

FLORIDA GUARDIAN AD LITEM
2009 ANNUAL REPORT



*The time is NOW...
Every child deserves a
Guardian ad Litem.*



“The test of the morality of a society is what it does for its children.”

~DIETRICH BONHOEFFER

Every child in the child welfare system needs a champion. Now more than ever, the Guardian ad Litem is that champion.

Too often when people hear about a child in the child welfare system they only recognize that the child has been removed from her parents. In reality, the child has been removed from so much more: her parents, her siblings, her home, her pets, her friends, and her school. Through no fault of her own, her entire life is turned upside down. Everything familiar is gone. When this happens, it is imperative that the child has a champion. That champion is the Guardian ad Litem Program. The Program is uniquely independent. Even as the volunteer learns the child's wishes, and we express these wishes to the court, the Program is not bound by these wishes. Our only obligation, our sole mission, is to advocate for the child's best interest.

Recognizing the importance of every child having a champion, the Guardian ad Litem Program is re-energized in its efforts and has stream-lined its focus on recruiting more qualified volunteers. The Program understands the necessity of volunteers not only to fulfill our mission that every child in the child welfare system has a guardian, but also because Florida simply cannot afford to hire an individual to take the place of the volunteer guardian. The Program also acknowledges the guardians' best interest recommendations must be effectively and timely advocated before the court. In order for the court to make the safest, wisest decision for a child, a decision which often has life-long implications for the child, it is imperative that the court is aware of all the pertinent information. As such, the Guardian ad Litem Program is concentrating on improved statewide legal

“If there is one thing our members can say with one strong, unequivocal voice, it is this: the Guardian ad Litem is the only party in the dependency court possessing the complete and unfettered discretion to speak solely in the best interest of the child. We firmly stand for the proposition that the Guardian ad Litem Program should be and always remain a completely independent agency—not for our sake, but for the sake of Florida's maltreated children.”

~The Florida Council of Juvenile and Family Court Judges

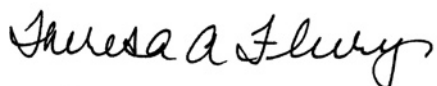
advocacy with more training concentrated on establishing permanency and state office support. In order to achieve our goal of consistent and effective advocacy across the state, we have reinforced our use of our Advocacy Framework. The Advocacy Framework is a tool utilized in each case by the volunteer, volunteer supervisor, and program attorney; it highlights the child's timeline for permanency, the child's safety, the child's needs, and the parents' case plan. The Framework is used in conjunction with the new Statewide Child Visitation Form and the new Statewide Guardian ad Litem Report. All three reinforce the Program's holistic approach in representing children's best interests. The Program initiated statewide forms and reports because all children deserve the safest, most permanent homes, and the best, most appropriate services whether they reside in a big city or a rural area. The State of Florida has entrusted the Guardian ad Litem Program with the responsibility to advocate for our dependent children's best interests and we continuously strive to accomplish our mission.

“The lawyers know the statutes, the social workers the regulations. But the [Guardian ad Litem] volunteer is assigned to know the child.”

~Ana Quindlen, author, columnist, and National CASA Association Advocate

I am excited to provide you with this year's annual report of where we are and where we will be in the future. I am eager to accomplish the goals we have undertaken and to continue working with other stakeholders to better the lives of Florida's dependent children.

Sincerely,



Theresa A. Flury
Executive Director

A Champion in the Courtroom

“As a Guardian ad Litem, we are the voice for the children, but without our Guardian ad Litem attorneys we may only be a whisper.”

