THE CHILDREN’S ADVOCATE:
EVALUATING THE GUARDIAN AD LITEM PROGRAM FOR CHILDREN IN
NORTH CAROLINA’S ABUSE, NEGLECT, AND DEPENDENCY COURTS

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ABSTRACT

This study uses quantitative and qualitative data analysis to address whether the Guardian ad Litem (GAL) program helps abused, neglected, and dependent children in four judicial districts near Duke University: District 10 (Wake County), District 14 (Durham), District 15A (Alamance), and District 15B (Orange and Chatham). The GAL program is a volunteer-based advocacy program that provides local courts with information and recommendations about a child’s best interest based on independent investigations in order to help the courts determine the child’s permanent placement in a timely manner. North Carolina established the GAL program over 30 years ago to represent the interests of abused and neglected children by giving them a voice in court.

This study evaluates the GAL program’s success at meeting its goal to promote child welfare in North Carolina. By assessing data from the GAL program, the study suggests that the amount of time and attention given to each child’s case correlates with the amount of information the GAL program provides to the court and the length of time the cases remain open. Through interviews with judges, GAL volunteers, and program staff, the study explains the ways in which the GAL program helps children by assisting the court system. Finally, this study presents a series of recommendations based on the findings from the quantitative data and interviews regarding how the GAL program can improve its efforts and be more helpful to children. This study provides recommendations to respond to the limitations and strengths of the GAL program raised by quantitative and qualitative data. These recommendations address the program on a district level as well as larger statewide program procedures and funding levels.
INTRODUCTION

The GAL program is a court-administered program in North Carolina and other states that trains volunteers to advocate for a child’s best interest in Abuse, Neglect, and Dependency (A/N/D) (or District) Courts. The NC GAL program is part of a national program, known as Court Appointed Special Advocates (CASA), which represents children in these cases. In North Carolina, the volunteers, who are known as Guardians ad Litem (GALs), are responsible for collecting information by interviewing the child and other people involved in the child’s life in order to recommend to the court how its decisions can best serve the child. Since the program’s creation in 1983, few studies have evaluated how helpful the program is to North Carolinian children, although studies have evaluated other state programs and National CASA.

This study uses quantitative data from publicly available sources and qualitative information from interviews to address this question: does the North Carolina Guardian ad Litem program help the children it serves? Secondary questions follow: if the GAL program helps children, how does it do so and what kind of help does it provide?

The purpose of GAL programs is to provide a third party in the courtroom, investigate facts pertaining to the case, determine the needs of the child, and make recommendations in the child’s best interest. While this study hypothesizes that the GAL program does help children, evaluating the role of the GAL program in helping children is a necessary step to verify and ensure the program’s utility in four North Carolina judicial districts—District 10 (Wake County),

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1 In 2013, the researcher interned with an attorney who represents the GAL program in one of the counties included in this study. Through the course of the internship, the researcher attended A/N/D Court each week, managed case files, learned how the court procedure works, and observed how GAL volunteers are trained and what their responsibilities entail. However, the researcher’s observations were limited to one county and did not provide a broader basis to draw a conclusion about the benefit of the program to the children represented. This study resulted from curiosity about this experience with the GAL program.

2 The other two parties are the Department of Social Services and the children’s parents. The parties in these cases and their roles are described in depth on page 9.
District 14 (Durham), District 15A (Alamance), and District 15B (Orange and Chatham)—which are shown on the map in Figure 1.

![Figure 1](image)

In this study, “helping” children is defined as providing thorough, accurate, and useful information to the court that assists the judge’s decision for permanent placement; zealously advocating for the child’s best interest; and playing an active role in the court to efficiently reach the best possible decision for the child’s long-term well-being. This definition incorporates the goals of the GAL program and includes a method of evaluating how it influences the judges’ decisions. This study first makes use of quantitative data to analyze whether and how the GAL program helps courts efficiently resolve cases by looking at how often the program postpones court hearings and by how much time the program staff and volunteers can give to each case. Qualitative data from interviews provide the second method of assessing helpfulness—for example, whether or not judges use the information and recommendations provided by the GAL program in their decisions.

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By examining the role of the GAL program in helping abused, neglected, and dependent children, this study focuses on the program’s strengths and potential room for improvement. Its results reflect outcomes in four districts with different demographics and size of the at-risk child population. This study attempts to provide an analysis that is useful to the North Carolina General Assembly, the statewide GAL program, other district-level GAL staff members, and interested groups or individuals. The results present an analysis of a social program in order to augment its utility to North Carolina policymakers and citizens, and most importantly, to the vulnerable population of children it is intended to serve.

**PURPOSE OF THIS RESEARCH STUDY**

To the extent that quantitative data and qualitative information from interviews can point to specific benefits of the program, this study addresses whether the GAL program in these judicial districts meaningfully helps children. Data collected by the GAL program provide limited information about individual children or long-term outcomes; as a result, this study does not use longitudinal data or long-term outcomes of individual children after their cases close to evaluate how the GAL program correlates with improved outcomes—although that would be a study well worth undertaking. With the data available regarding how the GAL program handles open cases and by interviewing the people involved in the program, this study shows how the GAL program influences the progress of cases through the court system and how that influence helps children.

While the data collected in this study are limited (which is addressed in more detail in Chapter 3) and do not address long-term outcomes or the benefits of having a GAL volunteer for a child in a particular case, the study provides a better understanding of the general role of the GAL in determining the outcomes of the cases in Abuse, Neglect, and Dependency Court. The combination of publicly available data on case outcomes and testimony through interviews from
judges, court administrators, GAL attorneys, and GAL volunteers help this study present a conclusion about the helpfulness of the GAL program. The study addresses what the program does best to help children, and it presents a series of recommendations to further improve the GAL program. These recommendations extend to the GAL program at both a district and state level, to the district courts, and specifically to the North Carolina General Assembly’s future appropriations for the GAL program. This study provides evidence for the positive role that the GAL program plays by helping this vulnerable population of children in these judicial districts.
CHAPTER 1: DESCRIPTION OF THE GUARDIAN AD LITEM PROGRAM

The GAL program was established in 1983 by the North Carolina General Assembly to fill the role of the children’s advocate in A/N/D Court. GALs are volunteers from the communities where the children live. The phrase “ad Litem” means “for the court” in Latin. In legal jargon, the word “guardian” refers to an agent appointed by a court to protect the interest of a minor. Put together, the term Guardian ad Litem describes an agent of the court who protects and advocates for the best interest of a child throughout court proceedings.

Article 12 of the Juvenile Code under North Carolina General Statutes mandates the creation of a state level Guardian ad Litem program within the North Carolina Administrative Office of Courts (AOC) to help abused, neglected, or dependent juveniles throughout court proceedings and to train volunteers to fulfill these duties. The statute provides instructions for implementation at the county level, requiring that each district court administer a local program.

The GAL program is part of the AOC. The program operates in all 100 North Carolina counties and serves about 15,000 abused, neglected, or dependent children each year. The GAL program depends on volunteers who are trained and certified by the court. In 2012, the GAL program had 5,115 volunteers across the state. The program includes full-time staff in district offices, which include three regional administrators, 137 field staff, 75 paid GAL attorneys, seven staff attorney advocates, 90 conflict attorneys, as well as 150 pro bono attorneys.

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4 Appendix B contains relevant dates and developments in child protection history.
6 N.C.G.S. 7B-1201. Dependent children have no caretaker, or if they do, their caretakers are unable to provide basic care, resulting in the children’s dependence on the state for assistance and placement.
GAL volunteers are one of three integral parties in the courtroom when members of the community believe that a parent or guardian has mistreated his or her child. The second party is the Department of Social Services (DSS), which is a state agency that operates in each district, represents the State's interest in reunifying the family and protecting children, and intervenes in cases of child abuse, neglect, or dependency. DSS also provides services to the child and family while the children are under its care, such as placing the child in foster care, providing transportation to medical care and family visitations, and connecting caretakers with parenting classes and drug or alcohol abuse services and classes. The third party in each case is the parent(s) and any representation they hire or have appointed by the state.9

When a community member alleges the abuse, neglect, or dependency of a child, the county DSS investigates, and if evidence exists, DSS files a petition in A/N/D Court to review the facts and determine if a different permanent placement for the child is appropriate. DSS files a petition to open a new case when an allegation of abuse, neglect, or dependency meets the definitions listed in N.C. General Statute 7B-101.10 The statute applies to children and juveniles until the age of majority at 18 years of age. An abused child is one whose parent, guardian, or caretaker allows or inflicts a serious injury on the child when the injury is not accidental. This definition includes physical, sexual, and emotional abuse. A neglected child is one whose caretaker does not provide sufficient care, supervision, or discipline, or who has been abandoned by his or her caretaker. A dependent child has no caretaker, or his or her caretaker is unable to care for the child, resulting in the child’s need for assistance or placement.11 The recommendations of DSS and the GAL volunteer often align; however, while DSS represents the

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9 See supra Footnote 8.
10 See supra Footnote 6.
11 Id.
State’s opinion of the child’s best interest, the GAL advocates for the child from the child’s perspective, based on the GAL volunteer’s investigation and assessment.

The responsibilities of the GAL volunteers are to protect the child’s legal rights and promote his or her best interest. According to the North Carolina Manual for GAL volunteers and attorneys, volunteers are responsible for representing the child in any action in A/N/D Court; investigating the case to determine the facts, the needs of the child, and what resources are available within the family or community to meet these needs; helping to facilitate settlement of disputes; offering evidence and witnesses at the adjudication hearing; and providing recommendations to the judge during the dispositional hearing. These hearings are described in more detail below. After the judge decides the child’s permanent placement, the GAL is responsible for protecting and promoting the child’s interest until formally relieved of this duty by the judge. During this time, the GAL conducts follow-up investigations to make sure that court orders are followed properly and notifies the court if they are not.

GAL volunteers are trained and supported by the GAL administrative staff in their district. Each volunteer receives at least twenty-five hours of training on how to fulfill these responsibilities before being sworn in by the judge. GAL staff members are expected to closely supervise the volunteers and provide support and assistance. The state-level GAL administrative office offers training and guidelines to GAL staff and attorneys.

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12 See supra Footnote 5.
13 Id.
14 Id.
**PROCESS IN ABUSE, NEGLECT, AND DEPENDENCY COURT**

The judicial process of determining if a child has been abused, neglected, or dependent and what should be done to address the problem is lengthy and requires many stages and investigations to ensure that the child in the case receives sufficient care and attention and is put in the best possible permanent placement. Figure 2 provides a visual representation of this process. Additionally, the case study of Jane Doe presents an example of what a hypothetical child’s case might look like and the steps it would go through during this process.

When an allegation of abuse, neglect, or dependency comes to DSS, DSS begins an investigation and may remove the child(ren) for a brief time until a Child Planning Conference can be held to determine if the child can return home or should be placed elsewhere as the investigation continues. The GAL program and DSS investigate the case and compile evidence and recommendations that are included in court reports. In A/N/D Court, the judge determines if the allegations are true in the “adjudication hearing.” If the allegations are judged true, the judge uses the recommendations from these court reports to determine where the child should be placed and if any services should be provided to the child or family in the “disposition hearing.” Over the subsequent weeks and months, the court holds follow-up hearings to ensure that the placement and services are helping and to determine if the plan should change. If the parent has not met minimum requirements to provide for the child or express interest in reunification, the court may pursue a termination of parental rights (TPR) hearing to remove the parent’s legal rights and make the child available for adoption. These steps are described in more detail in Appendix C. Additionally, the template for the court report filed by the GAL program in dispositional hearings is included in Appendix D.

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16 See *supra* Footnote 6.
Figure 2

Juvenile Court Proceeding Chart

Temporary Custody Order

Child Planning Conference

Temporary Custody Hearing

A temporary custody order must contain that child's remaining in-home is contrary to further welfare. NC Statute requires a temporary (aka nonsecure) custody hearing be held within 7 days of removal.

Reasonable efforts determination to be made no later than 60 days after child's removal from home.

A/N/D Petition

Petitions where custody is not taken can have a CPC or proceed to Adjudication.

Disposition Hearing

Disposition usually held immediately (can be delayed 30 days to gather information).

PPH held 12 months from date of out-of-home placement or 30 days from date of no reunification order and at least every 6 months while child remains in care.

Review Hearing

Permanent Planning Hearing

TPR Petition

TPR Petition filed 60 days from date of PPH order determining TPR goal (or when child is in care 12 of last 22 months or within 60 days of finding child is an abandoned infant or that no further reasonable efforts required because the parent is guilty of a crime or serious maltreatment.

TPR Hearing

Post-TPR Reviews

Post-TPR Review held 6 months after TPR, then every 6 months until permanency is achieved.

Return Home
**Case Study: Jane Doe, age 7, Burlington, North Carolina**

Consider the hypothetical story of Jane Doe, a young girl from Burlington, who was placed in DSS custody because of allegations of sexual abuse by her mother’s boyfriend. At this time, the boyfriend was arrested, and Jane’s mother was instructed to cease contact with him. A DSS petition was filed and a GAL volunteer assigned to Jane’s case. Less than a week after being removed from her mother’s home, Jane’s case is heard before the Alamance District Court for a Temporary Custody Hearing to determine if Jane should be returned home temporarily. For this hearing, the GAL has conducted a preliminary investigation and filed a court report. Because the mother has not ceased contact with her incarcerated boyfriend as ordered, Jane remains in a foster home under DSS custody.

After a few weeks, the court holds an adjudication hearing to determine if Jane was abused or not. The GAL and attorney attend this hearing; the GAL submits a report for the judge. The court finds that the allegation was true. Next, the judge holds a disposition hearing to decide what to do in her situation. This hearing occurs later the same day, and both the GAL and attorney are still present. In the court report, the GAL suggests several services that Jane should receive, as well as a recommendation that permanent placement be found for Jane. Because Jane has received support from her grandmother before, and because the grandmother is willing to take Jane in, the GAL suggests that Jane move in with her grandmother. The judge orders that Jane move in with her grandmother, and DSS and the GAL begin looking more seriously into the suitability of this placement for Jane. The judge orders that DSS provide Jane with therapy to address the abuse. The judge orders again that Jane’s mother discontinue any contact with the perpetrator in order to work toward reunification with Jane.

After several months, the mother moves in with the perpetrator after his release from jail. Both DSS and the GAL note this change in the mother’s behavior in updated court reports, so the judge decides that reunification efforts should cease. After review hearings to check on Jane’s situation, the court holds a permanency planning hearing to finalize Jane’s housing. The GAL submits a report for this hearing and attends. The court grants legal custody to the grandmother. After two years of Jane living with her grandmother, Jane’s mother has continued to live with the perpetrator and has not attempted to provide for or reunify with Jane. The state files a petition to terminate the mother’s parental rights, and after the hearing, the judge grants the petition. The mother loses her legal rights as Jane’s parent, and the grandmother legally adopts Jane. The GAL still checks in with Jane and the grandmother for a few more months and reports to the court until the case is closed.

**Programs Like the Guardian Ad Litem Exist in Every State**

Under the federal Child Abuse Prevention and Treatment Act of 1974, every state has a program similar to the NC GAL program, although they operate differently and go by different
names. Each state program is part of an umbrella category, known as Court Appointed Special Advocacy (CASA). National CASA’s mission, “together with its state and local members, is to support and promote court-appointed volunteer advocacy so that every abused or neglected child can be safe, establish permanence and have the opportunity to thrive.” The Office of Juvenile Justice and Delinquency Prevention (OJJDP), an office within the U.S. Department of Justice, is the primary funding source for National CASA. The North Carolina GAL program is a state member of National CASA. It is one of 933 such community programs in the nation. National CASA and its member organizations have five primary goals, which are to:

- Ensure that every court system in the United States realizes the important role of CASA/GAL volunteers in achieving successful outcomes for children.
- Ensure that the CASA/GAL volunteer base reflects the diversity of the children for whom they advocate.
- Ensure potential donors to National CASA understand the importance of its mission.
- Ensure that government officials at every level understand the far-reaching impact that the CASA/GAL volunteers have on children and prioritize CASA/GAL programs.
- Ensure that every child can thrive in a safe and loving family setting.

Each state can design its own system for CASA or GAL volunteers, as long as there is an advocate for abused or neglected children required by state law. Because the federal Child Abuse Prevention and Treatment Act of 1974 did not specify how this program must be structured in order to receive federal funding, states have flexibility to design their own CASA/GAL programs. In some states, GALs are attorneys paid to represent the child in court; in others, trained CASA volunteers represent the child with an attorney present. However, this model does

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18 Id.
not require the attorney and CASA to work together or coordinate goals for the child’s best interest. In North Carolina, the volunteer and attorney are a team; the attorney for the GAL program is mandated to represent the volunteer’s suggestions loyally and accurately in court. North Carolina’s team approach is important for several reasons. As expressed in the interviews, some judges value the recommendations of GALs specifically because they approach cases with a different perspective as laypersons. Additionally, this approach increases the number of people within the GAL program working on each child’s case, as the system theoretically provides at least a staff member, attorney advocate, and volunteer for each case. These benefits are discussed in Chapter 5.

