appointed by the chair. The panel must provide a copy of the complaint to the lay guardian and request a written response from the lay guardian ad litem within 30 days of receipt of the request. The request must identify specific issues in the complaint to which the panel desires a response. The lay guardian ad litem must provide a copy of the response to the complainant. The panel may, as circumstances warrant, request that the complainant and the lay guardian ad litem meet with the panel to review the allegations in the complaint.

(5) Misconduct. In reviewing a complaint, the panel must consider whether the allegations in the complaint indicate any of the following forms of misconduct:

(A) failure to fulfill responsibilities required under Rule 17(c);

(B) violation of the code of conduct for lay guardians, which is included and incorporated in Rule 17 as an appendix;

(C) misrepresentation of qualifications to serve as a lay guardian ad litem;

(D) violation of state or local laws or court rules; or

(E) taking or failing to take any other action that would reasonably place the suitability of the person to serve as a lay guardian ad litem in question.

(6) Findings and Dispositions. In considering the complaint and the lay guardian ad litem's written response, the panel must make findings regarding each of the specific issues in the complaint to which the panel requested a response. The findings must indicate that either there is no merit to the issue based on the lay guardian ad litem's response or that there is merit to the issue. The panel must determine whether the issues found to have merit indicate any form of misconduct identified under Rule 17(e)(4). The panel may take any of the following actions: issue a written reprimand, refer the lay guardian ad litem to additional training, require that the lay guardian ad litem be assigned a mentor for a specified period of time, or direct that the lay guardian ad litem be removed from the roster. The panel must take into consideration any prior complaints that resulted in the imposition of any of the identified actions. The complainant and the lay guardian ad litem must be notified in writing of the panel's disposition of the complaint. If the panel directs removal from the roster, the panel may specify the manner and time frame within which the person may apply for placement at a later time on the roster.

(7) Confidentiality. A complaint and any associated records are confidential unless the panel has determined under Rule 17(e)(5) that the complaint has merit. Confidential records may be disclosed only in response to a court order.

(8) Time Frames for Disposition. Complaints must be resolved within 25 days of receipt of the complaint if the complaint involves a pending case. All other complaints must be resolved within 120 days of receipt of the complaint. These time frames may be extended by the chair of the board upon a finding by the chair that good cause exists for an extension.

(e) Lay guardian ad litem training. The state court administrator must provide for regular training programs to satisfy the qualification requirements under Rule 17(a)(2) and (3). The state court administrator must provide for the development and maintenance of a lay guardian ad litem manual to serve as a resource for those providing services under Rule 17 and as a basis for lay guardian ad litem training programs.

Explanatory Note

Rule 17 was adopted effective March 1, 2010; amended effective [May 1, 2015](#); [January 1, 2018](#); July 1, 2021.

N.D.C.C. § 27-20.2-18 requires appointment of a lay guardian ad litem for a child in a juvenile proceeding "if the child has no parent, guardian, or custodian appearing on the child's behalf or the interests of the parent, guardian, or custodian conflict with the child's or in any other case in which the interests of the child require a guardian." N.D.C.C. § 50-25.1-08, requires appointment of a guardian ad litem in every case involving an abused or neglected child that results in a judicial proceeding.

Subdivision (a) was amended, effective [May 1, 2015](#), to provide a list of circumstances that disqualify a person from service as a lay guardian ad litem.

SOURCES: [Juvenile Policy Board Minutes](#) of June 11, 2021; September 5, 2014, pages 4-5; February 20, 2009; December 5, 2008; August 8, 2008; May 9, 2008; February 29, 2008; September 21, 2007; April 20, 2007. Joint Procedure Committee Minutes of January 29-30, 2015, pages 7-8; September 25-26, 2014, pages 12-17; May 21-22, 2009, pages 18-22.

STATUTES AFFECTED:

CONSIDERED: N.D.C.C. §§ 27-20.2-18, 50-25.1-08.

CROSS REFERENCE: [N.D.R.Ct. 8.7](#) (Guardian ad Litem).

Appendix B

Guardian ad Litem Workgroup Stakeholder Survey Responses and Feedback

Judicial Referee Feedback

March 2023 – A survey was sent to juvenile court referees asking them to answer the following questions regarding the Lay GAL Program:

1. Describe the strengths of the current GAL organization and service delivery model.
2. Describe the challenges of the current GAL organization and service delivery model.
3. Provide any recommendations to improve the organizational structure or service delivery model of the GAL program.

Below are the survey responses.

1. Describe the strengths of the current GAL organization and service delivery model.

- The number of GAL's should be more. I feel like my GAL's are stretched thin. I strongly believe that they should have some sort of additional access to the record. There is also a problem with getting notice to GAL's. There should be a better system for that.
- The GALs appear to be overworked. High caseload for few individuals.
- We need more GALs. I don't know how we incentivize more people to take on this important work, but efforts should be made to do so. The more GALs we have, the better we can spread out the work and allow our GALs to give all of their cases the attention they need.