~*Guardian ad Litem volunteer, Thirteenth Judicial Circuit*

Each year in Florida, thousands of children are placed in shelter care when it is determined that they cannot safely remain in their home. When a child is sheltered, a court hearing is held within 24 hours and a dependency case begins. The primary objective of every dependency case is the care, safety, and the protection of the child and to provide the child with a healthy, safe, and secure environment that will promote health and well-being and is free of child abuse, neglect, and abandonment.¹

Florida Law requires that a Guardian ad Litem be appointed at the earliest possible time in a dependency proceeding.² This requirement is consistent with federal law which mandates that the state have a procedure requiring a Guardian ad Litem in every case involving an abused or neglected child resulting in judicial proceedings.³ In practice, the Guardian ad Litem Program (Program) is usually appointed to a dependency case by the court at the shelter hearing and the Program then assigns a program attorney and a volunteer and/or staff advocate to the case. The role of the Guardian ad Litem is to make recommendations to the court as to what is in the child’s best interest.⁴ The Guardian ad Litem, the volunteer supervisor, and the program attorney work as a team to formulate best interest recommendations based on the information gathered to ensure the child’s well-being and safety and to ensure that child-centered decisions are made on critical issues such as permanency, placement, visitation, and education. Using the Statewide Advocacy Framework, Child Visitation Form, and Guardian ad Litem Report, the team monitors the progress of the case, attends case staffings and mediations, and appears at court proceedings. The program attorney’s additional responsibility is guiding the legal course of the case including filing motions when necessary and zealously advocating the Program’s position on behalf of the child’s best interest.

1 Section 39.001, Florida Statutes.

2 Section 39.822(1), Florida Statutes.

3 42 USCA § 5106a(b)(2)(A)(xiii), Child Abuse Prevention and Treatment Act (CAPTA).

4 Section 39.8204, Florida Statutes.

Recently, in Osceola County, a program attorney spoke before members of the county school board on behalf of a young man facing expulsion. Unknown to the program attorney at the time, in the 11 year history of the school boards expulsion hearings, never had it reinstated a student directly into school without first either sending that student to an alternative school for troubled youth or requiring that the student be home schooled for one year. According to the Osceola County School District, what made this hearing different was the program attorney's "informed, passionate, persuasive, and eloquent" approach to this young man's situation. The school board moved for direct reinstatement due in large part to the advocacy of the program attorney. The program director in the Ninth Judicial Circuit recalls the young man hugging his program attorney continuously following the hearing.

The Guardian ad Litem Program lost positions, including attorney positions, with this year's reduction in funding; which resulted in an increased caseload for our program attorneys. To some degree, staffing reductions also required operational changes necessitating the discontinuation of special projects aimed at providing specialized advocacy. By way of example, some circuits had previously been able to have program attorneys specially assigned to only handle issues such as termination of parental rights proceedings or independent living cases. Such assignments permitted the program attorneys to become experts in those areas, allowing for better and more efficient representation. However, due to reductions, all program attorneys must be experts in all aspects of each dependency case to which they are assigned.

"During my six year tenure as a Guardian ad Litem, I have enjoyed the satisfaction of "making a difference" in the lives of so many children. The attorney is a major part of the team. I am the attorney's eyes and ears, and the guy in the field, but the attorney is there for my kids in the court of law. The attorney's presence supports our efforts to give these kids an opportunity for a better life. The Guardian ad Litem cannot do it alone. We are a team. I take this opportunity to thank the lawyers on behalf of the Guardians ad Litem in the field who would be lost without the legal knowledge of their attorney team."

~Guardian ad Litem volunteer, Fifteenth Judicial Circuit

As funding becomes available, the Guardian ad Litem Program will take steps to retain specialized attorneys throughout the state in areas such as education, immigration, developmental disabilities, and master trust issues.

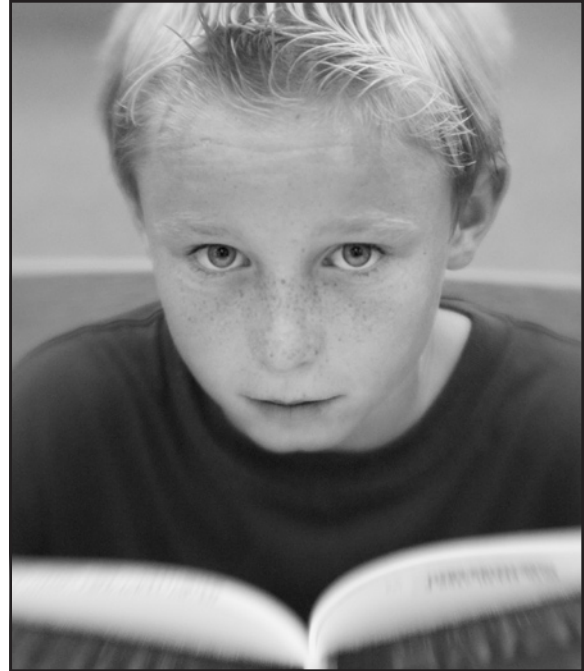
The circuits have also encountered paralegal and administrative support shortages. These shortages have resulted in most program attorneys having to handle their own copying, filing, scheduling, and researching which negatively impacts the amount of time they have available to devote to their cases.