**Past Evaluations of the National GAL Program**

On a national level, the role of CASA/GAL advocates has a record of effectiveness, documented in several evaluations. A survey of studies compiled by National CASA found several different indicators of CASA volunteers’ helpfulness and effectiveness. According to this research, a child with a GAL/CASA representative is more likely to find a safe and permanent home. Children with a GAL/CASA are 50 percent less likely to re-enter foster care, and they are more likely to be adopted. They are less likely to have long stays in foster care and are more likely to have a plan for permanent placement.

Children with a CASA/GAL volunteer are also more likely to have better outcomes in other areas. These children receive more attention and guidance during their court procedures and are more likely to have a consistent and responsible adult presence in their life. They do better in school: they are less likely to have poor conduct or get expelled, and they are more likely...

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21 See supra Footnote 5.
to pass all of their courses. Finally, they score better on other protective factors, such as having access to models of conventional behavior, neighborhood resources, and interested adults; developing self-control against deviant behavior, a sense of acceptance, the ability to work with others and resolve conflicts, and a positive attitude toward the future; as well as valuing their own achievements.\textsuperscript{23}

\textsuperscript{23} See supra Footnote 22.
CHAPTER 2: CHILD MALTREATMENT IN NORTH CAROLINA

Many types of maltreatment result in a DSS response and petition to A/N/D Court in North Carolina and in other states. The list compiled by the U.S. Administration for Children and Families (part of the U.S. Department of Health and Human Services) includes emotional abuse, medical neglect, neglect, physical abuse, sexual abuse, and other types of maltreatment. The prevalence of these types of maltreatment in North Carolina is shown in Figure 3.

Figure 3

Types of Child Maltreatment in North Carolina

- Neglect
- Physical Abuse
- Sexual Abuse
- Medical Neglect
- Emotional Abuse and Other

KEY DEMOGRAPHICS OF CHILDREN IN A/N/D CASES

Some groups of children are overrepresented in the population of children in North Carolina who become victims of maltreatment or who are placed in foster care. In 2012, 2,286,528 children lived in North Carolina. 23,150 children were reported as victims of maltreatment that year (approximately one percent). The percentages of children who are victimized by maltreatment or put in foster care are not evenly distributed by age or racial groups. Children who end up in foster care are generally those who were most severely victimized by

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24 The prevalence of types of maltreatment is calculated from incidents across the United States.
maltreatment, as they were sent to a new location to prevent further maltreatment from occurring. Demographic information from North Carolina is included in Table 1.

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<th>Children by Age</th>
<th>Total Number of all Children in North Carolina*</th>
<th>Percentage of Total Population* (%)</th>
<th>Victim of Maltreatment+ (%)</th>
<th>In Foster Care on Last Day of FY (%) +</th>
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**Children by Gender**

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<th>Victim of Maltreatment+ (%)</th>
<th>In Foster Care on Last Day of FY (%) +</th>
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**Children by Race**

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<td>White</td>
<td>1,245,723</td>
<td>54.48</td>
<td>51.3</td>
<td>48.4</td>
</tr>
</tbody>
</table>

**Total Children**

<table>
<thead>
<tr>
<th>Total Number of All Children in North Carolina*</th>
<th>Percentage of Total Population* (%)</th>
<th>Victim of Maltreatment+ (%)</th>
<th>In Foster Care on Last Day of FY (%) +</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,286,528</td>
<td>100.0%</td>
<td>~100.0%</td>
<td>~100.0%</td>
</tr>
</tbody>
</table>

*Data retrieved from “Child Maltreatment 2012,” from the Administration for Children and Families.27
*Data retrieved from State Child Welfare Outcomes, from the Administration for Children and Families.28

Young children under age five make up the highest percentage of victims of maltreatment. The percentage of reported maltreatment generally decreases with age. Although

26 See supra Footnote 25.
28 See supra Footnote 25.
the age trend is not as pronounced for children in foster care, the percentage of children in foster care in the youngest groups—birth through four years—is higher than the population average.\(^{29}\)

African American, Native American/Alaska Native, and multi-racial children are at disproportionately high risk. While African American children only made up 23.4 percent of the child population in North Carolina in 2012, they comprised 30.2 percent of the victims of maltreatment and 34.3 percent of children in foster care (odds ratios of 1.29 and 1.46, respectively). Native American/Alaska Natives and children of multiple races are also disproportionately represented in foster care and maltreatment. Native American/Alaska Native children make up 1.27 percent of the total population, but comprise 3.0 percent of the victims of maltreatment and 2.4 percent of the children in foster care (odds ratios of 2.36 and 1.91 respectively). Although multi-racial children only comprise 3.74 percent of the total population, they make up 4.7 percent of maltreatment victims and 6.0 percent of children in foster care (odds ratios of 1.26 and 1.60 respectively).\(^{30}\)

**INFORMATION ABOUT THE NC CHILD WELFARE SYSTEM**

Children in North Carolina’s child welfare system fare better than their peers in most other states according to risk of re-entry into foster care, and they fare worse on duration of foster care placement. Children in foster care in North Carolina have a comparatively long length of stay in foster care at an average of ten months. The federal standard for length of stay in foster care is 5.5 months. The state is working to find solutions that will speed up the pace without causing other potential problems.\(^{31}\) However, North Carolina’s children are less likely to reenter foster care than in most other states. Nationally, about ten percent of children re-enter

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\(^{29}\) See supra Footnote 25.

\(^{30}\) Id.

foster care, while only four percent do in North Carolina.\textsuperscript{32} North Carolina performs better on re-entry rates than multiple other states that report shorter lengths of stay in foster care.\textsuperscript{33} Figure 4 shows the percentage of North Carolina children in foster care that exited the foster system for various reasons. As Figure 4 shows, the most common reason for exit from foster care was reunification with parents or primary caretakers; adoption was the second most frequent cause for exiting foster care in 2010.\textsuperscript{34}

\textbf{FIGURE 4}

\begin{figure}
\centering
\includegraphics[width=\textwidth]{foster_youth_exiting_foster_care_by_type_of_exit.png}
\caption{Foster Youth Exiting Foster Care by Type of Exit}
\end{figure}

\textsuperscript{32} See supra Footnote 31.

\textsuperscript{33} Id.

CHAPTER 3: STUDY METHODOLOGY

OVERVIEW OF METHODOLOGY

To assess if the GAL program is helping the children as it was designed to do, this study evaluates both quantitative and qualitative evidence. The NC Administrative Office of the Courts collects reports in its JWise database to monitor child protective services in the four judicial districts. Data that identify individual children and youth are not available because of national and state privacy laws to protect children, so this study relies on aggregate data. The quantitative data were supplemented by interviews with people who work with the GAL program in all four districts. The combination of quantitative and qualitative data allows the study to triangulate in assessing the GAL program. A brief summary of the methodology is included in Figure 5.

FIGURE 5

This study evaluates data from four judicial districts in North Carolina: District 10 (Wake), District 14 (Durham), District 15A (Alamance), and District 15B (Orange and Chatham).
Before comparing data regarding these districts, this study presents information on the differences among the GAL programs, especially regarding the resources they have, such as the number of staff and volunteers and funding levels. It assesses these resources in light of population and demographic information and also provides background on the source of quantitative data and how NC’s GAL program collects such data in its statewide JWise database.

**STAFF AND FINANCIAL RESOURCES VARY BY JUDICIAL DISTRICT**

The four judicial districts considered in this study vary widely in their demographics and population size. They have different levels of staffing and budgetary resources allocated to their GAL programs. Table 2 shows some of the relevant demographic differences among the judicial districts.

<table>
<thead>
<tr>
<th>Judicial District</th>
<th>County</th>
<th>Population in 2013</th>
<th>Percentage of population under 18</th>
<th>Median household income from 2008-2012</th>
<th>Population density (persons per square mile)</th>
</tr>
</thead>
<tbody>
<tr>
<td>District 10</td>
<td>Wake</td>
<td>974,289</td>
<td>25.3%</td>
<td>$65,826</td>
<td>1,078.8</td>
</tr>
<tr>
<td>District 14</td>
<td>Durham</td>
<td>288,133</td>
<td>22.1%</td>
<td>$50,997</td>
<td>935.7</td>
</tr>
<tr>
<td>District 15A</td>
<td>Alamance</td>
<td>154,378</td>
<td>22.9%</td>
<td>$44,155</td>
<td>356.5</td>
</tr>
<tr>
<td>District 15B</td>
<td>Orange</td>
<td>140,352</td>
<td>20.5%</td>
<td>$55,241</td>
<td>336.2</td>
</tr>
<tr>
<td></td>
<td>Chatham</td>
<td>66,817</td>
<td>20.6%</td>
<td>$57,793</td>
<td>93.1</td>
</tr>
</tbody>
</table>

District 10 (Wake County) has the largest population and a much higher population density, 1,078.8 persons per square mile. In contrast, District 15B (Orange and Chatham Counties) are the least populated and have the lowest population density at 336.2 persons per square mile in Orange and 93.1 persons per square mile in Chatham. District 10 (Wake) is the wealthiest district in terms of median household income, followed by District 15B (Orange and Chatham Counties). District 15A (Alamance) has the second lowest population and population density, and it has the lowest median household income. District 10 (Wake) has the highest percentage of the population under 18 years of age, while District 15B (Orange and Chatham)
has the lowest percentage of the population under 18. These data points indicate the size of the population that might come into the jurisdiction of A/N/D Court and require the assistance of the GAL program. The data also hint at the level of resources each district has and the number of people to whom these resources must extend.

The GAL program in each judicial district has a different number of children in the care of the program, number of full-time staff members and budget size. These differences, shown in Table 3, correspond roughly to the size of the population in each district, although the number of children in each district in DSS custody may also reflect underlying social problems in the districts (a hypothesis that falls outside the scope of this project).

<table>
<thead>
<tr>
<th>Judicial District and County</th>
<th># of Children in DSS Custody</th>
<th># of Children in Custody per 1,000 Children</th>
<th># of Volunteers</th>
<th># of Staff</th>
<th>Staff Breakdown</th>
<th>Funding for FY 2013-14</th>
</tr>
</thead>
<tbody>
<tr>
<td>District 10 (Wake)</td>
<td>913</td>
<td>3.7</td>
<td>478</td>
<td>8</td>
<td>1 District Administrator</td>
<td>$575,756.24</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4 Program Supervisors</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2 Attorney Advocates</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1 Program Assistant</td>
<td></td>
</tr>
<tr>
<td>District 14 (Durham)</td>
<td>318</td>
<td>5</td>
<td>173</td>
<td>4</td>
<td>1 District Administrator</td>
<td>$325,398.96</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2 Program Supervisors</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1 Attorney Advocate</td>
<td></td>
</tr>
<tr>
<td>District 15A (Alamance)</td>
<td>175</td>
<td>4.9</td>
<td>61</td>
<td>2.5</td>
<td>1 District Administrator</td>
<td>$183,643.87</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1 Program Specialist</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1 Contract Attorney*</td>
<td></td>
</tr>
<tr>
<td>District 15B (Orange and Chatham)</td>
<td>332</td>
<td>7.8</td>
<td>147</td>
<td>3.5</td>
<td>1 District Administrator</td>
<td>$238,503.20</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1 Program Supervisor</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1 Program Specialist</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1 Contract Attorney*</td>
<td></td>
</tr>
</tbody>
</table>

*Part-time employees are counted as 0.5 staff members in this chart.

As shown in Table 3, Wake County has the largest number of volunteers, children, and staff, as

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well as the largest budget. The smaller counties, which have fewer children in custody, volunteers, and staff, have correspondingly smaller budgets. The data on appropriations by district are available from the State of North Carolina General Ledger System.  

**Quantitative Data about the GAL Program**

Data regarding North Carolinian children with A/N/D petitions come from a database called JWise. JWise is a statewide juvenile court data management system that stores data from several user groups. Family Court staff, Juvenile Court clerks, Court Improvement Project staff, GAL staff, and Family Drug Treatment Court Staff use JWise to store data about juvenile court proceedings. The GAL program began storing data in JWise in FY 2011. GAL staff members record data about court activity, GAL volunteer assignment, juvenile placement information, and permanency outcomes; non-GAL users have limited access to this information.

Although JWise is a statewide court information tracking system, most of the records come from district courts. Since 2008, a uniform coding system has allowed districts to enter information about juvenile cases into the system in a consistent way that allows for comparisons and analyses across the state and between districts. Each case record in JWise contains: (i) demographic data, such as name, address, race, gender, date of birth; (ii) case-related data, such as case file number, initial filing date, related parties; and (iii) legal allegations data, such as date pled and adjudication and disposition results. This type of identifiable data is protected and was not available for use in this study. Annual GAL reports from JWise contain the number of GAL

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36 The data on children and volunteers are available from the JWise database. The information about staffing was acquired directly from the GAL state office in September 2014.  
38 Id.  
39 Id.  
40 Id.
volunteers, children in custody, cases opened, and cases closed during the fiscal year. It also contains the number of cases closed for particular reasons and the number of the types of hearings and court actions. These aggregate data are publicly available and are the basis for much of the analysis below.

**Analysis of Quantitative Data Allows Assessment of the GAL Program**

Data are available from each of the four districts about children in A/N/D Court who have GALs assigned to their case. The data acquired from A/N/D Court county records include every child in each county who was reported as *abused or neglected* and had a case petitioned by DSS. By statute, cases of dependency do not require representation by a GAL, but the judge has discretion to appoint one in these cases. In every case of abuse or neglect, the state is required to assign a GAL to represent the best interest of the child throughout the A/N/D court process. When there are not enough volunteers to cover each child’s case, GAL staff and administrators work on the cases without volunteers. This study uses data that primarily includes only cases of abuse or neglect, unless a GAL was assigned to a dependency case.

Although data pertaining to individual children in the court systems are limited, the aggregate data provide helpful information about how the GAL program handles open cases and how the cases are resolved by A/N/D court. Other data points include the number of open cases, the number of volunteers, and how long cases typically remain open (as suggested by the presence of continuances). The districts run their programs similarly, but the ratio of the number of open cases to the number of volunteers varies dramatically among districts. The difference in this ratio between districts may affect how much time and attention each child receives from their GAL. The study later describes the hypothesis that this ratio may affect the quality of service the volunteers provide. The researcher calculated the ratios of volunteers to open
A/N/D cases and recorded them in the findings of this study (Chapter 4).

**QUALITATIVE EVIDENCE COLLECTED THROUGH INTERVIEWS**

This study also collected district-specific data through interviews to assess the perceived benefits of the GAL program in the four judicial districts. Thirty staff members or volunteers associated with the GAL program were interviewed. Interviews were conducted among four primary groups: district court judges, GAL staff members, GAL attorneys, and GAL volunteers. Approximately equal numbers of people from similar positions in the four districts were interviewed. Semi-structured interview questions were drafted to elicit information about the GAL program. The questions were incorporated into a “script” that was submitted to the Duke non-medical research Institutional Review Board and approved as a protocol in May 2014 [Protocol # C0354]. Interviewees in each category were interviewed similarly, using the same questionnaire to avoid biasing the answers. The interview protocols are included in Appendix E. Interviewees were initially contacted by email or phone or through the assistance of GAL staff. The initial contact scripts are also included in Appendices F and G.

Each interview lasted approximately 30 minutes, based on five to ten questions. The interviews were conducted in person at a location convenient for the interviewee. The interviews were recorded, and notable information from the interviews was transcribed for subsequent use. Each interviewee signed a consent form before the interview, and they were given information about the researcher and the research question for this study. The consent form is included in Appendix H. Each interviewee was guaranteed the opportunity to remain anonymous; quotes attributed to an individual are presented with their consent. Attributed quotes from the three judges interviewed are included. These quotes provide an opportunity for the district GAL programs to hear what the judges think. The quotes about the judges’ observations of the GAL
program also provide support for the conclusion of this study because the study directly hears from the judicial authorities with ultimate responsibility for child welfare decisions.

The thirty interviews were divided relatively equally among districts. Table 4 shows the breakdown of interviews by district and position.

