



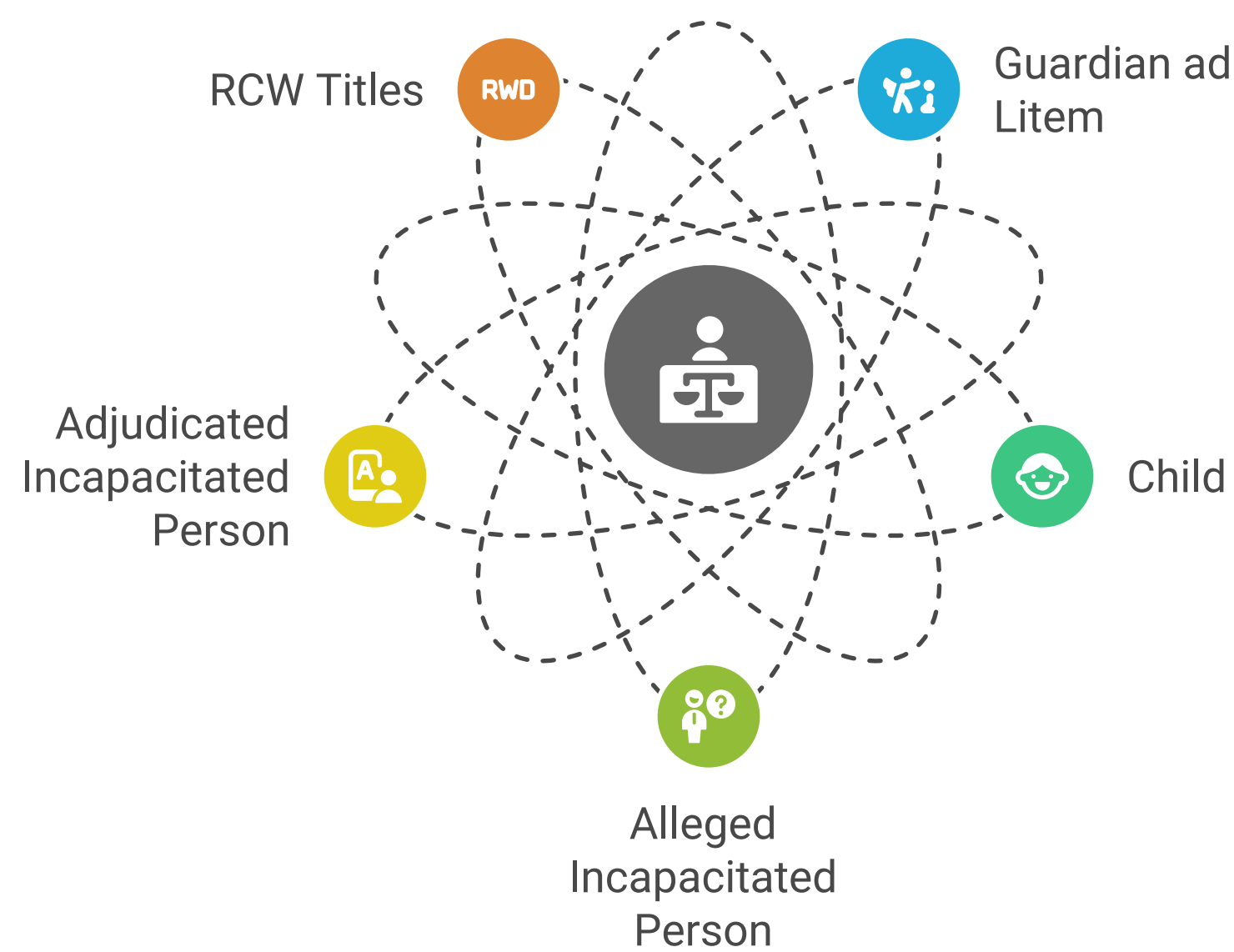
Child Advocacy Training Napkin Visuals

from training manual 5

Purpose...

“The purpose of these rules is to establish a minimum set of standards applicable to all superior court cases where the court appoints a guardian ad litem or any person to represent the best interest of a child, an alleged incapacitated person, or an adjudicated incapacitated person pursuant to Title 11, 13 or 26 RCW.”

Overview of Court-Appointed Representation



Purpose...

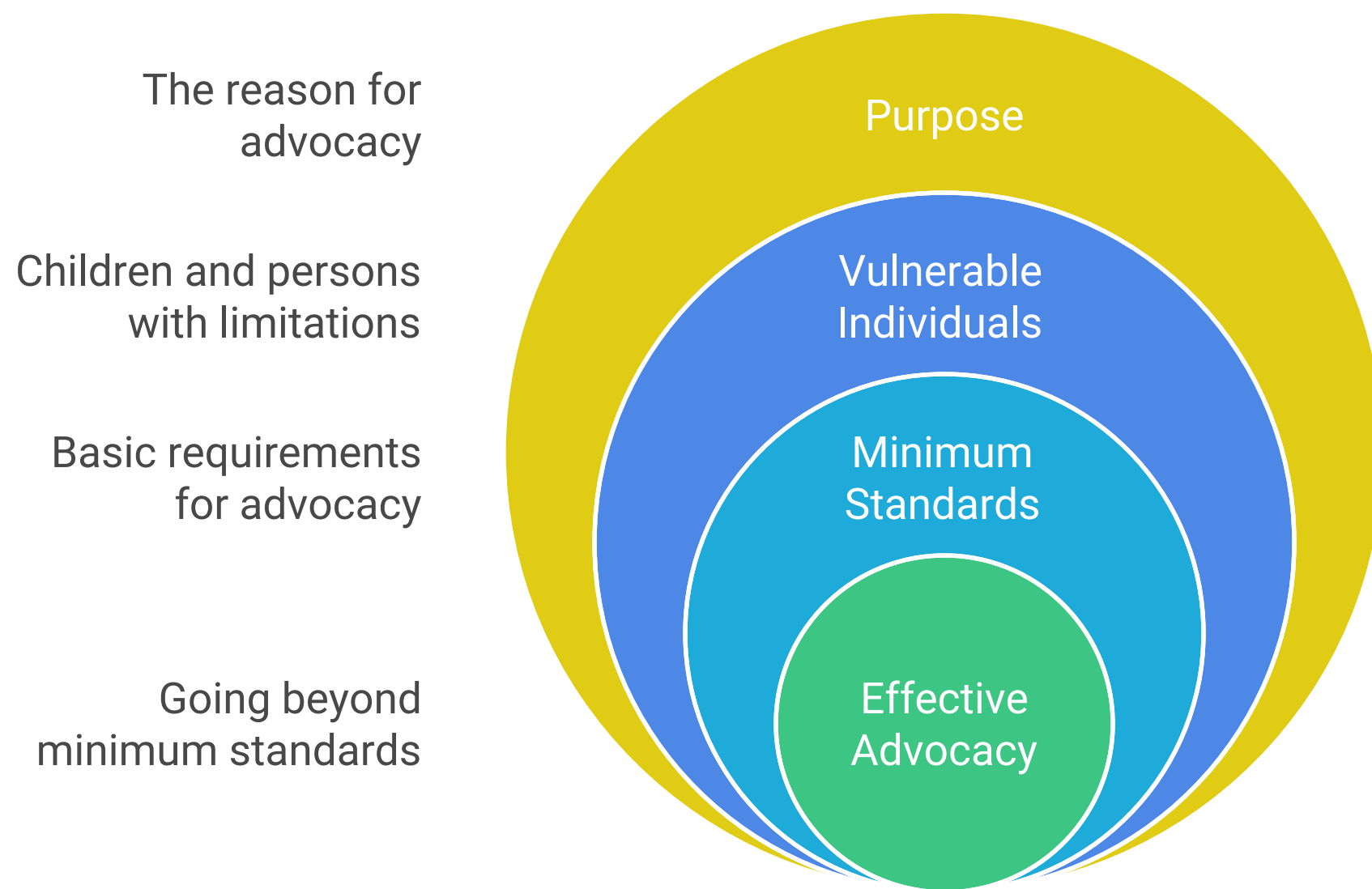
Why a minimum standard?