Despite these economic and staffing constraints, the Program continues to be dedicated to providing zealous and quality advocacy, representing the best interests of every child. This includes:

- Having a well-developed case plan that adequately addresses the needs of the parents and the child;
- Championing services for the child that meet the child's individual needs in all areas of the child's life including her mental and physical health, medication, education, immigration, and economic needs;
- Seeking expedited permanency, with consideration of all issues impacting safety, and the durability and viability of long-term placement;
- Ensuring that the child understands the dependency process and has the opportunity to be an active participant in the case and court proceedings; and
- Making sure the Court is aware of the child's wishes as the child makes them known to the Guardian ad Litem, even in those instances when the child disagrees with the Guardians' recommendation of what is in the child's best interest.



In addition to program attorneys who handle dependency cases at the trial level, the Program also employs a small team of attorneys to act as appellate lawyers. Created in 2005, the Program's appellate division has become an integral part of the dependency appellate system, active in all five district courts of appeal and participating in nearly 300 cases this year. When the Program does not believe the child's best interest has been met at trial, or when one party to the dependency proceeding is seeking to overturn a court decision and the Program believes it would negatively impact the child, the Program's appellate division is called upon to continue representing the child's best interest before the district court.



“The Guardian ad Litem volunteer can gather information to identify the child’s needs and best interest, but without the guidance and advocacy of an attorney, the child’s needs and best interest may never be heard by the court.”

~*Guardian ad Litem volunteer, Second Judicial Circuit*

The Program strives to constantly strengthen and improve its advocacy.

The Guardian ad Litem Program continually seeks to enhance its legal advocacy to achieve better outcomes for children through review of current legal practices, supervisory oversight, and provision of on-going legal training on dependency-related topics and issues, including education, immigration, master trust, and medication. The Program's monthly supervising attorney conference calls are a cost-effective method to ensure staff is aware of changes in the law, best practices, and current issues facing our dependent youth. Continuing Legal Education credits are also available for attorneys which enable them to not only maintain good standing with The Florida Bar, but the credits also enable attorneys to receive the most up-to-date training on critical legal issues. All trainings are recorded and the audio files are placed on the Program's website (www.guardianadlitem.org), which can be accessed by the public.

Recent training calls include:

- View from the Bench;
- 2009 Legislative Update;
- Guardianship 101 for Child Advocates;
- Education: The Fostering Connections to Success and Increasing Adoptions Act of 2008;
- Independent Living;
- Sexual Abuse Issues & The Keeping Children Safe Act;
- Early Periodic Screening, Diagnosis, and Treatment (EPSDT);
- Representing Youth; and
- Interstate Compact on the Placement of Children (ICPC)

Additionally, the Guardian ad Litem website contains a database of legal resources for program attorneys including a Dependency Practice Manual, case law summaries, and practice bulletins which offer staff a comprehensive summary of legal topics. The newly created Practice Bulletin is a quarterly newsletter sent to staff which provides an in-depth analysis focused on a specific dependency issue. These newsletters are available to the public on our website.⁵ This past year the Program also sponsored statewide training to staff on the topics of educational surrogacy, evidence and trial skills, concurrent case planning, and psychotropic medications. Another avenue for improving legal representation utilized this

⁵ http://www.guardianadlitem.org/att_archnews.asp.

year was individual circuit reviews, wherein case files were examined and staff observed in the courtroom to identify practice area strengths and weaknesses. Needed training and improvement strategies were identified and targeted for maximum improvement.