<table>
<thead>
<tr>
<th>Judicial District</th>
<th>County</th>
<th># of Interviews</th>
<th># of Judges</th>
<th># of Volunteers</th>
<th># of Staff</th>
<th>Breakdown of Staff Interviewees</th>
</tr>
</thead>
<tbody>
<tr>
<td>District 10</td>
<td>Wake</td>
<td>7</td>
<td>1</td>
<td>3</td>
<td>3</td>
<td>District Administrator, Attorney Advocate, Program Coordinator</td>
</tr>
<tr>
<td>District 14</td>
<td>Durham</td>
<td>8</td>
<td>1</td>
<td>4</td>
<td>3</td>
<td>District Administrator, 2 Program Supervisors, Program Coordinator</td>
</tr>
<tr>
<td>District 15A</td>
<td>Alamance</td>
<td>7</td>
<td>1</td>
<td>3</td>
<td>3</td>
<td>2 Program Specialists, Contract Attorney</td>
</tr>
<tr>
<td>District 15B</td>
<td>Orange/Chatham</td>
<td>8</td>
<td>0</td>
<td>5</td>
<td>3</td>
<td>District Administrator, Program Specialist, Contract Attorney</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td></td>
<td><strong>30</strong></td>
<td><strong>3</strong></td>
<td><strong>15</strong></td>
<td><strong>12</strong></td>
<td></td>
</tr>
</tbody>
</table>

Because each judicial district has a different number of staff members, for some districts every staff member was interviewed, while in others only a sample was interviewed. For example, District 10 has four program coordinators, but only one was interviewed. It has two program attorneys who work full time, and one was interviewed. However, District 15A only has the two staff members and the one attorney, so all staff members in District 15A were interviewed. Because staff members in the same role have the same job descriptions and similar objectives, interviewing only a portion of the staff members in District 10 and District 14, which are the larger judicial districts, still provides a representative overview. Staff from each judicial district can provide valuable insight into the program’s ability to benefit children and the court system from a more objective perspective than the volunteers, as they supervise hundreds of cases and work more closely with the court system and DSS on a daily basis. They can generalize from years of observation of hundreds of cases instead of the more anecdotal observations of volunteers who see fewer cases each.

Volunteers have the most variable background, training, and personal goals among the
interview cohorts. The variability includes how long volunteers have been affiliated with the GAL program, as the length of time spent as a volunteer correlates with the amount of experience and training they have received. In each judicial district, both volunteers with long periods of service (over eight years) and short periods of service (under two years) were interviewed. These are arbitrary measures of the length of service, but distinguishing short- and long-term GAL volunteers is an indicator of how many cases they have witnessed and the extent of their experience with the program. A volunteer with more than eight years of service may have seen more than five individual cases; they also have eight years of observations of other cases in the courtroom while they waited for their case to come up on the docket. Long-term volunteers tended to give a wider overview of the program in their interviews, while volunteers with shorter periods of service spoke primarily in anecdotes based on their exposure to a smaller number of cases, typically less than five.

Each of the interviews presents valuable information from individuals who have been involved with the GAL program. While in most cases, the interviews cannot objectively point to particular benefits that occurred specifically because of the presence of a GAL volunteer, each interviewee’s experience is personal and informative. The subjective nature of information obtained during the interviews is an important facet of this research. Evidence about the impact of the GAL program includes the narratives of those directly involved in it on a daily basis. Interpreting that evidence must be done with care, particularly regarding claims about causation, but the qualitative evidence deepens insight into the human experience with the program and about its effectiveness beyond information available in JWise statistics. Anecdotes and personal observations complement quantitative data about the GAL program and enrich the evaluation.
LIMITATIONS ON ANALYSIS FROM GAL DATA

Many variables contribute to the outcome of individual cases that are seen in A/N/D Court. While the GAL program is one of these variables, with a few exceptions that emerged from examples in the interviews, the GAL program is difficult to isolate as the independent variable in a case that caused a specific result to occur. For example, the judges described only a few cases where the GAL made a decisive argument that changed their minds. Judges explained that typically the GAL and DSS present similar recommendations. In those cases, neither the GAL or DSS specifically changed the judge’s mind; instead, their combined efforts helped the judge. Other confounding variables include the role played by the parents, other family members and friends, DSS attorneys and social workers, therapists, doctors, foster parents, adoptive parents, etc. Demographic variables that may be important include the child’s age, race, level of educational attainment, health, mental health, nutrition, family income, and the presence of other resources or risks, as well as the child’s own response to interventions.

The study is thus limited in the extent to which it can conclusively say that the GAL program caused specific results. It is, however, an evidence-based evaluation of the role that the GAL program plays in helping children as they experience A/N/D Court proceedings and as they adjust to the permanent placements assigned by the Court. It can also inform those involved in the court system about the benefits that the GAL program affords. By studying aggregate data supplemented by interviews that systematically included key participants, a picture emerges about the role of the GAL program. Although causal inferences could be made much more readily if longitudinal data for individual cases were available for all the relevant outcomes, the picture is nonetheless clear enough to make conclusions about the GAL program, and to point to some possibilities for improvement in each district, in the statewide GAL program, and in the North Carolina child welfare system. These recommendations are included in Chapter 6.
CHAPTER 4: QUANTITATIVE FINDINGS AND ANALYSIS

Based on quantitative data, it appears that the ability of each district to help children through the judicial process depends predominantly on the resources of the court system and the GAL program to provide enough time and attention to each child in each case. The amount of time and attention necessary vary by case, but each case requires at least a minimum of one contact with the child per month and a basic investigation into the child’s circumstances. Analysis of the number of continuances, which are postponements of a case’s hearings, and ratios of children (and cases) to GAL volunteers and staff provides an indicator of how the program operates and also frames the findings from qualitative research. GAL effectiveness correlates with caseload and resources in each district.

Each district has a different number of children in DSS custody, the number of volunteers, the number of staff, and funding, which are summarized in Table 5. Part-time employees are counted as half a staff member for this chart because they spend approximately half of their work time on the GAL program (the part-time employees are attorney advocates who are hired by contract for the districts). The data on children and volunteers are available from the JWise database. The information about staffing was acquired directly from the GAL state office. Funding information came from the State of North Carolina General Ledger System. Table 5 notably shows that the number of staff and budget constraints varies widely between judicial districts and corresponds with larger numbers of children and volunteers.

<table>
<thead>
<tr>
<th>Judicial District</th>
<th>County</th>
<th># of Children in DSS Custody</th>
<th># of Volunteers</th>
<th># of Staff</th>
<th>Funding for FY 2013-14</th>
</tr>
</thead>
<tbody>
<tr>
<td>District 10</td>
<td>Wake</td>
<td>913</td>
<td>478</td>
<td>8</td>
<td>$575,756.24</td>
</tr>
<tr>
<td>District 14</td>
<td>Durham</td>
<td>318</td>
<td>173</td>
<td>4</td>
<td>$325,398.96</td>
</tr>
<tr>
<td>District 15A</td>
<td>Alamance</td>
<td>175</td>
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<td>$183,643.87</td>
</tr>
<tr>
<td>District 15B</td>
<td>Orange/Chatham</td>
<td>332</td>
<td>147</td>
<td>3.5</td>
<td>$238,503.20</td>
</tr>
</tbody>
</table>
CONTINUANCES OF CHILD WELFARE CASES

Because one of the shared goals of the GAL program, DSS, and A/N/D Court is to find a permanent placement for each child in a timely manner, any information about the aggregate duration of cases is an indicator of the system’s timeliness and efficiency. The number of continuances is only an indirect indicator, not a direct quality measure, as described further in the next paragraph. Individual cases may vary in length due to the complexity of the case and the time constraints of the parties, but data on continuances show what percentage of cases in a judicial district are postponed and demonstrate changes in the number of continuances over time. Although data about the duration of individual cases were not available, the courts track continuances allowed in cases with a GAL volunteer. Information about continuances can provide an indirect measure of how many times the cases in a given judicial district are pushed back or postponed. Data about continuances from 2005 to 2013 were available from JWise and the Guardian ad Litem Automation database system that predated JWise.

A continuance is a postponement of a hearing or action in a case; it is proposed through a motion by one of the parties to a case, and it must be approved by the judge and agreed to by the other parties. Although some instances of a continuance in civil court may be required by statute, most continuances requested in district court regarding a case of abuse, neglect, or dependency may be accepted at the discretion of the judge. The judge must determine whether the continuance will be prejudicial to any of the other parties to the case, whether the other counsel is willing to postpone the hearing, and whether granting the continuance will be conducive to providing justice.41 There are several reasons that an attorney may request a continuance and have their request granted, such as to obtain other evidence or testimony, to seek more time for preparation of the case, to change who is serving as counsel to the case, or to postpone because

41 17 Am. Jur. 2D Continuance § 3 (2014).
of illness or death of the counsel or counsel’s family. Cases may also be continued because of a lack of time to reach every case on a judge’s docket.

Continuances are not inherently negative, and they are not a direct quality measure of helpfulness, but they can have positive or negative effects on the parties involved in a case. In cases of illness, continuing the case is reasonable and helpful to the attorneys in the case and to the judge, who would benefit from the evidence and testimony they could produce in court. If an attorney is unprepared and needs more time in order to better represent the child, DSS, or the child’s parents, continuing the case to a later date may actually benefit the child and the court system by allowing the parties to provide more complete and accurate information. In some circumstances, a longer duration of a case might be best. However, several potential problems exist with continuing a case. By definition, continuances extend the duration of a case. A large number of continuances suggests that a backlog of cases exists in a district’s judicial system; it can indicate that cases are postponed because either the judge or the attorneys do not have enough time for all the cases before the court. An increase in the number of continuances over time may suggest that the court is not operating as efficiently as possible, or that caseload has exceeded capacity, and that it takes longer than expected to resolve the continued cases.

Many people may be willing to accept that court systems take a long time, but children often experience protracted cases acutely. For a young child who has been put in custody of the state until the court can determine the child’s final placement, a continuance means a few more months of uncertainty and wondering why the child cannot visit mom or return to a placement with siblings. A few months in the perspective of a child matters a great deal, and because of the court system’s emphasis on permanently placing children in a timely manner, trends in continuances can provide an indirect measure of whether the court system on the whole helps the children efficiently. Figures 6 and 7 show trends in the number of continuances since 2005:
These tables show mixed trends in continuances over time for the four judicial districts. For District 10 (Wake) and District 14 (Durham), both the total number of continuances and the number of continuances as a percentage of total hearings have increased since FY 2008-09. District 14 saw a more dramatic increase in the number of continuances, while District 10 had a less pronounced upward trend. District 15B, including both Orange and Chatham Counties, saw a slight increase in the number of continuances since 2008, but continued hearings as a percentage of total hearings actually decreased since 2005. District 15A (Alamance) presents the most notable divergence from the upward trend. While the number of continuances is higher
now than in 2005, and the continued hearings as a percentage of the total is four percentage points lower than in 2005, there was a dramatic decline in the number of continuances between 2010 and 2011. By FY 2012-13, the number of hearings and the continued hearings as a percentage of the total hearings once exceeded the FY 2010-11 statistics.

There are several potential explanations for the steep one-year decrease in District 15A. Between FY 2010-11 and 2011-12, the number of children represented dropped from 211 to 170. The number of total hearings decreased from 1,008 to 845. Although the tools and information to show a causal connection are not available for this study, there may be a correlation between the decrease in the number of total cases and hearings with the number of continuances, as the number of staff members remained the same and the number of volunteers actually increased during that time. The correlation between the number of children and total hearings is consistent with the findings of increased continuances in the other counties as well. Districts 10 and 14 experienced dramatic increases in the number of hearings between 2010 and 2011. Appendix I contains Table 7, which shows the number of total hearings, continued hearings, and the percentage of continued hearings in the four judicial districts. The dramatic decrease of continuances in District 15A is also apparent in Figure 8, which graphs the number of continuances divided by the number of cases in each district. As shown in Figure 8, in some districts, notably District 14, there has consistently been at least two continuances per case with a GAL assigned. District 15A fluctuated dramatically, but has had as many as three continuances per case in 2012-13. District 15B consistently had the lowest ratio of continuances to cases over time, although it has increased slightly since 2010.
With this in mind, it appears that the increasing number of children with a GAL volunteer assigned to their cases has correlated with an increased number of postponements of cases, which means a longer duration of most cases.

This suggests that cases are not primarily postponed to help the court reach better decisions but because the court system is overwhelmed. This conclusion was confirmed in interviews with judges and attorneys, who stated that they had seen an increasing number of continuances in their districts as a result of the system being overwhelmed. This is a problem for children involved in these cases, but it is not a problem directly caused by the GAL program or one that could be solved by the GAL program alone. Increasing the number of GAL volunteers and staff members could address part of this problem. During an interview with one staff member, she followed up her request for more staff members with this comment:

I know in our county we have a lot fewer continuances than in most jurisdictions, which is a really positive thing, so I feel like the court process is sort of like a big machine, and every now and then it breaks down or gets clogged up, but it is what it is. When you really sit back and look at the volume of work we do here, it’s pretty amazing with the number of hearings and number of court reports.

According to the staff, the level of continuances corresponds to the number of children and cases, and additional staff could help reduce the continuances requested by the GAL program. However, to best serve children involved in A/N/D Court to reach permanent placements in a
timely manner, it would also be helpful to increase the capacity of DSS and the district courts by expanding their staff or resources in order to reduce the number of continuances they request. While this recommendation is beyond the scope of this study, continuances affect each party in the court and can be caused by any party in the court. Therefore, each party and the system as a whole could better serve children by increasing the capacity and resources of all parties.

**Ratio of Cases to GAL Volunteers**

Another way to evaluate the helpfulness of the GAL program is to look at the ratio of the number of cases for children in DSS custody to the number of GAL volunteers and staff members in each district. This ratio is important because it can serve as a proxy measure for the amount of time given to each child’s case by volunteers and staff in a given district, based on data from interviews with staff members and volunteers. When the ratio of cases to volunteers is high, the researcher hypothesizes that it negatively affects the amount of time and attention given to each case, which may have an effect on the quality or level of detail of information provided to the court in the report.

Consider, for example, a GAL volunteer who has a full-time job, as do several of the interviewees from different districts that participated in the study. In order to complete the court report, the volunteer, who has a finite amount of available time, may need to take time off work to visit the child with the DSS social worker or to visit medical providers, school counselors, or therapists during their workday. In an interview with a GAL volunteer in District 15B (Orange/Chatham), the volunteer explained,

I can only see [the children] once a month because I work full-time. I’ve got two kids, so it’s hard to get out to Mebane where they are. It’s about a 45-minute drive, so I send them cards during the month… There are lots of retired volunteers, there are some stay-at-home mom volunteers, there are a variety of different levels, and [the GAL program] has been great to give me just one case, but I don’t have as much time as I would like to
be at every meeting I need to be at for these kids or to see them as often as I do. My own kids are jealous of them, which is pathetic.

If a volunteer is assigned to cover a second case, the volunteer may not be able or willing to request more time off from work. With this time constraint, the GAL volunteer must divide time away from work between two cases. This may influence the level of detail the volunteer includes in the court report.

Figure 9 shows the ratio of individual children to GAL volunteers in the four districts. District 15A (Alamance) has consistently had the highest ratio of children to volunteers, while District 10 (Wake) usually had the lowest ratio. However, the ratio of children to volunteers in District 10 has increased each year. In District 14 (Durham) and District 15B (Orange and Chatham), the ratio has decreased each year. In each district, the ratio tends to fluctuate with the number of new cases of children opened during the year, as the number of volunteers in most districts has remained stable. District 15A is the exception, as it experienced a marked decrease in the number of volunteers in 2013, which helps explain its highest ratio in FY 2012-2013. The researcher did not find an explanation for the decrease in the available data or through interviews.
This study looked more closely at the ratio of *cases* to volunteers (as opposed to children to volunteers). This is a more realistic measure of volunteer effort because each case can include more than one child in DSS custody. Typically all children from one family are included in one case, so a volunteer could potentially have a case involving one child or several children. The workload is determined more by case than by child. Therefore, when a volunteer has more than one case, that volunteer may have many children to include. At least some of the information included in each court report will be the same for each child. The volunteer typically investigates and makes notes when children in the case have different needs.

Since 2010, the ratios of cases to GAL volunteers in the four districts have fluctuated between a high of three cases per volunteer in District 15A (Alamance) in 2013 to a low of one case per volunteer in District 10 (Wake) in 2011. Figure 10 illustrates the changes over time in the ratio of cases to volunteers. From 2010 to 2013, District 10 maintained the lowest ratio of cases per volunteer, but District 14 (Durham) has kept its ratio low since January 2013. District 15A experienced a peak in its ratio in July through September 2013, which coincides with a large number of volunteers leaving the Alamance program in that period. District 15B (Orange/Chatham) maintained a fairly level ratio.
Another indicator of the attention each child and case receives from the GAL program is to look at the percentage of open cases that have a GAL volunteer assigned. The GAL program would like to assign a volunteer to every open case—100 percent coverage—however, for most districts, the ability to cover each case depends on the availability of volunteers. When additional cases are opened, each volunteer is assigned as many cases as they are able or willing to take. When districts do not have enough volunteers, staff members must conduct the investigations and cover the unassigned cases themselves because state law requires the GAL program to advocate for each abused or neglected child. Figure 11 shows the changes in the percentage of cases covered by GALs in the districts from July 2010 to June 2014.