2. Describe the challenges of the current GAL organization and service delivery model.

- The number of GAL's should be more. I feel like my GAL's are stretched thin. I strongly believe that they should have some sort of additional access to the record. There is also a problem with getting notice to GAL's. There should be a better system for that.
- The GALs appear to be overworked. High caseload for few individuals.
- We need more GALs. I don't know how we incentivize more people to take on this important work, but efforts should be made to do so. The more GALs we

have, the better we can spread out the work and allow our GALs to give all of their cases the attention they need.

3. Provide any recommendations to improve the organizational structure or service delivery model of the GAL program.

- Hire more GAL's. Allow them electronic access to the case file and have hearing notices served electronically like the other parties to the case. Pay GAL's more. Have a standardized court procedure, or at least a best practices standard, for what a GAL should actually do in court. I think GAL's are used in very different ways in different jurisdictions
- Again, efforts should be made to recruit more qualified people to become GALs.
- I have no idea why there seem to be so few GAL's in the program compared to the amount of cases. I do not know if it is a compensation issue or something else. Increasing the number of good qualified GAL's would allow them to put more into individual cases. There has been some decent turnover here as of late

Zone Director Feedback

December 2023- Kristi Frederick sent a request to Zone Directors asking them to answer the following questions regarding the North Dakota Lay GAL Program:

1. What is working well?
2. What could be improved upon?
3. What would the improvements look like?

Feedback responses are reported below.

1. What is working well?

- It seems like the GALs attend CFTMs when their scheduled allow (if they are currently assigned) and get a lot of information for their reports at these if the CFTM falls within the timeline of the hearings for adjudication. GALs seem to observe parent/child visits and do visits in the foster care provider's homes with the children to gather information and observe.
- Great communication and rapport with some GAL's. Limited communication with others. At times differences in interpretation of how the case should move forward after discussions with GAL.
- We have a new Referee and the GAL's testify at hearings. They no longer get to write a report and be silent in the back of the room. They are being asked questions

from both sides. It seems to hold them more accountable to what they are reporting.

2. What could be improved upon?

- It does not seem that GALs interview all workers assigned to a case for a petition. This has been an ongoing issue. CPS workers and FC workers have different information about a family/case and getting both sides interviewed would mean more information for the GAL.
- There is not consistency in how GALs testify. I have been in hearings where the GAL has said they agree with a TPR or adjudication and the child remaining in care but try to say positive things about the parents that contradict what their reports say.
- For some cases, it seems like GALs try to be in a case manager role and do things that might not be in a GAL role. Parents have even indicated that they want to talk to the GAL about some things rather than the case manager, and sometimes GALs encourage this. Parents have said they know the GAL is on their side. I think boundaries is what could improve overall for this. At one hearing I saw a GAL take an upset parent into the hall and try to calm her down right before a hearing.
- GALs don't always ask for clarification after they have interviewed someone. For example, if a parent tells a GAL they have done treatment after the GAL has interviewed the case manager, the GAL does not always ask for verification of that and will put it in the report as the parent's word.
- More education for GAL's on reunification, SFPM, THV's, and case planning.
- Since the GAL's now have to testify, it seems as though they are afraid to make the parent(s) mad. One GAL in particular fumbles all over herself when testifying and will end each sentence with something positive to say about the client. I observed this twice with each of my recent TPR's.
- GAL's getting timely notice that they are assigned to the case. Several times they have received late notice and have not been able to contact everyone on the case to gather their information. Some of that information could be valuable.
- GAL's not accurately documenting what the worker has said to them for the reports.

3. What would the improvements look like?

- GALs should interview all workers assigned to the case at the agency (CPS, FC, etc. if it's an adjudication).
- Follow up with CPS/case manager if there are inconsistencies in the information.
- GAL's with knowledge of SFPM and an understanding of case progression through SFPM.
- RE GAL getting timely notice of assignment: Case workers making sure they have their affidavit in timely. If it is not due to the case worker's affidavit submission, I

am unsure about what to change with the court since I do not know their process for assigning a GAL.

