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ACQUISITIONS
**National Evaluation of the Impact of
Guardians Ad Litem in Child Abuse or
Neglect Judicial Proceedings**

VOLUME III: Technical Appendices

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ACKNOWLEDGEMENTS

The report of this study is divided into three volumes. Volume I presents an executive summary of study findings and recommendations. Volume II, Study Findings and Recommendations, describes the study in greater detail, presents the results of the data analysis and provides conclusions and recommendations for establishing or improving GAL programs. This volume, Volume III, discusses the study background in greater detail, describes the study methodology, presents case study vignettes that exemplify GAL activity, and includes supplementary data tables from the analyses.

The successful completion of this study required the hard work and the coordinated efforts of many individuals. Federal Project Officer David Fairweather assisted us throughout the study and helped us overcome many obstacles we faced conducting the study. Special thanks go to Mr. Robert Horowitz of the National Legal Resource Center for Child Advocacy and Protection of the American Bar Association who provided guidance at all phases of the study. He helped develop GAL outcome variables, reviewed the interview guides, identified GAL models and study sites and reviewed this report. His review and comments helped improve this report considerably. We are also grateful to Professor Sarah Ramsey of Syracuse University Law School who also assisted in reviewing interview guides and identifying appropriate outcomes.

This study required an intensive field effort to extract the data from case records and conduct the network interviews. Obtaining the records and setting up these interviews proved to be a challenging task requiring

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Larry Condelli
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APPENDIX A

STUDY BACKGROUND

The Child Abuse Prevention and Treatment Act of 1973 (P.L. 93-247; P.L. 100-294) culminated a decade-long effort by child advocacy professionals to deal on a national level with the problem of abuse and neglect of children. The Act established a grant program for states for establishing or operating child abuse and neglect treatment and prevention programs. To qualify for these grants, however, states are required to have in effect child abuse and neglect laws that meet ten requirements. Among these requirements are implementation of a system for reporting suspected abuse or neglect, investigation of such reports by authorities and provision of protective and treatment services to endangered children. The Act also requires that:

The State must provide that in every case involving an abused or neglected child which results in a judicial proceeding, a guardian ad litem should be appointed to represent the child in such proceedings (P.L. 100-297, Section 8(b)(6)).

Despite initial resistance to meeting this guardian ad litem (GAL) and other requirements of the Act, all but four states were in compliance with the requirements by 1978. Although the majority of states receive grants through the Act of less than \$100,000, states amended, and in some cases, substantially revised their state child abuse and neglect laws to qualify for grants (Martinez, 1982).

During the 1977 Senate hearings on the reauthorization of P.L. 93-247, the GAL requirement was specifically cited as one of the two requirements of the Act that were most difficult for states to implement (Martinez, 1982).

Some states objected to the requirement due to allegedly costly and time consuming demands it placed on the judicial system. An additional problem was that the Act and subsequent federal regulations gave little or ambiguous guidance on how the requirement should be implemented. Indeed, regulations state only that the GAL's responsibility "includes representing the rights, interests, welfare and well-being of the child" (45 CFR Part 1346). The regulations also state that the GAL need not be an attorney. There remains disagreement on both the proper role of the GAL and what constitutes effective representation.

No concrete Federal guidelines on the GAL role were issued and states were allowed to implement the requirement in their own fashion. Consequently there are now a variety of GAL program models in operation, including those using attorneys, law students, lay volunteers, legal service agencies or combinations of these approaches. The interpretation of the role and responsibilities of the GAL also varies across states, communities, judges and even GALs themselves. There is also little empirical knowledge on what constitute effective representation and little objective evidence on what the duties and responsibilities of the GAL should be, how effective representation of the child can be accomplished or the professional background and training most appropriate to the GAL role.

As a first step toward approaching some of these issues on a national level, the Administration for Children, Youth and Families (ACYF), on behalf of the National Center on Child Abuse and Neglect (NCCAN) contracted with CSR, Incorporated to conduct this study. The two major objectives of the project were to examine GAL activities or process variables under different program models and to assess GAL impact on furthering children's best

interests in abuse or neglect judicial proceedings. The study of GAL processes involved examination of different GAL models on such issues as how the GAL role was defined, when the GAL was appointed, the responsibilities of the GAL of each stage of the case, prerequisites for serving as GAL and training requirements. To examine impact, the study compared different program models on outcome measures representing the best interests of the child. Before discussing the study in detail, we first review prior thinking on the role and impact of the GAL.

THE GAL ROLE AND GAL REPRESENTATION

The role of the guardian ad litem is usually defined quite broadly to encompass both legal and nonlegal activities. Brian Fraser (1974) in an early, influential article on the topic, described the GAL as "more than a simple advocate for the child but rather a legal representative to protect the child's interests" including long range interests. Fraser (1977) further defined the GAL as:

- an investigator whose task it is to ferret out all relevant facts;
- an advocate whose task it is to insure that all relevant facts are before the court at all hearings;
- a counsel who is to insure that the court has before it at the dispositional hearing all available options; and
- a guardian in the simplest sense of the word, whose task is to insure that the child's interests are fully protected.

In 1982 the American Bar Association (ABA) published the Guardian Ad Litem Policy Conference Manual which included several papers describing the role and responsibilities of child advocates. Contributors to the manual

described the key responsibilities of the GAL in abuse or neglect cases as follows:

- o To make an independent investigation of the relevant facts;
- o To obtain access to various reports and information concerning the child and reported abuse;
- o To introduce evidence and/or call witnesses; and
- o To examine and cross-examine witnesses who testify.

Additional responsibilities include review and evaluation of service plans, advocating for the provision of needed services or education, negotiation of agreements, representation of the child at subsequent periodic review hearings and protection of the child during criminal proceedings, especially if it is felt that they could affect the child's well being (Bower, 1982; Horowitz, 1982).

Guardians ad litem are generally active at a series of points for the duration of an abuse or neglect case. Typically, the GAL is appointed at the time of the first court hearing (e.g., emergency removal or shelter care hearing). Involvement of the GAL then focuses around subsequent court hearings. Following the detention hearing, the adjudicatory hearing is conducted to determine if the child is abused, dependent and/or neglected. Prior to this hearing, the GAL is expected to conduct an investigation including interviewing the child, parents, foster parents, relatives, and medical or mental health professionals, and to review records. The GAL may also try to help the parties reach an agreement before the trial. The GAL may submit a trial brief, request or oppose continuances, or attempt to have the case dismissed at this point. At the hearing itself, the GAL may present evidence, call witnesses, cross-examine witnesses and offer service plans and

recommendations to the court. He/she may attempt to negotiate an agreement between the parent and agency, for example, to request that the child be returned home if the parent agrees to certain terms or treatment.

Typically, the next hearing is a dispositional hearing in which the court orders services, agency supervision or foster care placement. To prepare for these hearings, the GAL may again conduct interviews, visit the foster home, attend multidisciplinary meetings and review records. At the hearing, the GAL may introduce a motion requesting continuance and present his/her recommendations to the court. In subsequent judicial review and dispositional hearings, the GAL would perform similar activities preliminary to and during the hearing.

GAL Program Models

While most people recognize the need for independent representation of children in abuse and neglect proceedings and would agree with at least some of the role definitions and responsibilities enumerated by Fraser and the ABA, there is disagreement on the best method for providing GAL representation. While attorneys have customarily been appointed, there have been questions raised on whether they are the most appropriate choice for this function. Duquette and Ramsey (1986) and the ABA (1982) have noted that there is little in the education and training of lawyers that necessarily enables them to serve the best interests of the child properly. Many communities have experimented with trained lay volunteers to either represent the child or assist a lawyer with representation.

The National Center on Child Abuse and Neglect has funded demonstration projects since 1978 to encourage exploration of alternative ways of providing

representation to abused and neglected children. In a review of 16 of these projects, Davidson and Horowitz (1982) identified six categories of GAL program models which are described below.

1. Law School Clinic Model

A law school clinic provides the GAL services using law students who receive course credit for their work. They are usually supervised by an attorney/law school faculty member and may have access to a social worker and perhaps social work interns as resources.

2. Staff Attorney Model

A GAL program is staffed by an attorney or attorneys and paralegals. They may be assisted by administrative staff, social work students and volunteers.

3. Paid Private Attorney Model

Private attorneys selected from a panel or court appointment list provide the representation. They may or may not receive training and support services are usually not available. They are paid by the courts on an hourly basis usually with a cap on total hours.

4. Staff-Supported Private Attorney Panel Model

A GAL program provides case assignments and support services to volunteer or paid attorneys. Social workers and volunteer paralegals conduct investigations and follow up on cases.

5. Lay Volunteer/Paid Attorney Model

This is a program in which paid attorneys work with lay volunteers to represent children. The volunteers conduct investigations, interview and participate in agency meetings. Attorneys primarily participate in in-court activities.

6. Lay Volunteer Model

Lay volunteers serve as the GALs under the supervision of a staff attorney, panel attorneys, or the public defender. Volunteers receive training, conduct all investigations and follow-up and appear in court.

While the authors found that the guardian ad litem concept is widely accepted, there were problems with the implementation of the role. GALs were

found to be relatively inactive at the emergency removal hearing stage, generally having just been appointed. Investigatory activities were not routinely undertaken by the GALs. While GALs took their roles seriously, they generally played a minor role during adjudicatory hearings. They rarely submitted legal pleadings, called witnesses or introduced their own evidence. While no program model appeared to be more effective than another, the "paid private attorney" and "staff-supported private attorney" model frequently reported more GAL activity. The existence of compensation was noted as a possible reason for this finding (Davidson and Horowitz, 1982).

The ADA estimates that more than 85 percent of the court jurisdictions in the nation use the Paid Private Attorney model. The most popular lay volunteer model is the Court Appointed Special Advocate (CASA) program begun in King County, Washington in 1977. CASA programs have become increasingly popular in recent years. A recent survey by Miller and Wolff (1986) found 226 CASA programs in operation in 44 states utilizing over 8,000 volunteers. They found that four types of CASA programs had evolved: (1) GAL model, where the CASA is appointed as the GAL. More than half of CASA programs employed this model, which corresponds to the lay volunteer model identified by the ABA. (2) Friend of the Court model, where the CASA serves as an impartial observer, conducts investigation and files reports to the court, but is not a legal party to the proceedings. About one-fourth of CASA programs used this model. (3) Team model, where both a CASA and attorney are appointed by the court to perform the GAL function. About 15 percent of CASA programs used this model, which corresponds to the Lay Volunteer/Paid Attorney model identified by the ABA. (4) Monitor model, used relatively

infrequently, where the CASA monitors court-ordered expectations for compliance and alerts the court of failure to comply. Under this model, the CASA is not party to the proceedings and may not contact parents or children.

The CASA movement has attracted considerable interest and has received support from NCCAN through the Coordinated Discretionary Grant Program. The number of programs in operation has increased dramatically--over 250 percent--since 1984. There is also a National CASA Association in Seattle, Washington which promotes and assists CASA programs nationwide. As of this writing there are about 280 CASA programs in operation.

Unresolved Issues

Several unresolved issues remain regarding the appropriate role and responsibilities of the guardian ad litem. How these issues are resolved influences the function of the GAL and ultimately the GAL's impact on the child. A central dilemma confronting GALs occurs with children who are capable of communicating their desires and who express wishes the GAL feels are not in the child's best interests. For example, a child may ask to be returned home despite evidence of maltreatment. In such situations it is unclear whether the GAL should argue for the child's best interests or for what the child wants.

This distinction is fundamental to the GAL role and poses a conflict to attorney GALs who are bound by an ethical code to represent their client's wishes zealously. Consequently, many attorneys, but by no means all, interpret the GAL role as requiring them to advocate the wishes of their articulate child clients, even if the attorney feels the position is not in the child's best interests. In contrast, non-attorney GALs do not experience

this conflict and are more apt to see their role as advocating the child's best interests. However, this issue remains one of the central controversies in defining the GAL role.

A related issue is what constitutes the child's best interests. "Best interests" is not an objective standard but a statement of a goal. Defining "best interests" involves imposing values and judgements about child rearing and development on specific family situations. There are some generally agreed standards that may be applied to develop a determination of what is in the child's best interests. For example, a child should receive basic care, food and shelter in an environment free from abuse. According to the Adoption Assistance and Child Welfare Act of 1980 (P.L. 96-272) the child's placement with family should be preserved as much as possible and separation should be for the shortest possible time. Regular contact with the family should be maintained when out-of-home placement is required. Despite these and other guidelines, in most cases the GAL must make his/her own judgement on behalf of a specific child in determining the child's best interests.

Another area of controversy is whether the GAL must be an attorney. It is often argued that the GAL role is best filled by an attorney since attorneys best understand court procedures, rules of evidence and the legal system and how it can be used most effectively for the child's interests (Fraser, 1976). However, many others have argued that lawyers are insensitive to the developmental needs of children and do not have training in child and family problems. Teachers, social workers, human service workers, or others trained in dealing with families may best be able to communicate with children and resolve their problems. The recent success of the CASA movement has lent credence to this position.

A fourth issue concerns the degree of independence the GAL needs to perform the job properly. In many states, notably California, the GAL may be the social worker or a court probation officer. In many jurisdictions the GAL is an officer of the court subject to the judge's discretion and control. Many child advocates question whether the child's interests can be fully protected by a GAL who also represents the petitioning agency, is a caseworker who must provide services to the family, or is an employee of the court (Davidson, 1982). Some degree of autonomy for the GAL appears to be necessary.

A final issue is the cost-effectiveness of GAL models. As with other publicly funded social services, it is important to provide the most effective method of GAL representation to children at the lowest possible cost. A major purpose of the present study was to provide empirical evidence to inform the issue of GAL effectiveness. Prior to this study, only four evaluations of GAL effectiveness were conducted. These studies are reviewed in Chapter 1, Volume II.

STUDY PURPOSES

This review of current thinking and research on the role of the guardian ad litem reveals some disagreement within the field on the duties and responsibilities of the GAL. There is also little empirical information available on the effectiveness of GALs in producing positive outcomes for children. The existing studies suggest that there are problems with GAL representation as it is currently provided, but they also suggest that under certain conditions and with proper training, guardians ad litem can effectively serve the best interests of the child. However, these studies do not tell us the GAL

program models that are maximally effective, the key activities of GALs that promote effective outcomes or the types of outcomes GALs can be expected to achieve. For example, they do not tell us the relative advantages and disadvantages of using attorneys and CASA volunteers as GALs in terms of training received, activities performed or outcomes that may result from these activities. This study was a first attempt by ACYF to address some of those important issues on a national level.

The study examined issues of GAL process -- what activities the GAL undertook in the performance of his or her duties -- and GAL outcomes or impact on the child. Both sets of variables were studied through a comparison of five GAL program models. The examination of process attempted to provide information on the unresolved issues discussed earlier: (1) whether the GAL should argue in the child's best interests or as the child's attorney; (2) what constitutes an outcome in the child's "best interests"; (3) attorney and non-attorney GAL representatives and the responsibilities of the GAL under both of these types of models; and (4) independence of the GAL from the court and local child welfare agency. The specific research questions examined in this part of the study included the following:

- o What are the responsibilities and duties of the GAL?
- o What is the selection process for appointing GALs?
- o Who appoints and when is the GAL appointed?
- o Does the GAL work alone or in coordination with the child welfare agency?
- o How much and when is the GAL paid?
- o When does the GAL role end?
- o How much time does the GAL spend on each phase of the case?

- How active a participant is the GAL in mediation?
- Did the GAL meet with the child prior to hearings?
- How often did the child and GAL meet?
- What is the relationship between the GAL and the child and between the GAL and other family members?
- How active is the GAL in judicial proceedings?
- Does the GAL work independently from the child welfare agency to determine the family's needs?
- How active is the GAL in follow-up of the case?

In examining case outcomes, the study explored what constituted effective representation. The goal of this phase of the study was to link specific GAL activities with case outcomes that were in the child's best interests. This involved both identifying best interests outcomes and determining which activities of the GAL were likely to result in these outcomes. We also sought to compare GAL program models to determine how the different role requirements of each model resulted in varying GAL activities and case outcomes. The specific research questions for this part of the study were:

- Do GAL models produce a difference in the timing of judicial action?
- Do GAL models produce differences in out-of-home placements?
- Did the GAL help obtain services the family needed?
- Does GAL involvement produce mediated outcomes?
- What GAL activities and program models are effective in producing outcomes in the child's best interests?
- What are the differences among models in stability of GAL representation?
- How active are GALs at hearings and in the legal system under different models?
- Does GAL effectiveness vary by type of case?