Working with children, incapacitated persons, and persons with limitations.

These are vulnerable individuals.

We expect you to go beyond the minimum standards in order to be an effective advocate for vulnerable children.

Effective Advocacy for Vulnerable Children



Considerations

- Representing Best Interest vs. Advocating for a person's wishes.
- How do you make it clear to everyone involved your role? 7 GALR 2

[b]

Maintaining

Independence

Additional Citations/References

RCW13.34.105(e) Court-appointed special advocates and guardians ad litem may make recommendations based upon an independent investigation regarding the best interests of the child, which the court may consider and weigh in conjunction with the recommendations of all of the parties.

“A guardian ad litem shall maintain independence, objectivity and the appearance of fairness in dealings with parties and professionals, both in and out of the courtroom.

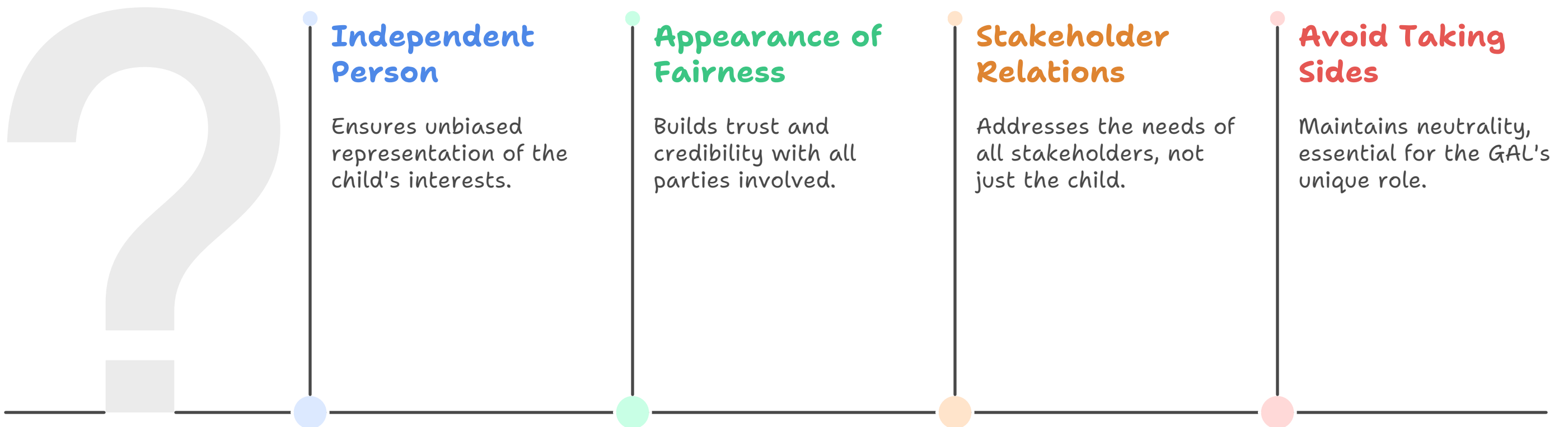
Balancing Advocacy and Independence in Child Advocacy



Considerations

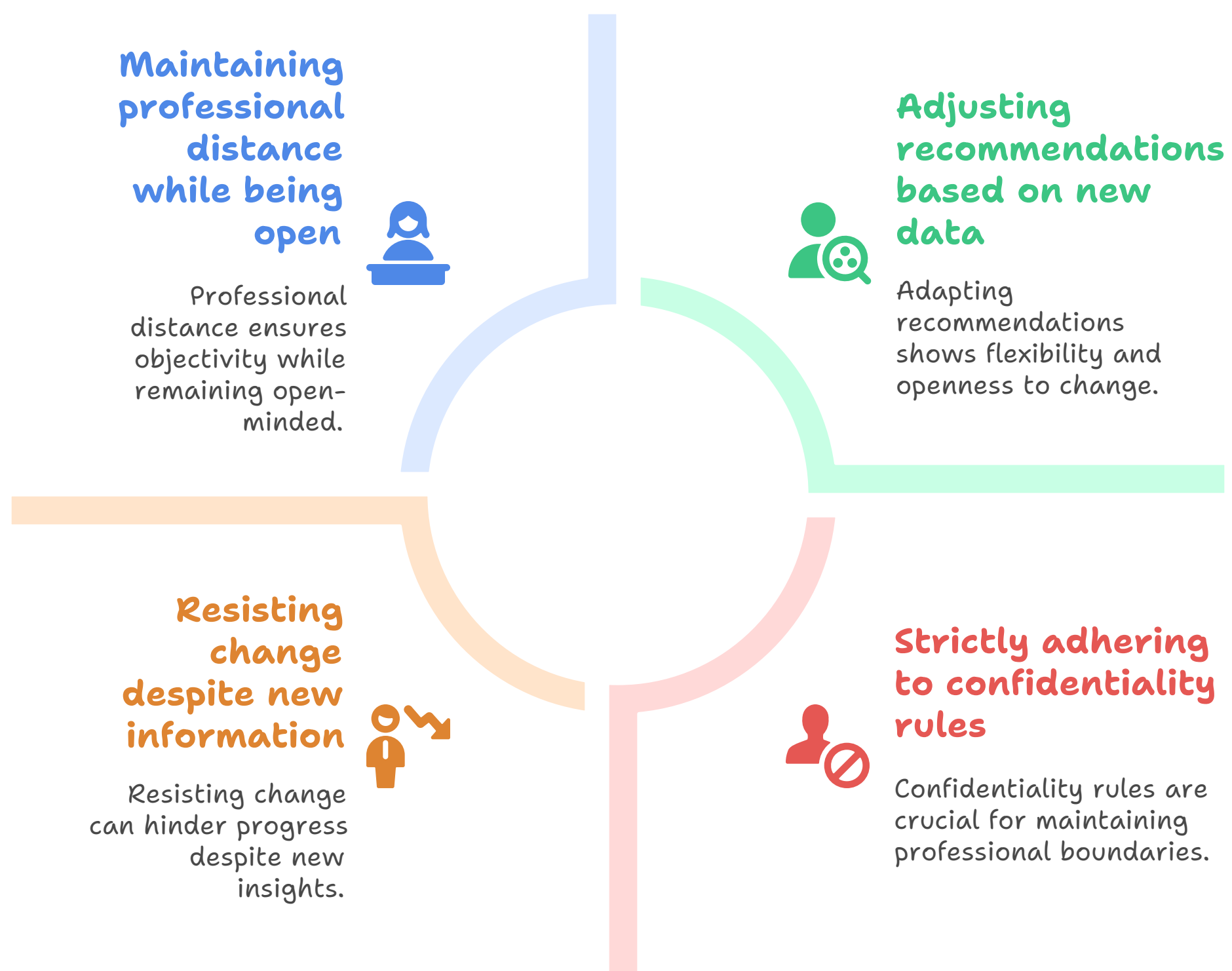
- Why is an independent person necessary?
- Why do you need to have an appearance of fairness and appear objective?
- To whom does this relate?
- Child, parents, foster parents, relatives, attorneys – any others?
- Don't get caught in the trap! Others in the system DO have the ability to "pick a position" and stick to it. You, as the GAL, do not. Your role is unique and special.

How to maintain objectivity and fairness as a GAL?