As the Program moves forward, it will continue to strive to improve and strengthen legal representation statewide. Each child in the dependency system deserves no less than the best legal advocacy possible to ensure her best interests are represented to the court in all phases of the case.

The Program's website continues to grow as a go-to resource for child advocates. This year the Program's website has already received approximately 14 million hits with 420,000 individual visitors. Through technology, the Program shares best practices, provides training and information, and recruits and supports volunteers.

“I want a GOOD family, a FOREVER family.” This wish from the heart, spoken by a trusting seven year-old boy, after a lifetime of neglect from drug addicted parents, will come true thanks to the dedication and excellent legal work of this Guardian ad Litem attorney, who not only won the Termination of Parental Rights trial for this child, but also stayed in the battle to later win a denial of the Motion for Rehearing. This guardian attorney is an unsung hero for not only this child, but countless other children who also want a “good, forever family.”

~Guardian ad Litem volunteer, Thirteenth Judicial Circuit

Every child needs a Guardian ad Litem volunteer.

“When my aunt sent me back to Florida and I had nowhere to go, I kept trying to remember your name, hoping I could find you to help me again and when you walked in the door at the shelter, I almost cried.” ~*Teenager in foster care*

The Guardian ad Litem volunteer is integral to the Guardian ad Litem Program. Without the volunteers, there would be no Program. The volunteer, the volunteer supervisor, and the program attorney work as a team to gather all information pertaining to the child and then together the team makes a best interest recommendation to the court on the child’s behalf.

The Program’s dedicated volunteers sacrifice several hours each month to advocate for dependent children. Prior to becoming volunteers, these selfless individuals attend thirty hours of training to assist them with understanding the dependency system and the children involved. Before becoming certified as a volunteer, the volunteer completes an application and undergoes a criminal background screening. Once a volunteer is trained and assigned to a case, the volunteer’s sole concern is the best interest of the child. It is the volunteer who through investigation of the case, observations, discussions with the family, teachers and therapists, and visits with the child, provides the crucial information necessary to the team in determining what is in that child’s best interest, necessary for making recommendations to the court.

Many Floridians have relocated here from another state. To ensure the safety of our children, the Program is again requesting additional funds to provide national background checks on its volunteer applicants and employees.

But there are not enough volunteers, so some children are assigned a Guardian ad Litem employee, called a staff advocate. The staff advocate has the same duties and responsibilities to the child as does the volunteer. However, the volunteer usually has only one, two, or



three children to visit and represent, while the staff advocate may represent more than 45 children at a time. It is clear that the child with the volunteer is at a distinct advantage as her volunteer has significantly more time to directly interact with her and more time to meet with family members, teachers, and doctors. Additionally, by using volunteers, the Program is able to represent twice as many children than with Program staff acting as the volunteer. The volunteer model allows one volunteer supervisor to assist 40 volunteers who collectively represent the best interests of approximately 115 children. The staff-driven model allows one Program employee to advocate for the best interests of approximately 45 children. There is also a significant

amount of savings in travel expense when volunteers are used. The Program does not reimburse volunteers' costs incurred for their travel when they visit their children, but the Program does reimburse employees' travel.

Collectively, our certified volunteers have provided 16,508 years of volunteer service!

For these reasons, the Program has implemented an aggressive recruitment campaign to increase the number of guardian ad litem volunteers available to our children as it now embraces a "volunteer-driven" model of representation. The Program is slowly reducing the number of children who are represented by a staff advocate.

The number of children receiving advocacy from the Program's 6,700 volunteers has grown by nearly 14% over the last two years. The Program represents 80% of the children under dependency court supervision. Currently more than half receive the benefit of having a volunteer Guardian ad Litem, as opposed to a staff advocate; the highest percentage of volunteer child advocacy ever achieved by the Program.

“You are the only person I work with that follows through on things I need. Please don't ever quit doing what you are doing because you have been the best Guardian ad Litem. I have a lot of people that promise me things and you are the only one that follows through.”