Through this study, ACYF hoped to gain information on GAL best practices that relate most strongly to desired outcomes. This information could be used to assist state and local programs to develop, evaluate and modify existing programs. The study methodology involved selecting five GAL program models and examining two examples of each model. Data were collected through interviews with juvenile court judges, state attorneys, GAL program directors, GALs, social workers, children and parents. Information was also obtained from court records and local child welfare records. Appendix B explains the study methodology and limitations in greater detail.

The Child's Best Interests

Before we could begin work on the study we had to confront an important conceptual issue--the meaning of "child's best interests." We needed to develop more objective guidelines to define what outcomes could be characterized as serving the child's best interests and also to specify the activity the GAL should be doing that would be most likely to serve these interests. There appeared to be little consensus in the field or in published studies on measures to evaluate GAL effectiveness and determine whether the child's best interests had been served. To assist us with this task, we enlisted the assistance of child advocacy professionals who had extensive knowledge of guardian ad litem issues. During the early weeks of the project we convened a meeting of these professionals working in the Washington, D.C. metropolitan area. With the assistance of the American Bar Association we identified 35 professionals including attorneys, GAL program coordinators, juvenile court judges and representatives of child advocacy groups, 24 of whom attended the day-long meeting.

At the meeting, we asked each person to identify activities the GAL should perform that which would help ensure the child's best interests were served and to identify outcomes that would reflect the child's best interests. We asked the participants to identify processes and outcomes both for the short-term (through the first disposition hearing) and for the long-term (review hearings and case closing). Each participant first identified outcomes individually and then met in small groups with other participants to refine the list.

From this meeting we produced a list of 26 short-term and 24 long-term processes and outcomes which we then sent to a second group of child advocacy professionals. The American Bar Association identified this second group of professionals, who worked in all regions of the country. We asked them to select the five short-term and the five long-term processes/outcomes that would most likely serve children's best interests. Of the 77 individuals who were sent the list, 36 (47 percent) responded by mail.

Exhibit A-1 shows the top five short and long-term processes and outcomes selected by our respondents. The most important short-term outcomes/processes for the child were that the GAL represent the child at all phases of the case, the GAL conduct a thorough, pre-adjudicatory investigation, there be specific orders for services and treatment as a result of the dispositional hearing, the GAL advocate the child's interests before the court and explore services and resources to keep the child at home. For long-term outcomes respondents felt that the GAL should represent the child's needs in the service system and should explore alternative permanency plans when reunification seems unlikely for children in out-of-home placement. Respondents felt that the same GAL should represent the child in all phases of the

case, that the child should be kept in out-of-home placement for as short a time as possible and the compliance with court orders and agency requirements should be monitored. Exhibit A-1 also shows the responsibilities of the GAL that would lead to individual outcomes for attorney and lay volunteer GAL models. We incorporated these outcomes and processes into our research instruments and used them to guide our data analysis when trying to assess GAL impact.

Responsibilities of Child Representatives Related to Child's Best Interest Outcomes
for Attorney and Volunteer Models

Short-Term Outcomes

<u>Outcomes¹</u>	<u>Responsibilities²</u>	
	<u>Attorney Models³</u>	<u>Lay Volunteer Models⁴</u>
<p>1. Child is represented in all phases of the case.</p>	<p>A. GAL personally appears in court at all hearings related to the abuse/neglect matter, including protective custody, adjudication and dispositional hearings, as well as any agency administrative reviews.</p> <p>B. GAL participates in all pre-trial conferences and informal or formal negotiating sessions between the state and alleged perpetrators.</p> <p>C. GAL attends, on behalf of the child, any court proceeding which, regardless of the court, involves abuse/neglect issues.</p> <p>D. GAL actively participates in all abuse/neglect related hearings:</p> <ol style="list-style-type: none"> 1. Subpoenas witnesses and documents. 2. Examines witnesses. 3. Cross-examines witnesses. 4. Makes necessary motions (e.g., assessments, oppose continuance if appropriate). 5. Makes opening/closing statements. 6. Takes steps to minimize trauma to the child (e.g., videotape testimony, testimony in chambers). <p>E. GAL seeks court clarification of his or her role where there is uncertainty.</p>	<p>A. GAL personally appears in court at all hearings related to the abuse/neglect matter, including protective custody, adjudication and dispositional hearings, as well as any agency administrative reviews.</p> <p>B. GAL participates in all pre-trial conferences and informal or formal negotiating sessions between the state and alleged perpetrators.</p> <p>C. GAL attends, on behalf of the child, any court proceeding which, regardless of the court, involves abuse/neglect issues.</p> <p>D. GAL seeks court clarification of his or her role where there is uncertainty.</p> <p>E. GAL seeks aid of a lawyer to help perform appropriate functions:</p> <ol style="list-style-type: none"> 1. Subpoenas witnesses and documents. 2. Examines witnesses. 3. Cross-examines witnesses. 4. Makes necessary motions (e.g., assessments, oppose continuance if appropriate). 5. Makes opening/closing statements. 6. Takes steps to minimize trauma to the child (e.g., videotape testimony, testimony in chambers).
<p>2. Complete investigation is conducted by the GAL into the facts of the case, including interviews with all relevant persons. (pre-adjudicatory investigation)</p>	<p>A. GAL interviews child, outside presence of perpetrator, and maintains close contact with him or her.</p> <p>B. If child is too young to be interviewed, GAL elicits appropriate professional help to interpret child's behavior/attitude, e.g., play interviews.</p> <p>C. GAL interviews persons with knowledge of child, family, and abuse/neglect charges:</p> <ol style="list-style-type: none"> 1. Parent(s) - both perpetrators and supportive parent, if applicable. Permission to speak to alleged perpetrator first sought from his/her attorney. 	<p>A. GAL interviews child, outside presence of perpetrator, and maintains close contact with him or her.</p> <p>B. If child is too young to be interviewed, GAL elicits appropriate professional help to interpret child's behavior/attitude, e.g., play interviews.</p> <p>C. GAL interviews persons with knowledge of child, family, and abuse/neglect charges:</p> <ol style="list-style-type: none"> 1. Parent(s) - both perpetrators and supportive parent, if applicable. Permission to speak to alleged perpetrator first sought from his/her attorney.

Short-Term Outcomes (continued)

Outcomes	Responsibilities	
	Attorney Models	Lay Volunteer Models
	<ul style="list-style-type: none"> 2. Caseworker(s). 3. Foster parent(s). 4. Professionals with knowledge of child, family, or case. 5. Neighbors, relatives and others with such knowledge. <p>D. GAL reviews relevant records related to the abuse/neglect charges, child and family:</p> <ul style="list-style-type: none"> 1. CPS case record (present and previous records). 2. Medical record. 3. Educational record. <p>E. GAL seeks court's assistance (orders, subpoenas) to aid in investigation when met with resistance.</p> <p>F. GAL makes appropriate site visits:</p> <ul style="list-style-type: none"> 1. Home of child 2. Foster home 3. Scene where alleged abuse took place <p>G. GAL observes interaction of child-parents/perpetrators.</p> <p>H. GAL facilitates visitation of parent-child, if appropriate, when child placed out-of-home.</p>	<ul style="list-style-type: none"> 2. Caseworker(s). 3. Foster parent(s). 4. Professionals with knowledge of child, family, or case. 5. Neighbors, relatives and others with such knowledge. <p>D. GAL reviews relevant records related to the abuse/neglect charges, child and family:</p> <ul style="list-style-type: none"> 1. CPS case record (present and previous records). 2. Medical record. 3. Educational record. <p>E. GAL seeks assistance of lawyer to aid in investigation when met with resistance.</p> <p>F. GAL makes appropriate site visits:</p> <ul style="list-style-type: none"> 1. Home of child 2. Foster home 3. Scene where alleged abuse took place <p>G. GAL observes interaction of child-parents/perpetrators.</p> <p>H. GAL facilitates visitation of parent-child, if appropriate, when child placed out-of-home.</p>
<p>3. Specific orders are entered relative to assessment/services/treatment for child and family and the conditions to be met by parents and agency. (dispositional hearing)</p>	<p>A. GAL requests appropriate assessments/evaluations of child and parents.</p> <p>B. When parents are resistant to evaluations, GAL obtains court assistance.</p> <p>C. GAL makes sure issues and questions to be addressed by evaluators are written with specificity and given to evaluator.</p> <p>D. GAL, based upon his or her investigation and the evaluations, prepares a dispositional plan and submits it to the court. Plan includes:</p> <ul style="list-style-type: none"> 1. Specific services to be provided 2. Specific placement if necessary 3. Source of funds or financial responsibility of parties, if appropriate 	<p>A. GAL requests appropriate assessments/evaluations of child and parents.</p> <p>B. When parents are resistant to evaluations, GAL obtains court assistance.</p> <p>C. GAL makes sure issues and questions to be addressed by evaluators are written with specificity and given to evaluator.</p> <p>D. GAL, based upon his or her investigation and the evaluations, prepares a dispositional plan and submits it to the court. Plan includes:</p> <ul style="list-style-type: none"> 1. Specific services to be provided 2. Specific placement if necessary 3. Source of funds or financial responsibility of parties, if appropriate

Short-Term Outcomes (continued)

Outcomes	Responsibilities	
	Attorney Models	Lay Volunteer Models
	<p>E. GAL participates in any case planning sessions between agency-parents.</p> <p>F. GAL participates in development of voluntary agreements/stipulations.</p> <p>G. GAL participates in disposition hearings (see I.D.).</p>	<p>E. GAL participates in any case planning sessions between agency-parents.</p> <p>F. GAL participates in development of voluntary agreements/stipulations.</p> <p>G. GAL participates in disposition hearings (see I.D.).</p>
<p>4. Services and other resources available to keep child in home are explored. (pre-disposition investigation.)</p>	<p>A. GAL assures that the court specifically considers and rules on agency's "reasonable efforts" to prevent foster care.</p> <p>B. GAL independently pursues options to avoid child's placement out-of-home and makes appropriate recommendations to the court.</p> <p>C. If out-of-home placement is necessary, GAL attempts to assure that it is in the least restrictive alternative, as close to home as possible, and offers any necessary special programs, with preferences in the order that follows:</p> <ol style="list-style-type: none"> 1. Relative or friend 2. Foster home 3. Residential/institutional setting 	<p>A. GAL assures that the court specifically considers and rules on agency's "reasonable efforts" to prevent foster care.</p> <p>B. GAL independently pursues options to avoid child's placement out-of-home and makes appropriate recommendations to the court.</p> <p>C. If out-of-home placement is necessary, GAL attempts to assure that it is in the least restrictive alternative, as close to home as possible, and offers any necessary special programs, with preferences in the order that follows:</p> <ol style="list-style-type: none"> 1. Relative or friend 2. Foster home 3. Residential/institutional setting
<p>5. Child's interests are advocated before the court by the GAL. (adjudicatory hearing.)</p>	<p>A. Wishes of the child are ascertained through interviews.</p> <p>B. If child's "expressed wishes" differ from what GAL perceives to be (through investigation and evaluation) in the child's "best interests," the GAL:</p> <ol style="list-style-type: none"> 1. Attempts to reconcile difference with child through further discussions 2. If reconciliation is impossible, GAL: <ol style="list-style-type: none"> a. seeks appointment of counsel to independently represent child's wishes, or b. seeks appointment of new GAL so that old may represent child's wishes. <p>C. GAL actively participates in all court proceedings and pre-trial matters. (See generally all responsibilities set forth under short-term objective one.)</p>	<p>A. Wishes of the child are ascertained through interviews.</p> <p>B. If child's "expressed wishes" differ from what GAL perceives to be (through investigation and evaluation) in the child's "best interests," the GAL:</p> <ol style="list-style-type: none"> 1. Attempts to reconcile difference with child through further discussions 2. If reconciliation is impossible, GAL: <ol style="list-style-type: none"> a. seeks appointment of counsel to independently represent child's wishes, or b. seeks appointment of new GAL so that old may represent child's wishes. <p>C. GAL actively participates in all court proceedings and pre-trial matters. (See generally all responsibilities set forth under short-term objective one.)</p>

Long-Term Outcomes

Outcomes	Responsibilities	
	Attorney Models	Lay Volunteer Models
<p>1. Child is represented, and needs of child are advocated for, in mental health, educational, juvenile justice and other community systems.</p>	<p>A. GAL initiates, and where appropriate, acts as surrogate parent in development of Individualized Educational Plan under Public Law 94-142 for children with special education problems.</p> <p>B. Where child is mentally, emotionally, or physically handicapped, GAL assures appropriate evaluations and treatment are part of all dispositional orders.</p> <p>C. GAL seeks assistance of all community agencies to address family's environmental problems and to provide necessary services, such as housing.</p> <p>D. When an environmental problem, such as housing, is not the fault of the parents, GAL attempts to solicit help of other agencies (See C. above) and have abuse/neglect charges dismissed.</p> <p>E. Where underlying cause of abuse or neglect is parents' inability to cope with mental or physical handicap/disability of child, parent receives appropriate services to address this problem.</p> <p>F. Where child's educational or other needs require out-of-home placement, GAL pursues options in accordance with short-term objective 4.C.</p> <p>G. Appropriate services/compensation are explored with victim compensation boards and victim assistance programs.</p>	<p>A. GAL initiates, and where appropriate, acts as surrogate parent in development of Individualized Educational Plan under Public Law 94-142 for children with special education problems.</p> <p>B. Where child is mentally, emotionally, or physically handicapped, GAL assures appropriate evaluations and treatment are part of all dispositional orders.</p> <p>C. GAL seeks assistance of all community agencies to address family's environmental problems and to provide necessary services, such as housing.</p> <p>D. When an environmental problem, such as housing, is not the fault of the parents, GAL attempts to solicit help of other agencies (See C. above) and have abuse/neglect charges dismissed.</p> <p>E. Where underlying cause of abuse or neglect is parents' inability to cope with mental or physical handicap/disability of child, parent receives appropriate services to address this problem.</p> <p>F. Where child's educational or other needs require out-of-home placement, GAL pursues options in accordance with short-term objective 4.C.</p> <p>G. Appropriate services/compensation are explored with victim compensation boards and victim assistance programs.</p>
<p>2. If out-of-home placement becomes long-term and parents are not interested in working toward reunification, other permanency plans are explored and an alternative is pursued actively, such as termination of parental rights (disposition review hearing).</p>	<p>A. GAL assures review hearings are held and factors considered as required by Public Law 96-272.</p> <p>B. GAL assures that court makes appropriate, specific findings when reunification with parents is not likely to occur.</p> <p>C. GAL assures that the court specifically addresses permanent, long-term alternatives.</p> <p>D. GAL assures that termination of parental rights actions are timely filed or considered and participates in these proceedings.</p>	<p>A. GAL assures review hearings are held and factors considered as required by Public Law 96-272.</p> <p>B. GAL assures that court makes appropriate, specific findings when reunification with parents is not likely to occur.</p> <p>C. GAL assures that the court specifically addresses permanent, long-term alternative.</p> <p>D. GAL assures that termination of parental rights actions are timely filed or considered and participates in these proceedings.</p>

Long-Term Outcomes (continued)

Outcomes	Responsibilities	
	Attorney Models	Lay Volunteer Models
	<p>E. GAL, in appropriate cases, explores options of independent living for older children with agency.</p> <p>F. GAL assures that court considers and formally rules on whether agency used "reasonable efforts" towards reunification of family.</p>	<p>E. GAL, in appropriate cases, explores options of independent living for older children with agency.</p> <p>F. GAL assures that court considers and formally rules on whether agency used "reasonable efforts" towards reunification of family.</p>
3. Child has the same GAL for the duration of the case.	<p>A. Upon accepting appointment, GAL agrees to represent child through duration of case.</p> <p>B. Upon accepting appointment, GAL agrees to assist child in other related court matters, e.g., criminal abuse cases.</p> <p>C. Where GAL must leave case before conclusion, s/he makes effort to minimize disruption to child caused by new appointment.</p>	<p>A. Upon accepting appointment, GAL agrees to represent child through duration of case.</p> <p>B. Upon accepting appointment, GAL agrees to assist child in other related court matters, e.g., criminal abuse cases.</p> <p>C. Where GAL must leave case before conclusion, s/he makes effort to minimize disruption to child caused by new appointment.</p>
4. If placement is out-of-home, child is returned home at the earliest appropriate time.	<p>A. GAL assists parents to maintain contact with child.</p> <p>B. GAL submits a report and participates in all review hearings. GAL ensures that court issues written findings relevant to the issue of return home, e.g., why child cannot be returned home now, future services necessary to help accomplish necessary changes, endorsement of an appropriate visitation plan, designation of a proposed timetable for the child's return home, and a description of any changes to be made in child's current placement.</p> <p>C. GAL petitions court for expeditious or early foster care review hearing where appropriate, either to seek change in case plan or for early return home of child.</p> <p>D. GAL works with agency, family, and child to assure that services contemplated in court orders, voluntary agency agreements, and case plans are provided.</p> <p>E. GAL mediates minor disputes between agency and parents over implementation of court orders or service plans.</p>	<p>A. GAL assists parents to maintain contact with child.</p> <p>B. GAL submits a report and participates in all review hearings. GAL ensures that court issues written findings relevant to the issue of return home, e.g., why child cannot be returned home now, future services necessary to help accomplish necessary changes, endorsement of an appropriate visitation plan, designation of a proposed timetable for the child's return home, and a description of any changes to be made in child's current placement.</p> <p>C. GAL petitions court for expeditious or early foster care review hearing where appropriate, either to seek change in case plan or for early return home of child.</p> <p>D. GAL works with agency, family, and child to assure that services contemplated in court orders, voluntary agency agreements, and case plans are provided.</p> <p>E. GAL mediates minor disputes between agency and parents over implementation of court orders or service plans.</p>