This includes interviewing a large swath of individuals [if relevant]. • This includes maintaining contact with the parents and relatives. • This includes not sharing details of the case with anyone other than the court. • This includes not being “buddies” with anyone. • You might be tempted to dig in your heels on an issue. However, you must remain open to altering your recommendation based on new information that you receive. This is just one way to practice maintaining independence.

Balancing Professionalism and Flexibility in Child Advocacy



Give equal time to parties – if you spend 45 minutes at the mother's visit, spend 45 minutes at the father's visit. • If you contact the caregivers to see how the child is doing, be sure to call both parents to see how they see the child is doing during their time with the child. • If you greet one party at court or at a meeting, greet all parties at court – foster parent, bio parent, SW. • Sit with fellow VGALs or your PC at court. Sitting next to a party in the case can give the APPEARANCE of bias.

Maintaining Impartiality



Equal Time

Allocate the same amount of time to each party involved.



Contact Both Parents

When checking on the child, ensure both parents are contacted.



Greet All Parties

Acknowledge all parties present at court or meetings.



Sit with Colleagues

Sit with fellow VGALs or your PC at court to avoid bias.

What? I am subject to discipline?

Yes, even GALs are subject to discipline if you violate rules, are unprofessional, or otherwise engage in unbecoming conduct.

Even though I am a volunteer? • Yes. Even though you are a volunteer. There must be oversight given the vulnerable population served, and in order to trust in your recommendations, the court needs to know you are following the rules in a professional

GAL Discipline

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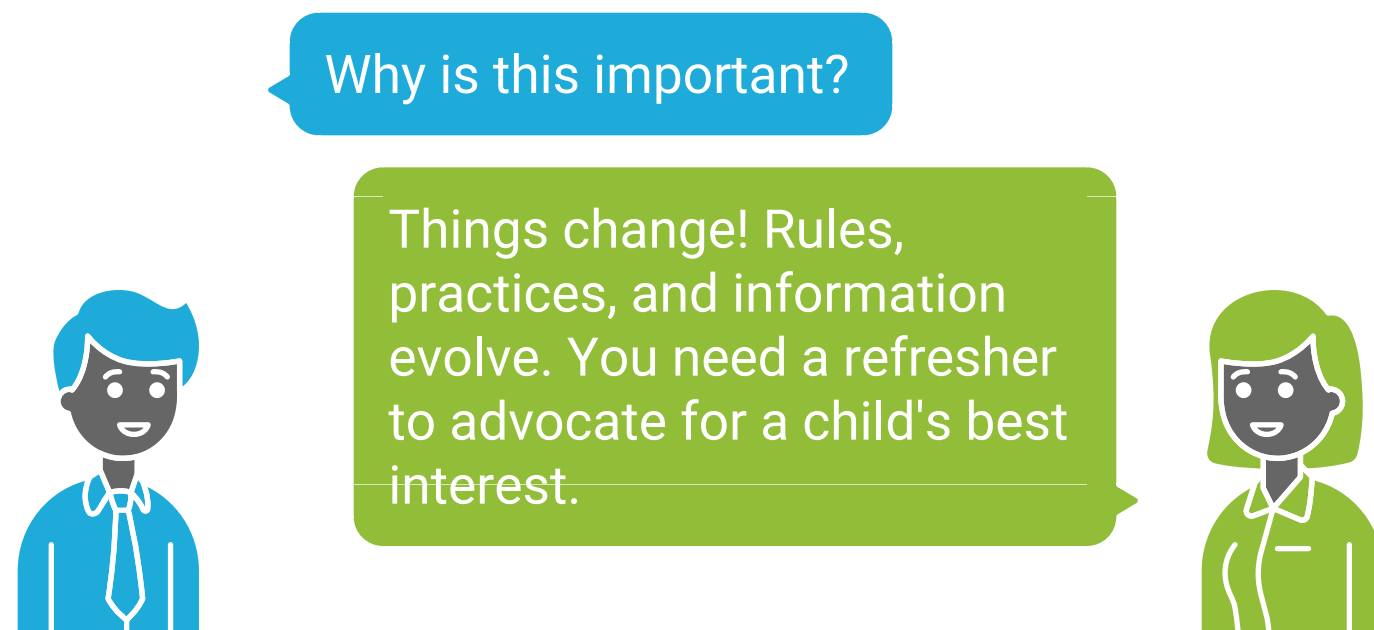


Why is this important?

- Things change!

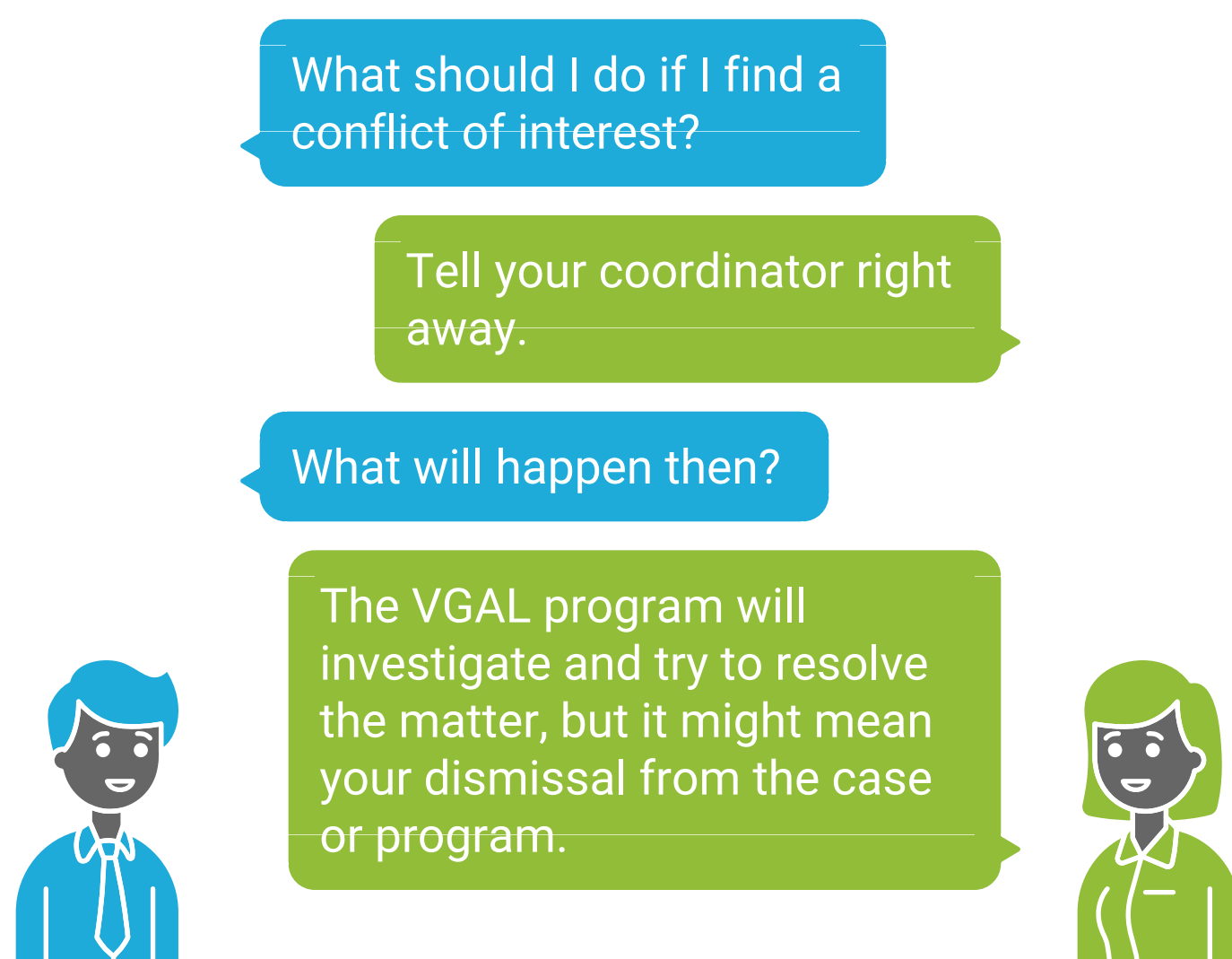
Rules change, practices change, new information surfaces on best practice, you need a refresher [because everyone does]. You are advocating for the best interest of a child; you must be qualified to do so. You generally remained qualified through your training, knowledge, and expertise

Importance of Staying Qualified



Don't hide the conflict of interest or impropriety!! Tell your coordinator right away. • The VGAL program needs to take steps to address the conflict of interest or impropriety, which include talking to all parties to see if the matter can be resolved. • Keep in mind that this might mean your dismissal from the case and/or the program.