- RE accurate documentation: For years now, the seasoned workers will only email the GAL's information so that they can control what the GAL's put in their reports. The GAL's copy and paste the entire email. Otherwise, if you talk to them on the phone or in person, information is not accurately written or things have been added which were not said. Emails can sometimes look unprofessional when added as is. I don't know if anyone has actually told the GAL's about the concerns, so maybe we could start with that to see how it goes from there.
- Allowing GAL's more time/payment for working a case. When the change was made to limit the hours they can put in, the GAL's even stated that they did not think they could do a good job because of it. If the limit was increased, maybe they would have time to interview all parties and attend meetings, etc.
- Maybe this is not something the GAL has to do, but it would sometimes be a common courtesy to let the FC worker know that they are going against what the agency is wanting (for instance we want a TPR and they do not). We may not agree on everything, but to maybe have those conversations about why. Again- that might just lead to the FC worker's words being copied/detailed in the report.
- Sometimes it seems like the GAL is more vested in the parent(s) or completely against the parent(s) rather than what is best for the child. We all need to look at the family as a whole, but sometimes it seems like the parents are getting double representation (meaning by their attorney and the GAL).
- Maybe GALs could be trained in the Three Houses as a way to get information from the kids about how things are going for them? At a CFTM meeting last week the foster parents said that the kids were really thinking about adoption vs going home a lot because the GAL asked them "where do you want to live?" (or something along those lines) for the upcoming TPR hearing. They are 7 and 9 years old and it just stirred up a lot for them having to answer that question.

Attorney Feedback

December 2023- Jessica Ahrendt sent a request to North Dakota attorneys asking them to provide feedback on the GAL program (good or bad), changes they would like, and any concerns to be addressed. Responses were gathered by phone and emails with parent attorneys and state's attorneys.

Response 1,2, and 3 were sent together via email as follows:

- In Cass County, all hearings related to CHIPS and TPRs are on Tuesdays. So everyone is basically standing in the hallway outside the courtroom waiting for their case to be called into the courtroom. There is a conference room where the State and social workers sit and talk prior to hearings and during hearings where it's not their cases being heard at the moment. The GAL always is sitting in this room with the State and the social workers. Defense counsel is not in the room and frankly, not generally welcome in the room as they are discussing their positions. To have the GAL in that room, seems inappropriate and gives off the perspective to clients that the GAL are simply there to support the State and the Zone. A GAL is supposed to hear all sides and reach their own conclusions on what is the best interest of the child(ren). To clients, it does not make them comfortable to even talk to the GAL when all they see is the GAL interacting and laughing with the State and Zone.
- GAL reports and their positions seems to simply echo the wishes of the State and the Zone majority of the time. We rarely ever see any deviation. I rarely see any deviation on the East side of the state. On the western side of the State, GALs seem to have a lot more autonomy and feel more comfortable stating their own opinions, testifying against the zone and the State at times. GAL are a main witness on the western side of the State in certain areas and their testimony can usually make or break a case. The Eastern side of the State, the reports are basically served to us. There's no testimony taken from the GAL. A simple "thank you, I'm in agreement with the State/Zone" is all we typically hear.
- There's been comments throughout cases that GAL shouldn't "rock the boat" and that they need to "foster the relationship with the State and the Zone" and further that going against what they are requesting is "not doing our job." Frankly, these comments are absolutely disgusting and a disgrace to GALs. None of that is the job of the GAL. Their job is not to foster the relationship to the State or the Zone, or rubberstamp what they are requesting. The GAL job is to interview all relevant parties, review any relevant information and to form their own opinion on what is in the best interest of the child(ren).

Response 4:

- Biggest concern was the actual or apparent lack of separation of the Gal from social services
- Concern regarding conflicts of interest with the GAL, who assesses them and what occurs when there is one.
- Concern with GAL frequently subbing for a hearing for another one with no firsthand knowledge
- Lack of contact between the Gal and defense counsel on cases

Response 5:

- Wished that the GAL was more active in the hearings

Response 6:

- “they are a tool of the state”; help the state prove their case
- Gal reports only consider issues in the affidavit and the petition
- The best interest of the child is what the state says it is; no independence;
- Does not seem that they do any outside investigation
- Reports are filed in a timely fashion and sometimes even get more than one (addendum);
- In CHIPS/ TPR there is a report and that is it, not subject to cross exam, they do not testify, they may ask questions about the disposition- in private CHIPS the Gal testifies and then he testifies

Response 7:

- Late filing, like 2 days or less before the hearings
- Lack of independence

Response 8:

- Tend to agree with whatever social services says/rec.
- Lack of independence
- The reports can be helpful – often read first- appreciates that it lists who they talked to
- A newer GAL seems to have a separate voice
- They tend to check on the current status but nothing as far as independent investigation
- The time is normally good as far as timing
- No issues with the time spent, seems adequate
- Opinions are not always supported by anything

Response 9:

- Complete lack of independence of the GAL
- They only make 1 attempt to reach the parent and then give up and do not try again to connect with them
- Difficult for the parents to get ahold of

- Report is primarily focused on the accusations (past) and does not look to the current situation for the family as well
- Reports are just a mirror image of the human service zone's

Response 10:

- Wish the reports were filed a bit earlier
- Have had no appearance at a hearing by the GAL
- They should be more independent in their assessment – they do not seem to do any independent verification or investigation, they rely on the zone for all information
- Do not always spend time with the family/ parents
- They are very over worked; likely need more resources

Response 11:

- Does not work with them directly – are they supposed to?
- They seem to just be an extension of social services
- Do they really work with the families?
- Not very active in the case or in the hearings