As shown in Figure 11, three of the districts have experienced pronounced fluctuation in the percentage of covered cases in the last four years, with the exception of District 10 (Wake), which has consistently remained at or near 100 percent coverage. District 15A (Alamance) experienced the most dramatic fluctuation in coverage, and it experienced the lowest coverage percentages of the four districts at approximately 75 percent. According to interviews with the staff members in District 15A, the staff has little time to work on recruiting and retaining volunteers because they are busy covering unassigned cases. This is in part a cyclical problem:
the district has few volunteers because it is busy covering existing cases, so it does not recruit or retain volunteers, and because it does not work on recruitment and retention, it has insufficient volunteers, so the problem perpetuates. District 14 (Durham) has maintained a relatively consistent coverage percentage at around 95 percent, while District 15B (Orange and Chatham) has seen more fluctuation but remained over 80 percent.

**Ratio of Cases to GAL Staff**

The problem of heavy caseloads for staff members affects each district, not just District 15A. Consider the scenario of a program supervisor, a staff member who was hired to supervise the volunteers as they conduct their investigations and prepare their court reports. Suppose, as is actually the case in District 10, that four program supervisors are responsible for overseeing 913 children in custody, 478 GAL volunteers, and 607 cases. Each supervisor then has 119 volunteers who are representing approximately 152 cases (228 children). If the district has an 80 percent coverage rate instead 100 percent, then 122 cases would be unassigned, so the four staff members must personally investigate and complete court reports for those 122 cases. To meet statutory requirements, each program supervisor must supervise 119 volunteers and complete cases for 30 or 31 unassigned cases. It seems probable that the staff would not have enough time to thoroughly investigate each unassigned case.

In comparing the coverage percentages and the number of staff members in each district, this hypothetical situation is not implausible. Additionally, during the interviews with staff members, I learned that program supervisors are overwhelmed by their regular supervisory roles, even without the additional cases that they must cover. When one staff member in Wake County was asked what she would change about the GAL program to improve it, she responded:

Additional funding to hire someone new… I mean… I sometimes kind of lose sleep worrying about things like I wish I had more time to give to every single case, to be able
to call that Guardian and say, hey talk to me about where things stand, bat around ideas, brainstorm… They know how busy we are, and sometimes Guardians are reluctant, “Oh, I didn’t want to call you, I know how busy you are,” so we’ve gotten to the point where it’s more and more difficult to manage the caseload. So more funding, even one more supervisor would make a tremendous difference. And that is solely for that goal of keeping the children first.

When you look at the ratio of children in custody to the number of staff members, the ratios suggest that staff members must oversee large numbers of children’s cases. In District 10 (Wake), there are eight staff members for 607 cases (913 children); however, only the four program supervisors are tasked with supervision of cases and will cover unassigned cases. The other four staff members have different roles; one is an office administrator, two are attorneys, and the last, the district administrator, oversees the staff and works on training, retention, recruitment, and other services for the volunteers. Thus, in District 10, there are 152 cases (228.25 children) per program supervisor.

In districts other than District 10, all staff members (excluding attorneys) undertake supervisory roles. According to In re J. H. K. and J. D. K., the GAL volunteer, staff members, and attorney advocates have overlapping job duties. The statutory requirement for GAL representation does not specify which particular staff members must perform duties,42 so in practice, the task of representing children is split between staff and GAL volunteers.43 Based on interviews with the attorney advocates, the attorney advocates and contract attorneys typically are not involved in investigations; they help after the investigations are complete to make sure the court reports are ready for court and they appear in court to present the cases. It is thus reasonable to calculate the ratio of children to full-time staff minus attorney advocates. Under

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42 With the exception of some duties assigned to the attorney advocate, such as appearing in court and signing motions and pleadings.
that assumption, there are 64.7 cases per investigative staff member in District 14 (Durham), 50 in District 15A (Alamance), and 55 in District 15B (Orange and Chatham).

However, this only indicates the ratio in staff members’ supervisory roles. When the coverage percentages are considered, the responsibility of each staff member increases—not numerically, but in terms of the amount of time dedicated to the children already within their purview. Based on the coverage percentages in June 2014 and the number of cases in June 2014, there were approximately this many unassigned cases in each county: three unassigned cases in District 10, five in District 14, eight in District 15A, and 23 in District 15B. In Wake, the additional burden of unassigned cases is light—less than one case per program supervisor. However, each Wake program supervisor supervises 152 cases for about 227 children already. In Durham, the staff would each take one or two additional unassigned cases, in addition to their supervision of about 65 assigned cases. In Alamance, the staff would each take four cases, while supervising the 50 cases. The burden of unassigned cases is greatest in Chatham and Orange Counties, where staff already supervises about 55 cases apiece, while covering seven or eight unassigned cases each.

High ratios of cases (and children) to volunteers coupled with the problem of unassigned cases placing a higher responsibility on staff poses a potential challenge to completing thorough investigations and providing enough information for the district court to make the best decisions possible for the children. Based on interviews, staff members are willing to take additional cases and adjust to cover every child; however, children would be better served if each county were to put more time and attention into volunteer recruitment and retention in order to reach the goal of 100 percent GAL representation. These additional volunteers would lower the ratio of children to volunteers, while raising the coverage percentage and lowering the burden of unassigned cases on staff. Moreover, the ability to hire one more program supervisor (or
similarly tasked staff member) in these districts would alleviate each staff members’ supervisory role and give them more time per assigned case, as well as more time to conduct the investigations and prepare reports for remaining unassigned cases.
CHAPTER 5: QUALITATIVE FINDINGS AND ANALYSIS

The Guardian ad Litem program, despite its limitations described in the previous chapter, helps children by helping the court work better on their behalf and providing them with a voice. However, the program’s primary mode of providing help is indirect, by supplying the district court judges with more complete, thorough information about each child’s circumstance, wishes, and best permanent placement. The program accomplishes this by conducting independent investigations, presenting a unique perspective unhampered by organizational policies, and communicating its recommendations clearly. During this process, the GAL program helps more than just the children; it also helps their parents, the courts, the communities, and the volunteers themselves. In this chapter, the findings from the 30 interviews are presented to explain how this study’s conclusion was drawn from the experiences and observations of the interviewees.

THE GAL PROGRAM BENEFITS CHILDREN

Although the previous chapter demonstrated some of the limitations of the GAL program in the judicial districts, the interviews presented a more positive assessment of the program's role in helping children. While the interviewees addressed the problems, the staff members and volunteers also provided a detailed description of how the program addresses those limitations and introduced other methods of measuring the program’s helpfulness without quantitative data. During the interviews, the staff, volunteers, and attorneys with the GAL program almost unanimously agreed that the program helps children; the two who expressed ambiguous responses qualified their lack of certainty by saying they do not know if the judges use their reports. According to these two interviewees, they would be able to believe the program is helpful if they knew the judges listened to their opinions and incorporated the findings from GAL court reports into their decision-making process. These two interviewees pointed to a
meaningful distinction between asking an advocate if their job is worthwhile and asking the court system that makes decisions for the child if the advocacy actually helps the child.

Although it is commendable that the people involved in the GAL program believe they help children and are passionate about this cause, the most objective source of information available from qualitative research comes from the judges’ observations and experiences. During data collection, three judges were interviewed—Judge James Roberson from Alamance County (District 15A), Judge Monica Bousman from Wake County (District 10), and Judge Nancy Gordon from Durham County (District 14). Each of these judges, in response to the question, “Do you think there are benefits from the GAL program,” responded positively. In his interview, Judge Roberson stated,

I personally think there is great value to the Guardian ad Litem program. I love seeing a volunteer who has a whole different perspective than the professional who is reviewing the same situation, and vice versa, to give me a new set of eyes… When I get two points of perspective, it moves toward a point that helps me focus on what to do. Many times the child is not even in the courtroom, many times the child is too young to even verbalize, and so I want somebody defending that child’s perspective.

According to Judge Bousman in Wake County,

There are instances in which I know that child’s life would not be as good as it is without that Guardian ad Litem. We have a situation in this county where a child was… medically devastated by the injuries that were inflicted by an adult… [He] was under one [year old]. His family has nothing to do with him. The Guardian ad Litem has been with him since day one. He is in an institutional facility because of his injuries, and his Guardian ad Litem visits him on a regular basis. She makes sure he has birthday cake—even though I’m not sure he understands what a birthday is. She has purchased equipment he needs that Medicaid would not purchase to try to bring some joy to his life. She is absolutely a remarkable individual and has essentially taken this child on… [She] makes sure there are adults in his life who let him know he is worthy, that he is treasured, that he is loved. He would not ever be able to tell me that, but I know that to be the case.

Finally, Judge Gordon in Durham County described, “There are tremendous benefits from the Guardian ad Litem program. The court benefits, the parties benefit from it, the children benefit from it, the families benefit from it, everybody benefits from the Guardian ad Litem.”
While these judges all expressed in clear terms that the GAL program benefits children, they emphasized different ways in which the program helps. Judge Roberson mentioned how the program provides an alternative perspective in the courtroom that helps him make decisions on behalf of the child. Judge Bousman expressed her opinion that children are better off because of the GAL program than they would be otherwise, and Judge Gordon simply expressed that the program helps a wide variety of people through its service. In the following sections, quotes from the interviews will expand on each of these ways that the GAL program helps children.

THE GAL PROGRAM PROVIDES AN INDEPENDENT VOICE FOR CHILDREN IN COURT

As Judge Roberson described, part of the GAL program’s helpfulness stems from its provision of a different perspective in court. This difference arises from several sources—the GAL program’s distinction from DSS’s role, the independent investigation it conducts, different organizational policies, its role as a watchdog for children, and GAL volunteers’ communication skills—and the differences help children by providing the judges with distinctive interpretations of the situations and alternative recommendations on how to help children. The perspective provided by the GAL program, according to Judge Roberson, is particularly helpful in contested cases. Each of these sources is described in more detail below.

By definition, the GAL program is distinct from the Department of Social Services; they provide different services and play different roles. As a result, each provides the judges with a unique interpretation of a case. This information is important to the court’s ability to make the best possible decision. Without information from the GAL program and DSS, judges would have no information about the cases, and they would have to obtain this evidence in court. Judge Roberson described how valuable the information provided by GAL investigations is to him:

Without that information, we are in the dark; judges are completely in the dark… They take volumes of information and try to summarize it without trying to leave out
important information that doesn’t support their position. In other words, they give us the good, the bad, and the ugly. But then they also give us the recommendation they have based on that information, and it’s up to me to take that and sort it out and decide if I agree, if I disagree.

During the course of an investigation, GAL volunteers are instructed to maintain independence from the DSS social worker in order to find as much information as possible without merely repeating what the DSS social worker wrote in a different court report. Judge Gordon from Durham County described, “The Guardian ad Litem is in a really unique position. They get access to all the records, which not everybody gets access to, and not everybody knows to ask for, so they present a context that is very different and very helpful to me understanding what options I can take in terms of what’s best for the child going forward.”

Because the social workers and GAL volunteers work under different time constraints, one may have time to talk to a teacher or medical provider who helps the child that the other party missed. As volunteers, GALs often have more time to talk to more people involved in the child’s life in order to give the court a more complete picture of the problems in that child’s life and what range of solutions are available. As described by a GAL staff member, unlike social workers, who typically have ten to 15 cases at a time, volunteers usually have one to two cases. As a result, most volunteers are able to give more time to their investigations and court reports. Especially with more time available for investigations, the judges and staff members who train volunteers expressed that this independent process provides the most complete information possible to assist judges, assuming volunteers follow the training (in interviews, each volunteer described his or her role as a GAL as requiring an independent investigation and distinguished between the roles GAL and DSS). Volunteers can also act as a watchdog to point out when they think something is going wrong or that information is missing, as several volunteers pointed out in their interviews. GALs help children by providing independent information and making sure all details are included.
Additionally, the judges and some volunteers suggested that because the program is volunteer-based, volunteers are not constrained by as many departmental policies; they can suggest creative solutions and more expensive services for the children and their families. As shown in the quote below, DSS focuses on reunifying families, according to its departmental policy. DSS also must pay for services provided to the children and families, so cost of services may influence what DSS recommends in order to stay within its budget. According to Judge Roberson, part of the programs’ different perspectives arise from policy constraints:

The Department of Social Services has a lot of statutory responsibilities and certain goals and policies that the local GAL group doesn’t have to meet. I couldn’t enunciate all of those, but sometimes their duties sort of end, but there is still a need that you think needs to be met, and the Guardian ad Litem is not bound by those same statutory constraints or policy constraints… That’s where we were [in this past case], with the Department of Social Services saying, we have now met the definitions that we have to follow, and I said, I understand that, but I am agreeing with the Guardian ad Litem on this: that we need to monitor this for another three months… And that’s an example of seeing it from the child’s perspective versus the Department’s. Every county has a Department of Social Services and it has so much responsibility heaped on it. I’m just amazed they can do as well as they do with that kind of responsibility and so many cases to deal with. But that’s an example of how they have some constraints because they are a big organization with statewide policies, and the Guardian ad Litem has a bit more flexibility in providing recommendations.

Some of the volunteers expressed their understanding that while compiling their court reports, they are not limited to suggest services or options that easily fall within the state budget or within someone else’s guidelines. As Judge Roberson described, the GAL program is more flexible.

Furthermore, the policy differences guiding DSS and the GAL program result in a different emphasis on what is the best outcome in these cases. DSS must focus on family reunification and providing services to the entire family, while GALs are instructed to look only at the child’s best interest. According to a staff member in District 15B,

The volunteer doesn’t have to focus on the parents; they’re focused solely on the child… Our volunteers are advocating for kids who… might not gain all the benefits that they need in order to succeed and to thrive while they’re involved in this very complicated system if they did not have an added voice. It is very easy for the parents’ needs to dominate because they are the adults and have… identifiable needs that are very obvious.
Sometimes the guardian is… the only one who is focusing on the child’s individual needs and what their wants are and what will make them have a less traumatic experience through this judicial system.

While DSS has to think about what is most beneficial for the entire family and everyone in it, the GAL volunteer is instructed to focus only on what will help the child. In practice, this can result in different recommendations from DSS and the GAL program in the court reports to the judges. As seen in Judge Roberson’s earlier quote, he did not assign a value judgment to their different policies or emphases. He later described in his interview,

The Department of Social Services has its focus on families, and it starts out with the concept of reunification. We want to help the family repair itself and make it safe so the child can return. The Guardian ad Litem may have part of that as a goal, but the main goal is to give me a focus based solely on the needs of the child. Not on what the parents want, what the relatives want. Those are factors, but that’s not the focus. The focus is: is this child receiving services, is this child’s needs being met, is this child progressing? Developing? How has the child responded to a new development versus another?

Judge Roberson saw a unique value in the perspective of the GAL because of its exclusive focus on the child. In general, the benefit to the children seems to result from having both policies and emphases providing information from the separate perspectives and investigations.

The GAL program benefits children indirectly in court by communicating well in the court reports and in the hearings. First, the GAL program speaks from a unique standing in the courtroom, according to Judge Gordon, that has resulted in the program speaking from a more neutral tone. She described,

It is my experience that Guardians ad Litem tend to express things in less adversarial or off-putting ways. There is a way to say something that is palatable to somebody that says exactly the same thing but it wouldn’t be palatable if you said it in a different way—It’s not what you say but how you say it. And the Guardian ad Litem seems to have the luxury of doing that. Perhaps because the attorney for the Guardian ad Litem is a little bit removed from the client. With DSS, the social worker is the client, in whatever weird way that works, and the parents’ lawyers are representing, so it’s a position that can be, in my observation, pivotal in negotiations.

Because the GAL program speaks diplomatically and is more neutral, Judge Gordon explained that the program has a special ability to help in negotiations.
Additionally, the GAL program helps judges simply by expressing itself clearly in the court reports in a way that the judges can easily understand. Judge Roberson explained,

The history [in the court report] shows me not only the history of the case but the history of the court proceedings, which brings me immediately up to date and tells me who the players are. It’s done in somewhat of a bullet format until it can’t be done in that format. And that’s how I receive information best: in a bullet format. If it’s in a long narrative, like reading *War and Peace*, I might miss something deep down in the middle as I try to read over it. Now that takes a great skill and training because you don’t want to leave out important information that gives you the flavor of the case just for the sake of brevity, so it’s not so much that it’s briefer, it’s the presentation—you know everyone receives information differently, most folks that can read narratives can also do just fine with bullet points. A lot of folks who receive information mainly by bullet points don’t do so well with big narratives, so you might as well do the common denominator and present it in a format that’s easily understood. And in the end, they are very straightforward with recommendations.