Reporting Conflicts of Interest



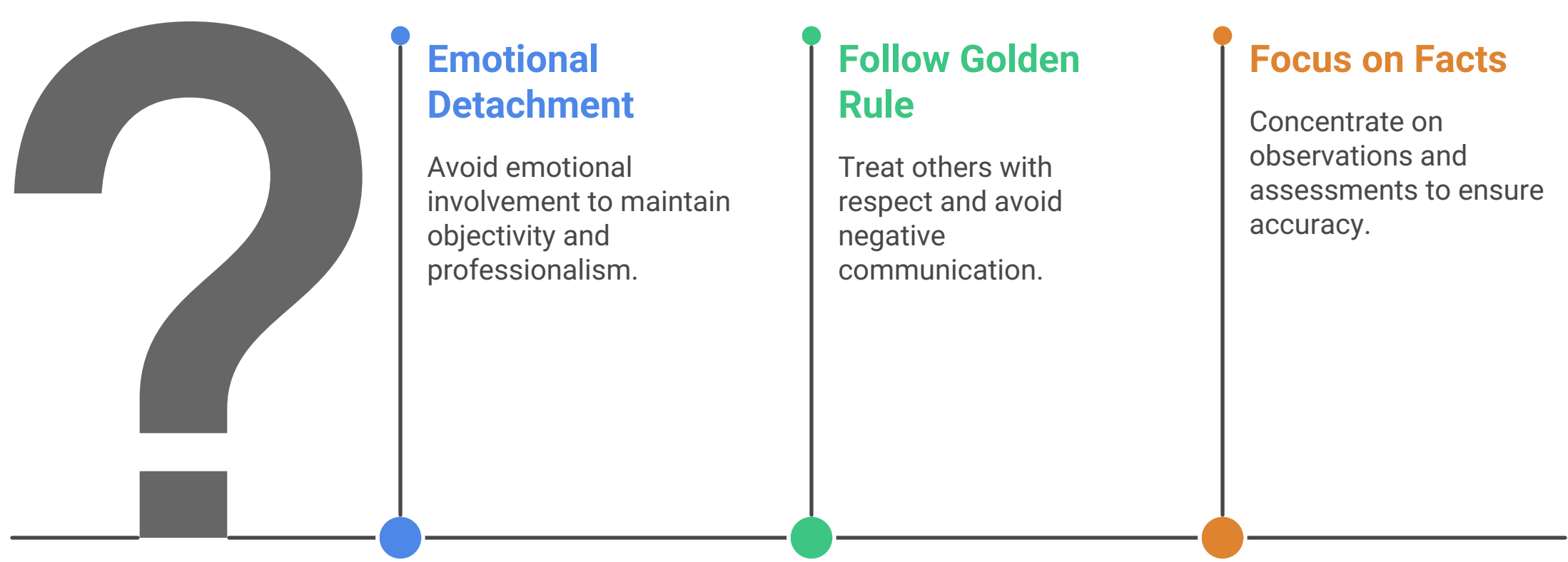
Examples: • Working at the same treatment center a parent goes for treatment. • Owning an apartment where a foster family lives. • Having a personal relationship with the parents/foster

parents/relatives on the case. • Taking a parent out for a drink. • Entering into a romantic relationship with anyone involved in the case. • Selling something to anyone involved in the case or paying anyone in the case for personal services. • Speaking poorly about the parents to anyone. • Sharing confidential information with foster parents/relatives/others.



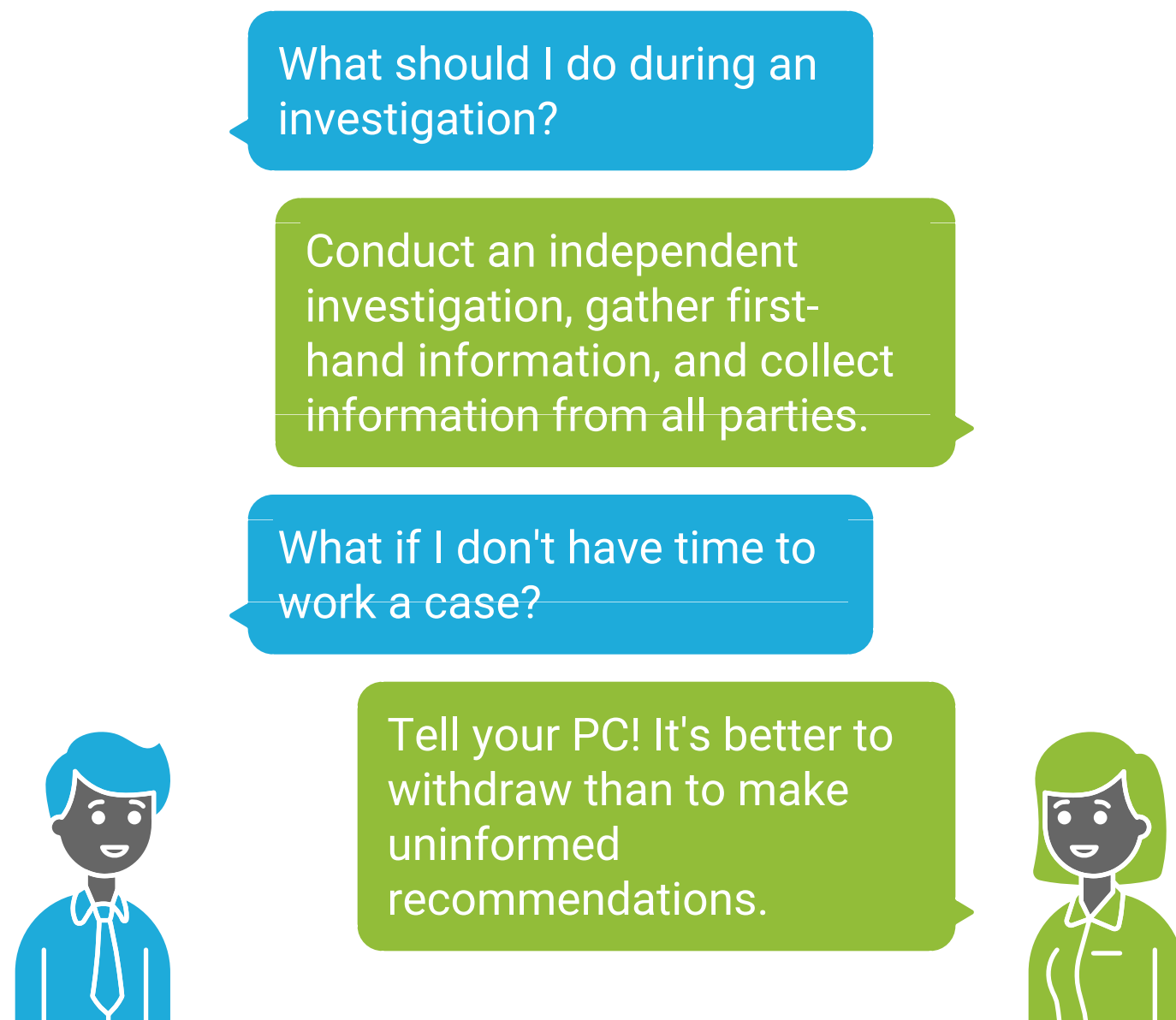
Dependencies can become emotional. Check your emotions at the door and follow the Golden Rule. • Do not speak or write negatively or poorly regarding anyone in the case. Keep your frustrations, irritations, dislikes, and feelings out of it. • Stay focused on the facts, your behavior-based observations, and your assessment of those.

