

Guardian ad Litem Questions and Answers

1. What is the role guardians ad litem typically play?

- Advocate for the best interests of the child in court
- Advocate/ensure that DCF case plans and court decisions are based on child's best interests
- Advocate that the child has a safe, stable and permanent home within a reasonable period of time
- Advocate for appropriate services/supports for the child and their family; ensure that services are accessed in a timely manner

2. What is the scope of the guardians ad litem responsibilities?

- Establish ongoing relationship with the child for the duration of the case by meeting with the child at least once per month
- Gather relevant information about the child and his/her family
- Collaborate and communicate with DCF, service providers, school staff
- Attend monthly team meetings
- Attend school meetings as appropriate
- Check in with parents, foster parents, guardians, etc. as needed
- Attend all hearings
- Ongoing communication with the child's attorney

3. How are guardians recruited and trained?

- Radio spots, print ads, prior knowledge (?????)
- A thorough interview is conducted/screening is taking place throughout the interview
- Three full days of training
- Shadow and/or share a case with an experienced GAL

4. How are they assigned to specific cases?

- In Washington County, we receive a call or email from the court clerk and are provided with a description of the child or children in need of a GAL – age, sex, town of residence, placement information (with parents, extended family, foster care, etc); date and time of the next hearing

Laura Schaller, Guardian ad Litem, Washington County Family Court
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- Have the choice whether to accept case or not. If accepted, the court clerk then mails out a packet of information, which includes: the Guardian ad Litem appointment order, notice of hearing, and copies of the affidavit and petition for custody

5. *How are they supervised?*

- There is no district supervisor in Washington County, so if I have questions or need consultation, I will contact Mary Hayden or Karen Ackerman, district supervisor in Caledonia County
- In districts that do have a supervisor, I believe that monthly group meetings are offered and are facilitated by the supervisor

6. *In your opinion, what parts of the child protection system work well, and should not be changed?*

- Team meeting process – once per month, members of the child’s team meet at DCF to discuss progress on the case plan, receive updates about the child, discuss concerns, address ongoing services, etc.
- DCF has access to many great services for families that “regular” people either do not have access to, or face an extremely long wait for. Family Time Coaching (by Easter Seals) is an excellent resource for families
- The process seems well streamlined; from report to investigation to ongoing social worker

7. *In your opinion, what parts of the child protection system do not work well, and should be changed? How?*

- **Caseload size is too high**; the Barre office is currently at an average of 16.5 cases per social worker; I believe that 12 has been the recommended “best practice”
- **Lack of support for foster parents**; without exception every foster parent I’ve worked with has complained about the lack of support, resources, respite and/or communication he or she has with DCF. There is a resource worker who in theory is there for foster parents to contact for support, to ask questions, etc., however I have been told that calls are frequently not returned or that the specific help they need is unavailable

- **Lack of communication** - often calls are not returned and/or emails are unanswered – sometimes for days, sometimes not at all. It would be helpful if DCF workers had a 24 hour response policy
- **Strained relationships between the DCF worker and the parent(s)**; if the relationship is contentious, the team meeting can be stressful and sometimes, non-productive. Possibly a team of two social workers per case would help alleviate this. I know that in Barre they have teams but I do not believe that they team in terms of cases
- **Inflexibility on the part of DCF**: In one particular case, DCF basically “washed its hands” of the parents after several unsuccessful meetings; there was no contact between DCF and this family for several months and when I suggested a possible change in DCF workers, I received a call from the DCF supervisor asking me exactly what I had suggested to the parent and told me that a change in social workers “almost never happens.” This was a case with an infant in the home and vulnerable parents, I was concerned that DCF did not engage with this family at all and relied on myself and other service providers to report any progress and or concerns. **In another example**, DCF seems to have a rigid view towards using Permanent Guardianship more often and for a wider range of kids. If the child is under 12, it is almost always their recommendation that the child be adopted. This is not always the most appropriate option for families, nor is it always in the child’s best interests, and the Vermont law on Permanent Guardianship is clear that when the proposed guardian is a close relative, permanent guardianship may be considered. The DCF worker in this case told the child’s aunt that if she and her husband refused to adopt their 4 year old niece, there was a possibility that the child would be removed from their care and placed for adoption, possibly with strangers if there was no other family member willing or able to adopt her

8. *The committee has heard that the inputs and viewpoints of guardians ad litem are often ignored by DCF and judges. Is this so? Why?*

- I have been a GAL for two years and I have never experienced this. While the DCF worker and I may not agree about certain goals of the case, I have always been able to have a positive working relationship with every social worker. More often than not, we agree on the case plan goals and work together to ensure the best interests of the child are being met
- Judge Devine, without exception, makes a point to ask my opinion about the case and seems to take my opinion, concerns, and recommendations seriously.

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9. If guardians are ignored by DCF and judges, what is their purpose and why continue having them?

- Again, this has not been my experience since becoming a GAL two years ago
- It is my opinion that GAL's bring something to the process that is unique and necessary: an unbiased, nonjudgmental opinion. As volunteers, we do not work for the court, DCF or attorneys. It is unique in that we truly aim to serve that the child's best interests are met in every case
- I have also found that parents and children can be more receptive to speaking with a GAL and sharing information that is helpful to the case, as DCF can sometimes illicit a negative response. And while I may not be able to share that information with the DCF worker (unless given permission to do so), I may share it with the child's attorney so that the attorney is able to speak to it in court