Long-Term Outcomes (continued)

Outcomes	Responsibilities	
	Attorney Models	Lay Volunteer Models
5. Compliance and lack of compliance with court orders, case plans and service agreements are documented by the GAL. (dispositional review investigation)	<p>A. GAL monitors court orders, case plans, voluntary agreements.</p> <p>B. GAL apprises court of any significant violation by any party of the above.</p> <p>C. GAL requests and participates in review hearings where appropriate (even if scheduled for later date)</p> <p>D. GAL takes lead in assuring case plans/service agreements are revised where necessary.</p> <p>E. GAL maintains regular contact with child, case-worker, parents and their attorneys, and major service providers.</p>	<p>A. GAL monitors court orders, case plans, voluntary agreements.</p> <p>B. GAL apprises court of any significant violation by any party of the above.</p> <p>C. GAL requests and participates in review hearings where appropriate (even if scheduled for later date)</p> <p>D. GAL takes lead in assuring case plans/service agreements are revised where necessary.</p> <p>E. GAL maintains regular contact with child, case-worker, parents and their attorneys, and major service providers.</p>

NOTES

This matrix was developed for the Administration for Children, Youth and Families, DHHS, by CSR, Incorporated as part of an evaluation of the impact of guardians ad litem in abuse or neglect judicial proceedings. The matrix shows responsibilities of guardians under two types of program models that are presumed to lead to the specified outcome in the child's best interest.

¹The outcomes represent positive benefits to the child that are in the child's best interest. They result from the activities of the child's guardian ad litem or legal representative in abuse or neglect judicial proceedings. Five short term and five long-term outcomes are listed. Short-term outcomes refer to the time through the initial dispositional hearing. Long-term outcomes cover the following period to case closing. The outcomes were identified by 24 child advocacy professionals in the Washington, DC area and validated through a mail survey of professionals across the country.

²The responsibilities of child representatives in abuse or neglect proceedings that related to each outcome are listed here. The only major difference in responsibilities among models is that attorneys need to solicit social work assistance to help perform nonlegal responsibilities; lay volunteers need to solicit legal help for legal responsibilities.

³Attorney models provide lawyers or law students to represent children. The major attorney models include private attorneys that are impaneled, staff attorneys that are paid by the court or state child welfare system, and law students who represent children as part of their professional training.

⁴Volunteer models use nonprofessionals to represent children. These volunteers are usually given a brief training and work without monetary compensation. Some programs also have a staff attorney that provides legal assistance to the volunteer. The Court Appointed Special Advocate (CASA) program is the most common of this type of model.

APPENDIX B

METHODOLOGY OF THE STUDY

The National Guardian Ad Litem Evaluation examined five GAL program models operating in nine cities in six states. There were three data sources for the study: (1) interviews with child advocacy professionals who have contact with GALs (state attorneys, judges, GAL program coordinators); (2) interviews with case "networks" consisting of GALs, social workers, and children and family members who have been involved in abuse or neglect court proceedings and have dealt with GALs; and (3) data extraction from juvenile court and child welfare agency case records.

Separate interview questionnaires were developed for each respondent and a case record extraction form was also devised. All research instruments were developed after a thorough review of the literature and the study questions required by ACYF. The National Legal Resource Center for Child Advocacy and Protection of the American Bar Association (ABA) provided input in planning the questionnaires and reviewed all instruments. The development of the GAL questionnaire was guided by the work of Professor Sarah Ramsey (Kelley and Ramsey, 1983; Duquette and Ramsey, 1986). Professor Ramsey served as a consultant to the project and reviewed and provided input to all instruments. All instruments were pretested on appropriate respondents at the Washington, D.C. Department of Human Services, the D.C. Guardian Ad Litem Office and D.C. Superior Court.

METHODOLOGY

The methodology of the study was a five step process involving selection of GAL program models, selection of sites where the models were operating, selection of professional respondents, case record sampling, and selection of case networks. Due to the limited size of the study, selection of sites and models was purposive, while pseudo-random procedures were used in selecting cases. Selection of case networks was also purposive, as factors such as the age of the child and consent of the family had to be considered.

Selection of Models and Sites

We asked the American Bar Association to identify the guardian ad litem program models currently in use. They uncovered six models: (1) law school clinics where law students serve as GALs as part of their training; (2) staff attorneys that provide child representation; (3) private attorneys; (4) private panel attorneys with support staff, where attorneys work with GAL offices that provide services, such as social worker investigators; (5) CASA/attorney where volunteers and attorneys work jointly on a case and (6) CASA volunteers that work alone. These models are described in greater detail in Appendix A.

The National CASA Association identified two additional CASA models (described in Appendix A). However, since these models are not widely used, we decided not to include them in the study. We also decided against using the Private Panel Attorney with support staff model, as the ABA was able to identify only three cities in the nation where it was in use. Consequently, the five remaining models were selected for study. ABA then provided us with the names of several programs in cities across the country where each program

was operating. In compiling this list, we asked ABA to select programs of comparable quality.

Site selection. We decided to select two programs for each of the five GAL models. However, since we are limited to using nine sites by NCCAN, we selected one site where two models were in operation and eight sites where we examined a single GAL model. This allowed us to look at 10 GAL programs (two per model) in nine sites. The criteria for selecting sites were as follows:

- o Geographic diversity. Programs were selected to represent each geographic region of the country. We also clustered programs to be in close proximity to reduce the cost of the data collection.
- o Previous GAL evaluation activity. New York, North Carolina and Florida had already been the subject of GAL evaluation projects within the past five years. Consequently, we decided not to select programs in these states.
- o State or local administration. Some local child welfare agencies are administered centrally by the state while others are controlled locally by the county. We selected both types of agencies.
- o Urban/rural. Diversity on degree of urbanization of the agency service area was desirable because urban and rural communities differ on the type of family problems and availability and delivery of social services.

The sites selected were:

Hudson County, New Jersey

Milwaukee County, Wisconsin

Hamilton County, Ohio

Waukesha County, Wisconsin

Jefferson County, Kentucky

Spokane County, Washington

Richmond, Virginia

King County, Washington.

Chesterfield County, Virginia

Selection of Professional Respondents

The study design specified by ACYF called for interviews with juvenile court judges and attorneys to obtain their perception on GAL representation in their community. After sites were selected, we obtained the name of the presiding juvenile court judge in each location and selected that person to interview. At one site the presiding judge informed us that another juvenile court judge was more knowledgeable of the local GAL program and at that site we interviewed this other judge. We interviewed one judge at each site for a total of nine judges.

The state attorney responsible for representing the state or local agency in abuse and neglect hearings was selected at each site as our attorney respondent. If there was more than one attorney at a site who filled this role we selected the chief or supervisory attorney to interview. We interviewed a total of nine attorneys, one per site. Finally, we interviewed the guardian ad litem program coordinator at each site where there was a coordinator. Many private attorney models are not formal GAL programs, as with this type of representation judges select an attorney from the list of available attorneys the court keeps. There is usually little or no program administration. There were no GAL coordinators at the two panel attorney sites we selected. Since we examined ten GAL models, a total of eight GAL coordinators were interviewed. No respondent refused to be interviewed.

Selection of Case Records and Network Interviews

ACYF required that we examine 25 case records at each site. To study the GAL activities and their impact on case outcomes, we needed cases that were either closed or where the child was in a stable living arrangement and

all significant legal activity was over. We therefore decided to select "closed" cases for review. However, the selection procedures for the network interviews (explained below) required that we select at least one open case. Consequently the sampling plan called for 24 closed cases and one open case.

We asked the GAL programs to provide us with a list of their abuse and neglect cases closed over the last 12 months for sampling. We used a very broad definition of closed cases to include cases that were no longer receiving services from the local child welfare agency or the GAL program, or where all significant legal activity was over and the case was stable. Our original plan was to select cases randomly from the GAL program's list. However, it proved to be very difficult and burdensome for the program to compile such a list. Consequently, we asked that the program provide us with a list of 25-35 recently closed cases, using our broad definition of closed. We also asked them to provide several open cases that met the requirements for the network interviews explained below. In families where more than one child was involved, we selected the oldest child and did the data extraction on the record of that child. Due to difficulties in obtaining cases and the difficulty to the agency of compiling lists, we were not always able to conform fully to the sampling plan. The number and type of cases selected at each site is shown in Exhibit 1-1, Volume II.

At the two private attorney sites there was no formal GAL program. The list of cases for sampling at these sites were obtained from the local child welfare agency. We asked them to include on the list only cases that had GAL representation using the GAL program model we were examining.

Selection of network interviews. The study design required we interview one open and one closed case network per site. A "network" consisted of the

child, parent or principal caretaker of the child, the child's GAL and child's caseworker. One closed case was selected from the closed records selected for record extraction as follows. We first identified all cases where the child was at least 10 years old. From these cases, we eliminated cases where it was apparent that any member of the network could not be interviewed (e.g., parent or child was incarcerated or mentally incompetent). We also eliminated cases that were more than two years old since the interviews asked detailed questions about activities during the early part of the case that we felt could not be remembered by respondents over a long period of time. From the remaining cases, we selected one randomly and asked the child's caseworker whether he/she would consent to be interviewed and whether he/she felt the parent and child could be interviewed. If so, we had the caseworker contact the parent and child to obtain their consent. After the child and parent had agreed, we contacted the GAL to get his/her consent. If any party refused to be interviewed, or the caseworker felt it was inappropriate to interview the child or parent, we selected another closed case from the eligible cases. If all eligible cases among the 24 closed cases are depleted, we requested additional cases from the GAL program or local agency.

The criteria for selecting the open case network were: (1) an abuse or neglect case in which a GAL was assigned; (2) child was at least 10 years old; (3) the case had been opened at least six months; (4) the case had been through the initial dispositional hearing; and (5) both child and parent (or caretaker) were available to be interviewed. It proved to be very difficult to identify case networks. Consequently, we asked the GAL program or local child welfare agency for assistance in identifying appropriate cases. At

most sites, the GAL program identified at least one case network for us using our criteria.

Data Collection Methods

Data collectors were hired at each of the sites to conduct the network interviews and record extractions. CSR senior staff travelled to each site and trained the data collectors in a day long session. Senior staff remained on site for one week to supervise data collection and to conduct the interviews of the judges, attorneys and GAL program directors. These interviews lasted about one hour each and were held in the respondent's office.

The onsite data collectors extracted information from both the social service record kept by the local child welfare agency and the juvenile court record. It took an average of two hours per record to complete the data extraction form and an average of one month to extract all 25 records. A total of 245 records were extracted, as five cases had to be excluded due to insufficient data or unavailability of the record.

The onsite data collectors also conducted all of the network interviews. The GAL and caseworker interviews were conducted at the GAL office and local child welfare service agency, respectively and lasted an average of about one hour. Respondents were encouraged to examine any notes and records about the case to refresh their memories. They also were allowed to consult records during the interview, although few did. No caseworker or GAL refused to be interviewed.

The parent and child interviews were usually conducted in the home of the respondent and lasted an average of 45 minutes. The family's social worker initially contacted both parent and child to explain the purpose of

the interview and obtain consent. At the time of the interview, the interviewer again reviewed the purpose of the study and questions that would be asked during the interview, and obtained the respondent's formal consent. Written informed consent was required and obtained in New Jersey and Washington. The text of what interviewers told respondents prior to interviews is on the cover page of the interview questionnaires. This text, as well as the interview questionnaires, are available from the Federal Project Officer.

It proved to be very difficult to obtain interviews with parents and children. Difficulties occurred when trying to select a suitable case that met our requirements and where all parties would agree to be interviewed. It took an average of 10 weeks per site from onset of data collection until all interviews were completed. However, no family refused to be interviewed after they were selected.

Additional problems in obtaining family interviews occurred in Wisconsin where GALs are assigned only to children under age 12. After examining over 50 case records only one family could be identified where the child was old enough to be interviewed and where all parties consented to participate. Thus only one parent and one child were interviewed in Wisconsin. In some cases it was not possible to obtain interviews from both parent and child. The total number of each type of respondent by type of case and program model is shown in Exhibit 1-2, Chapter 1, Volume II.

Study Limitations

There are several limitations to the study design which should be considered when examining study findings. These limitations are related to the selection methods employed for selecting sites, cases and networks. While

every attempt was made to follow scientific procedures and limit bias, some shortcomings were inevitable due to the limited size of the study and inherent problems of conducting research within large and sometimes chaotic social service agencies and juvenile court systems.

One limit on generalizability is due to our selection of sites. We did not make an attempt to identify all sites employing each of the GAL models we examined. Indeed such an undertaking would involve a massive investment of time and funds given the more than 3,000 county court jurisdictions in the nation. Instead, we relied on a selective listing of sites employing the GAL models we examined. This list included prominent programs known to the ABA and all were established for several years and were of comparable quality. While we are confident that the sites selected were representative of the operation of each GAL model, there may be differences in the operation of the models at different sites which we did not uncover.

A second possible problem may have resulted from our selection method of case records. It proved not to be possible to select cases in a truly random fashion. The GAL programs we contacted simply did not have a list of their annual caseload readily available. Compiling of such a list would have been overly burdensome to the programs and would have taken considerable time, resulting in significant delay for the study. Local child welfare agencies were also unable or unwilling to produce a full case listing. However, we believe our solution to this problem -- selecting the most recently closed cases -- did not introduce any systematic bias into the sample selection. Neither we, the child welfare agency supervisors, or GAL program directors could identify any plausible reason why these cases would be significantly different than other cases the agency served. Nor is there any

indication in the published literature that such cases would be fundamentally different from the general caseload of the agency.

The most serious limitation of the study in regard to the quantitative analysis results from our reliance on child welfare agency and juvenile court records as primary data sources. Record keeping varies considerably by individual location and key documents or information may not be recorded in some sites. This is particularly true in regard to juvenile court records. The court record contains court orders, evidence and other information formally entered during hearings. The record is typically an incomplete picture of what occurred at a hearing and is a source only of written documents. Much of what occurs during the hearing is verbal. The GAL may have made opening and closing statements, motions, cross-examined witnesses and made a verbal report. None of this would be documented in a court record. The court record also does not contain information on work the GAL performed prior to the hearing, such as meeting with the child, investigating the case or negotiating a stipulated agreement. Since much of what GALs do is done outside the courtroom, this was an important omission. Thus, the court record is an incomplete account of GAL activity.

This problem is compounded by differences in record keeping and responsibilities of the GAL at different sites. Some courts kept more organized detailed records and there was more information for us to extract from them. Others had relatively sparse records from which we could obtain few of the key variables. This limited our ability to make comparisons among models.

There were also site differences in records due to the GAL program model employed. CASA programs and law student clinic models often had more information -- such as a written report filed by the GAL -- than the other models.

From these reports we could often gain insight into the activities the GAL had performed and the GAL's recommendations for the case. At sites employing the other GAL models where the reports were not filed with the court, we often did not know what the GAL had recommended during the hearing. If the GAL made any report or recommendation to the court, it was done orally and thus would not be recorded in the record. The lack of available information made it impossible to compare GAL models fully or precluded the use of many GAL process measures to assess outcomes (such as time spent on case).