How to manage emotions and focus on facts in child advocacy?



You must do an independent investigation. • Gather first-hand information whenever possible. • Gather information from all parties, not just the social worker or the foster parent. • “Trust, but verify.”
If you don’t have time to work a case, tell your PC!
It is better to withdraw from a case than to make recommendations without being fully informed. The court is relying on you for facts, and trusts that any recommendations are based in independently gathered fact.

Independent Investigation

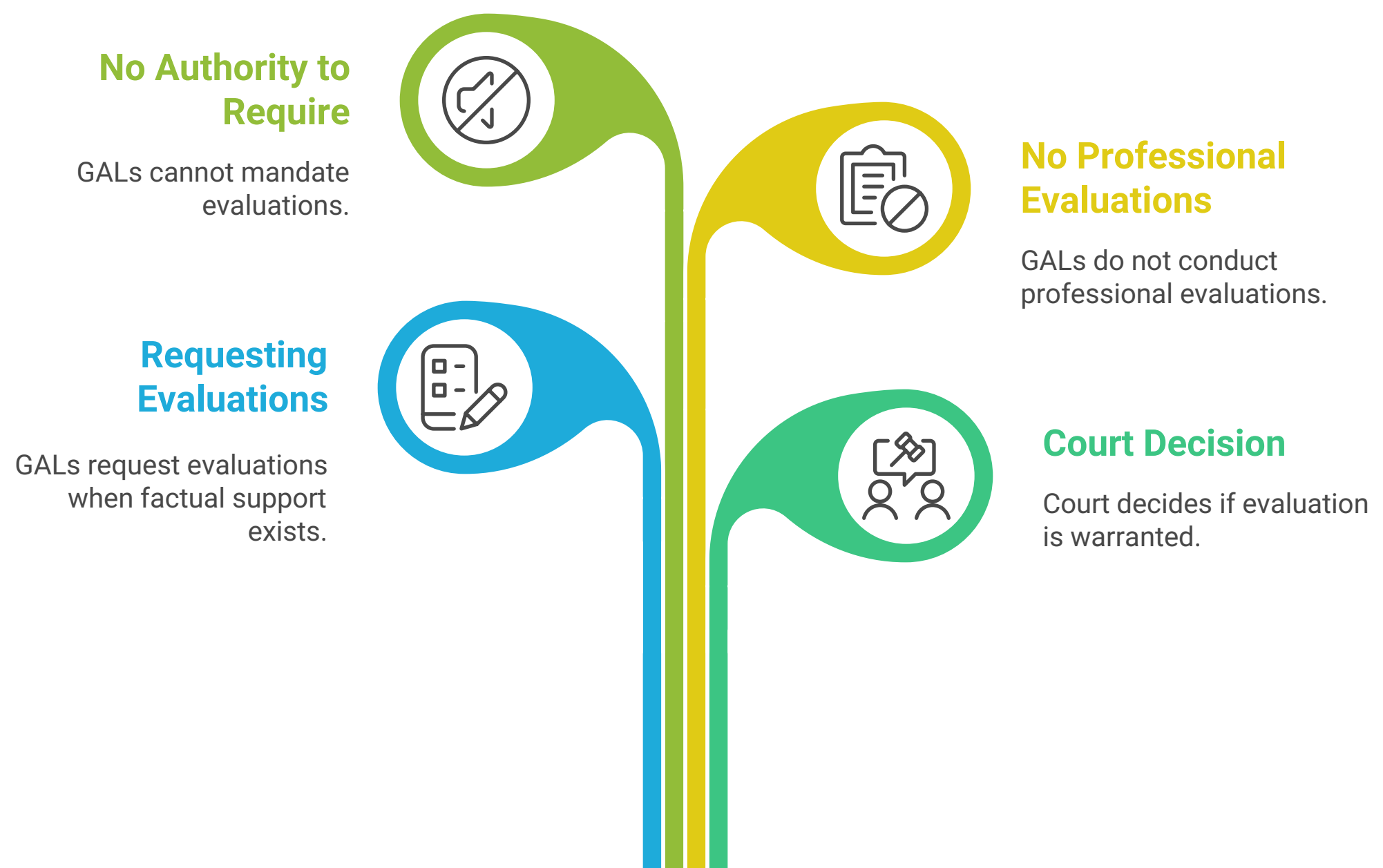


GALs can request an evaluation of a child, parent, or caregiver, when supported by fact. The court gets to decide if the evaluation is warranted.

GALs do not have the authority to require anyone to be evaluated.

GALs are also not to do a professional evaluation themselves. It is not their role as a GAL.

Navigating GAL Evaluation Authority



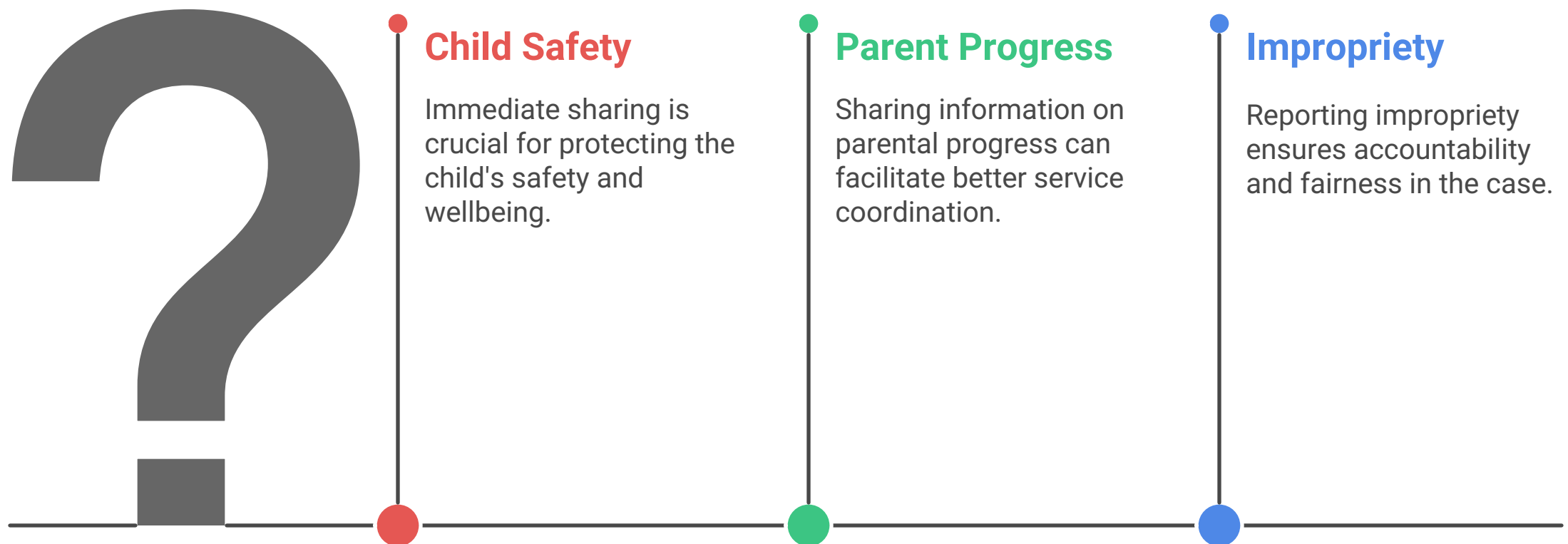
Your information and recommendations are compiled in a report to the court. • It is critical that this report is timely submitted. Different reports have different timelines depending on the report type. However, the majority of reports are due to the court and parties 10 days in advance of the hearing. • You need to show the court and parties who you talked to and what documents you read. • The parties have an opportunity to object to your recommendations, and the court does not have to follow your recommendations.