~Sixteen year old teen to her Guardian ad Litem volunteer

Volunteer recruitment initiatives are an integral part of the Program's success.

To further increase our volunteer base, this year the Guardian ad Litem Program has developed a number of statewide initiatives and operational improvements designed to accelerate volunteer growth, increase child representation, and improve the quality of child advocacy. These initiatives empower the volunteers and provide the volunteers with additional support.

The most important initiative aimed at increasing volunteers is through the creation of the “volunteer recruiter” classification. This is a new position for the Program which allowed for the reallocating of resources to create a full-time, state funded volunteer recruiter to be employed in every circuit. Previously, volunteer recruitment was largely an additional or shared role assigned to a circuit employee who also had full-time child advocacy responsibilities. Now the Program benefits from one staff member in each circuit whose sole responsibility is to focus on critical volunteer recruitment initiatives and objectives. In addition, formal volunteer recruitment and retention action plans have been implemented in every circuit. These plans include a focus on enhancing diversity in the volunteer base and specific initiatives to recruit pro bono attorneys.

Each of the twenty circuit offices now has a Volunteer Recruitment Committee (VRC) to assist the circuit directors and staff in reaching out to their local communities to achieve their individual volunteer recruitment goals and objectives. Circuit volunteer recruiters work collaboratively with local VRCs.

Additionally, every circuit has a Volunteer Advisory Committee (VAC). The VAC provides its local circuit director with advice, recommendations, and initiatives focused on improving the volunteers' training, advocacy, and retention.

To compliment these initiatives, the Program has also created a Statewide Director's Volunteer Advisory Committee (DVAC). The DVAC is comprised of volunteer representatives from every circuit. The Statewide Guardian ad Litem Office Executive Director will hold regular meetings with the DVAC to share ideas and to receive feedback and recommendations on how to improve the effectiveness of child advocacy and volunteer programs.

To ensure success in the Program's recruitment efforts, local progress and results are monitored on a monthly basis through the improvement and enhancement of our data management system, called "GAL Tracker." Tracker is a comprehensive database that assists staff in managing not only volunteer resources, but also assists them in managing critical child case information and staff productivity. Newly created management reports have greatly assisted circuit staff in improving volunteer and staff productivity. The implementation of the new Staff Case Assignment Report, Volunteer Status Report, and Children Assignment Report are efficient managerial tools that allow circuit directors to quickly track the assignment and engagement of newly appointed and existing cases. The combination of the effectiveness of Tracker and the Guardian ad Litem Program's access to the Department of Children and Families Florida's Safe Families Network (FSFN) serves to promote better monitoring of a child's safety, stability, and path to permanency.

"Dreams are the touchstone of our character according to Henry David Thoreau. A Guardian ad Litem can help ensure that a child in foster care not only has dreams, but has a fighting chance of those dreams being fulfilled."

*~Guardian ad Litem volunteer,
Thirteenth Judicial Circuit*

"My Juvenile Court colleagues and I rely on our Guardian ad Litem Program, first and foremost, to assist us in making the best decisions for our children. We are blessed with tireless, well-trained, diligent advocates for our children from the Eleventh Circuit Guardian ad Litem Program."

~The Honorable Cindy S. Lederman, Circuit Court Judge, Eleventh Judicial Circuit

Volunteer training is critical to the Program's success.

As previously discussed, volunteers receive extensive training before becoming certified as Guardians ad Litem. This training is conducted by staff either during the day, evening, or on the weekend. To monitor this training, the Guardian ad Litem Program has established a Statewide Training Task Force. Its membership is representative of each position in the Program, including volunteers. The mission of this Task Force is two-fold. First, it is to carefully evaluate the effectiveness of all training, both volunteer and staff. Second, it is to develop new training curriculum designed to fit the Program's current priorities and operational needs.

This year, the Guardian ad Litem Program is requesting an additional \$145,600 in contractual services. This money would be used to contract with private individuals who would then conduct the volunteer training statewide. Not only is this more economical, but contracting with private individuals would enable program employees to use their time exclusively to represent the best interest of children.