To obtain a full account of GAL activity during hearings, it would have been necessary to obtain a transcript of the court hearing and conduct an extensive interview with the GAL. This would have increased the cost of the study far beyond available resources. The network interviews were an attempt to obtain some of this missing information as they included a highly detailed GAL interview. The main shortcoming of the use of case networks was the small number of case networks we were able to examine (one open and one closed per site). This limited sample size and precluded the use of quantitative statistics to assess GAL impact, imposing on us a case study approach. While this approach proved useful and provided us with insight into GAL activity under different program models, it limited the type of comparisons that could be drawn and generalizability of findings. We could not statistically examine the relationship of many key process variables -- GAL time spent on case, degree of advocacy, case follow-up -- on child outcome variables, or draw confident conclusions about their interrelationship, due to this small sample size.

The method of selection of case networks also limited generalizability. The child had to be old enough to understand the interview (which we defined

as 10 years old), both parent or caretaker and child had to be available for interviewing, that is not incarcerated, mentally incompetent and residing in the area, and both had to give their consent. Closed cases also had to have been under agency supervision for not more than two years and both caseworker and GAL had to be available as well. This greatly limited the number of cases we could select for interviewing. In some sites it took many weeks before a case could be identified and all parties contacted. With such stringent requirements it was impossible to select the network randomly. In some sites we had little choice but to select whatever case we could get. Thus the selection of networks was deliberate.

This selection process also meant that all the cases we examined were of older children and also were not the most difficult or problematic for the agency. Cases with severe family problems were excluded since the parent or child typically was incapable of being interviewed due to mental illness or developmental disabilities, the child and/or parent had moved away or their whereabouts were unknown. Consequently, our network interviews do not tell us about GAL activity and their impact on case outcomes when dealing with younger children (under 10), severe family problems or families hostile to or uncooperative with the local child welfare agency.

The shortcoming of the study outlined here do not invalidate the study. Indeed, we uncovered many useful findings about guardians ad litem representation. Rather, this discussion of the study's weaknesses serves as a guide on how to interpret findings and how far to generalize them. It also provides guidance for designing further studies of guardian ad litem activities and their impact on furthering the best interests of abused and neglected children.

APPENDIX C

NETWORK INTERVIEWS

At each site we conducted interviews on two case networks for in depth study. A case network consisted of the guardian ad litem, child's caseworker, child and a parent or principal caretaker of the child. The purpose of the network interview was to obtain indepth information on the GAL's activities from the perspective of all major participants in the case. Since many key aspects of the GAL's work are not recorded in case records or other sources, the only way to obtain this information was through these interviews. For example, only through interviews with the GAL could we determine the time spent investigating the case, monitoring the child's needs and sources the GAL used to keep up-to-date on the case. Similarly, only the child or parent could tell us the nature of interaction between the family and GAL during the case and how thoroughly the GAL assessed the child's needs. Yet, this information is related to the process by which the GAL serves the child's best interests and thus was vital to the study. The network interviews provided this information and served as the study's third data source.

We interviewed each member of the network. The GAL interviews focused on the GAL's work at each major phase of the case: investigation, adjudication, first dispositional hearing, review hearings and case monitoring. If the GAL had not been appointed since the start of the case, we asked only about the topics where the GAL had been involved. The caseworker, child and parent interviews dealt with each respondent's coordination with the GAL at each point of the case, the nature of their relationship with the GAL and

their perception of the GAL's effectiveness and competence. Due to our limited study budget, we were unable to interview more than 18 networks. Consequently, we could not conduct quantitative statistical analyses on network findings. Instead, we presented the information from the interviews narratively as case vignettes. These vignettes provide a detailed picture of GAL activity and assessments of this work by the parent, child and caseworker. We first present responses for the GAL and caseworker interviews, followed by the child and parent interviews. Each case is discussed by model. We briefly summarize GAL activity for each model after the case descriptions and a summary and comparison of models based on the vignettes is given in Chapter 3, Volume II.

PRIVATE ATTORNEY MODEL

The four attorneys interviewed were working in private practice and had from five to 11 years experience working as child representatives. However, abuse and neglect cases comprised only a small percentage (1 to 10 percent) of each attorney's caseload. Two of the attorneys had had a brief training given by the juvenile court on the duties of child representatives and had taken continuing education seminars in child advocacy issues on their own. The other two attorneys had no formal training in child advocacy at all. All but one attorney stated they served as child representatives because of an interest in child welfare issues and children, but also mentioned they served to get clients and income, at least initially. One attorney said he served as a GAL "as a favor to the court." All planned to continue serving as GALs indefinitely - "till I die" was one response. The attorneys all felt their role was to represent the child's best interests and did not have an

attorney-child relationship with the child. The attorneys had minimal clerical assistance with cases.

All attorneys had been appointed as GALs at the start of the case and had served continuously since then, a period of about 18 months for each case. The attorneys felt they were minimally compensated monetarily for their involvement in the case, receiving from less than \$100 to less than \$3,000 for their total time on the case. All attorneys felt this amount was inadequate, and three of them felt this could affect their willingness to accept future cases. Two attorneys stated the lack of adequate compensation prevented them from spending enough time on the case.

The social workers had either master's or bachelor's degrees in social work and had been working in child welfare from two to 14 years. The workers had foster care, protective services and adoption cases and had an average caseload of 23 cases. The caseworkers agreed that the GAL provided input to the agency on cases, although this varied greatly. The attorney GALs usually agreed with the agency and there existed a cooperative relationship between them and the agency. Two caseworkers noted that the attorneys relied heavily on the agency to obtain information about the case and did little of their own investigation. They claimed the attorneys usually had to be reminded when a hearing was coming up and urged to talk to the child. However, the caseworkers agreed that the better, more motivated attorneys did their own work and were more involved in their cases.

All caseworkers agreed that the GAL's role was important and influential. They noted that the judge would often turn to the GAL when there was disagreement on the case and gave greater weight to the GAL's opinion, as the GAL was usually seen as a neutral party. Two of the caseworkers commented

that attorney GAL representation could be improved by allowing only attorneys with a real interest in child advocacy serve and by improving monetary compensation for attorneys.

Synopses of Cases and GAL Activity

Case #1. The child was a 17 year old white male with a learning disability. The child had severe behavioral problems and conflicts with his parents. He was placed in a residential treatment facility with a goal of reunification with his parents. The parents had voluntarily asked for this placement since they could not afford or obtain the appropriate services for him in the school system. The attorney GAL spent two hours investigating the case by reading the agency, police and court reports and discussing the care with the parents, child, caseworker and agency attorney. The attorney did not visit the parent's home, request evaluation or visit the child's placement facility.

All parties, including the child, agreed that the child should be placed where he was, and that the case goal and services were appropriate. A written agreement was prepared which was accepted by the court at the adjudicatory/dispositional hearing, which proceeded routinely. The child was not present at the hearing and did not appear to be adversely affected by the legal proceedings, according to the attorney. The attorney spent about three hours preparing for the hearing and felt he had played an important role at the hearing in obtaining services for the child and approving the child's placement. He was able to do this "by not disagreeing with the agency's recommendations. Had I not agreed, the court might well not have made its decision."

The child had two subsequent review hearings at which the GAL represented him. Prior to these hearings the attorney spoke with the caseworker about the case but did not talk to the child or consult any other sources about the case. The attorney spent a total of 45 minutes preparing for the most recent review hearing and went along with the agency recommendation to maintain placement and case plan.

Other than the review hearings, the attorney spent no time on the case following the initial dispositional hearing. He had had no contact with the child since shortly before this hearing and had not monitored the case. He stated he relied on the agency to contact him when he was needed and gave his card to the child's parents and asked that they see that the child gets in touch with him if needed. The attorney stated he did not have enough time to follow up cases on his own.

The child's caseworker had been on the case for about one year, but had not been involved in the case until after the initial dispositional hearing. She did not know the GAL attorney's name and had only one contact with him - shortly before the most recent review hearing. She stated the GAL had not been involved in the case, had had no contact with the child and played no role in obtaining services, placement or visitation requirements. While she stated that the attorney was competent and had been helpful at the review hearing, she also felt he was unprepared and did not add anything to the case. However, the caseworker claimed that the GAL's presence at the review hearing had helped the child "because he was there. If he were not there the judge would have ordered a continuance, so his presence is essential."

The child was interviewed at the residential treatment facility where he was placed. He expressed being scared and worried about the court proceedings and having to speak at court. He stated he had felt apprehensive about talking to the judge, which he did in chambers at the dispositional hearing. The child had a poor memory of his guardian ad litem and could not identify him by name. However, he did confirm that he had met with the GAL the first time at the courthouse, shortly before the start of the adjudicatory/dispositional hearing.

The child stated the GAL had put him more at ease about the hearing after he spoke with him and that "he knows how I felt...He helped a lot." The child also confirmed that he had no further contact with the attorney, but stated he was having some problems at his current placement with which the attorney might be helpful. However, the problems then expressed by the child were more appropriate for the social worker.

The child's mother was interviewed at her place of employment. She verified having met the child's GAL only once "in the hall outside the courtroom." She stated she understood what the GAL's role was supposed to be but expressed anger that the GAL had not met or talked with the child since the dispositional hearing. She felt it was not possible for the GAL to do an effective job without talking to the child or his parents and did not feel the GAL had been helpful to her child.

The mother stated the GAL had been totally uninvolved with the case, had not discussed placement or services with her, and that he "totally goes along with what social services says." The GAL had just rubber-stamped what the agency wanted. She felt the GAL was indifferent about her and was upset that he had left his card with her son and told the son to call him if he needed

anything. She stated the GAL "would be last person [my son] would call. [My son] met him twice and wouldn't know him... [the GAL should] at least contact my child prior to going to court to find out if there is a problem." The mother expressed a great deal of general frustration in dealing with the social service system.

Case #2. A three year old male child was placed in foster care due to neglect - the mother had left the child at her sister's home for a week and not returned. The goal of the case was reunification, once the parents improved their parenting skills and housing situation. The attorney GAL conducted a 13 hour investigation of the case during which he examined agency, court and police reports, medical records, and spoke with the parents, agency caseworker, police, relatives, foster parents and parents' attorney. He also had visited the parents' home and requested evaluation of the parents.

Initially, the parents strongly disagreed with the agency intervention, although the GAL agreed closely with the agency on the services and intervention required. These differences were resolved through a pretrial conference with the parents, their attorney and the agency social worker. The GAL stated he spent 1.5 hours working on the negotiated agreement and an additional hour preparing for the adjudicatory/dispositional hearing. This hearing was routine, as the stipulated agreement had already been negotiated. It was presented at the hearing and approved. The child was not present at the hearing due to his age.

The GAL claimed he served an important role at the hearing and had an impact on the adjudication, services, placement and visitation. The GAL

stated his effectiveness was due to his convincing the parents they were wrong and to accept the agency intervention during the pretrial negotiations.

About six months after the child was placed in foster care, the child's parents disappeared and could not be located. The GAL then petitioned the court to make the foster parents the child's legal guardians, with the eventual goal of TPR and adoption. The GAL was very involved in setting up and preparing for this hearing. He met with the foster parents, caseworker, child's relatives, the parents' attorney, and state attorney and worked with them to develop a permanent plan for the child. The court accepted the plan at the guardianship hearing. The GAL spent about three hours preparing for this hearing.

Due to child's age, the GAL could not talk to the child about the case but did follow the case through contact with the caseworker and foster parents. After the guardianship hearing the GAL considered his involvement in the case to be over and has not had further contact with any party since that time. However, the case is still active and an annual review was scheduled for May, 1988.

The child's caseworker had been involved with the case since it began. She knew who the GAL was and had had numerous contacts with him by telephone prior to the adjudicatory hearing. She had also met with the GAL at court prior to the hearing. She agreed that the GAL had worked with her to negotiate an agreement between the agency and parents and stated that the GAL had agreed with the agency's recommendations.

The caseworker stated the GAL had been involved in the case after the first dispositional hearing. The GAL had attended an administrative review of the case at the agency and had been a strong advocate for the child to

have the case plan requirements enforced. The GAL had also been active prior to the guardianship hearing. She characterized her relationship with the GAL as very cooperative and stated he had been very helpful at both hearings and investigating the case. She felt the GAL had been very well prepared, very competent and had contributed significantly to the child's well being.

Due to the child's age, the child could not be interviewed for the study. The parents had disappeared and could not be located.

Case #3. The case involved a 12 year old male child who was abandoned by his mother and placed in foster care with an initial goal of reunification with his adoptive father. The father did not want the child and the goal was subsequently changed to placement with the child's maternal grandmother. The GAL spent two hours investigating the case through a review of the case record and by talking to the parents, child, caseworker, relatives and the agency attorney. However the GAL did not visit the father or grandmother's home or foster home.

The GAL agreed with the agency's recommendations and the child also expressed a wish to live with his grandmother. No written agreement was developed, but the agency presented the joint position to the court at the adjudicatory/dispositional hearing and the court approved it. The GAL stated he spent an hour preparing for this hearing.

The child was present at the hearing and was "mildly upset" at the proceedings according to the GAL, although the GAL took no special action to reduce trauma at the hearing. The GAL felt he was not an important part of the proceedings but only a monitor. He claimed to have no influence on obtaining any services or placement for the child, but that the agency had made all the decisions.

The case had several review hearings and prior to them the GAL had contacted the caseworker and state attorney to learn the status of the case. For the most recent review, the GAL spent about 30 minutes in preparation for it. The GAL had concurred with the agency recommendations at the review hearing and did not make any additional ones.

The GAL met the child for the first time just prior to the adjudicatory hearing but has not had any additional contact with him. The GAL's involvement in the case outside of the courtroom had been minimal, although he noted having discussed the case with the child's caseworker and parent's attorney. He stated that "when I run into [the child's caseworker] I ask her how the child is doing." The GAL further stated he has not had a very active role in this case.

The child's caseworker had been involved with the case since about one month after it had been started. She knew the child's GAL and met with him for the first time just prior to the dispositional hearing. She stated the GAL had been in agreement with the agency on the case plan. She has kept in contact with the GAL throughout the case, telephoning him shortly before hearings to keep him up to date. She noted the GAL has gone along with the agency position at all review hearings except in one instance. Early in the case the child's mother had reappeared and wanted to regain custody of the child. The agency was opposed to this and wanted the child to remain with his grandmother. The GAL sided with the mother, and the court agreed with him but did place certain requirements on the mother before she could regain custody. The mother subsequently did not meet these conditions.

The worker stated she had some contact with the GAL on matters unrelated to the court hearings. She discussed placement and case strategy with him.

She felt their relationship had been very cooperative, that the GAL had been competent and well prepared and had been helpful in investigating the case, at the dispositional hearing and resolving the case. The worker was generally more positive about the GAL's contribution to the case than the GAL himself had been.

We attempted to interview the child about his contact with the GAL. However when asked, the child could not remember who his GAL was or ever having meeting him. The child was prompted by his mother and the interviewer about the GAL but the child still could not remember him. The child apparently only had contact with the GAL in court on hearing dates and this was not sufficient for the child to remember him.

The child's mother and grandmother were interviewed in the grandmother's home. Neither woman knew the GAL's name or how to reach him and they claimed to have seen him only at hearings. The mother said her only other contact with him had been by telephone around the time of the dispositional hearing. Neither respondent knew exactly what the GAL's role was in the case.

The mother stated she felt she or her child had not been helped by the GAL since he had not contacted either of them nor asked for their input. She complained that the GAL just agreed with the social service agency. Stated the grandmother: "Welfare has got him in their hip pocket." Both women were very bitter about their experiences with foster care and upset that the GAL had not talked to them. They felt he had been "aloof and uncaring." The mother expressed this about how she had been treated by the agency and GAL: "They saw this as a cut-and-dried case and their minds were made up when they got [to court] without consulting us first. You feel like your opinion counts for nothing."

Case #4. This case was highly atypical of most foster care and protective services cases in that it received a lot of publicity, had political overtones and involved a contested jury trial. The child was a 13 year old hispanic male who was physically abused by his father. The boy was placed out of home briefly but then returned home after the father left the home and was ordered not to return. The child and his mother then received in-home services.

Since the parents decided to contest the alleged abuse with a jury trial, the GAL conducted an extensive pretrial investigation lasting almost 100 hours, according to the GAL. He consulted all police reports, agency and court records, school and medical records, and spoke with all major parties and visited the parents' home, foster home and attended agency meetings on the case. Prior to the trial, the agency and GAL disagreed on minor points which were eventually resolved. However, the parents disagreed strongly with the agency and attempts were made through meetings and pretrial conferences to negotiate an agreement with the parents. It proved impossible to reach agreement on all points, although the GAL stated he spent 50 hours in negotiations and another 25 hours preparing for the hearing.

