

Guardian ad Litem Program

Update to 2018 Evaluation Report

January 2019

Problems Identified

- **Limited Oversight.** The Guardian ad Litem (GAL) Board had established few standards to ensure that guardians provided consistently high-quality services. For example, it had not adopted standards for how often guardians ad litem should meet with children. In addition, the GAL Board did not perform several key duties necessary to effectively monitor the Program's performance, such as regularly setting measurable goals or ensuring guardians complied with training policies.
- **Unmet Demand.** As of the end of Fiscal Year 2017, the GAL Program had not assigned guardians to more than 500 cases for which an appointment was required. Juvenile court cases regarding child abuse, neglect, and abandonment (for which a guardian ad litem is required) increased significantly between fiscal years 2015 and 2017. However, some GAL managers and coordinators told us they did not have enough staff or resources to meet the demand. Several judges told us they no longer requested guardians for family court cases—even when the appointment was required—because they knew the GAL Program did not have enough guardians to fulfill the request.
- **Unclear Role.** State law directs guardians ad litem to perform some of the same activities as other court professionals whose roles guardians are prohibited from fulfilling. For example, court rules prohibit a person from acting as a guardian ad litem and custody evaluator on the same case. Yet, like a guardian, custody evaluators must investigate, report, and make recommendations regarding custody and parenting time to the court.

Changes Implemented

- **GAL Board Oversight Improved.** The GAL Board has revised its policies and established a calendar for monitoring important aspects of the GAL Program, such as its financial condition. It has procured a learning management system that tracks guardian compliance with training policies, and it is in the process of updating its case management system to better monitor guardian ad litem activities, including court report submission.

Action Needed

- **Review Guardian Duties and Resources Needed.** In conjunction with the GAL Board, the Legislature should review the guardian ad litem responsibilities listed in statutes and determine the level of funding necessary for the Program to fulfill requirements in law.
- **Clarify Role.** With input from the GAL Board and the state's judiciary, the Legislature should clarify the role of guardians ad litem in family court cases.
- **Set Standards and Regularly Monitor.** The GAL Board should adopt clear standards for guardian ad litem work, develop and implement guidelines outlining appropriate caseloads for guardians, and ensure it follows its schedule for monitoring the Program's performance.