The Guardian ad Litem Program strives to make sure children retain their racial and ethnic identity.



Florida's Guardian ad Litem Program was chosen by the National Court Appointed Special Advocates Association, or "National CASA", as one of four states to pilot a national curriculum called Knowing Who You Are, (KWYA). This research-based training curriculum is designed to help youth in the child welfare system develop a healthy sense of racial and ethnic identity. Because a sense of identity is so critical to dependent children, the KWYA training curriculum assists in understanding how to advocate for the children represented.

There are three components to the training curriculum. These components provide participants with the knowledge and skills necessary for incorporating this work into day-to-day practice. The Guardian ad Litem Program began the process of incorporating KWYA into its practice by identifying staff to become certified trainers of this curriculum. Over the past year, two circuit directors were certified as facilitators, the first step to becoming a KWYA trainer, and these directors are now able to deliver the KWYA curriculum. These directors will soon be certified as KWYA trainers, which will allow the Program to certify additional staff and volunteers as facilitators.

The Guardian ad Litem Program introduced KWYA in a training event that took place in Tampa in December, 2008. A second training event will take place this fall. The Program was also able to participate in a workshop taught by National CASA in March, empowering state agencies to disseminate the KWYA Program in its respective states. Drawing from material presented at this workshop and at the National CASA Conference, the Program is working toward bringing the KWYA concepts to local program staff and volunteers. Moving forward, the Program's objective is to incorporate elements of the curriculum into the Program's volunteer training and to encourage other local child welfare providers to get involved.

The Guardian ad Litem Program works with others to make sure children's voices are heard.

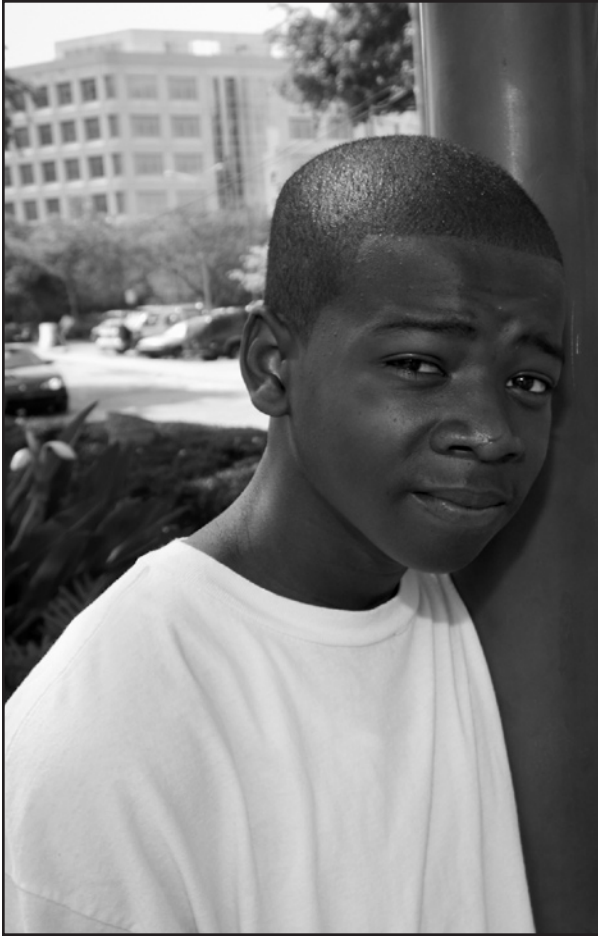
Every child involved in a dependency court proceeding is a party to the case concerning his family. As such, every child has a right to receive notice and attend court, unless it is not in the child's best interest. The Guardian ad Litem Program in the Eleventh Judicial Circuit actively participated in the Dependency Court Improvement Panel's Task Force, (Task Force), to draft specialized letters to children telling them about their right to attend their court hearings. The Program prepared the initial drafts of the letters, with direction from The Honorable Jeri B. Cohen, Circuit Judge, who spearheaded the Task Force.