The GAL stated the child initially disagreed with him and wanted to stay at home with both parents. However, the GAL felt this was not in the child's best interests. The child also was upset, according to the GAL, about the possibility of testifying, which the GAL felt may be necessary, as the parents were denying abuse. The GAL stated he tried to address the child's concern and spoke with him about it, but did not feel he was successful in calming the child. Prior to the hearing, the GAL showed the child the courtroom and explained what was going to happen. The child attended the hearing but

did not have to testify. It became apparent that the child was extremely upset during the proceedings and the GAL asked that the child leave the courtroom at that point.

During the hearing, the GAL was very active, made opening and closing statements, called eight witnesses, including an expert witness and introduced evidence and a case plan. The court ruled in favor of the GAL/agency. The GAL felt he had been extremely important to the resolution of the case. He stated he had been effective in keeping a dialogue open between the parents and agency, had assisted in the ongoing treatment of the child and been able to calm down the parties.

There had been one court review of the case following the dispositional hearing. The GAL had been very involved in this hearing as well, spending about 10 hours preparing for it by talking with the parents, child, family relatives, the caseworker, parents' attorney and service provider. He had also visited the parents' home and requested evaluation of the mother and child.

The parents once again disagreed with what the agency wanted, while the GAL disagreed with the agency only on visitation. The agency wanted to allow only supervised visits with the father, while the GAL felt supervision was unnecessary. The court ruled in favor of the GAL's position.

The GAL monitored the case between hearings by periodically talking to the child, parents, caseworker and service providers. He met the child for the first time before the adjudicatory hearing and has contacted him many times since then. The GAL described his relationship with the child as positive, but noted there was some initial difficulty developing a rapport with him, as the child was young and introverted. The child at one time contacted

the GAL on his own to inquire about visitation with his father. The child also complained to the GAL about wanting to be able to play soccer, which required paying a small fee. The parents would not pay the fee, but the GAL negotiated with them to have them pay it so the child could play. The child had also been involved in criminal legal proceedings; the GAL had represented him in this case as well.

The GAL noted that the case continued to be difficult outside the courtroom. The parents were continually violating court orders and he and the agency disagreed on what to do about this. This case was finally closed by the court without prejudice after seven months.

The caseworker had been involved in this case from the start, was well acquainted with the GAL and met with him early in the case before the first pretrial negotiations. The caseworker said they had many meetings and conversations before pretrial conferences and the jury trial. She stated the GAL and her were in general agreement, except for visitation by the father, and both worked together to negotiate a settlement and get the parents to agree.

The caseworker stated the GAL remained actively involved in the case for its duration and had telephone contact with the caseworker. The caseworker was highly positive about the GAL's work. She rated him highly competent and prepared and felt he made a significant contribution to the child's best interests. She described her relationship with the GAL as very cooperative and thought he was very helpful at all phases of the case. She stated the GAL "did [the job] better than anyone else could have. He's a strong individual and knows his law extremely well."

Both the GAL and caseworker felt we should not interview the child, as they felt he had been traumatized by the proceedings. Nor did they feel we should interview the parents, who had been very volatile and contentious throughout the case.

Discussion of Private Attorney Cases

The four cases were diverse and exemplified great variation in GAL activity. Case #3, and especially Case #1, present GALs who were minimally involved in the case, and who had never really communicated with their child clients. In contrast, the last case portrays a highly motivated, active and effective GAL. With the exception of this unusual case, some generalities may be made about the GAL activity. The GALs seemed involved in the case through the first dispositional hearing. However, they made few, if any, recommendations of their own and went along with the social service agency on all major issues. They also made little investigation of the case on their own, relying on the agency to provide them with information.

After the dispositional hearing they had little further involvement in the case and played a passive role. They relied on either the caseworker or child to contact them if needed and did not actively seek information about the child. They also had little overall communication with their child clients, meeting them for the first time prior to the adjudicatory hearing outside of the courtroom and not having any further communication with them.

The GALs in Cases #2 and #4 were noticeably more active and involved in their cases. Indeed, the GAL in Case #4 appeared to do an outstanding job and he apparently greatly helped the child under very difficult circumstances. It should be noted that these two cases were from the same site. In contrast to attorneys at the second site, from which Cases #1 and #3 were

drawn, these attorneys received considerably better monetary compensation and a short training (about one hour) on serving as a GAL. The attorneys at the second site had no training and worked virtually pro bono. Thus, it is probably not coincidental that the attorneys at this second site were considerably less involved in their cases.

The two parents interviewed expressed considerable frustration and resentment toward the social service system. They were both upset that the GAL had not consulted them or met with their children. Neither child had very good recollections about their GALs and what their function was; indeed one child did not know who the GAL was, even after prompting by his mother and the interviewer. However, there is no doubt the child in the fourth case had developed a positive and beneficial relationship with his GAL.

STAFF ATTORNEY MODEL

Four cases were selected for interviews at the Staff Attorney sites. Unfortunately, we interviewed only two of the GALs as the other two GALs were unavailable. Therefore we must infer GAL activity and involvement from the caseworker, child and parent interviews for these two cases.

The two staff attorneys had three to four years experience in child abuse and neglect cases and worked full time on such cases. They had little formal training in child advocacy but had taken several seminars on their own. They both defined their roles as to represent the child's best interests, which was required by law in their states. Both stated they served as child representatives because they had a general interest in the area and one attorney also stated he wanted to help children and make an impact on their

lives. One attorney said he wanted to continue serving as a GAL indefinitely, while the second attorney said he would like to continue "at least two more years." Both attorneys were provided clerical help and had caseworkers who assisted them in case investigation and follow-up. The attorneys had both been assigned as GALs very early in their cases.

The four caseworkers interviewed had master's or bachelor's degrees in social work and had from two to ten years of experience working in child welfare services. They had foster care and protective service caseloads, averaging 16 cases for three caseworkers and 42 cases for the other worker.

The workers stated the GALs provide input into cases but that they usually agreed with the agency. The caseworkers described the GAL-agency relationship as cooperative and they felt the GALs played an important role by having an objective role and keeping the legal aspects of the case clear.

The workers generally agreed that more contact was needed between the agency and the GALs. They also felt the GALs were sometimes not sufficiently informed about the case and the GAL did not have sufficient contact with the child. One worker felt there needed to be more of a team approach between the GAL program and agency and more communication between them. In one caseworker's experience, the GALs had been uninvolved in cases and just went along with the agency in court.

Synopses of Cases and GAL Activity

Case #1. This case involved a 17 year old black male who was placed in foster care due to neglect by his mother and lack of adequate housing. The case goal was reunification with the mother. The attorney had served as GAL since the case began. She spent about 8 hours on the initial investigation

of the case, reading the agency and court records. The GAL also visited the mother, and talked with the caseworker, child and siblings.

The agency and GAL agreed on how the case should be resolved and the GAL met with the caseworker and state attorney to develop a negotiated agreement with the mother. Agreements were arranged for both the adjudicatory and dispositional hearings. The only area of disagreement was on the placement of the child and his siblings. The child wanted all siblings and himself to be placed together; the agency wanted a different placement for one of the children. The GAL advocated the child's wishes to the court at the dispositional hearing and the court agreed, placing all the children in the same foster home. The children were not present at the hearing. The GAL felt she had been important to the outcome of the hearing and that she had been able to keep the children through her advocacy. She also felt she had been effective in having needed services ordered for the children and mother.

There were three court reviews of the case and the GAL was involved with each. To keep up on the case, the GAL spoke with the child, mother and caseworker by telephone shortly before each hearing. There was only one area of disagreement among all parties. At the first review hearing, the agency wanted to allow the child to return home but the other siblings to continue to be placed out-of-home. The GAL, child and mother wanted all children to be returned home. The court agreed with the GAL and family, and all were reunited.

The GAL monitored the case between hearings by weekly contact with the child either by herself or the GAL staff social worker. The GAL also spoke periodically with the mother and social worker. The child also contacted the GAL on his own three times to talk about problems he was having and things

he needed. The GAL felt she had a very good relationship with the child and believed her involvement with the case had been effective and beneficial for the child, as she had fought and won to keep the children together in the same placements.

The caseworker's account of the case differed in that she claimed the GAL did not speak with her prior to the hearing and that no negotiated settlement was reached. However the caseworker agreed with the GAL's account of all other aspects of the case. She felt the GAL kept up-to-date on the case, adequately represented the child's best interests, visited the family home, made a good assessment of the family, had frequent contact with the child and the agency and listened to the agency's viewpoint. She felt the GAL was very competent, well prepared and contributed significantly to serving the child's best interests. She felt the child and GAL had developed a positive and harmonious relationship during the course of the case.

The child was interviewed at home with his mother. He stated he met the GAL once prior to the dispositional hearing and regularly thereafter. He confirmed that he had a good relationship with the GAL and that she had helped him "a lot." He stated the GAL had always asked him and his brothers and sisters what they wanted and had helped them stay together. He also claimed the GAL had helped him get a babysitter back that he liked and that he had consulted the GAL on how to get a job. The child felt the GAL always listened to him and "when we talk to her she has us tell her what we need, like if we said we needed a new couch, she'd help us get one or the money for one." He said the GAL was "always available" whenever he needed to speak to her and that she was "easy to talk to."

The mother also had a very positive assessment of the GAL. She met together with the GAL and the children shortly before the dispositional hearing and several times during the case. The mother stated "[GAL] is the best. She does her job--she helped us out real good. You never find lawyers like that. She fought to get the kids back." The mother further stated that the GAL had really made a difference in keeping the family together, had really listened to her and the children and had fought hard to help the family. The mother concluded: "She helped me out a lot. Whoever got her [next] got a great lawyer."

Case #2. This neglect case involved a nine year old black male who had been living with his mother, who had a history of alcohol and drug abuse. The child was placed in foster care with a goal of reunification. The GAL had been involved in the case from the start and had investigated the case through a review of court, agency, police and medical records. He also spoke with the foster parents, caseworker and child's grandmother. The GAL program's social worker spoke with the child prior to the adjudicatory hearing, but the GAL himself did not talk to the child until the day of the adjudicatory hearing.

The GAL and agency agreed on the case, but the mother disagreed strongly, feeling the child should not be placed. A negotiated agreement was worked out, however, following a one hour, pretrial meeting between the GAL, caseworker, state attorney, mother's attorney and the GAL's social worker.

At the hearing, which the child did not attend, the court accepted the agreement, which included all of the GAL's major recommendations. The GAL felt he had an important role in the hearing and had an impact on placement,

visitation and services for the mother. The GAL had asked for drug testing of the mother before the child could be allowed home, which the court approved.

There had been four court reviews of the case, and the GAL had been involved with them all. He visited the foster home and also spoke with the caseworker, state attorney and mother's attorney, and spent about three hours preparing for the hearing. The GAL disagreed with the agency's plans for the case on visitation and some of the conditions of return at the most recent hearing. The court accepted the GAL's recommendation over the agency on these matters.

The GAL himself did not monitor the case between hearings, but this was done by the GAL program's social worker. Consequently the GAL had no relationship or further contact with the child. He had discussed the case with the caseworker at one time recently, however. The GAL felt he had been an effective advocate for the child by expediting court action and ensuring the child's best interests were taken into account.

The caseworker we interviewed had not been assigned to the case until after the first dispositional hearing. She knew the GAL by name, and said he had been involved with the case. However, she said she had no contact with the GAL other than for hearings and had spoken only with the GAL social worker. The caseworker stated the GAL's recommendations usually agreed with hers and she felt their relationship had been very cooperative. She also confirmed that the court's requirement for regular visitation between mother and child had been ordered on recommendation of the GAL. The caseworker rated the GAL as very competent and well prepared and thought he had contributed significantly to furthering the child's best interests.

The child had been placed with his grandmother and was interviewed at her home. The child knew who the GAL was by name and said he met the GAL before the initial dispositional hearing. However, he had no further memory of the GAL, as apparently he did not see him again. The child claimed the GAL was easy to talk to, had helped him "a little" and was a good listener. He also claimed the GAL had helped him "get some toys one time."

The grandmother stated the child had not been directly contacted by either the GAL or GAL's social worker, due to his young age. She knew the GAL by name and had met him at court prior to the adjudicatory and dispositional hearing, but had no further contact with him. However, she stated their contact had been positive and cooperative, and credited the GAL with helping get the child removed from the mother's home. The grandmother felt this was a positive step for the child as her daughter, the child's mother, had not provided a good environment. She stated the GAL had discussed the need for foster care placement for the child and had also helped arrange to have the child placed with her, after a previous foster home had not been satisfactory. However, she also felt the child's mother would soon be able to take the child back, but believed the GAL and agency would disagree and would keep the child with her.

Case #3. This 10 year old black girl was placed in foster care due to neglect and lack of adequate housing. The case goal was reunification of the child with her mother. We were unable to interview the GAL about this case but obtained information about his involvement from the child's caseworker. The GAL was appointed to the case at the emergency removal hearing and met the caseworker for the first time at that hearing. A negotiated agreement was not reached prior to the hearing, although the GAL concurred with the

agency's recommendations for the case. The child was not present at the hearing, and to the caseworker's knowledge, the GAL and child had never met.

There has been one review hearing for the case and the GAL contacted the caseworker shortly before the hearing. The GAL and caseworker agreed on the case plan and there were no disagreements among the agency, parent or caseworker on the major issues. The caseworker felt the GAL had been helpful during the hearing and rated him very competent and well prepared. She stated the GAL had helped to set visiting requirements for the case. The caseworker had no further contact with the GAL since the review hearing.

We attempted to interview the parent and child about their contact with the GAL. However, the mother did not recall ever seeing or speaking to the GAL (although according to the caseworker she had met him at court) and claimed not to know who he was. The child stated she had never met or seen the GAL and did not know who he was. Consequently, we could obtain no additional information about this case.

Case #4. This case involved a 12 year old hispanic male who was physically abused by his mother. The child was placed in foster care with a goal of reunification. He was returned home after 15 months.

The GAL was appointed to the case at the adjudicatory hearing, but as we were unable to interview him, the caseworker supplied information about GAL involvement. The caseworker did not meet or talk to the GAL prior to the dispositional hearing, the first hearing in which he was involved. At the hearing, the GAL agreed with the agency's recommendations. The child did not attend the hearing and to the caseworker's knowledge, the GAL had never met with the child.

There were two review hearings for the case and the GAL contacted the caseworker prior to both. The GAL agreed with the worker's recommendation for the case, which the court accepted. The caseworker rated the GAL as "somewhat" competent and prepared at the hearings and felt he was helpful in serving the child's interests at the hearing and "getting the case out of court." However, the worker did not specify how the GAL accomplished this. According to the caseworker, the GAL had no contact with the child prior to or at the review hearings. The caseworker had no contact with the GAL other than to prepare for hearings.

The mother, who was interviewed at the social service agency, could not name the GAL, but recalled meeting him for the first time at court prior to the dispositional hearing. The mother felt the GAL was not helpful since he "did not know my family" and he had never spoken to her or her children prior to the dispositional hearing. The mother stated the GAL wanted her child to go to foster care, something she did not feel was necessary.

The mother felt indifferent toward the GAL, apparently not completely understanding how his job differed from the caseworker's. When asked how she felt about having the GAL represent her son she "didn't care. I knew he wouldn't help us." However, she stated that her relationship with the GAL was cooperative and the GAL did help the case move along in court, although she stated he did so because "he just wanted the case to end."

The child stated he had never met or spoke to the GAL and did not recall ever seeing him. This was apparently true since the child had never gone to court and the GAL had never attempted to contact the child.

Discussion of Staff Attorney Cases

We had complete information on only two staff attorney cases, but along with the limited information from the other two cases, some generalities emerged for this model. The staff attorneys appeared to approach their job professionally and were particularly active in the case in the early phases. In both of the cases where we have complete information, the GALs conducted their own investigations and met with the child's parents and the child. The GAL usually agreed with the child welfare agency on the major issues, but on the one issue where there was disagreement with one case, the court adopted the GAL's viewpoint.

In three of the four cases, the GAL did little or no monitoring of the case and had little or no contact with the child. The GAL's social worker for the program sometimes contacted the child for the GAL, but this apparently did not always occur. Consequently, the child had little or no opportunity to express his or her viewpoint directly to the GAL. The staff attorney GALs also did not normally contact the child's parents.

In sum, the GALs appeared to do an excellent job on the legal aspects of the case, but did little or nothing on the social work side. The GAL staff social worker did not adequately fill this role, at least on the cases we examined. This was evident from the lack of contact and understanding of the GAL role on behalf of the parents. The one exception to these generalizations is case #1, where the GAL apparently was highly effective and well regarded by the caseworker, child and parents. This GAL remained very involved in all phases of this case.

