

Guardian ad Litem Program

Update to 2018 Evaluation Report

February 2020

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 has updated its case management system to better monitor guardian ad litem activities, including court report submission. It has also determined appropriate caseloads and increased supervision of guardian ad litem work in an effort to ensure children receive consistent advocacy.
- **Increased Resources to Meet Demand.** The Legislature appropriated an additional \$4 million each year of the 2020-2021 biennium for new positions to comply with federal and state mandates. The GAL Board reported hiring 40 new staff, leaving few cases on waitlists. The Board plans to hire additional staff to address the remaining requests for appointments in family court.

Action Needed

- **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.