The letters were presented for comment to many dependency system stakeholders, former foster children, and the courts. The Program also drafted a form court order to assist the parties and the court in expediting the judge's decision making process at each hearing concerning notice to a child of upcoming court proceedings. The Task Force finalized the notice letters and the form order, and a pilot program has begun in the Eleventh Judicial Circuit with many stakeholders participating in its implementation. Guardian ad Litem volunteers and staff have been trained to speak to children specifically on the children's desire to come to court and/or speak to the judge. It is an exciting new process that will further make certain that the children's voices are heard.

“Another thing the Guardian ad Litem attorney was very helpful with was to back me up when the children decided they wanted to attend their parents' Termination of Parental Rights trial as spectators, but not be called as witnesses. She filed a motion and helped protect them; ensuring they could simply watch it without being subject to testifying.”

*~Guardian ad Litem volunteer,
Sixteenth Judicial Circuit*

Psychotropic medication continues to be at the forefront of children's issues.



One area on which the Guardian ad Litem Program has focused its advocacy is ensuring each child receives the most appropriate care available. This is especially important for a child who is being administered psychotropic medication.⁶ Psychotropic medications sometimes have adverse effects. While it is generally accepted that these medications can be appropriate in treating a child, particular attention must be paid to both the benefits and risks on a child-by-child basis. It is important to remember that although our Guardians are not medical professionals, their role in gathering as much information as possible and relaying that information to the child's physician and to the court is crucial.

Beginning in 2006, the Program implemented statewide psychotropic medication guidelines, developed practice aides, website resources, and training to support the diligent and timely protection of each child that is prescribed psychotropic medication. This year, the Program increased its focus on the issue of children and psychotropic medications by conducting staff and volunteer trainings and by updating the psychotropic medication guidelines. The trainings expanded the guardians' and program attorneys' expertise and advocacy; and the guidelines increased their knowledge and understanding of the issues.

⁶ Psychotropic medication refers to any medication capable of affecting the mind, emotions, and behavior.

Executive Director, Theresa A. Flury, participated as an expert advisor to the Gabriel Myers Work Group. The Work Group was established to investigate the use of psychotropic medication in foster children after the tragic death of a seven year-old foster child who was taking multiple psychotropic medications. The Work Group's Report is the most complete look at the use of psychotropic medication with foster children to date.

Recently, the Program implemented additional protocols for monitoring psychotropic medications. The Statewide Child Visitation Form reminds a volunteer to review psychotropic medication issues when visiting her child and bring any medication or changes to the attention of program staff as soon as possible. Additionally, many circuits have recruited medical professionals to volunteer to help with the important issue of the appropriateness of psychotropic medications.

As the mental health field evolves and new medications and treatments are developed, the Program is committed to keeping information current so that every child in the child welfare system receives the most appropriate care available and that any prescribed psychotropic medications are appropriate and necessary for the individual child. The Program looks forward to working with state lawmakers to ensure the protection of every child.

Attorney ad Litem Representation for Dependent Children

One goal of the Legislature is that dependent children have “a guardian ad litem appointed to represent, within reason, their best interests and, where appropriate, an attorney ad litem appointed to represent their legal interests.”⁷ Currently, in addition to the appointment of the Guardian ad Litem, the courts are only mandated to provide a child with an attorney ad litem if the Department of Children and Families is seeking to place a child in a residential treatment facility and the child does not agree to the placement.⁸



The Guardian ad Litem Program recognizes that a child may need an attorney ad litem in other proceedings, such as adoptions, developmental disability matters, complex immigration hearings, or when a child is being administered psychotropic medication. It may also be appropriate for a competent child to have an attorney ad litem appointed when the child disagrees with the Program’s recommendation of what is in the child’s best interest. To meet children’s legal needs, the Guardian ad Litem Program contracts with several legal aid organizations throughout the state. Additionally, there are pro bono attorneys, private attorneys and law schools providing attorney ad litem representation to children.

Last year, the Guardian ad Litem Program spent \$397,468 of its budget to provide attorney ad litem representation for dependent children. Though the Program would like to be able to contract with attorneys to represent the child’s legal interests in all cases where appropriate, current funding does not allow this.