LAW STUDENT MODEL

The two law student programs we examined were small, with total case-loads of 16 and 40 abuse and neglect cases per year. The law students typically served on cases for one year or less and then often left the area to begin their law practice. Consequently, it was difficult to obtain cases for interviews and we were able to find only two cases where students, case-workers and parents were available.

The two law students were currently enrolled in the program and were completing their final year of law school. The students were supervised by an attorney who was the instructor of the course. They both believed their role involved advocating for the child's best interests and did not think an attorney-client relationship was appropriate with the child. The students served as GALs because they had an interest in children and wanted courtroom experience. Both students planned to continue serving as GALs after they began their law practices.

The two caseworkers interviewed had five and 18 years experience in providing child welfare services and had caseloads of 21 and 26 foster care cases. They both had bachelor's degrees but not in social work. The caseworkers stated the law students were very well prepared for their cases and that they worked independently from the agency. The caseworkers agreed that the students did not have much contact with them during the case. They also felt that the GAL role was not that important to the case, as they believed the GALs usually just went along with the agency's recommendations and were not very knowledgeable of the social service system.

The caseworkers were divided on the input provided by the student GAL. One worker said the students provided input to the caseworker frequently and

that they usually agreed with the agency. The other worker claimed that the students rarely or never provided input and was just as likely to agree with the agency as disagree. Both caseworkers compared the students favorably to attorney GALs with whom they normally worked.

Synopses of Cases and GAL Activity

Case #1. This case involved a 16 year old white girl who had conflicts with her mother and had run away. She was placed in foster care initially and then put in an independent living arrangement with a goal of emancipation on her twenty-first birthday.

The law student became involved in the case at the most recent periodic court review. She investigated the case through review of the case file and discussion with the child, caseworker and agency supervisor. She also visited the child's foster home, prepared a written report and spent a total of about 10 hours preparing the case. The court accepted the agreement at the hearing, at which the child testified. The student GAL reported the child was not at all upset about testifying or attending the hearing.

The student GAL felt she had been an important participant at the hearing and had helped the child get assistance from the state for her college education. The student and child were in agreement on the case, but there was disagreement with the caseworker on one important point. The agency had planned to terminate custody of the child on her eighteenth birthday. However, the GAL recommended the child stay in care until her twenty-first birthday so her college expenses could be paid. Through negotiation, the GAL convinced the agency to accept this plan and negotiated agreement was developed prior to the hearing. This would not have occurred without her intervention, according to the student GAL.

After the review hearing, the student stayed in contact with the child to monitor her progress. She had spoken to the child twice over the last four months and had also talked to the caseworker. The child had also contacted the student GAL frequently during this time to ask about her case, services, placement and private matters, according to the student. The student GAL further stated that she had developed an excellent relationship with the child that the GAL felt would continue until the child was emancipated from state care.

The child's caseworker knew the law student GAL by name, had spoken with her prior to the hearing by telephone and met her at court shortly before the hearing. The worker confirmed that the student had advocated for keeping the child in care so that she could attend college and that the agency had initially not considered this. The GAL convinced the caseworker to go along with this recommendation prior to the hearing.

The caseworker agreed that the law student had remained involved with the case after the hearing. She had contacted her twice to ask about the child's school arrangements and the stipend the child was supposed to receive. The worker felt the GAL had been helpful throughout her involvement, ensuring the child got the services she needed and had helped her obtain a better living arrangement. The caseworker stated the child "had become frustrated with working two jobs and [the GAL] encouraged her to go back to school and get a better job. It's a relief for [the child] and enables her to achieve her goals. Also she is now entitled to a stipend for housing, education and transportation, plus she qualifies for Medicaid." The caseworker felt this would not have occurred were it not for the student's intervention. The caseworker rated the student very well prepared, very competent

and felt she had contributed significantly to promoting the child's best interests.

The child, interviewed at her residence, was also highly positive in her assessment of the GAL's work. She met the GAL for the first time about one month prior to the hearing and spoke with her frequently thereafter. She stated the GAL had helped her "a lot" in getting what she needed and about her situation in general: "[the GAL] made me feel comfortable. She basically let me know what my options were, what I could accomplish--to go for it and not be discouraged." The child specifically mentioned that the GAL had helped her testify in court and present what she wanted to the judge. "She explained to me the whole process piece-by-piece and what her purpose was. She explained to me how to talk to the judge, what I could ask for, what I could get and not get and what foster care could do for me. She told me my goals were good ones and to go for it."

The child stated that initially she had wanted to get out of foster care when she turned 18 because she didn't want to depend on foster care to help her. However, the GAL helped convince her that continued foster care could help her attain her goals through the services it offered. She felt that this had a very positive effect on her situation.

The child stated she still calls the student GAL frequently and that the GAL is available to help her whenever she needs it. The child felt she had an excellent relationship with the GAL and that "she was just a friendly person. She made me feel like I was a friend ... Even now I can call her and tell her what I'm doing... When I [have a career] and make a lot of money, someday I want her to be my lawyer."

The child's mother had left the area and we could not interview her.

Case #2. This child is a black male who was 13 years old at the time he entered substitute care. The child came from an unstable background and entered foster care due to truancy, running away and inability of his mother to control him. The law student GAL was assigned to the case shortly before the second court review of the case, when the child was residing in a group home and had been in substitute care for over two years.

The student spent about five hours investigating the case by consulting the case file and talking to the child, caseworker, child's counselor and the mother. The student also visited the child's foster home and the mother's home. The child was unhappy at his foster care placement and wanted to be placed in a foster home or returned home. Both the agency and GAL felt he could not return home and should stay at the group home, as he had been truant and delinquent at previous foster homes. The student explained to the child that it was best for him to stay where he was and the child reluctantly agreed. A general agreement was reached among the parties, although it was not written.

The child had to testify at the hearing, and the GAL felt the child was upset about this. The GAL talked with him about testifying and explained courtroom procedures to him before the hearing. However, the GAL felt the child did not fully understand what would happen. The court accepted the agency and GAL's recommendations at the hearing, although the child did express being unhappy where he was.

The GAL felt she had been a very important participant at the hearing and that she helped in setting the child's placement, services and visitation requirements. She felt the judge listened to what she said and her agreement with the agency case plan was influential in court decisions. The GAL had

no further contact with the child following the hearing. She stated the case had been a routine hearing and that the only realistic option for the child at this time was his current placement. The case was not due for another hearing for one year and the student anticipated she would not be in the area to continue working on the case.

The caseworker had worked with the child for two years. She could not recall the student GAL by name but remembered working with her when prompted. She stated she met her in court just before the hearing but had spoken to her twice by telephone before the hearing. The caseworker and GAL were in agreement on the case and did not change or add to the agency case plan.

At the hearing the child testified and the caseworker felt the GAL had helped make this difficult task easier for the child by showing an interest in the child and listening to him. The caseworker confirmed that the student had been uninvolved in the case since the review hearing and she had had no further contact with her. She rated the student very well prepared and competent, but felt she did not really add anything to the case and the student could do nothing else but go along with the agency plan.

The child's mother was interviewed in her home. She knew the student GAL by name and remembered having talked to her by telephone prior to the hearing. The mother had a positive impression of the GAL and said their relationship was "cooperative and pleasant." She agreed with the GAL on the child's placement and also that the family continue to receive counseling. The mother felt the student GAL "was well informed about [my child]. She had read up on him before her call. We talked about 30 minutes... She asked me about [the child's] problems in foster care...She asked what was best in my opinion...She told me what to expect from court."

The mother stated she felt the student had helped her child by helping to convince him that his current group home placement was in his best interests. The mother had no further contact with the GAL after the hearing. The child could not be interviewed for the case as his placement was distant from the study site.

Discussion of Law Student Cases

The law student cases were routine foster care review cases, but the law students approached them enthusiastically. They conducted thorough investigations prior to the hearing and spoke with the child several times before the hearing. Case #1 presents a most impressive picture of the student's effectiveness. On the surface this case appeared quite ordinary--an emancipation following the child's eighteenth birth. However the student GAL felt that the child would be better off remaining in the system for three additional years by making the system work for her. The child was able to take advantage of services offered to her to go to college--a benefit neither the caseworker nor the child had considered. The child appears to have benefited a great deal by staying under state supervision which almost surely would not have occurred without the GAL's intervention. This student GAL also developed a close relationship with her child client that apparently is valued by the child and helpful to her.

The second case, while less dramatic in its outcome, is also interesting due to the child-GAL disagreement on placement. The child wanted another placement, while the GAL, agency and his mother felt his current placement was in his best interests. The GAL's agreement with the agency's position may have been an important consideration in the court's decision to keep the child where he was. We should note that if the child and GAL had an

attorney-client relationship, as is the case in some jurisdictions, the GAL may have argued the child's position and the outcome may have been different.

The student GAL in this second case was much less involved than the GAL in Case #1. Although she conducted a thorough investigation, spoke with the child, mother and caseworker and was prepared for the hearing, she had no further involvement with the case. She considered her job over after the hearing. The child was also placed a great distance from the law school and was also younger than the girl in the first case, which may have also inhibited further contact.

The law students appeared to be very diligent and conscientious, particularly early in the case. There are several likely reasons for this. They voluntarily took the clinic course that enabled them to serve as GALs. This reflects an interest in the area and motivation to do well in it. The students were to receive a grade and were closely supervised by their instructor. They also were concurrently receiving instruction in the topic area. Finally, they had a small caseload, giving them time to spend on the case. Thus there was considerable personal and structural motivation for them to do well.

CASA/ATTORNEY MODEL

For the four CASA/Attorney cases, we interviewed only the CASA volunteer GAL and not the attorney. In two cases, the CASAs had been involved in the case since it began, while in the other cases they were appointed at a subsequent review hearing. In all of these cases, the CASA was to perform the social work aspects of the case and the attorney was in charge of all legal matters, including representation at hearings.

The four CASA volunteers were from diverse backgrounds. Two worked for local schools, one as a guidance counselor and the other as a special education teacher aide, another CASA was a personnel consultant for a mental health agency and the fourth CASA worked as a secretary. They had served as CASAs from one year to four years and did so to help children, to improve children's lives and because they had an interest in child welfare issues. Three intended to continue serving as a CASA indefinitely; the fourth CASA was unsure how long she would perform this work. Each CASA had the training course offered by their program and all felt their role was to advocate for the child's best interests. Beside the attorney assistance, the CASAs had clerical help from the CASA program to perform their work.

The caseworkers were well experienced in child welfare services with four to eleven years experience among them and two had graduate degrees in social work. Their caseloads ranged from 21 to 25 foster care and protective service cases. The caseworkers varied in their assessment of input CASAs provided to them on cases. At one site, caseworkers said the CASA's frequently provided input and that their recommendations agreed with the agency. At the second site, the workers felt CASAs rarely provided input and sometimes disagreed with the agency.

Three of the caseworkers believed the CASAs played an important role in the case by devoting time to investigate the case thoroughly, by providing the court with a good source of information and by being a nonthreatening advocate for the child. They also characterized their relationship with CASAs as cooperative and said they tried to work together and coordinate activities. The dissenting caseworker felt the CASAs did not play an important role or add anything to the case and that the CASAs had very little

contact with her. Three caseworkers specifically mentioned that the CASAs needed more training on family dynamics, protective services and the roles and responsibilities of social workers and CASAs.

Synopses of Cases and GAL Activity

Case #1. This case involved a 12 year old black male who was placed in foster care due to neglect and unwillingness of his mother to care for him. The CASA was assigned to the case after it had been under agency supervision for almost two years. She spent over two hours investigating the case through review of the case record, talking with the child, caseworker, foster parents and child's counselor and through a visit to the foster home. The CASA and agency agreed that the child should remain in foster care and the child also did not want to return home. A written agreement was not developed. The first hearing was routine and the court accepted the recommendations offered by the agency and CASA.

The CASA was also involved in a recent court review of this case which was also routine. The CASA contacted the child, foster parents, caseworker and child's counselor to prepare for the hearing and there were no disagreements among parties. The court accepted the agency's recommendation of continued foster care.

The CASA stated she monitors the case periodically through contact with the foster parents, caseworker and the child's school and through review of agency and service records. She reported that she has not been able to develop a constructive relationship with the child. The boy does not trust her and she has difficulty talking to him as he is "not very verbal," according to the CASA. For this reason she has not been able to help him much and has not been able to be very active in the case.

The caseworker knew the CASA volunteer by name and agreed with the CASA's assessment with the case as being routine. She stated the CASA had remained involved in the case between hearings and had not disagreed with the agency on any issue. She rated the CASA as very well prepared and very competent in her role but stated the case was so uneventful that the CASA really had nothing to add to the case and had not been an important participant. She noted that the CASA and she had a cooperative relationship, however, and had worked together well.

Neither the mother or child was interviewed in this case. The mother could not be located at the time we were conducting interviews. The agency did not want us to contact the child to be interviewed.

Case #2. This nine year old white girl was removed from the home of her aunt and uncle due to neglect and lack of adequate housing. The child was placed in foster care with a goal of reunification with her mother and returned home after seven months. The family was still under agency supervision at the time of the study, receiving aftercare services. The CASA volunteer was appointed when the child was taken into protective custody and had served continuously since then.

The CASA conducted an extensive, 20 hour investigation of the case, examining court and agency records and talking to the caseworker, foster parents, child, teachers, relatives, siblings and service providers. The child did not want foster care placement but the CASA felt this was necessary. The CASA and agency both agreed on recommendations for the case and the attorney GAL negotiated a written agreement among the parties.

At the dispositional hearing, the CASA and agency presented their position and the CASA also told the court the child's wishes. The court adopted

the agency and CASA recommendations and the CASA reported that the child, who attended the hearing, was upset by the outcome. The CASA felt she had been an important participant in the hearing and had helped get services for the family and set visitation requirements.

The CASA was also involved with each of the child's court reviews. She prepared for these hearings by talking to the child, caseworker, family and service providers. She also visited the foster home and mother's home, attended an agency review of the case and attended a foster care review board hearing. There were no disagreements among the CASA, child or agency prior to the review hearings and the child was returned home following the third and most recent hearing.

The CASA remained involved in the case between hearings, monitoring the child's progress by talking to her as well as to the caseworker, foster parents, her aunt, and service providers. The CASA reported spending a great deal of time monitoring the case and reported visiting the child frequently. She claimed the child and she had a good relationship and she had helped the child obtain books for school and clothing. The CASA also contacted the parents to check on the child's progress in school and her overall situation. The CASA felt she had made an impact on the case by helping to reunify the family more quickly and by helping the child's school progress. She felt her contact had changed the child for the better.

The caseworker knew the CASA volunteer by name and reported talking to her prior to the dispositional hearing. She also met with the CASA and family together prior to the hearing to discuss the case. The caseworker stated the CASA agreed with her on the case and a written agreement was developed.

The caseworker also confirmed that the CASA had talked with her prior to the review hearings and that there had been no disagreements between them.

The caseworker stated the CASA had closely monitored the case between hearings and had contacted her frequently to discuss all aspects of the case. The worker was also aware of biweekly contact between the child and CASA and believed that the CASA had helped the child overcome problems she had had. The CASA had been helpful to the child through her home visits and support of the child's mother. The caseworker also believed the CASA had been helpful to the agency by providing input on her observation of family interaction and needs of the family at agency review meetings.

The caseworker rated the CASA competent and well prepared and felt their relationship was cooperative and had improved over time. She thought the CASA had contributed to serving the child's best interests and had been most helpful at review hearings, monitoring the case, getting the child's viewpoint considered and maintaining a good relationship with the child.

The child was interviewed in her home and stated she had been afraid of going to court and to foster care. She had to testify in court at the dispositional hearing and had been very upset by this. However, she stated that the CASA volunteer had talked to her before going to court and had helped her "a lot" and made her less concerned.

The child stated she felt the CASA was always available to help her and that she visited her once every two weeks. She found the CASA easy to talk to and felt that the CASA always listened to her. The child also stated the CASA had helped her get some clothes and helped her join the girl scouts. She thought the CASA had helped her overall by making her less scared and talking to her about her placements and her school: "I told her I was scared

and worried where I would live... She told me not to be scared [she listens to me and] always answers me... She is nice."

The mother was interviewed in her home and also knew the CASA by name. She met the CASA for the first time in court prior to the dispositional hearing. She was very complementary toward the CASA's work and felt her daughter had been helped a great deal by the CASA. The child "looks at [CASA] as a friend. She is someone [my daughter] can rely on," according to the mother, who also felt the CASA had helped her "by talking to me... She did everything right."