Because the judges do rely heavily on information from the GAL court reports, the judges find that the GAL program’s ability to communicate well helps them by making their deliberation process easier. This is especially true in contested cases, where DSS and the GAL program disagree, because a well-expressed argument for the GAL’s recommendations is simply easier to use than a poorly written court report.

**THE GAL PROGRAM HELPS CHILDREN AND THE COURT**

The GAL program makes children better off by providing them with a voice of their own and by helping the court system work more efficiently on their behalf. GAL volunteers see themselves as the only person in a child’s situation devoted specifically and wholly to that child—to represent what the child wants and needs to the judge. One volunteer from Orange County explained, “I think that… in their life—a life that feels like some people have dropped the ball for them and let go of them and disposed of them in some ways—knowing there is someone out there that cares… makes a difference for them.” The volunteers hope that children who are old enough to know what is going on and to understand their own desires will appreciate having an
advocate in court for them. When the parents and the state have attorneys, the interviewees repeatedly expressed their belief that older children appreciate having a voice of their own in court. By acting as this voice for children, the GAL program can help the children directly, but it also helps the judges know specifically what the child wants and needs. Judge Roberson explained, “Many times the child is not even in the courtroom, many times the child is too young to even verbalize, and so I want somebody defending that child’s perspective.”

Additionally, the GAL program helps by speeding up the process in court. Although, as described in the previous chapter, the GAL program has seen an increase in continuances and faces some limitations in its ability to spread its services among all the children in the court system, it provides a necessary role. Judge Bousman described how she would have to obtain all the information provided by the GAL program herself in hearings through witness testimony if it were not for court reports compiled for GAL volunteers. Their efforts, even when limited, save the court large quantities of time and allow for faster decisions than would otherwise happen without the program. She stated,

Those reports are really important. You know how often we have to review those cases. If I did not have a court report, then a review hearing—in order for me to get all the information I need—would take hours. We can’t devote hours and hours and hours to every review. There are only so many hours in the week. I was counting this morning, I think I have 20, 21 reviews next week, and that’s in addition to all the new adjudications I have, all the Termination of Parental Rights cases I have… So we set time limits for the reviews unless someone says it’s going to take longer. My ability to read the report outside of court shortens the hearing because I don’t need direct testimony because of all the things I can find in a report.

By decreasing the burden on the court to collect information, the GAL program allows judges to move through cases faster without losing the ability to conduct thorough investigations.
THE BENEFITS FROM THE GAL PROGRAM ARE WIDESPREAD BUT FOCUS ON CHILDREN

Because of these unique qualities and abilities, the GAL program helps more than just children, according to the judges and interviewees associated with the program. According to a quote earlier from Judge Gordon, the GAL program helps everyone: children, their parents, the community, and the court. The volunteers and staff also indicated that the program benefits them, as they derive value from dedicating their time to a cause in which they believe. However, in accordance with the GAL program’s purpose, the most important group of beneficiaries is the children. During interviews with volunteers, they expressed several additional reasons why they believe the program is beneficial. These reasons are included because they provide an understanding of how volunteers approach their role as advocates for children, and also because judges might not know about the attitudes guiding GAL volunteers during investigations.

The ways in which the GAL volunteers approach their cases explain how these volunteers intend to help children. First, GAL volunteers believe that they help children most by providing them with a voice in court. They let the child know that someone advocates for them, while providing information to the judge from the child’s perspective. Secondly, GAL volunteers are trained to balance their personal concern for the child in the case with the need to remain objective and interact with the case from a distance. Based on the interviews, volunteers care deeply about the children they represent. However, they also recognize that they need to be objective in order to represent the children well, as getting emotionally involved in a case could limit the way they assess potential placements or reunification.

Finally, the GAL staff and volunteers overwhelmingly expressed their opinion that the program is able to help children as well as it does because of the quality of individuals associated with the program. The volunteers almost unanimously said their respective program supervisors, attorneys, and district administrators were the GAL program’s strength. Conversely, the staff
each said in separate interviews that the quality of work done by their volunteers makes the program work well for children. Although the program’s perception of itself cannot directly show any benefit to children, it demonstrates how the volunteers and staff explain the reason that they are helpful to children. These qualities—providing a voice, caring about the children while maintaining enough distance from the case, and relying on passionate, qualified staff and volunteers—are what the GAL programs point to as the explanation of their ability to help children.

The GAL program benefits a wide group of people, but it particularly benefits children by helping the court work better on their behalf by providing more complete information from independent investigations in clearly communicated terms, by presenting recommendations from a flexible perspective not bound by organizational policy, by advocating exclusively for the child, and by helping the court system to work more efficiently. The GAL appears to help children in these communities by providing useful information and recommendations to the judges, but as shown by the quantitative data, each judicial district has some constraints on how thoroughly they can help every child. A series of recommendations regarding how the GAL program can improve its ability to help children follows.
CHAPTER 6: RECOMMENDATIONS FOR THE GUARDIAN AD LITEM PROGRAM

Through the series of interviews with GAL volunteers, administrators, attorneys, and district court judges, several recommendations for improving the GAL program repeatedly surfaced. Some of these recommendations require structural changes, which are dependent on increased funding, such as more staff members and the ability to reimburse volunteers for mileage. However, some recommendations simply consist of slight internal recalibrations within each judicial district that could either improve efficiency or the quality of the GAL volunteers’ efforts or improve the experience of the volunteers, which will hopefully promote future recruitment and retention. All these recommendations will improve the program; however, each is presented with the ultimate goal of providing the best help to children in these districts.

While most of the recommendations presented here were voiced during interviews, the study does not present every recommendation heard. Some of the recommendations offered in interviews were excluded because they were outside the scope of the GAL program’s influence or because they might not improve the program, based on observations of court proceedings and evidence from interviews. After evaluating the limitations of the GAL program, as described in Chapter 4, some recommendations were reached independently, such as ways to increase the court system’s speed; provide more focus on recruitment, retention, and training; and achieve 100 percent coverage of cases. Recommendations to adjust court reports to meet the judges’ wishes were included because the judges stated they would find the information from the GAL program more helpful with these changes. Finally, recommendations on how the GAL program functions internally, such as what information it provides in trainings, were included to address concerns voiced by volunteers and staff members about their capability to best help children.

Ideally each district can benefit from seeing how other districts run their programs and their ideas for improvement. However, some of the recommendations described, especially
those regarding structural changes, or changes in the state budget and district court procedure, are not within the Guardian ad Litem program’s control. They are mentioned to emphasize how larger structural changes could help the program better advocate for children and assist the courts to make weighty decisions about the fates of children. The recommendations are summarized in Table 6, along with the impact, feasibility, and cost of implementing these changes. The recommendations are organized by the judicial district or entity to which they are directed. Within each district or entity, recommendations are ordered from the most feasible to least feasible under current funding systems, with the exception of recommendations to the North Carolina General Assembly and District Courts. Recommendations for these last two entities are organized from low cost to high cost; when the recommendations are in the same cost range, they are organized by importance.

<table>
<thead>
<tr>
<th>Area</th>
<th>Recommendation</th>
<th>Impact</th>
<th>Feasibility for GAL Program</th>
<th>Cost to GAL Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>District 10 (Wake County)</td>
<td>Training on how to understand when court rejects recommendations</td>
<td>Encourage volunteer retention by providing perspective on how judges make decisions and evaluate GAL recommendations.</td>
<td>High</td>
<td>Low</td>
</tr>
<tr>
<td></td>
<td>More staff</td>
<td>Provides more time per staff member to train volunteers, review cases, and cover unassigned cases.</td>
<td>Low</td>
<td>High</td>
</tr>
<tr>
<td>District 14 (Durham County)</td>
<td>Include pictures of children with court reports</td>
<td>Allows the judges to see what the child looks like while they deliberate.</td>
<td>High</td>
<td>Low</td>
</tr>
<tr>
<td>District 15A (Alamance County)</td>
<td>Investigations of child's progress in school for court reports</td>
<td>Gives the judges more information about how the child is responding in a different situation to see if services and placements are working well for the child.</td>
<td>High</td>
<td>Low</td>
</tr>
<tr>
<td></td>
<td>Email follow-ups with volunteers</td>
<td>Allows staff to ensure that basic volunteer requirements are met without taking much time from other staff responsibilities. Ensures basic care for the children.</td>
<td>High</td>
<td>Low</td>
</tr>
<tr>
<td></td>
<td>Offer more informal training, such as the buddy system or brown-bag lunches</td>
<td>Creates a low-cost training system to help new volunteers learn from experienced peers or from other people involved in child welfare locally. Also creates a feeling of community for volunteers.</td>
<td>High</td>
<td>Low</td>
</tr>
</tbody>
</table>

44 Some of these changes would be feasible and could be easily implemented with more funding, such as increased staff and greater focus on training, recruiting, retention, and community awareness.
<table>
<thead>
<tr>
<th>Action / Initiative</th>
<th>Description</th>
<th>District 15B (Chatham and Orange Counties)</th>
<th>NC GAL State Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff office hours</td>
<td>Creates a structured time when volunteers with flexible schedules can meet with supervisors in person without taking time away from staff members’ other duties.</td>
<td>High</td>
<td>Low</td>
</tr>
<tr>
<td>Emphasis on recruitment and retention</td>
<td>Creates a larger pool of volunteers to assign to cases and helps volunteers gain experience by volunteering for longer periods of time. Reduces the number of unassigned cases and potentially increases time and attention per case.</td>
<td>Medium</td>
<td>Medium</td>
</tr>
<tr>
<td>More staff</td>
<td>Provides more time per staff member to train volunteers, review cases, and cover unassigned cases.</td>
<td>Low</td>
<td>High</td>
</tr>
<tr>
<td><strong>District 15B (Chatham and Orange Counties)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Continue emphasis on diversity recruiting and training.</td>
<td>Allows volunteers and staff to better understand the racial and cultural background of children and their families. Results in more tailored recommendations for placement and services.</td>
<td>High</td>
<td>Low</td>
</tr>
<tr>
<td>More staff</td>
<td>Provides more time per staff member to train volunteers, review cases, and cover unassigned cases.</td>
<td>Low</td>
<td>High</td>
</tr>
<tr>
<td>Collaboration among judicial districts (especially between staff members)</td>
<td>Encourages best practices across districts, fosters community between staff, and increases awareness of training opportunities for volunteers in adjacent districts.</td>
<td>High</td>
<td>Low</td>
</tr>
<tr>
<td>Increased diversity recruitment and cultural sensitivity training</td>
<td>Allows volunteers and staff to better understand the racial and cultural background of children and their families. Results in more tailored recommendations for placement and services.</td>
<td>High</td>
<td>Low</td>
</tr>
<tr>
<td>Provide more information to volunteers about the DSS process and the overlap of roles between programs</td>
<td>Responds to requests for this training. Provides volunteers with (or remind them of) information about how their role differs from social workers’ and how they should work together in investigations.</td>
<td>High</td>
<td>Low</td>
</tr>
<tr>
<td>More training for volunteers on how to hold sensitive conversations with older children</td>
<td>Increases volunteers’ confidence and ability to broach difficult topics with the children, and makes volunteers more likely to have these conversations.</td>
<td>High</td>
<td>Low</td>
</tr>
<tr>
<td>Increased community awareness of the GAL program and recruitment</td>
<td>Potentially increases the number of recruits and the financial donations from the community, such as through “Friends of the GAL” organizations.</td>
<td>High</td>
<td>Medium</td>
</tr>
<tr>
<td>Support for volunteers who work full-time</td>
<td>Increases the diversity of the volunteer pool (and diversity of perspectives). Increases opportunities to volunteer with the program to a greater number of potential volunteers.</td>
<td>Medium</td>
<td>Unclear</td>
</tr>
<tr>
<td>100 percent case coverage across the state</td>
<td>Ensures each child’s case receives adequate attention from a volunteer; allows staff to focus on supervisory roles instead of covering unassigned cases.</td>
<td>Medium</td>
<td>Medium</td>
</tr>
</tbody>
</table>
Increasing independence of GAL investigations from social workers

<table>
<thead>
<tr>
<th>Increasing independence of GAL investigations from social workers</th>
<th>Provides more complete information to the judges, allows for private conversations with older children, and minimizes potential for GAL volunteers to simply reuse DSS information.</th>
<th>Medium</th>
<th>Medium</th>
</tr>
</thead>
</table>

NC General Assembly Appropriations

| Travel reimbursements for GAL volunteers | Creates opportunities for more diverse and less wealthy volunteers to participate in the GAL program. Reduces the financial burden on volunteers. | Medium |
| More funding in judicial districts to hire more staff for GAL program | Allows each staff to supervise a smaller number of volunteers and cases, which allows them to pay more attention to details and focus on training, recruiting, and retention of volunteers. | High |
| Competitive pay for GAL staff (especially attorneys) and state-appointed representation for parents | Recruits more qualified staff and attorneys to this field and retains their service and experience for longer periods of time. Reduces financial incentives to seek other career paths. | High |

NC District Courts

| One judge per case until case closure | Provides continuity so that judges do not require background information about each case; judges follow cases from beginning to end, which allows them to develop more informed, nuanced opinions. | Low |
| Provide order of cases on the docket before court hearings | Supports full-time volunteers by giving them a time estimate for when they should appear in court. Reduces the time burden for all volunteers on their court days. | Low |
| Data sharing between juvenile justice and A/N/D court databases | Facilitates research about interactions between juvenile delinquency and incidents of previous abuse, neglect, or dependency. | Low |

**DISTRICT 10**

Based on quantitative data and interviews in District 10 (Wake County), this study includes few recommendations for this district to change its current procedures. It includes two recommendations based on observations of the volunteers and on requests from staff members for increased funding support. District 10 should implement training for volunteers on how to respond to adverse decisions by judges. According to one volunteer, sometimes GAL volunteers may not understand when judges do not accept their recommendations for children’s placement or needs, and as a result, they may become discouraged and even quit. Because this volunteer’s former job involved the judicial system, he learned not to take the judge’s decision personally.

It was helpful as a volunteer to have worked around courts... previously and to... understand that the court might not always accept, either in totality or in part, the
recommendation I made, but to understand that doesn’t mean that the court is upset with you or that you’ve done a bad job. There may be times when a Guardian ad Litem makes a case report and makes recommendations, and when they get to court, they may feel fairly strongly about certain recommendations, and if the court doesn’t accept that or doesn’t agree with that, the person could become frustrated or discouraged by thinking, ‘I’ve worked hard on the case… and the court did not agree with that.’… This may influence whether some Guardians leave their position because they become frustrated with the system.

During interviews, several volunteers told stories of cases where their recommendations were not accepted, and these volunteers expressed disappointment about the outcome. This seems natural, as volunteers tend to invest a lot of time and effort into investigations and finalizing their court reports. Because of the way in which this study was designed, the researcher had no access to former volunteers to ask if this influenced any of their decisions to leave the GAL program. However, based on these comments, District 10 could address the concerns and disappointments of volunteers by creating a short training or supplemental material in another training session about how to interpret the judge’s decisions. Although this effort might not eliminate a volunteer’s disappointment if a judge disagrees with recommendations that took months to assemble, this training might better prepare volunteers for all potential outcomes. This may be covered in trainings (research for this study did not include the training materials), but if this type of training is not possible, it would be easy and inexpensive to indirectly address this issue with the volunteers by expressing appreciation for their work despite case outcomes. This will support District 10’s current emphasis on volunteer retention.

Second, District 10 needs funding to hire at least one more staff member, such as another program supervisor. According to Judge Bousman in Wake County, “They need more staff…If they had more staff, if they had more resources, they could get hopefully get their work done a little bit quicker and a little bit faster so I could have the [court] reports. They would also have more time to spend with each volunteer.” Additionally, one of the program supervisors reiterated this problem, saying, “Our caseload right now is higher than it’s ever been, and that’s
hard on us. There are only four supervisors… What keeps me up at night is wondering what don’t I know—‘Oh, I haven’t talked to that guardian yet, I have to call her this month…’—but the team we have here is so dedicated and we do whatever it takes.”

As mentioned in Chapter 4, District 10 currently has 607 cases and only four program supervisors, resulting in a ratio of about 151.75 cases per program supervisor. One more program supervisor would reduce this ratio to 121.4 cases per staff member. While the ratio in District 10 would remain significantly higher than other districts, it would give each program supervisor more time to distribute among children, cases, and volunteers. This would also allow the program supervisors to spend more time on training, recruiting, retaining current volunteers, and increasing community awareness of the GAL program.