Report Submission and Review Process

1	Gather Information Collect necessary data and documents
2	Compile Report Organize findings into a structured report
3	Submit Report Send the report to the court and parties
4	Review Report Court and parties examine the report
5	Object to Recommendations Parties may raise objections to the report
6	Court Decision Court decides whether to follow recommendations

Sometimes, information will be gathered that should be shared with the parties without waiting for the next hearing. Information that is pertinent to the child’s safety or wellbeing, the parents’ participation and progress in services, or impropriety by another party in the case should be reported quickly to your coordinator to determine the best way to get the information to the rest of the parties in the case.

Should the information be shared immediately?



Your role is only as authorized by the statute and court. If someone asks you to take on more, politely decline.

Examples:

- A social worker asks you to pass on information to the foster parents about the parent's medical situation.
- A visitation supervisor asks you to watch the family for "a quick second."
- A parent calls you on a Saturday for advice on whether to take the child to visit with the other parent.
- The relatives beg/casually ask you for information about the child's situation.
- Complying with any of these requests is beyond the scope of your duties!

Examples of Overstepping Boundaries

Relatives Information Request

The relatives beg/casually ask you for information about the child's situation. This is beyond the scope of your role.



Social Worker Request

A social worker asks you to pass information to foster parents about the parent's medical situation. This is beyond your authorized role.



Parent Advice Request

A parent calls you on a Saturday for advice on whether to take the child to visit with the other parent. This is outside your authorized duties.

Visitation Supervisor Request

A visitation supervisor asks you to watch the family for "a quick second." This exceeds your authorized responsibilities.

Be upfront and immediately tell people your role in the case. This avoids confusion and suspicion. Make sure people know what they tell you can be shared with the court and the other parties through your report. This includes the children on your caseload. Do not make promises about keeping the source of the information confidential, or not sharing the information with the court.

Communication Guidelines



State Your Role

Clearly state your role to avoid confusion.



Explain Information Sharing

Inform people that information shared may be included in reports.

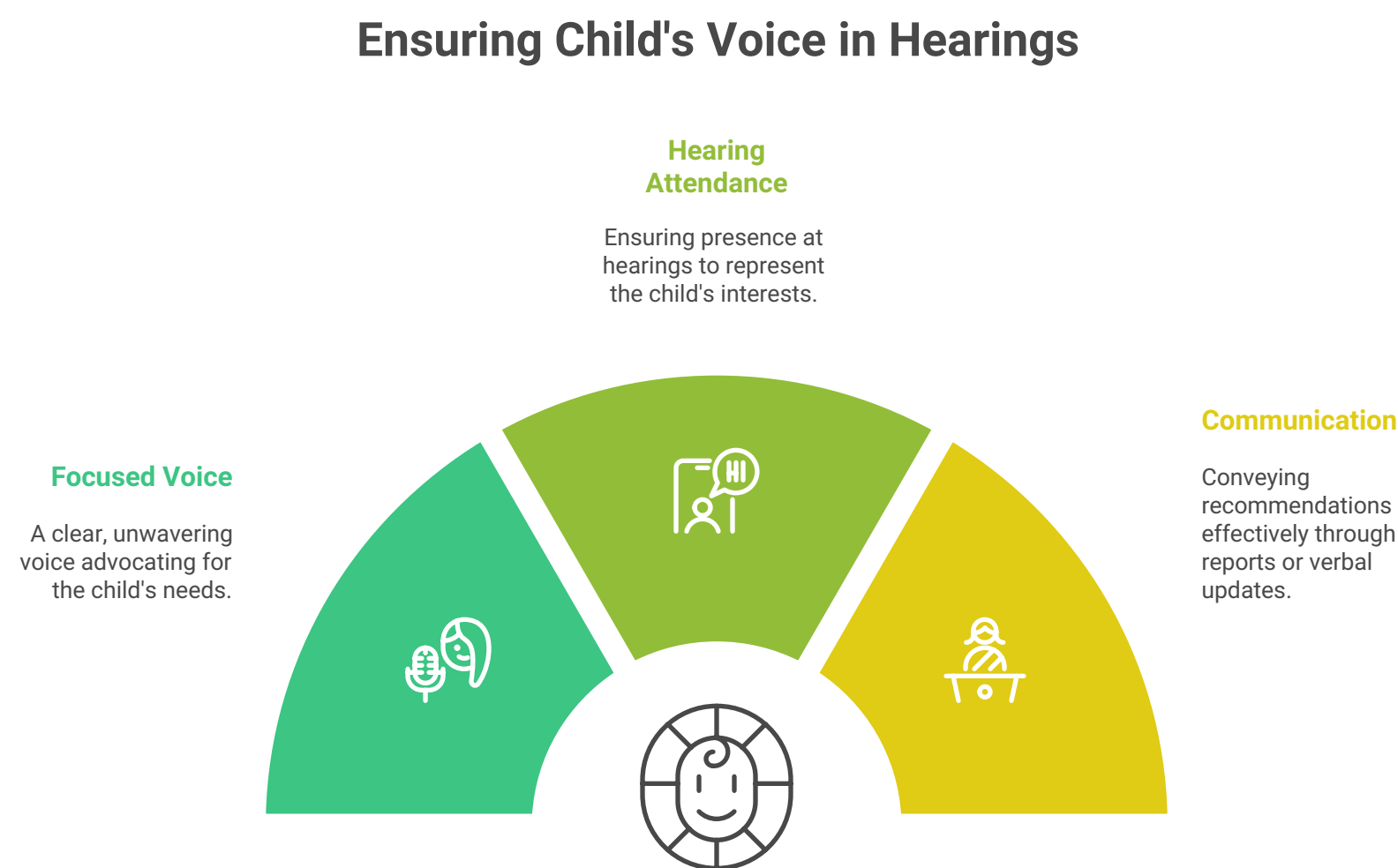


No Confidentiality Promises

Do not promise confidentiality or non-disclosure to the court.

A voice focused solely on the child’s best interests is critical at every hearing.