The mother believed the CASA had helped her children be returned from foster care sooner by monitoring family progress closely and recommending to the court that the child be returned. She also claimed the CASA "encouraged me to fight to get my girls back home and keep them home and encouraged me to better myself." The mother felt she had a good, very cooperative relationship with the CASA: "She is a good friend and like a mother figure. When I need advice she is like a friend. When I need to know something she is like a mother." She concluded by saying that when her case closes she wished the CASA would "be allowed to come back and visit and help my family."

Case #3. This case concerned an infant white male who was physically abused and placed in a foster home. The case goal was reunification with parents and the child was sent home once and returned to foster care before being reunified once again with his parents at the age of two years. The CASA was appointed to the case when the case began and served the duration of the case. The CASA spent about 30 hours investigating the case by referring to court, agency and medical records and through discussions with the

parents, relatives, caseworker and service providers. The CASA also observed interaction between the parents and child.

The CASA and caseworker agreed on the placement and services for the family and the parents also agreed, although a written settlement was not developed. The court accepted the recommendations at the dispositional hearing and the CASA felt she played an important role in the outcome. Her written report clearly outlined a plan of foster care, visitation and family services that the CASA felt was influential with the judge.

The GAL's influence was clearer at the second court review of the case. After visiting the child's foster home and speaking with the child's parents and relatives, the CASA recommended the child be returned home. The caseworker disagreed and wanted the child to remain in foster care. The CASA prepared an extensive written report on her views, which apparently was persuasive, as the court returned the child home. There were two other court reviews of the case in which the CASA was involved, but there was no disagreement between the CASA and caseworker.

The CASA remained involved in the case between hearings through contact with the caseworker, service providers and visits with the mother. Through these visits, the CASA reported identifying additional service needs of the family which she then had implemented after contacting the caseworker about them. The CASA felt she had been very important and influential to the case outcome. She believed that without her advocacy, the child would have remained in foster care with eventual termination of parental rights and adoption. However, the family was now back together again due to her efforts, she claimed.

The caseworker knew the CASA by name and gave a similar account of the case. The CASA and the caseworker had initially agreed to remove the child from the home, although the parents were opposed to this. He also verified that the CASA and he disagreed on return of the child home at a subsequent court review hearing.

The caseworker stated the CASA had remained involved in the case, had contacted him often and they discussed services, placement and strategy. The caseworker also knew the CASA made regular visits to the parents. The caseworker credited the child's return home to the CASA and also stated the CASA had been influential in obtaining counseling and homemaker services for the family.

Despite their disagreements, the caseworker characterized his relationship with the CASA as "very cooperative." He rated the CASA helpful in monitoring and investigating the case and at review hearings. He also rated her as very competent and well prepared and felt she had contributed to serving the child's best interests by "pushing for services" and for what she believed was best for the family.

We could not interview this child due to his age. We wanted to interview the parents, however, the agency was uncooperative in helping us arrange the interview. After several weeks of trying we ceased our efforts.

Case #4. This case, involving a now 17 year old white male, had been active for over four years. The child had been left alone at home by his parents, and he walked to an emergency shelter where he was taken into custody. He had been living in foster or group homes since that time. The CASA was appointed to the case after two years at the fifth review hearing.

The CASA spent several weeks investigating the case through a review of all written records and discussing the case with the caseworker, parents, siblings and service providers. The CASA also met and spoke extensively with the child. She visited the foster home, parents' home and attended agency and foster care reviews of the case. The agency, CASA and child agreed on the recommendations for the case which were continued foster care with a goal of reunification. The court agreed with this position.

The CASA was involved in three additional court reviews of the case. Prior to each review she contacted the parents, child, caseworkers, the child's siblings and service providers and wrote a report to the court. All reviews were routine except the most recent review. At that time the agency wanted to change the case goal to long-term foster care, as the parents were not progressing. The child also did not want to return home and wanted to stay at his foster home. The CASA agreed that this was in the child's best interests and the court concurred at the hearing.

The CASA remained very involved in the case between hearings, making frequent contact with the child. She rated their relationship as highly positive: "I have been a good friend to him," she stated. The child also regularly contacted the CASA for things he needed and "just to talk." The CASA stated she helped the child obtain clothing and school supplies and helped him with transportation problems and educational needs. She also said she helped his "learning life skills of ordinary living." The CASA also regularly contacted the caseworker and foster parents to monitor the child's needs and progress. She stated she planned to remain involved "as a friend" to the child even after the case closes. The CASA felt she had helped the child secure a good living arrangement.

The caseworker knew the CASA by name and provided a similar account of the case. He had been involved in the case for only the past year, but had worked with the CASA at the most recent hearing. The CASA contacted him and the child prior to the hearing and they agreed that the child should remain in substitute care and not be returned home. The child had to testify at this hearing and the caseworker felt the CASA had helped make testifying easier for the child by "spending time with him, explaining the process and what was going on."

The caseworker stated the CASA had remained very involved in the case, contacting him weekly. He characterized their relationship as cooperative and felt the CASA had been helpful in all phases of the case. The CASA had also attended internal agency reviews and foster care board meetings of the case. The caseworker was also aware that the CASA had contacted the child regularly and had been very helpful to the child "by being involved and talking about the situation." The CASA had also helped the child obtain counseling and financial assistance. The caseworker rated the CASA very competent and very well prepared and believed she had contributed to serving the child's best interests.

The child was interviewed in his foster home and knew the CASA by name. He stated they had frequent contact and that she had helped him a lot: "She helped me to realize what I was going through was not my fault and that I shouldn't be angry with the social worker...[she told me] not to let myself be in a fantasy world of going back with mom." The child also felt the CASA helped him to deal with testifying at court, which he did at the most recent hearing. "She helped me see the judge as a person--not someone on a big bench," he stated.

The child contacted the CASA on his own frequently and believed they had a good relationship. He felt the CASA was always available to him and that she listened to him and what he needed. He concluded "If [CASA] is ever called on another case I would recommend her. She is a very effective CASA worker."

The mother was interviewed in her home and knew who the CASA was, although not her name. She stated the CASA and her children met in the mother's home to discuss the case before each review hearing and had regular contact throughout the case. The mother had ambivalent feelings about the CASA, however. She expressed some positive feelings toward her, stating she had helped her child. She also felt she and the CASA had a generally cooperative relationship.

The mother and CASA had a major disagreement, however, as the mother had wanted the child to return home and the CASA had advocated permanent substitute care. "She went beyond her job and did things beyond what she was supposed to do... She wanted to move the case in the wrong way--[she wanted] the children to stay in foster care instead of returning them home" she complained. The mother did not agree with what had happened but concluded "I don't like [the CASA] personally but I feel she did a good job. She did what she was supposed to do."

Discussion of CASA/Attorney Cases

The four cases demonstrate considerable involvement by the CASAs. They spent a great deal of time investigating the case and remained involved in the case at all phases and between court hearings. The CASAs also were willing to disagree with the agency and recommend services and placements independently. The CASAs showed a willingness to fight for what they believed

the child needed and were effective in achieving their goals. This is evident in Case #3 where the CASA advocated a return of the child home over the agency's objections. The court ruled in favor of the CASA and also ordered services for the child on recommendation from the CASA. These services went beyond those specified by the agency.

With the exception of Case #1, the CASAs developed a personal relationship with their child clients. They contacted the child regularly and kept up to date through periodic contact with parents, foster parents and case-workers. The CASAs appeared to get very close to the child and developed almost a parental role or a friendship with the child. The children and parents had very positive feelings about the CASAs and felt they had been helped by them. Even the mother in Case #4, where the CASA advocated permanent removal of the children against the mother's wishes, expressed a positive attitude about the CASA's work. The CASAs evidently saw their role as more than being an advocate for the child but extending to social and personal areas.

UNASSISTED CASA MODEL

Two CASAs under this model were appointed when the case first began. In the other two cases, the child had no guardian ad litem for a long period of time until the CASA had been appointed. Unlike CASAs in the preceding model these CASAs were responsible for all aspects of the case, including legal issues. However, the CASAs had staff attorneys who could assist them with legal issues and who would represent them in court on cases that were legally difficult. They also had clerical help.

The four CASAs were all well experienced in their roles, having done CASA work for from four to five years. They came from diverse backgrounds

as one CASA directed a statewide support group for parents, another was a secretary, a third owned her own business and the fourth was not employed but had done volunteer work in child advocacy for 15 years. The CASAs had all been trained by their program and one also had a college degree in sociology. They all believed the CASAs role was to make an independent assessment of the case and argue for the child's best interests. The CASAs volunteered for their jobs due to an interest in child welfare, to help children and to help make a positive change. They all planned to serve indefinitely as CASAs and appeared to take pleasure in this work.

The caseworkers were experienced in providing child welfare services, having done so for from four to 11 years. They had high caseloads, averaging about 34 foster care and protective services cases each at the time of the interview. They all had bachelor's degrees and one worker also had done some graduate work.

The caseworkers agreed that the CASAs usually provided input to the agency on cases and that the CASA's recommendations for the case usually agreed with their own. There was also agreement that the CASAs played an important role in the case. The caseworker believed the CASAs were helpful because they provided additional input on the case that was useful in developing the family service plan. They "gave support and endorsement of the service plan" in court, "can present an independent voice to the court...that may balance the views of other parties" and "help keep caseworkers on track...[and] will react if plans are not being implemented." The caseworkers characterized their relationship with the CASAs as either cooperative or independent.

Synopses of Cases and GAL Activity

Case #1. This multi-problem, complex case involved an Asian girl who was 15 when brought into foster care. She remained in care until her eighteenth birthday, three months prior to our interviews. The girl had been sexually and physically abused and had also been abusing drugs. She was placed into a drug treatment facility after a short stay in emergency foster care.

The CASA was appointed to the case at the adjudication hearing. She conducted a detailed investigation of the case by reviewing agency, court, medical and school records and talking to the child, caseworker and parents. The CASA also visited the child's foster home, attended agency meetings about the case and prepared a written report for the court.

The CASA and agency agreed that the child should remain in foster care and a service plan was developed. The parents initially were opposed to foster care placement, but after negotiation with the caseworker and CASA, they agreed and a written agreement was developed. The child was opposed to foster care and wanted to get her own apartment. However, the CASA felt this was not possible and argued for foster care at the hearing.

The court accepted the agency and CASA recommendations at the dispositional hearing. The child was present at the hearing and became extremely upset. The CASA took her out of the courtroom and stayed with her until the hearing ended. The CASA felt she had a very important influence on the outcome of the hearing, specifically on placement and services for the child. "I helped [the child] to see that she needed to be in a supervised setting as opposed to on her own...[I also] insisted that [her] medical needs be addressed and agreed to transport her for these services," the CASA stated.

The CASA also represented the child at the five court reviews of this case. Prior to each review the CASA prepared by consulting the caseworker, child, family and service providers. The reviews were routine and there was only one disagreement. At one hearing the child again wanted to live on her own and the CASA and agency did not feel this was appropriate. The CASA recommended continued foster care placement, which the court accepted.

The CASA remained involved with the case between hearings, contacting the child at least once a month. The CASA also had monthly contact with the caseworker, foster parents and service providers. The CASA reported that changes in placement and services were often needed during the case, which she had implemented after contacting the caseworker. For example, the CASA believed the child's services were not being delivered in a timely manner and she had to push to see they were implemented.

The CASA reported that she initially had difficulty developing a rapport with the child but over time they developed a very positive relationship. The child contacted her weekly and the CASA assisted her with a number of matters--clothing, parenting, education and school, among other things. The child had a baby of her own and the CASA assisted her in obtaining visiting rights and with problems she had with the baby. The child was also involved with a criminal matter and had been involved in prostitution. The CASA assisted her in dealing with these difficulties.

The CASA reported that she had disagreements with the agency on several issues, including placement and how to deal with the child's prostitution. The caseworkers for the child were frequently changing, which the CASA found to be a problem. The CASA believed she had been an important figure in the case. "Her case was very complex due to involvement with many agencies and

I was the person who coordinated the involvement of all parties," she stated. The case is now closed, but the CASA reported she still sees the child periodically.

The caseworker we interviewed was assigned to the case about a year after it began and had worked with the CASA on four review hearings. He knew the CASA by name and reported the CASA kept in regular contact with him throughout the case. Prior to hearings, the CASA spoke with him several times about placement and services for the child and there were no major disagreements between them.

The caseworker confirmed that the CASA had been very involved in the case between hearings. He stated he had frequent contact with the CASA and that she kept in regular contact with the child. He was also aware that the child contacted the CASA on her own. The caseworker also stated the CASA attended internal agency reviews of the case at which she provided her perspective and concerns about the child.

The caseworker rated the CASA very well prepared and competent in her role. He felt she had been helpful in investigating the case, at review hearings, getting the child's viewpoint, considered and bringing the case to a close. However, the caseworker also had some negative comments about the CASA's work. He felt the child could be manipulative and was good at getting people to "rescue" her when she was in trouble. The caseworker felt the CASA was too personally involved in the case and the child was taking advantage of this. He stated the CASA "would rescue the child a great deal, in contradiction to the service plan requiring [the child] to handle situations on her own. This was counterproductive to [the child's] growing up." The caseworker was also unhappy that the CASA performed many activities for the child

without informing him. While the caseworker felt the CASA contributed to serving the child's best interests he also believed the CASA "could have been less of a friend to [the child] and more of a professional. Her role was not clearly defined and this tended to cloud the issues."

While the child and her grandparents, with whom she was living, agreed to be interviewed, the agency did not wish us to interview the child. Consequently, we interviewed only the grandmother, who stated she had only been involved with the CASA since the child began to live with her about a year ago. The grandmother knew the CASA by name and stated she had met her and spoken to her several times.

The grandmother had a very positive opinion about the CASA, who she felt had helped the child a great deal and had provided considerable support to the child through phone calls and visits. The CASA helped the child get things she needed such as clothing and a driver's license. The CASA also helped by ensuring hearings were scheduled and held on time, according to the grandmother.

The grandmother admitted to "feeling affection for [the CASA]. I think she has done a fabulous job in her role." She stated they had a very cooperative relationship and that the CASA had provided them with moral support. She concluded by saying "I feel any child would benefit from having [a CASA]."

Case #2. The second case also involved a multiple problem family. The child, a black girl who was eight years old when the case began, was placed out-of-home due to neglect, physical abuse and drug and alcohol abuse by her parents. The child was in substitute care for four years before being reunited with her mother several months before our interviews. The CASA was

assigned to the case prior to the adjudicatory hearing and had served as GAL for the duration of the case. She devoted a full working week to investigating the case through a review of agency records and conversation with the caseworker, parents, child, siblings, foster parents and attorneys. She also visited the foster home, parents' home and observed child-parent interaction.

The CASA worked at developing a negotiated agreement of the case for both the adjudication and dispositional hearing. The child's father refused to agree. A written agreement was eventually developed with the mother and agency that specified a substitute care placement and appropriate family services. The court accepted the treatment plan at the dispositional hearing and the CASA believed she was extremely important to this outcome. She believed her advocacy for services, alcohol treatment and goal of reunification for the family was very influential in having these plans adopted.

There were seven court reviews of this case held over four years. To prepare for the hearings the CASA had extensive conversations with the caseworker, child, parents, attorneys and service providers. The CASA also visited the parents' home and child's foster home, requested evaluations of the family prior to hearings and prepared a written report to the court. The hearings were routine and there were no major disagreements with the agency. The child frequently stated she wanted to return home, but the CASA and agency continued to recommend foster care. At the last court review, however, all parties agreed the family should be reunited and the court agreed.

The CASA remained extensively involved in the case between hearings. She kept in regular contact with the child, parents, foster parents and caseworker to monitor the case, although the child did not contact her on her

own. The CASA reported that she initially had difficulty developing a relationship with the child, as the child was untrusting and scared in the early phases of the case. Now, however, they had a very positive and harmonious relationship, according to the CASA. Even though the case is now closed, the CASA continues to see the family and she stated "this family will always be on the periphery of my life."

The CASA also reported having a great deal of contact with the child's mother. The mother had not been receiving treatment for alcoholism and had made little progress. The CASA threatened that termination of parental rights would occur if she did not resolve her drinking problem. It was soon after this threat that the mother improved and the child was returned. In addition, the child's father died while the child was in foster care and the CASA reporting helping the family deal with his death.

The CASA felt she had been very influential to the case outcome. She believed the child would have remained in foster care indefinitely or termination of parental rights would have resulted were it not for her work. She stated she "was the only continuity in the case because the case had had three caseworkers. I pushed for reunification because I saw bonding...and [a need] for intensive alcohol treatment. I provided more specific care on the case."