**DISTRICT 14**

In District 14 (Durham County), it appeared that there are few changes that could be made without changes in funding for staff. The staff members voiced a desire for more funding to reimburse their volunteers for gas mileage and to do more for their volunteers, such as trainings, events, and other forms of volunteer appreciation. This chapter addresses the need for more funding for each district in the section of recommendations to the NC General Assembly.

However, Durham County can make one small, almost cost-free change that would benefit the district court judges by including pictures of the children in court reports. Judge Nancy Gordon said in her interview, “It is helpful to me when a Guardian ad Litem describes the child in a way because that is sort of an eye on the child for me. Our Guardians ad Litem in Durham know that I want to see pictures of the kids. It’s important for me if I’m making decisions about a child to see what that child looks like.” This study recommends that volunteers include pictures of the children in their court reports for all judges, as well as to describe the
child’s personality. As this judge finds pictures helpful for the decision-making process, it would be an easy change for the county to ask volunteers to include photographs, especially when new cases are opened and presented in court for the first time.

**DISTRICT 15A**

In District 15A (Alamance County), more effort on training, retaining, and recruiting volunteers seems necessary. Especially because the county currently has only one administrative staff member and the attorney, much of the staff’s focus has been on completing court reports, supporting the volunteers, and completing cases with no volunteer assigned. These two staff members appeared to be stretched very thin, despite the number of hours they put in. The county has made a new hire for a District Administrator, and this study recommends that the expanded staff use the time that this will free up to provide more training and check-ins with volunteers, especially ones who are newer to the program. Bringing in guest speakers or hosting brown bag or potluck luncheons with the Department of Human Services or with the District Court judges could be an easy and relatively inexpensive solution in the short-term without requiring a staff member to prepare the material for a training session. More should be done to foster a feeling of community within the volunteer group and to promote ongoing education and improvement to promote retention. As with almost all of the previously mentioned recommendations, this would be more easily achieved with an expanded district budget.

Without requiring more money, Alamance County can consider a few ideas to raise volunteer morale and further improve the quality of their investigations and case reports. First, in lieu of more frequent trainings, the staff could contact volunteers on a monthly basis to ensure the volunteers are meeting their basic requirements to meet with the children and complete the report. One of the current staff members recently told me that they are planning to start
emailing each volunteer on a monthly basis asking for the child’s name and for the date and location of their monthly meeting. This would be a good method of checking in with volunteers and keeping them on track. Additionally, reminding the volunteers that they can contact the office for any questions or guidance may be helpful.

Second, the administrative staff should take some action to make it clear that they are available to answer questions despite their heavy caseloads. In the interviews, some volunteers expressed that they do not want to bother the staff when they are so busy. One mentioned that her question was small and did not merit the time to bother the staff. From my discussions with the volunteers, creating an open-door policy for weekly “office hours” for brief one-on-one meetings might ameliorate this problem. The staff could continue to work on their regular duties but be available to visit about cases without creating formal appointments, and the complications that scheduling entails. This should help volunteers feel they can ask simple questions of staff members without “bothering” them, and it hopefully would not take much away from the staff’s regular productivity except during particularly busy office hours.

Third, creating a buddy system for new volunteers would offer a costless alternative to providing additional training sessions after the court certifies them. During the interviews, several newer volunteers mentioned their confusion and lack of direction as they started handling their first case. Although they were happy with the trainings provided, they wanted some help in the field. They suggested that shadowing a more experienced volunteer on a couple of their visits with the children or on trips to acquire information from a medical provider or therapist may be helpful. This could be an easy way to help volunteers learn through practical observation while promoting a sense of the community among the volunteers by introducing them to each other outside of waiting for court to begin or during trainings.
Additionally, from the perspective of one of the judges in Alamance County, more information in the court reports about the individual children’s school performance would be helpful while making decisions about that child’s best outcome. Judge Roberson described,

The thing I really want to know more about is how the child is actually responding in school, how the child is really doing in school, not just how the parents or others report the child is doing in school. That would be very helpful because that sort of is a microcosm of a bigger question. The problem with that, of course, is that it adds another responsibility on top of what Guardians ad Litem or social workers are doing, and so they rely a little more on people providing them paperwork. Plus some people don’t provide their children’s paperwork very well… What kind of difficulties are we having [at school]? Is the child socially interacting with others? That tells me a lot, because we are giving all this help over on one side, and we want to see how it is demonstrated on the other side… We can do all these things, and provide all these services, but if the child is not absorbing those and improving, [we should know], and school’s the best place to check that because we’ve got adults, children, structured time, free time, so it covers the whole gamut. If we have some ability to find out from the teacher how the child is doing, for example, or a guidance counselor…

From discussions with staff members, volunteers are encouraged to talk to any collaterals to a child’s case, including their school teacher or guidance counselor if the child is old enough to attend school. In Alamance, at least, the staff may consider placing increased emphasis on talking to these authority figures directly as they do their initial training and in later check-ins with the volunteers. The staff should also encourage volunteers to talk to these people in person without relying on the investigations done by the social worker, even if they have already spoken with the school.

**DISTRICT 15B**

District 15B (Orange and Chatham Counties) needs increased funding for more staff and should continue a current initiative to recruit more diverse volunteers for the GAL program. According to the quantitative data presented in Chapter 4, District 15B has the second highest ratio of cases to staff. During an interview, one staff member stated, “We need more money. We run this program on a shoestring budget. I don’t get into the budgetary matters very much,
but that is my sense. Our program is understaffed, but there are other districts that are hugely understaffed. So, more personnel. More money for doing recruiting.” Although the need for more staff is less severe in Orange and Chatham than in Wake County, more personnel would allow District 15B to reduce its ratio of cases to staff members so each staff member can spend more time supervising, recruiting, and training volunteers.

The staff members described a current initiative to recruit more diverse volunteers that should continue. One staff member described, “We are working on this and we have made a lot of progress, but I think we need more people of color as volunteers. There is a very high proportion of kids in our system who are African American, in particular, and I would really like to see more African American volunteers.” She also observed that increased funding from the state for recruiting would allow the district to be able to target their recruiting efforts. This study suggests that the GAL state office engages in this effort, as well, and this recommendation and its justification are described in more detail later. Recommendations addressed to the whole state, such as this one, will be explained in more detail in the following section.

**POTENTIAL CHANGES FOR THE NC GUARDIAN *AD LITEM***

It is important that individual GAL programs in the different judicial districts collaborate and foster community. By communicating more among districts, staff members can learn more about best practices across the state and get ideas to implement changes locally. Staff members can also learn about trainings occurring elsewhere and inform their volunteers of training opportunities in neighboring counties when their particular county does not have instructions available on a particular topic or is too busy to offer any. Consolidating trainings may be a way to take advantage of experience and assets. Additionally, communication among volunteers in different districts, by hosting joint events or trainings, will provide more of a sense of community
and camaraderie, which volunteers repeatedly mentioned as a desired part of the program in their interviews, especially in rural counties with fewer trainings, such as in District 15A.

At the state level, the GAL program should emphasize targeted diversity recruitment. A staff member in District 15B described, “We want volunteers from all different backgrounds... I think we are increasing our diversity, our volunteer pool, increasing the number of men, the number of people from other ethnicities... As a program across the state, it’s really important for us to have a more diverse volunteer pool.” This diversity is important because it gives the program more opportunities to assign volunteers to children with whom they can empathize. For one volunteer from District 15B, the importance of racial awareness and sensitivity was central because of the volunteer’s own African American background. She explained,

I know there are a lot of kids who look like me, that are not having anyone who looks like them help them, including the foster parents. I’ve worked with a lot of adoptive parents who just don’t think race matters. I understand that approach, there’s a certain attractiveness to that approach, I get it. It’s also completely naïve, especially when you’re dealing with black boys and black girls. It’s just naïve, and it’s not honest. It’s not productive, and it’s not helpful.

According to this volunteer, and other volunteers and staff members, a lack of diversity among volunteers can potentially ignore issues that matter to the child or simply remain unaware of the problems—a problem that directly opposes the purpose of the GAL program, which is to identify the child’s needs and wishes in order to promote the child’s best interest.

Racial and cultural awareness and sensitivity should also be consistently included in every district’s volunteer trainings. From the small sample of volunteers and staff members interviewed—a total of 27 people associated with the GAL program—only one was Hispanic, and two were African American. During observations of court hearings and volunteers outside the interview pool, it appears that the volunteer base is not racially or ethnically diverse. In contrast, as described in Chapter 2, minority children comprise a disproportionately large percentage of the victims of abuse, neglect, and dependency in comparison to their percentage of
the overall population in North Carolina. Increased training to better prepare volunteers to
understand issues facing children from different backgrounds (including different socioeconomic
backgrounds) will prepare volunteers to be more aware, and as a result, better address issues of
race and ethnicity in their recommendations for permanent placements and services. Although
every volunteer interviewed expressed their commitment to serve children to the best of their
ability, some mentioned concerns from their experiences. One volunteer from District 15B said,

I think they did a little bit of touching on race in the trainings, but I think there is always
room for more of that. I know that in the training there was some discomfort when race
came up. I think most of the GALs are of a different race of the kids they’re serving, and
I think that means that extra levels of sensitivity—there are just different things to be
aware of. As an example, the social worker that I am working with has made several
comments about the boy, who is an African American male, that have been really
inappropriate in terms of, quote, “he’s going to spend the rest of his life in jail.” He’s
never been arrested for anything. He certainly has some issues, right, but for her to say
that out loud to me… as someone who is supposedly representing his best interest, or the
state’s best interest, I was completely flabbergasted that she would say that… You know
the types of things I’m talking about, the types of stereotypes… so I think more
discussion about that could be really beneficial for everyone… They do some of that, but
not enough in my opinion.

This was the most extreme example from the interviews, and the lack of racial sensitivity was
found with the DSS social worker, not the volunteer. However, more guidance on this issue
could proactively prepare volunteers to address issues like these if they arise with anyone and to
prevent situations like this from arising within the GAL program.

Across the state, staff members should provide training with practical examples on how
to approach delicate conversations with older children. During an interview, a volunteer
described how she does not know how to talk to one of the two children she represents about his
particular problem. In this situation, the foster family with whom the children live want to adopt
one child but not the other. The GAL volunteer wants and needs to talk to the other child about
this situation; she needs to assess what he wants and how this makes him feel. However, she is
uncomfortable with the topic, and while she said she will talk to the child, more preparation in
trainings for these difficult conversations would make her feel more comfortable. Additionally, increased training could help prevent exacerbating volatile situations. Volunteers should have pro-active support and training to talk with children with behavioral disorders, mental handicaps, or extremely adverse situations about their feelings and their situations.

Furthermore, each district should work to increase community awareness of the GAL program across the state; each district should receive support and materials for this effort from the state office. A staff member in District 14 described,

I would like to see greater education to the community about the Guardian ad Litem program and what we really do... It’s always been one of my dreams that each year that we would be able to go to each of the schools when the teachers are first coming back, to a school staff meeting, and tell them about the GAL program, so that when they get an email from a volunteer, they aren’t wondering what it is. I would love to do some education for the Department of Social Services on what we do.

Increasing awareness in the community, especially amongst the people that GAL volunteers contact throughout their investigations, could make the investigations more efficient and help teachers, medical providers, therapists, and DSS social workers to better understand who the GAL volunteer is and why they are involved and requesting particular information. General community awareness could also promote recruitment across the state.

In general, the GAL program should work with the District Courts to make it easier for full-time workers to volunteer. According to a District 15B volunteer who works full-time, the time constraints from her job have prevented her from attending brown bag luncheons, some trainings, and Individual Education Plans (IEPs) for the children in her case. She said, “They do have lots of brown bags and trainings, but I work full-time, I work in Durham. I don’t have time to get out there, and so I feel very limited. And I also don’t have time to attend their IEPs and their other meetings they do during the day.” Another worker mentioned how not knowing when her case will come up on the docket has caused her on multiple occasions to take a full day off work, which requires her school to call in a substitute teacher for the day when the volunteer
goes to court. These are serious obstacles that prevent some potential volunteers from signing up for this commitment. Scheduling evening trainings and events would allow full-time workers to attend trainings. Presenting the order of cases on dockets would allow volunteers to better predict when they should come to court.

The GAL program should continue to aspire to 100 percent coverage of cases. As shown in Chapter 4, some districts fall short of full coverage, and the percentage of coverage fluctuates over time. District 10, had a consistent 100 percent coverage rate, according to the staff members, because the few unassigned cases shown in Figure 11 were covered by staff. However, that district consistently had the highest percentage of coverage; other districts had more cases without an assigned GAL. One staff member described the need for 100 percent coverage and the effort required to make sure it happens:

If cases were only covered by staff, my staff would not have the time to go and really do it. We have… worked hard and for the past several years, we have had 100 percent coverage. For the last thirteen and a half years, every child who has entered care for abuse or neglect has had a Guardian ad Litem… One thing that makes it or breaks it is consistency or lack of it. It’s not the type of program that you can say, oh, month of September I’m only going to focus on recruitment and sit back and think that because of September recruitment, you’re going to have volunteers coming to the program all the way through February. So we do consistent recruitment and talking to the community, trying to target individuals that we feel have something to add to the program. We do provide ongoing training as well. Since January, we have had 6 training sessions offered, and each one of them is 30 hours. But you have to do that if you really want to ensure that children have that independent voice. It’s lots of work, but it’s worth it.

According to this staff member, consistent recruitment effort is essential to 100 percent coverage. However, adequate staffing is necessary to consistently recruit and train volunteers, which implies that increased funding for staff requirements will also increase each district’s ability to cover 100 percent of cases by having increased capability to recruit, train, and retain volunteers.

Finally, the state GAL program needs to ensure that volunteers are adequately trained and reminded to keep their investigations and recommendations as independent as possible. The statewide GAL program should make sure that each district provides more information to
volunteers about DSS procedure and how GAL roles overlap with DSS as well as how and when their roles are separate. As one staff member put it, “You don’t want someone to take a minute and go and ask the social worker what they know and basically just repeat it.” One volunteer described it in another way:

One of the criticisms that I’ve heard of Guardians *ad Litem* is that they’re not willing, or able, to do their own legwork. They rely too heavily on social workers, and getting all the information from social workers is not really doing their job… I’m not sure how to fix that, because it’s clear in training that that is not what you’re supposed to do, so I don’t know if maybe a refresher training would help… because if you fall into bad habits, there’s no one really looking over your shoulder saying no don’t do that.

Independence is vital, as judges believe the information provided by the GAL program to be independently acquired. The judges give equal weight to the recommendations of the GAL program and DSS recommendations because the judges believe each party conducted an independent investigation and provided as much information about the case as possible. When GAL volunteers rely heavily on social workers for information, the court system cannot serve children as well as it does when GAL volunteers do what the judges expect from them. Districts should consider implementing bi-annual refresher trainings to remind volunteers of how to conduct their investigations. Districts could also check in with volunteers via email or survey to ask how volunteers conduct their investigations to make sure the process is done correctly.

**BUDGET RECOMMENDATIONS FOR THE NORTH CAROLINA GENERAL ASSEMBLY**

The North Carolina General Assembly should consider increasing funding for some of the most important aspects of the GAL program. The budgeted amount for this program is a reflection of North Carolina’s ability and willingness to prioritize helping child victims of abuse and neglect. One volunteer expressed her surprise that child advocacy was the responsibility of volunteers at all:
You know, when I first went through this training, I was shocked that something as important as what I think GALs do, which is representing these kids in court, is done by volunteers. I just thought, what does the state think about the value of these kids if they're relying on volunteers to do something so important?… It feels like this could be a full-time job, different than a social worker, and it is so important that I thought that relying on volunteers was kind of dismissive, in a way.

While this study does not recommend changing the structure of child advocacy in North Carolina—as previously mentioned, there are benefits of having the program rely on volunteers—it suggests increasing statewide allocations for the GAL program.

The General Assembly should reinstate funding for travel reimbursements for volunteers. Until circa 2008, volunteers were reimbursed for gas mileage at a low rate. Some volunteers have to travel extensive distances to visit the children in their cases, especially those who are placed in foster care in different counties. One staff member explained,

> Getting mileage reimbursement back for our volunteers would be really, really nice. Our folk travel all over the place; sometimes our kids are in even South Carolina. We have the expectation that we want [the volunteers] to have frequent contact with kids but then there’s no way—it used to be that they got reimbursed for mileage.