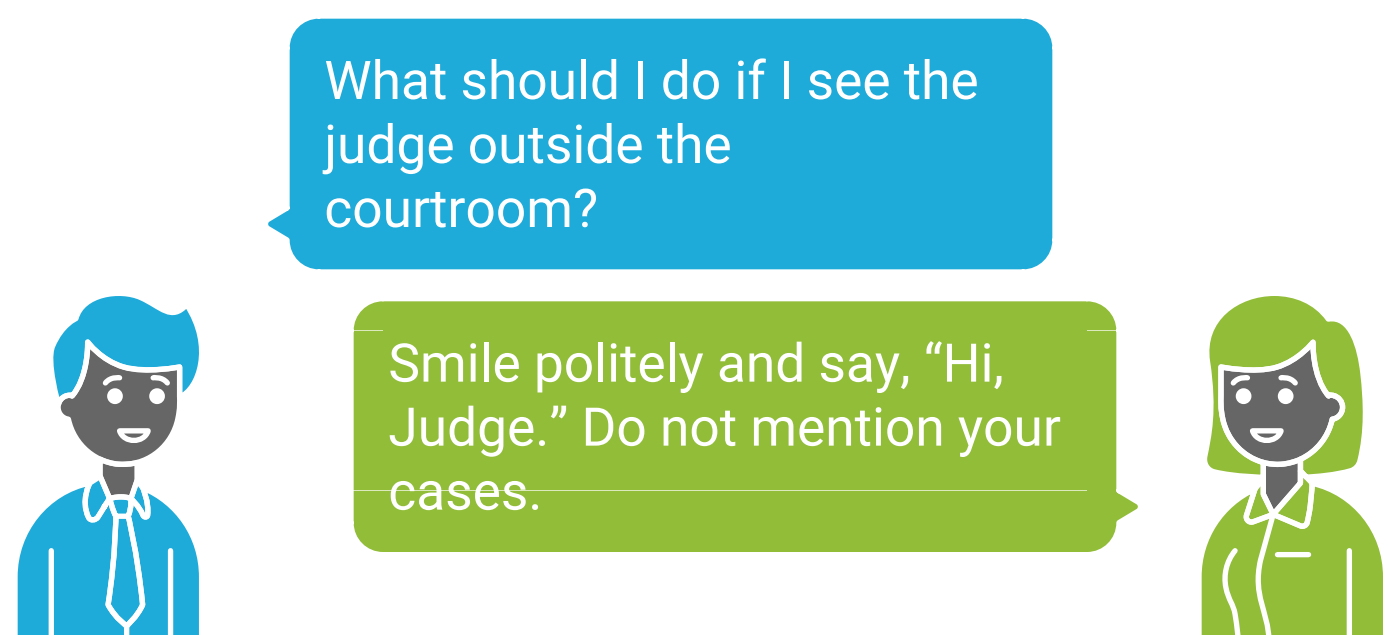
If you cannot attend, make sure you communicate your recommendations via report or, if shortened time, verbally, to your coordinator.



You might see the judge in the hallway, elevator, or grocery store.

Tip: smile politely, and say, “Hi, Judge.” Do not even mention your cases.

Interacting with a Judge Outside the Courtroom



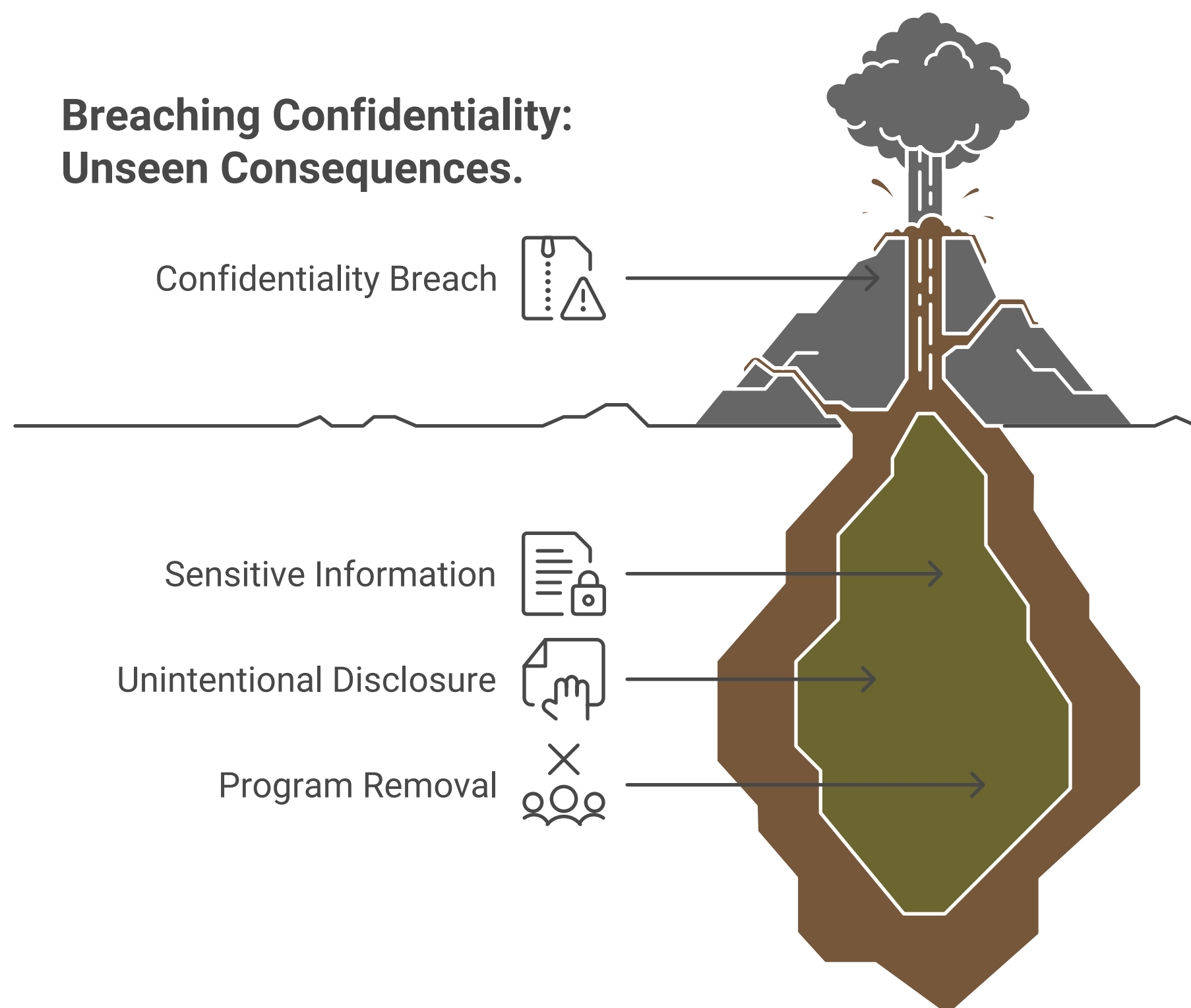
You are required to maintain the privacy of

You have access to extremely private information. It is very sensitive and must be treated accordingly.

If you breach confidentiality, 'even a little' or 'unknowingly', it must be addressed.

Breaching confidentiality, even unintentionally, will likely result in your removal from the case and possibly, the program.

Breaching Confidentiality: Unseen Consequences.



Kids can't linger in the system. Don't be the cause of any delay!

If you have information or a concern that needs attention, don't wait for the next court hearing. Talk to your coordinator.

Schedule to do your visits and phone calls in a consistent manner. Waiting until right before a court hearing to do this will result in an incomplete picture for the court.

If you are having trouble staying on top of your case, or you anticipate not being able to do so because of upcoming life events, contact your coordinator right away.

Child Advocacy Tips

What should I do if I have information or a concern?

Talk to your coordinator immediately. Don't wait for the next court hearing.

How should I schedule my visits and phone calls?

Schedule them consistently. Waiting until right before a court hearing will result in an incomplete picture for the court.