The caseworker was not involved in the early phases of the case but had been involved in it for over three years. She reported that the CASA kept in regular contact with her about the case and that they talked extensively prior to each of the review hearings. The worker stated that she and the CASA had no serious disagreements about the case prior to any hearing.

The CASA was actively involved in the case between hearings and had extensive contact with the caseworker. They discussed services, visitation and the lack of progress of the mother. The caseworker was also aware of extensive child-CASA contact. The caseworker noted that the CASA had been involved with internal agency reviews of the case, had provided current information on the family's participation in services and made recommendations for the case.

The caseworker believed she had a very good, cooperative relationship with the CASA. She believed the CASA had been very helpful at all phases of the case and had been important in ensuring the family was receiving counseling and the mother was attending an alcohol treatment program. The CASA had also had a role in setting visitation rights.

The caseworker believed the CASA had been very well prepared and very competent in the case. She believed the CASA had contributed significantly to serving the child's best interests and had helped expedite a permanent case plan for the child. The caseworker thought the CASA had helped the child by "providing [a] consistent long-term supportive relationship with a health adult who cares about her. [The CASA] has been available and accessible and has encouraged [the child]."

The child was interviewed at her home and remembered the CASA by name. She stated they met four times before the dispositional hearing and the CASA explained the court process to her and possible outcomes. The child stated the CASA had talked to her often after that but that she never contacted the CASA on her own. She felt the CASA was available to her when she needed her and that the CASA had helped her "a little" in dealing with court.

The mother was interviewed at her home and also knew the CASA by name. She recalled meeting the CASA for the first time at her home and several days before the dispositional hearing. She felt the CASA had been very helpful to her children. She specifically mentioned that her children went through counseling because of the CASA and the children were now better off as a result.

The mother stated she initially did not trust the CASA, but that they had developed a very good relationship, which she characterized as very cooperative. The CASA had talked with her frequently about getting help for her alcohol problem and about her children. She felt the CASA was always encouraging and helped her overcome her problems. She further stated that the CASA helped her visit her children more often near the end of the case when she was improving. The mother expressed a very positive opinion about the CASA and noted that she "has proven herself. She is... on my side. She was very helpful and supportive. She has gotten beds for my boys... [CASA] is a super good person [who] really cares about me and the children."

Case #3. This case had been active over four years at the time of the study. It involved a now 17 year old white male who had been placed into foster care due to delinquent behavior and persistent conflicts with his parents. The CASA's involvement in the case began about two years after the child was first placed. Prior to that time the child did not have a GAI. To investigate the case, the CASA reviewed court and agency records and spoke with the caseworker, parents and the parents' attorney. The CASA had tried to contact the child as part of the investigation but had been unable to reach him.

The CASA was involved with six review hearings of the case. She was not always able to reach the child prior to the hearings since he was sometimes in detention or placed out of the area. However, the parents, caseworker and agency agreed on the plan for placement and services for the child which the court approved at each hearing. The child, however, was opposed to his placements which were sometimes out of the area or in locked facilities. However, the CASA did not agree with the child's placement wishes.

The CASA has remained actively involved in the case between hearings and to the present time. She kept in frequent contact with the parents, caseworker and child, whenever the child was available. She also reviews relevant agency, court and service provider records. The CASA reported that the child has not been placed in an appropriate facility but that the agency has had difficulty locating one. She stated she keeps the child's caseworkers aware of this need.

The CASA stated she had developed a positive relationship with the child and has helped him obtain clothing and other things he has needed. She also stated she keeps in frequent contact with the parents to keep up-to-date on how visits have gone and the child's behavior. The CASA also reported being involved in the criminal proceedings against the child and spoke on the child's behalf at his sentencing.

The CASA felt she has helped the child by providing continuity and stability in the case. The child has had frequent changes in caseworker, attorneys and probation officers, but the CASA has been the only constant person throughout the system. The CASA also felt the case might have been dropped by the agency if it were not for her participation.

The current caseworker had been involved for only six months at the time of the interview. He knew the CASA by name and noted they had regular contact about the case. He remarked that there was currently little activity on the case, as the child was to be released on his eighteenth birthday (about four months away). The caseworker stated he and the CASA were in general agreement on the case and that there were few, if any, alternatives to the child's situation. The child has had frequent problems with destructive behavior and stealing.

The caseworker stated that the CASA had been involved with internal agency reviews of the case and had recommended a rural family setting for placement. However this had not been possible. The caseworker rated the CASA well prepared and competent and felt she had been helpful investigating and monitoring the case and at review hearings. He further stated the CASA was aware of the child's needs and the agency's resources and that she had been "cooperative and in agreement" with the agency. However, he felt the CASA's involvement did not add anything to the case due to its intransigent nature.

The child was interviewed at a YMCA shelter where he was currently placed. He knew the CASA by name and had seen her regularly over the past three years. The child felt the CASA had helped him a lot by "look[ing] into a lot of placement possibilities. But no one has ever known when I'd be going home." The CASA has also discussed school and getting him drug and alcohol treatment.

The child also felt the CASA had helped him when he had to testify in court. "She told me what the judge was expecting and told me how to talk to the judge," he stated. The child felt it was easy to talk to the CASA and

that she was available to him most of the time when he needed her. He believed she was trying to help him "because everything I request, she checks up on it." He reported that the CASA called him "from time-to-time. She's doing all she can. If there was more she could do I'm sure she would."

The mother was interviewed in her home and knew the CASA by name. She was very positive in her assessment of the CASA. She stated that initially she did not trust the CASA or understand the CASA's relationship with the agency. However she and the CASA currently enjoyed a very good, cooperative relationship and the mother feels the CASA has helped her child a great deal because she "look[s] out for his interests as opposed to his needs."

The mother also stated that the CASA had been very supportive of her and her husband. The CASA has backed their wishes in court and been very helpful to them. She stated the CASA was a good listener and was interested in what happened to the child. "She keeps us updated and sends information to us that she thinks would interest us." The mother noted however, that not much was happening on the case and "hearings come up every six months and there is nothing for [the CASA] to do."

Case #4. This was a case of neglect of a white girl whose mother also had a history of mental illness. The child was eight years old when she was first placed in foster care and had been in the same foster home for five years before permanent guardianship was awarded to the foster parents shortly before the study. The current CASA was assigned to the case after the second court review hearing, a year after the case had begun. The first CASA had withdrawn from the case.

The CASA investigated the case through a review of court, school and agency records and also talked to the child, parents, relatives, foster

parents, child's caseworker, and the prior CASA. She also visited the foster home, parents' home, observed parent-child interaction, and spent a total of 20 hours on the investigation.

The CASA represented the child at nine court reviews. She prepared for these reviews by talking to the child, parents, relatives, siblings, the caseworker, service providers and school personnel. She also visited the child's foster home and parents' home. There was general agreement between the CASA and agency on the case plan except for one hearing. The agency wanted the child returned home and the CASA thought continued foster care was necessary. A staffing meeting was held prior to this hearing between the CASA and caseworker to resolve this difference. The CASA stated "The agency was not strong in knowing the facts and evaluating them. They responded to pressure from [the parents'] attorney. They were more fearful of having a weak case." She convinced the caseworker to accept her recommendation, which were accepted by the court.

The CASA stated that when she first took the case, she felt the child should be returned home. However, the child was opposed to this and after learning more about the family, she agreed that continued foster care would be necessary until the parents' situation improved. The mother was not following through with services and also wanted to leave the area.

The CASA remained extensively involved in the case between hearings. She kept in regular contact with the parents, child, caseworker and foster parents and periodically reviewed all records of the case. She also attended internal agency reviews of the case to provide input. The CASA stated the mother has remained uncooperative about attending counseling and she does not maintain consistent contact with the children or a stable household. The

CASA stated she is constantly trying to get the mother to improve her situation and receive services.

The CASA felt she had a very positive relationship with the child and spoke with her once a week. She reported that the child has contacted her several times to talk to her about her mother and problems the child was having. The CASA also stated she helped the child receive counseling and arranged for transportation to the therapist for her through the caseworker.

The CASA believed she had been very influential throughout the case. She had pushed for services for the child and insisted the mother follow through on required services. She also believed she had prevented the mother from obtaining custody of the child. "I did more investigation than the agency had the time or inclination for," she stated, and consequently found that the mother's living situation had not improved.

The caseworker had been assigned to the case for about three years and had not been involved in the early phases of the case. He knew the CASA by name and gave a similar account of the CASA's involvement. He confirmed that the CASA had been in contact with him regularly and conferred with him on the case plan prior to review hearings. He also noted the CASA had been involved in internal agency reviews and that she had been influential in helping set visitation requirements between mother and child.

The caseworker described his relationship with the CASA as very cooperative and he also believed the child and CASA enjoyed a very positive relationship. He felt the CASA had been very helpful to the child through her support and frequent visits. He also rated the CASA very well prepared and very competent and believed she had been helpful at all hearings, monitoring

the case and getting the child's viewpoint considered. The CASA had contributed significantly to serving the child's best interest in two ways, according to the caseworker. She had advocated against reunification when she discovered it wouldn't work and she had helped the child with visitation problems. The caseworker verified that the CASA had been the main force against reunification and had convinced him that the family environment had not improved.

The child was interviewed in her foster home shortly before her fourteenth birthday. She knew the CASA by name and stated she spoke with her several times before each hearing. She felt the CASA helped her a lot to deal with court by "com[ing] over and say[ing] what might happen and what did happen. She would call after the hearing and review it with me." The child felt the CASA was easy to talk to and listened to what she wanted. "I had trust and faith in [CASA]. We both had trust and faith in each other," she stated and expressed the feeling that the CASA was always available to her when she needed her. The CASA kept the child informed about the case and contacted her regularly.

The child's foster mother, who now had legal guardianship of the child, was interviewed in her home. She knew the CASA by name and stated they met for the first time at her home when the CASA was first assigned to the case. The foster mother expressed very favorable opinions about the CASA's work. She believed the CASA had helped the child a great deal by fighting for a permanent living arrangement. The CASA "fought for our guardianship. The kids need to belong somewhere...the mother was incapable of being a parent," according to the foster mother.

The foster mother felt her relationship with the CASA was very cooperative and positive. The CASA listened to the foster parents and "kept the kids and us emotionally together." The foster mother also believed the outcome of the case had been expedited by the CASA's advocacy.

Discussion of CASA Cases

As with the CASAs in the previous model, the volunteers under this model became very involved with their cases. They spent a great deal of time on them and maintained considerable contact with the families. The CASA developed very close, personal relationships with their child clients. These relationships were so close that in Case #1, the caseworker felt the CASA had become too involved and lost objectivity. However, there is no doubt that the children were very happy with the relationship that developed and they felt the CASAs had cared for them and tried to help them. The CASA assisted the children in other personal areas of their lives and with other legal difficulties they had.

These cases also demonstrate how influential a GAL can be in the proceedings. The CASA was able to exert a dramatic influence on the case outcome. This was evident in each of the four cases. In Case #1, the CASA fought for a number of services and specific placement for the child; in Case #2 the CASA worked to have the family reunified and helped prevent termination of parental rights. Case #3 may have been dropped by the agency had the CASA not pushed to keep it open and improve the child's placement; and in Case #4, the CASA convinced the agency to establish legal guardianship by the foster parents to keep the child out of an adverse living arrangement with her parents. Whether the CASA disagreed with the child as in Case #2, or the agency as in Case #4, the CASA's perspective eventually prevailed.

The picture that emerges from these cases is of CASAs who are highly motivated and involved. They spend a great deal of time on the cases, and make their own independent assessment of the case. They are willing to fight for the outcomes they believe are best and are highly influential and persuasive in achieving these outcomes.

APPENDIX D
SUPPLEMENTARY TABLES

Exhibit D-1

GAL Models and Measures
of Out-of-Home Placement

	<u>GAL Model</u>					<u>Total</u>
	<u>Private Attorney</u>	<u>Staff Attorney</u>	<u>Law Student</u>	<u>CASA/ Attorney</u>	<u>CASA No Attorney</u>	
Mean Time Out- of-Home (Months)	14.2 (N=11)	19.3 (N=11)	15.4 (N=6)	19.6 (N=17)	17.9 (N=27)	17.8 (N=72)
Mean Number of Out- of-Home Placements	4.5* (N=48)	2.3*** (N=65)	3.1** (N=27)	3.7** (N=46)	5.8* (N=44)	3.8 (N=230)
Mean Time per Out-of- Home Placement (Months)	7.6 (N=41)	8.7 (N=61)	10.7 (N=24)	6.1 (N=43)	7.1 (N=44)	7.9 (N=213)
Percentage of Out-of- Home Placements with Relatives	14.8 (N=48)	19.3 (N=65)	14.7 (N=27)	13.7 (N=46)	15.9 (N=44)	16.1 (N=230)
Percentage of Out-of- Home Placements with Siblings	43.9 (N=29)	42.0 (N=48)	62.3 (N=15)	56.8 (N=43)	59.1 (N=30)	51.2 (N=165)

Note: Significant differences were found only for mean number of out-of-home placements, $F(4,225) = 8.9$, $p = .001$. Means with a different number of asterisks differ by $p < .05$ by Student-Newman-Keuls test. For example, CASA-No Attorney and Private Attorney models do not differ significantly from each other, but differ significantly from all other models.

Exhibit D-2

Type of Changes Made in Case Plans
by GAL Model

Type of Changes	<u>GAL Model</u>					Total (N=242)
	<u>Private Attorney (N=48)</u>	<u>Staff Attorney (N=70)</u>	<u>Law Student (N=27)</u>	<u>CASA/ Attorney (N=49)</u>	<u>CASA No Attorney (N=48)</u>	
Add Requirement or Service (N=131)	20.6	32.1	3.8	13.7	29.8	33.9
Drop Requirement or Service (N=66)	4.6	22.7	10.6	6.1	56.1	17.1
Change Placement (N=104)	21.9	31.7	3.8	15.4	21.2	26.9
Change Case Goal (N=22)	31.8	9.1	36.4	4.5	18.2	5.7
Change Visitation Conditions (N=63)	19.1	27.0	7.9	14.3	31.7	16.3

Exhibit D-3

Court Ordered Changes in Case Plan
by GAL Model

	<u>GAL Model</u>					<u>Total</u>
	<u>Private Attorney</u>	<u>Staff Attorney</u>	<u>Law Student</u>	<u>CASA/ Attorney</u>	<u>CASA No Attorney</u>	
Mean Number of Changes Ordered	3.5* (N=36)	3.5* (N=56)	2.2* (N=17)	3.3* (N=27)	5.2** (N=46)	3.8 (N=182)
Mean Number of Hearings Where Changes Were Ordered	2.6 (N=36)	2.9 (N=56)	1.6 (N=17)	2.6 (N=27)	3.5 ^t (N=46)	2.8 (N=182)
Mean Changes Ordered per Hearing	1.4 (N=36)	1.2 (N=56)	1.4 (N=17)	1.2 (N=27)	1.4 (N=46)	1.3 (N=182)

Note: Means with a different number of asterisks differ by $p < .05$ by Student-Newman-Keuls test. Only the CASA-No Attorney model differs significantly from the other models on mean number of changes ordered.

^t Differs from law student model by $p < .05$ by Student-Newman-Keuls test. Other models are not statistically different from each other on this measure.

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Exhibit D-4

Percent of Case Goal Changes by GAL Models

	<u>Model</u>					<u>Total</u>
	<u>Private Attorney</u>	<u>Staff Attorney</u>	<u>Law Student</u>	<u>CASA/ Attorney</u>	<u>CASA No Attorney</u>	
<u>Measure 1</u>						
Maintained Initial* Goal of Reunification	62.8	80.8	36.8	75.0	66.7	68.5
Changed from Initial Goal of Reunification to Any Other Goal	37.2	19.2	63.2	25.0	33.3	31.5
N of Cases	43	52	19	44	42	200
<u>Measure 2</u>						
Changed to Reunification From Other Initial Goal	0	13.3	0	16.7	0	8.3
Maintained Other Initial Goal	100	86.7	100	83.3	100	91.7
N of Cases	6	15	6	6	3	36
<u>Measure 3</u>						
Changed to Goal of Adoption from Initial Goal of Reunification	37.5	20.0	41.7	54.6	42.9	39.7
Changed to Other Goal from Initial Goal of Reunificaton	62.5	80.0	58.3	45.4	57.1	60.3
N of Cases	16	10	12	11	14	63

*Proportions significantly different at $p < .01$ by chi-square.

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