Mileage reimbursement would help with recruitment of new volunteers and retention of current ones. These travel costs can pose prohibitive barriers to some potential volunteers who do not volunteer because they cannot afford it. Even a low rate of reimbursement would increase the number of volunteers, which would help raise the percentage of cases covered in each district, thus increasing the amount of time and attention given to each child’s case.

Almost every district included in this study repeatedly emphasized their need for additional funds to hire at least one more staff member. More staff capability would have similar beneficial effects: increasing the amount of time staff can spend assisting and supervising volunteers, training, recruiting, and promoting community awareness of the program. All of these benefits would improve the function of the GAL program by allowing it to better help local children. However, hiring an additional staff member might not necessarily address the
limitations of the GAL program, such as the high rate of continuances, high ratio of cases to volunteers, or the need for more training, recruiting, and retaining volunteers. Unless the General Assembly mandates the role that an additional staff member should fill, or unless the GAL program incorporates these tasks into the new staff member’s job description, it is possible that the marginal increase in labor would be directed toward other staff responsibilities, such as data entry or office administration. In the best-case scenario, without a mandate, the GAL program would ensure the new staff member supervises cases to relieve the high caseload while providing the needed support for training, recruiting, and retaining volunteers. While this study suggests that additional staff hires would help the program better advocate for children, the GAL program would need to use that additional help in specific ways in order to optimally improve its function.

Finally, the General Assembly should consider raising the wages of GAL staff and attorney advocates to a competitive rate in order to recruit more qualified employees. This would allow the state to hire the best staff and recruit potential employees who are passionate about advocating for child welfare but cannot afford to live on a low wage. These funding changes would directly improve the functionality of the GAL program and increase the program’s ability to help vulnerable children, their families, and their communities across the state.

**Potential Changes for the District Court System**

District Courts should endeavor to assign one judge to a case for its duration in A/N/D Court (or Family Court, as the courts have different names in different districts), despite logistical challenges. A staff member from District 10 described,

In Wake County, we are part of Family Court, so we have one judge, one case, which is very good because [the judges] can follow that child’s case as long as the case is open. We have done the same thing with the staff attorneys as well, so one staff attorney has 99 percent of his cases with one judge, and the other attorney has the cases in his care with
the other judge. That has been helpful too, because they are a consistent voice and they remember the events and build a relationship with the child if the child comes to court. This consistency allows the judges to learn about the child and the case, instead of having a new judge learn the case each time a new hearing is called. The “one judge, one case” policy makes hearings more efficient, as judges do not need to spend time learning the background of cases. It helps the GAL program to be more efficient as well, as attorneys and volunteers can prepare their cases for a particular judge’s preferences and requests, such as providing a particular kind of information one judge may want, or following a court procedure required by one judge but not another. It also helps the children and their families by providing consistency in the courts as they deal with a challenging and turbulent time in their private life.

District courts around the state should order cases on their dockets before court is called in session so that volunteers can more accurately plan their schedules around court dates. Right now, without orders on the courts, volunteers spend hours waiting for cases to be called, which is inefficient and discourages volunteer participation. According to a volunteer in Wake County,

My biggest pet peeve is...sometimes just the amount of time to wait for a hearing to take place can be not a fun thing to do, but I guess if you know in advance that hearings are set at 10:00 in the morning and at 2:00 in the afternoon, that doesn’t mean my hearing is going to be heard at those times. It means that the court has several cases to hear, so I may come for instance at 2:00 and the court may not get to my case until 3:30 or 4:00. Nobody likes to wait, but that’s how the court functions.

Without knowledge of the order of the dockets, volunteers who attend court may spend hours or even an entire day in court waiting for their case to be called. While no volunteer enjoys this system, the lack of order on the dockets places a larger burden on volunteers with full-time jobs, as they may have to take hours out of their own vacation time to attend court.

Lastly, district courts that handle juvenile delinquency cases and family court cases, such as these, should invest time and money into collaborate data sharing. This data should also be available to qualifying projects that would compare dispositions of cases in juvenile or A/N/D
court with educational outcomes, compare identifiable data from closed cases with adult criminal
court records, and compare closed cases with later marital status. Better data sharing and ease of
access to data for qualified researchers would allow for meaningful research on the longitudinal
affects of early childhood abuse and neglect on educational, criminal, and social outcomes.
Additionally, these systems should gather longitudinal data after making data sharing easier.
Juvenile court staff currently store case data in the JWise database, so it should be an easy
transition to make with the necessary legal precautions to protect identifiable information about
children.
CHAPTER 7: AREAS FOR FUTURE RESEARCH AND LIMITATIONS OF THIS STUDY

AREAS FOR FUTURE RESEARCH

In order to better understand the role that the Guardian ad Litem and/or the Division of Social Services play in helping children who have been abused or neglected, longitudinal data about children’s long-term outcomes should be tracked over their life course. When children are put in permanent placement, the influence of this system on their life is not suddenly over. The Court’s decision will affect the trajectory of their lives. By following the trajectory of a cohort of children who have been abused or neglected over time, the Court, GAL staff, DSS, and social scientists may learn about factors that influence the children’s long-term outcomes and may better shape their practices in the future.

Several reasons exist why data should continue to be collected after the case closes. First, a case involving the same parents or guardians may open later in a different jurisdiction. The people who handled the case in the previous location may be able to share important information with the social workers, GAL, doctors, and educators to better help the children and provide more detailed information to the Court without requiring a brand new investigation. Simply put, it would be more difficult for a child to become “lost” in the system, and it would make the judicial process in a new jurisdiction more efficient instead of starting an old case over from scratch. This will put less of an emotional or financial burden on the children and on the parents. If data are collected on a long-term basis for a cohort of children as they grow up and have families, the data could also be used to address questions outside the scope of this project, such as studying whether domestic violence is cyclical (e.g. that being abused or neglected as a child correlates more highly with abusing or neglecting a child later in life) and looking at whether DSS and the GAL program play a role in mitigating bad outcomes.
Additionally, it is difficult to point to a direct causal relationship between the presence of a GAL volunteer and a positive outcome in a case, but longitudinal data may help to establish if such a relationship exists. There are many different variables at work in any abuse, neglect, or dependency case that may contribute to the final outcome and the child's long-term wellbeing. These factors are wide-ranging and may involve health and mental health, a history of the child’s interactions with the parent(s), the presence of a mentor outside the home, involvement with the juvenile justice system, the role of the social workers from the Department of Social Services, the decision of the judge, the role of the GAL volunteer, and many other factors. Longitudinal data may be better equipped to control for these variables and look at general correlations. If the GAL program is adequately helping these children, observers of the program might expect to see positive outcomes from the cases, such as: finding a successful permanent placement, staying in that placement, not reentering foster care, avoiding the criminal justice system, resolving cases more rapidly or efficiently, and resolving the initial allegation of abuse, neglect, or dependency that caused the child’s involvement in the court system.

Furthermore, if identifiable data were collected and shared in a protected way among family courts, DSS, the GAL program, juvenile delinquency courts, and school systems, researchers would have more tools to investigate links among family life, education, and criminal tendencies. The JWise database contains information in each district about why children’s cases close, such as entering foster care, reunification with parents, termination of parental rights, custody with juvenile detention services, death, etc. Researchers would have more opportunities to better understand if correlations exist between factors such as being a victim of domestic abuse, graduating from high school, getting married, or being arrested for a crime. Looking at longitudinal, identifiable data would allow for researchers to look at causation instead of looking at more general influences in an aggregate way. These research tools and abilities could pave the
way for more effective, evidence-based intervention and prevention policies to help children beat the odds and succeed in life. This kind of data, if presently available, would have been helpful for this study to better understand the role of the Guardian ad Litem in shaping children’s outcomes. Without this kind of data, this study could only use aggregate annual or quarterly quantitative data and more anecdotal information from interviews.

**Limitations of This Study**

The findings in this study are limited to the four judicial districts considered. Although other districts around the state may engage in similar practices, this study cannot extrapolate to other districts to make claims about the other districts’ effectiveness. While the study cannot extrapolate to other areas, it can make general recommendations to the statewide GAL program, district court system, and North Carolina General Assembly. Because the judicial districts evaluated in this study face different financial, demographic, and structural challenges, the study made general recommendations that could help each of these districts, and would most likely improve the GAL program across the state—and help North Carolinian children as a result.
CHAPTER 8: CONCLUSION

In response to the original research question, the Guardian *ad Litem* program helps children in the local districts by advocating for them in court based on independent investigations. But the children, who are often too young to understand, and who are almost always overwhelmed by the flux of adults arranging their lives, may not notice, understand, or appreciate what the GAL volunteers do. Even older teenagers, who understand the court process and who know the role of the various adults, may not be able to identify any definitive benefit they receive from the role of a GAL volunteer in their case. This makes sense. GAL volunteers cannot provide services, they cannot single-handedly determine the outcome of a child’s case, and their recommendations sometimes diverge from the child’s expressed wishes. The GAL program’s role is to help the judicial process work better to promote the child’s best interests. The benefits of the program for the children are thus indirect and often unrecognized.

Nevertheless, it seems the benefits of the GAL program for children in these districts can be measured from other perspectives. Children who have been abused, neglected, or dependent are helped when the court system works for them to effectively and efficiently place them in the best permanent placement, where they can grow up safely and securely—and hopefully where they are loved and given opportunities to succeed. This kind of best-case scenario is most likely to be reached when everyone involved in each child’s case does their respective part, which, for the GAL program, requires conducting thorough, thoughtful, independent investigations to present information to the district court judge which will better allow him or her to make an informed, wise decision for the child. As learned from judges through interviews, the GAL program does help them in this way, and the program is particularly helpful in contested cases. GALs can come up with creative recommendations to address the child’s needs and are uniquely
positioned to advocate directly for what the child wants and needs. The GAL program helps the children by helping the courts make the best possible decision for the child in a timely way.

The GAL program helps children in Districts 10, 14, 15A, and 15B, but as described earlier, the program could be further improved through local, statewide, and structural changes. Increased funding would allow districts to hire staff to reduce heavy caseloads and supervise GAL volunteers, while spending more time on training, recruitment, and retention. Additionally, the individual districts could improve the ways in which they help children by making minor internal changes—ones that hopefully would be costless but make a difference for their volunteers—such as offering training through a buddy system; conducting monthly check-ins via email; and adapting existing trainings to address their questions about diversity, how to react to judges’ decisions, and how to talk with children about volatile situations. Like many government agencies and private entities, the GAL program has room for improvement. Despite the potential for change, the program helps children in a recognizable way by helping the court.

This study recommends that research continue on this valuable program. Examining the long-term outcomes of children who pass through A/N/D Court with data-sharing among court systems and local school districts would allow researchers to better identify the benefits of the GAL program for children in measureable ways. For policymakers considering the appropriations for this program, longitudinal research would allow for better evaluations of the program’s long-term monetary benefits to the children and potentially to North Carolinian communities in comparison to the program’s annual costs.

In conclusion, the GAL program plays a meaningful role in these districts by helping children and the court. Future improvements and additional research can only increase the benefit of the GAL program by providing more useful feedback. The volunteers and staff
members meet the program’s goals by helping children find safe, secure homes and providing a voice for them.
APPENDIX A: Glossary of Terms45

**Abuse:** An abused child is one whose parent, guardian, or caretaker allows or inflicts an injury on the child when the injury is not accidental. This definition includes physical, sexual, and emotional abuse.

**Adjudication Hearing:** The court phase in which the judge decides whether the allegations about whether a child has been abused, neglected, or dependent are true based on evidence from the Department of Social Services. The judge also reviews what efforts have been made for reunification and whether they should continue.

**Continuance:** A postponement of a hearing or action in a case until a later day; it is proposed through a motion by one of the parties to a case, and it must be approved by the judge and agreed to by the other parties.

**Court Appointed Special Advocate (CASA):** The umbrella organization under which the North Carolina GAL program falls. National CASA Association’s mission, “together with its state and local members, is to support and promote court-appointed volunteer advocacy so that every abused or neglected child can be safe, establish permanence and have the opportunity to thrive.”

**Division of Social Services (DSS):** A state agency that represents North Carolina’s interest in reunifying the family and protecting children. DSS also provides services to the children and family while children are under its care. It is called the Department of Social Services on a county-level.

**Dependency:** Dependent children have no caretaker, or if they do, their caretakers are unable to provide basic care, resulting in the children’s dependence on the state for assistance and placement.

**Disposition Hearing:** The court phase in which the judge reviews court reports from DSS and the GAL program to determine what the best interest of the child looks like in terms of practical next steps. The court designs a case plan explaining specific actions that each party should take to strengthen the home situation or find a different permanent placement for the child outside of the family home.

**Guardian ad Litem (GAL):** A volunteer-based statewide program of agents of the court who protect and advocate for the best interest of a child throughout court proceedings.

**Neglect:** A neglected child is one whose caretaker does not provide sufficient care, supervision, or discipline, or who has been abandoned by his or her caretaker.

**Termination of Parental Rights:** This is a decision made by a judge to take away the biological parents’ status and rights of parenthood, allowing the child to be adopted or placed in another permanent placement without the potential for appeal by the parents. This occurs when the parent who initially caused the abuse, neglect, or dependency has also abandoned the child, has continued to abandon the child, or cannot be required by the state to assume parenting responsibilities because of serious maltreatment or crimes.

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45 These definitions were presented and cited throughout the study.
APPENDIX B: Major Dates and Developments in Child Protection History

Abused and neglected children have been wards of the state or the state’s responsibility since the early 20th Century when juvenile courts started appearing around the country because of the parens patriae doctrine. This doctrine originated with King Edward I (1272-1307), but the doctrine’s original application only described the Crown’s responsibility to act as parent of “idiots” and “lunatics.”46 In 1772, a case heard in Chancery Court, Eyre v. Shaftisbury, extended the doctrine of parens patriae to children. This case described the Crown as the “supreme guardian and superintendent over all infants,” and it created the foundation for the common law doctrine’s adoption into the U.S. legal system in the 20th Century.47 In the American context, parens patriae described the duty of the state to take juveniles as wards whose parents had died or had become incapacitated. It gave the government the ability to prosecute on behalf of children who could not represent themselves.

Medical advances, such as the invention of the X-ray and the idea of the “battered child syndrome” drew national attention to the issue of child abuse. In 1967, the Supreme Court’s decision in In re Gault recognized children’s constitutional right to protection under the 14th Amendment and abandoned the parens patriae doctrine for one that established children’s right to liberty, not just to protective custody. In 1974, the Child Abuse Prevention and Treatment Act designated federal funds for states to implement programs to prevent child abuse and help in cases of abuse. It requires a court appointed special advocate for every child who enters judicial proceedings because of abuse or neglect, which resulted in the NC GAL program.48

47 Id, at 10.
APPENDIX C: Process in A/N/D Court

The judicial process of adjudicating and disposing an abuse, neglect, or dependency case requires many stages and investigations to ensure that the Court determines the best possible permanent placement for the child’s safety and long-term well-being. After a report of abuse or neglect comes to DSS, DSS initiates an investigation to determine if the report is true, and if the situation meets the legal definition of abuse, neglect, or dependency. If DSS finds evidence of abuse, neglect or dependency, DSS must decide whether to provide protective services for the child and whether to file a petition with the A/N/D Court in that county.49 DSS may pursue a Non-Secure Custody Order, which places the child in temporary legal custody in a safe location; the GAL volunteer and attorney are present from this part of the proceedings until the end, as well as the parents and their attorneys.50 After the Temporary Custody Hearing to review this order, the A/N/D Court holds two crucial hearings: the Adjudication Hearing and the Disposition Hearing. These often occur consecutively on the same court docket.51

The Adjudication and Disposition Hearings determine the facts of the case and result in a decision on the child’s permanent placement plan. In the Adjudication phase, all parties present evidence in response to the allegations of abuse, neglect, or dependency. DSS has the burden to prove that allegations are true, and the judge decides if DSS proved the allegations. The judge also reviews what reunification efforts the parties have attempted and whether such efforts should continue. In this phase, the judge adjudicates, or decides, if the child will be legally determined as abused, neglected, or dependent. The Disposition Hearing builds on that decision and the evidence proven in the previous Adjudication Hearing in order to design a case plan with

51 See supra Footnote 5.
specific actions that each party should take to strengthen the home situation or find a different permanent placement for the child outside of the family home. The judge decides what the best interest of the child is, based on plans presented by DSS, the GAL, and the parents.52

All subsequent court actions follow the decision in the Disposition Hearing to ensure that the plans are followed and that the plans are actually beneficial to the child. A first review hearing happens within ninety days of the disposition, and another follows within six months of the first hearing. These review hearings determine if there is any need to modify, renew, or terminate the case plan from the Disposition Hearing. A Permanency Planning Hearing must occur within twelve months of the child’s initial removal from the home. In this hearing, all parties present information about how the child has fared throughout the year under the case plan in order to make any adjustments necessary and finalize the permanent plan.53

In a few cases after the Permanency Planning Hearing, when the parent who initially caused the abuse, neglect, or dependency has also abandoned the child, has continued to abandon the child, or cannot be required by the state to assume parenting responsibilities because of serious maltreatment or crimes, the court can hold a Termination of Parental Rights (TPR) Hearing. These hearings hold weighty consequences for the parents and require close examination of the facts of the case, as termination of parental rights is a permanent and binding legal action. When a judge decides to issue a TPR order, the biological parents legally lose the status and rights of parentage, and the child can be adopted or placed in another permanent placement without the potential for appeal by the parents.54 Through each stage of A/N/D proceedings, the GAL attorney must be present in court to actively advocate for the child’s best interest in accordance to the GAL volunteer’s own investigations and recommendations.