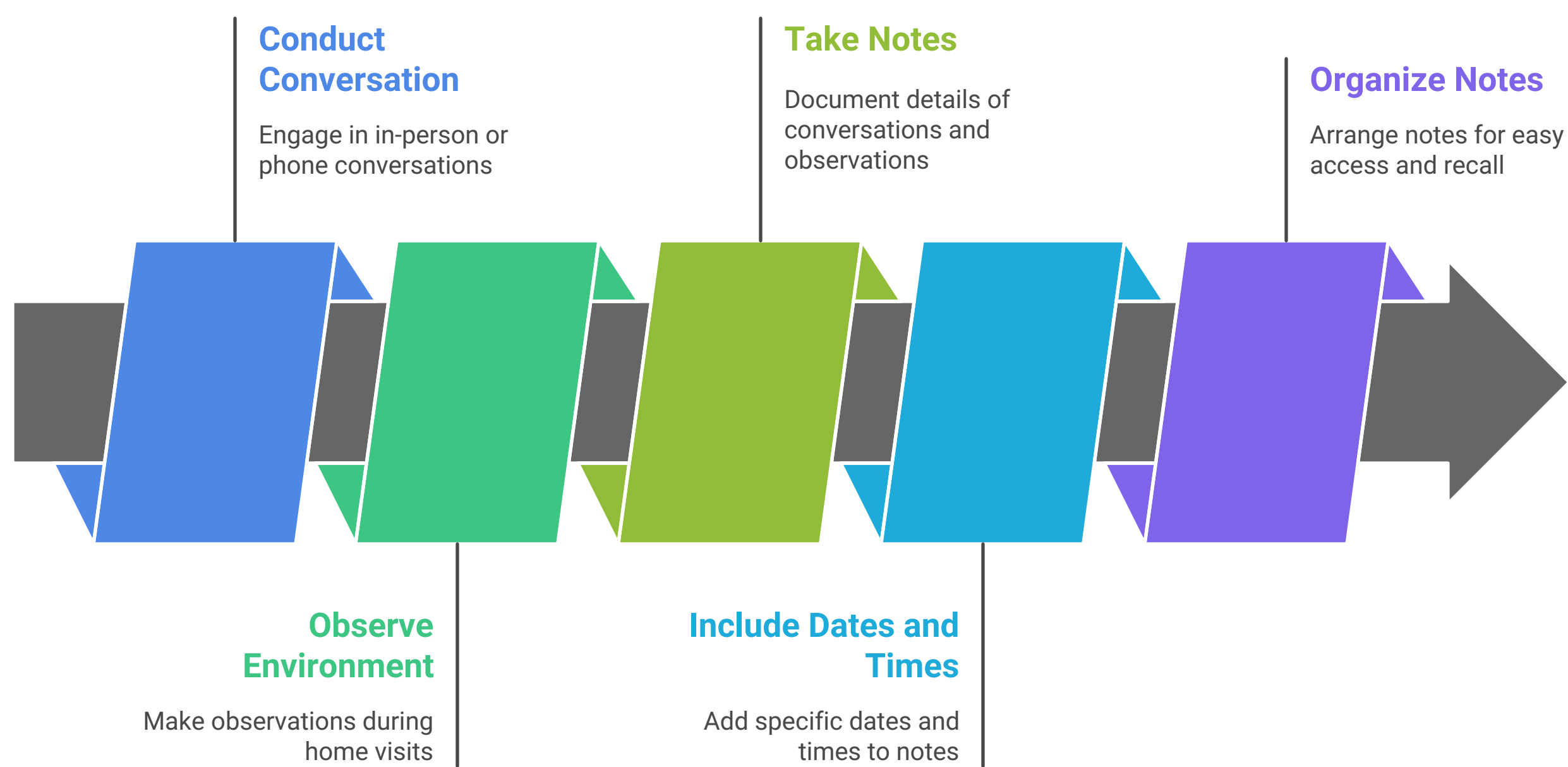
What should I do if I'm having trouble staying on top of my case?

Contact your coordinator right away.



Keep well documented notes of your in-person and phone conversations, home visits, and observations. • You might think you will remember something, but you need to write it down. • Make sure to include dates and times in your notes. • Organize the notes in a way that works well for you to easily access and recall them.

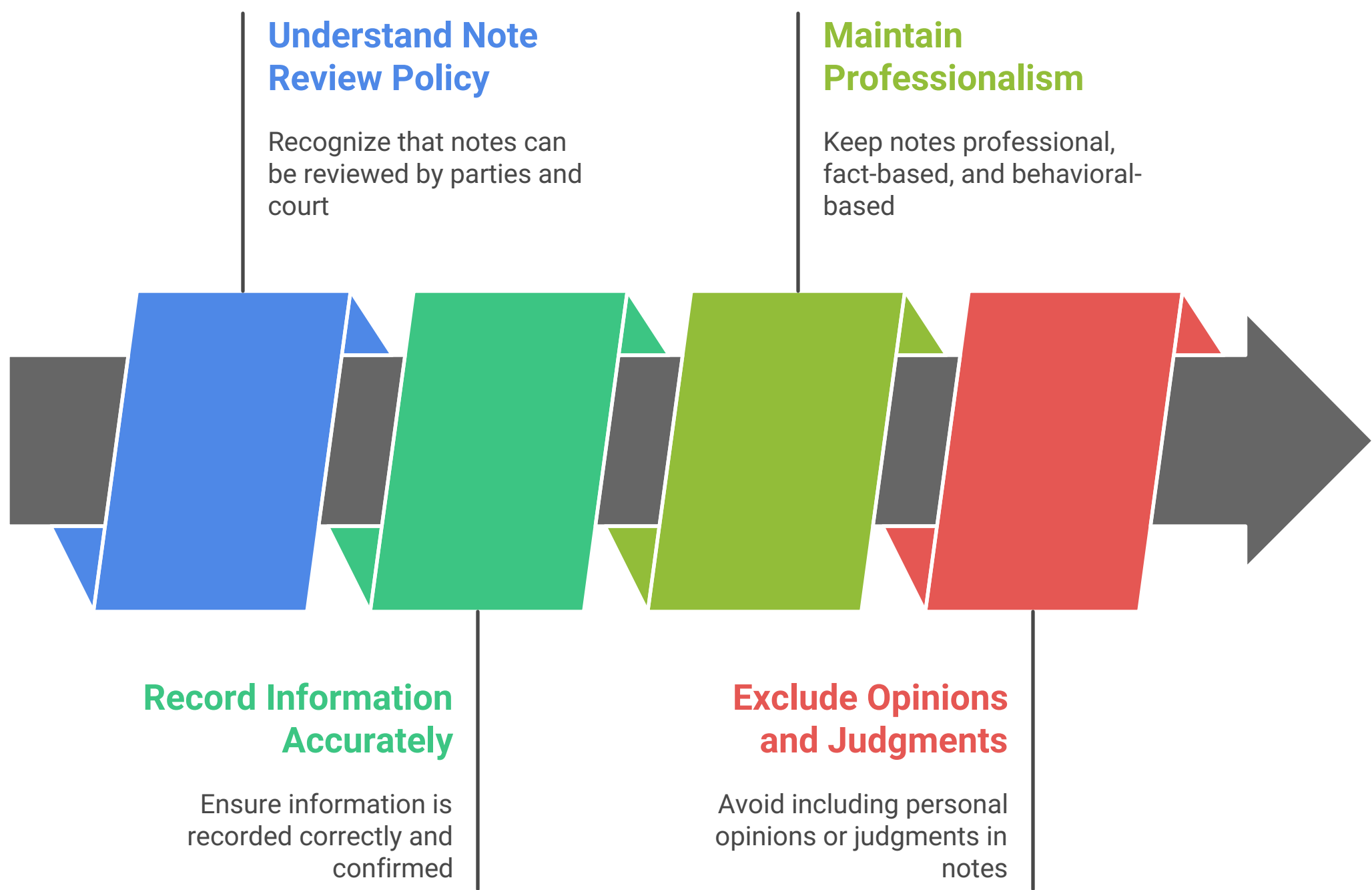
Effective Note-Taking Process



Keep in mind that the parties and court can request to review your notes at any time.

- Record your information accurately – repeat back to confirm, ask for clarification.
- Notes need to be professional, fact-based, behavioral-based. Keep opinions, frustrations, and judgments out of them.

Note-Taking Process for Child Advocacy



You log many hours on these cases. Keep a log and track them!
Similarly, keep track of any expenses (including mileage) accrued.

Child Advocacy Case Management