52 See supra Footnote 5.
53 Id.
54 See supra Footnote 49.
APPENDIX D: GAL Court Report Template

The court report template was received directly from district administrators in these judicial districts.

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**APPENDIX D: GAL Court Report Template**

**North Carolina**

**GUARDIAN AD LITEM**

**A CHILD’S ADVOCATE IN COURT**

Judicial District ____  County

**Disposition / Review Hearing Court Report**

Court Date:

In the Matter of:

<table>
<thead>
<tr>
<th>Child</th>
<th>DOB / Age</th>
<th>File #</th>
<th>Mother’s Name</th>
<th>Father’s Name</th>
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Guardian ad Litem:  
GAL Supervisor:  
GAL Attorney Advocate: 
Initial Petition Date:  
Date and type of last hearing:  
# Continuances since last hearing:  

Current Placement of Child(ren):

<table>
<thead>
<tr>
<th>Child</th>
<th>Type of Placement and Placement Date</th>
<th>Total # of Placements</th>
<th># Months Out of Home</th>
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</tbody>
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55 The court report template was received directly from district administrators in these judicial districts.
History:
Allegations that brought the child(ren) to the court’s attention:

Guardian ad Litem Investigation:
Reports and records reviewed since the last court hearing:

Contacts (including children) Since the Last Court Hearing:

<table>
<thead>
<tr>
<th>Name</th>
<th>Relationship to Child</th>
<th>Contact Dates and Places</th>
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Current Information on the Child(ren) and Available Resources To Meet the Needs of the Child(ren):

Placement:

Education:

Psychological, Emotional, and Health Status:

Safety and Protection:
Visitation / Contacts with Family:

What resources are available within the family to meet the needs of the child(ren)?

What services have been offered and/or accepted to reunite the child(ren) with either parent/caregiver?

Parents’/Caregivers’ Current Situation:

Wishes of the Child(ren):

Issues for the Court’s Attention:

Recommendations To Protect and Promote the Best Interest of the Child(ren):
1. Custody
2. Placement of Child
3. Visitation/Contact
4. Treatment Recommendations
5. Permanent Plan
6. Other Recommendations
7. Suggested Next Court Date

Respectfully Submitted,

________________________
Guardian ad Litem
Date Report Written: _______________________

This report received electronically by the GAL office on mm/dd/yyyy by ____(staff member name)_____. 
APPENDIX E: Interview Protocols

Semi-Structured Interview Items for Judges from Abuse, Neglect, and Dependency Court:

Please compare how the GAL program and DSS are different in their role with regards to advocating for children in A/N/D Court. Are there things that the GAL volunteer does that the Department of Social Services does not do? And vice versa? If so, does this add value in either case?

Please characterize or describe the recommendations from GAL volunteers. How do you use recommendations from the GAL?

Can you think of any examples where the recommendation of the GAL volunteer significantly swayed your decision in a case?

What factors influence your decision for the permanent placement of a child in an A/N/D case? Does the GAL influence the outcome of cases? If so, how?

Do you think there are benefits of the GAL program? If so, what are the benefits, and who are the beneficiary individuals or groups?

[If yes, there are benefits…] What do you think explains these benefits?

[If yes, there are benefits…] Do you think that the collaboration or working together of the GAL volunteer and attorney, DSS, and the parents (and their attorneys) affect these benefits?

If you could change one aspect of the GAL program to make it more efficient or more effective in advocating for children, what would it be?

In some states, GALs are hired attorneys. In others, GALs are volunteers, and they do not work with an attorney. From your time in court, do you think adopting either of these models would change the quality of the services offered by the GAL?

Do you have any success stories from your time on the bench of kids who came back later in life to share information about the positive impacts of their permanent placement? If so, did you learn whether the GAL was influential in making that placement?

My understanding is that for dependency cases, a GAL can be assigned but is not required. Have there been dependency cases without an assigned GAL that could have benefitted from having one?
Semi-Structured Interview Items for Guardian ad Litem Court Administrators or Staff:

Please compare how the GAL program and DSS are different in their role with regards to advocating for children in A/N/D Court. Are there things that the GAL volunteer does that the Department of Social Services does not do? And vice versa? If so, does this add value in either case?

Please characterize or describe the recommendations from GAL volunteers. From what you have seen, how do judges use recommendations from the GAL?

Do you think there are benefits of the GAL program? If so, what are the benefits, and who are the beneficiary individuals or groups?

[If yes, there are benefits…] What do you think explains these benefits?

[If yes, there are benefits…] Do you think that the collaboration or working together of the GAL volunteer and attorney, DSS, and the parents (and their attorneys) affect these benefits?

If you could change one aspect of the GAL program to make it more efficient or more effective in advocating for children, what would it be?

In some states, GALs are hired attorneys. In others, GALs are volunteers, and they do not work with an attorney. From your time in court, do you think adopting either of these models would change the quality of the services offered by the GAL?

My understanding is that for dependency cases, a GAL can be assigned but is not required. Have there been dependency cases without an assigned GAL that could have benefitted from having one?

Semi-Structured Interview Items for Guardian ad Litem Attorneys:

Please compare how the GAL program and DSS are different in their role with regards to advocating for children in A/N/D Court. Are there things that the GAL volunteer does that the Department of Social Services does not do? And vice versa? If so, does this add value in either case?

Please characterize or describe the recommendations from GAL volunteers. From what you have seen, how do judges use recommendations from the GAL?

Do you think there are benefits of the GAL program? If so, what are the benefits, and who are the beneficiary individuals or groups?

[If yes, there are benefits…] What do you think explains these benefits?

[If yes, there are benefits…] Do you think that the collaboration or working together of the GAL volunteer and attorney, DSS, and the parents (and their attorneys) affect these benefits?
If you could change one aspect of the GAL program to make it more efficient or more effective in advocating for children, what would it be?

In some states, GALs are hired attorneys. In others, GALs are volunteers, and they do not work with an attorney. From your time in court, do you think adopting either of these models would change the quality of the services offered by the GAL?

My understanding is that for dependency cases, a GAL can be assigned but is not required. Have there been dependency cases without an assigned GAL that could have benefitted from having one?

**Semi-Structured Interview Items for Guardian ad Litem Volunteers:**

Please compare how the GAL program and DSS are different in their role with regards to advocating for children in A/N/D Court. Are there things that the GAL volunteer does that the Department of Social Services does not do? And vice versa? If so, does this add value in either case?

Please characterize or describe the recommendations from you and other GAL volunteers. From what you have seen, how do judges use recommendations from the GAL?

Do you think there are benefits of the GAL program? If so, what are the benefits, and who are the beneficiary individuals or groups?

[If yes, there are benefits…] What do you think explains these benefits?

[If yes, there are benefits…] Do you think that the collaboration or working together of the GAL volunteer and attorney, DSS, and the parents (and their attorneys) affect these benefits?

If you could change one aspect of the GAL program to make it more efficient or more effective in advocating for children, what would it be?

In some states, GALs are hired attorneys. In others, GALs are volunteers, and they do not work with an attorney. From your time in court, do you think adopting either of these models would change the quality of the services offered by the GAL?

Do you have any success stories from your time volunteering as a GAL of kids who came back later in life to say if their permanent placement ended up working well for them? Did they think you were influential in making that placement?
APPENDIX F: Email Contact Script

Dear Mr./Ms./Judge _____,

My name is Camille Peeples, and I am a rising senior at Duke University. I am currently working on my senior thesis with the help of Ms. Jenni Owen, Director of Policy Initiatives at the Center for Child and Family Policy. Through my project, I am trying to answer whether or not the Guardian ad Litem (GAL) program helps the children that it was designed to serve. I will be using a mixture of data on court outcomes and information from interviews for my study. This project stems from my positive experience as an intern for a local GAL attorney during the summer of 2013 and my interest in learning more about ways in which the GAL program might be helping children in Abuse, Neglect, and Dependency Court. I am hopeful that my project findings will be useful to a range of agencies and individuals involved with the GAL program.

To explore the benefits of the Guardian ad Litem program in the local area, I will be interviewing a number of people who have played a role in the GAL program. This will include GAL volunteers, GAL attorneys, court staff or administrators, and judges from Abuse, Neglect, and Dependency Court. I would appreciate it if you would consider allowing me to interview you for my project.

If you agree to participate, I will ask you between 5 – 10 questions about your experience with and observations of the GAL program in [Alamance/Durham/Orange/Wake] County. I will provide these questions to you ahead of time. This interview will probably take about 30 minutes of your time and will either take place in-person or over the phone. If we do an in-person interview, we can meet at a location that is convenient for you.

The information I collect may be identifiable, but I will not identify anyone I interview in my report without his or her express, written consent for each quote. I will talk about report data in aggregate, with no individuals identified. I will not use your name nor connect your work title with the county in which you work. I will speak of groups of people, not individuals. If you say anything that I would like to attribute to you, I will contact you with the quote I hope to use in order to request your permission to identify you by name.

I do not anticipate any risks to the people interviewed for this project. There will be no be benefits for people participating in my research, but I hope to learn about how the GAL program is helping children in our local communities. Your participation will be a great addition to what I can say about local experiences and observations of the program.

It is completely up to you whether to participate. I appreciate your consideration of this possibility.

If you have any questions about me, my advisor, my research, or the interview, please let me know. You can contact me at (512) 658-1230 or by email at camille.peeples@duke.edu.

My advisor, Jenni Owen, Lecturer in Public Policy and Director of Policy Initiatives at the Center for Child and Family Policy, can also be reached as a reference for my research at (919) 613-9271 or jwowen@duke.edu. If you have questions about the rights of participants in research,
please contact the Chair of the Human Subjects Committee at (919) 684-3030 or ors-info@duke.edu.

Thank you again for your time and consideration. I would greatly appreciate your help with my research to learn more about the role of the GAL program in North Carolina.

Sincerely,

Camille Peeples
Duke University 2015
Public Policy | English
camille.peeples@duke.edu
(512) 658-1230
APPENDIX G: Phone Contact Script

Hello, this is Camille Peeples, calling for [Mr./Ms./Judge ____]. Is this [he/she]?  

Hi [Mr./Ms./Judge ____], I hope you are doing well today. My name is Camille Peeples and I am calling to follow up with an email I sent [a few days ago] regarding my research project about the North Carolina Guardian ad Litem program. Do you have a few minutes to talk about helping me with my research?  

If no: Is there a good time that I can reach out to you again? Would it be better for you if I send a follow-up email explaining how you can help with my project? [Note response.] I will do that. Thank you so much for your time [Mr./Ms./Judge_____]. Have a great day!  

If yes: Great, thank you so much, [Mr./Ms./Judge____]. I am a rising senior at Duke University majoring in Public Policy, and I am currently working on my senior thesis. Through my project, I am trying to answer whether or not the Guardian ad Litem (GAL) program in North Carolina helps the children that it was designed to serve. I will be interviewing different people from the nearby counties who are involved in the GAL program about their experiences and observations of the program. 

This project stems from my positive experience last summer as an intern for Derrick Hensley, the GAL attorney in Alamance County. I am hopeful that my project findings will be useful to a range of agencies and individuals involved with the GAL program.  

I will be interviewing a number of people who have played a role in the GAL program. This will include GAL volunteers, GAL attorneys, court staff or administrators, and judges from Abuse, Neglect, and Dependency Court. Would you consider allowing me to interview you for my project?  

Does it work for you to schedule something now or would you prefer that I follow up by email with some options for times? Great, thank you so much. I am available on weekdays and I am happy to go to a location that is convenient for you. I will also share the interview questions and information about protecting your confidentiality with you ahead of time. 

Do you have any questions about me or my project?  

Thank you so much for taking time out of your busy day to talk with me. I will follow up with you by email shortly, and I look forward to talking to you more about the GAL program! Have a great day. Bye
APPENDIX H: Participant Informed Consent Form

Informed Consent Form

Title of Research Study:
The Children’s Advocate: Evaluating The Benefits of the Guardian ad Litem Program for Children in North Carolina Abuse, Neglect, and Dependency Courts

This consent form asks you to participate in a research study. The study is being conducted by Camille E. Peeples, an undergraduate student from the Sanford School of Public Policy, with oversight by her advisor, Professor Jenni Owen.

Reasons for the study: Through my project, I am trying to answer whether or not the Guardian ad Litem program helps the children that it was designed to serve. I will be using a mixture of data on court outcomes and information from interviews for my study.

What you will be asked to do: Your participation in this study will involve an interview about your experience with and observations of the Guardian ad Litem program. The interview will last approximately 30 minutes and will consist of about 5 – 10 questions. While I have had a short period of time to observe the program, your participation will benefit my research by providing first-hand knowledge of the program. You will be asked about the role of the Guardian ad Litem in the courtroom, to characterize its recommendations to the court, and to assess its usefulness to the court proceedings and the children it serves. Your participation in this interview is completely voluntary. You may choose to not answer any question. You may withdraw your consent and discontinue your participation in this study at any time for any reason. You have the right to skip any questions that you do not wish to answer.

How your confidentiality will be maintained: If you choose to participate, I will record your name, job position, and email address. I will collect this information primarily to stay in touch with you, and I will not release your contact information under any circumstances during my research, in the completed project, or after its completion. I will not identify you in my report without your express, written consent for each quote. I will talk about report data in aggregate, with no individuals identified. I will not use your name nor connect your work title with the county in which you work. I will speak of groups of people, not individuals.

I will conduct your interview either in-person or by phone. No video or photo records of you will be collected. I will record the interview with an audio recorder, and I will take notes during the interview. You may tell me if you do not want me to take notes during the interview. I will store the audio recordings in a HIPAA-secure server at the Sanford School of Public Policy, which have special protections against hacking. The files will not be saved on my personal computer. When the research project is complete and graded, I will permanently delete the audio recording files from the secure server. I will not be transcribing your entire interview. I may transcribe individual sections that are particularly insightful for the written report or section.

Unless you give me permission to do so, I will not attribute quotes from you by name or job position, and I will not link your job position to the county in which you work. If I believe there is a compelling reason to attribute a name or position to a quote from you, I will contact you for permission to attribute the quote to you. I will ask you if I may identify you, and if so, whether that will be by name or job position, or both.
If you do not want to have quotes attributed to you in any form, you may tell me before, after, or during the interview. Conversely, if you are willing to be quoted, you may tell me that as well. If you would like to review the quote or edit it, I will still share the quote(s) with you for review and edits. I do not anticipate any adverse consequences of having a quote attributed to you in this study, but I will make every effort to protect your privacy throughout each step of my research.

**Benefits and Risks:** This research will not benefit you personally. I will be happy to discuss the details and results of the study with you upon its completion. I know of no risks to you for participating in this study.

If you have any questions about me, my advisor, my research, or this interview please ask now. You may also contact me with questions at any time by phone, (512) 658-1230, or by email at camille.peeples@duke.edu. My advisor, Jenni Owen, Lecturer in Public Policy and Director of Policy Initiatives at the Center for Child and Family Policy, can also be reached as a reference for my research at (919) 613-9271 or jwowen@duke.edu. If you have questions about the rights of participants in research, please contact the Chair of the Human Subjects Committee at (919) 684-3030 or ors-info@duke.edu.

If you would like to participate, please fill in the form below. Keep the extra copy of this form that you were given so that you have this information.

________________________________________

Name (printed): __________________________

Signature: __________________________

Date: ___/___/_____

Researchers:

Camille E. Peeples
Duke University
Sanford School of Public Policy
camille.peeples@duke.edu
(512) 658-1230

Professor Jenni Owen
Duke University
Center for Child and Family Policy
jwowen@duke.edu
(919) 613-9271
Table 7. Continuances by District and Year

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56 Data on continuances were acquired from JWise and the Guardian *ad Litem* Automation Database. Reports containing this data were received directly from the state GAL office.
REFERENCES


17 Am. Jur. 2D Continuance § 3 (2014).


N.C.G.S. 7B-1201.