⁷ Section 39.4085(20), Florida Statutes.

⁸ Rule 8.350(a)(3), Florida Rules of Juvenile Procedure.

It is a challenge to recruit pro bono attorneys to meet dependent children's needs.

Florida Supreme Court Chief Justice Peggy A. Quince has led the charge in calling for Florida Bar members to advocate for children and youth in dependency court. The Chief Justice has traveled the state speaking at events sponsored by the circuit programs and local bar associations to raise awareness of the need for attorneys to volunteer. This recruitment effort has significantly increased the number of pro bono attorneys stepping up to advocate for the best interests of children and youth. Chief Justice Quince has specifically recruited attorneys to advocate for older youth in conjunction with the Program's Fostering Independence Project. She states, "We have hundreds of children who age out of foster care every year but are they really ready to take their place as good and productive citizens in the state of Florida? I believe with our help, with the help of the lawyers of this state, we can make them those kinds of citizens."

In the Seventeenth Judicial Circuit, the Guardian ad Litem volunteer begged a private attorney to provide pro bono representation for a dependent youth who had been arrested. With the pro bono attorney's assistance, the youth was released from jail and placed on house arrest. The Guardian ad Litem volunteer worked with College Boost and arranged for a tutor to help the youth earn his GED. The youth is "over the moon" about the possibility of going to college.

The Fostering Independence Project pairs pro bono attorneys with youth in foster care to assist them in obtaining the services they need to prepare for adulthood. The Project has expanded to accommodate attorneys who may wish to share a particular area of expertise to assist the Program by advocating for the child's needs or they may wish to assist the Program by representing the child in a traditional attorney-client relationship as the child's attorney ad litem. To help them, the Program has developed a specialized on-line training for attorneys. In completing the training, the lawyers simultaneously obtain eight continuing legal education credits. Each circuit has also identified staff that has been trained on recruiting and working with pro bono attorneys to ensure consistency in representation

and retention. In their recruitment efforts, circuit programs have emphasized the wealth of experience that can be gained by volunteering with the Program, as well as the continuous support the Program provides its volunteer attorneys. Most importantly, recruitment efforts highlight the personal and professional satisfaction in advocating for a child or youth.

“Prior to volunteering as a pro bono Guardian ad Litem attorney, my legal experience had been primarily confined to representing large corporations in complex business transactions. Whether it be visiting with her at her home or filing a motion requesting approval so she can attend a church sponsored Christmas trip, being a volunteer Guardian ad Litem attorney has been one of the most rewarding experiences I have had in my twenty years of practicing law.”

~Carol Hinds, pro bono attorney, Tenth Judicial Circuit



The Guardian ad Litem Program partners to promote adoption.

“Over the past five months I have participated in five adoptions. This is the greatest feeling in the world to know you have helped five children become a part of families who will love them and will care for them for the rest of their lives.”

~*Guardian ad Litem Staff Advocate,
Third Judicial Circuit*

Florida Governor Charlie Crist has made adoption a priority of his administration. This year marked a record-breaking 3,776 adopted children through Florida’s public adoption system.⁹ The Guardian ad Litem Program is committed to assisting Governor Crist with continuing this success, whether it is through the Program’s hundreds of volunteers who advocate adoption every day or by the Program’s participation in statewide initiatives.

In 2007, the Governor established the Office of Adoption and Child Protection, which created the Explore Adoption Initiative. The Guardian ad Litem Program helps promote awareness of Explore Adoption through our website and internal publications. This past year, the Guardian ad Litem Program also participated in the Project Adoptions Success Workshop. This workshop provided a forum for adoption agencies, adoptions staff, and adoptive families from across the state to collaborate to find solutions to the barriers that currently exist in Florida’s adoption system. Currently, the Program’s Executive Director sits on the Florida Child Abuse Prevention and Permanency Planning Committee. In addition, the Guardian ad Litem Program has established a partnership with The Heart Gallery of Florida. The Heart Gallery of Florida supports fifteen local “Heart Galleries” who use photography and exhibits to feature children waiting for an adoptive home. The Program works collaboratively with the Heart Gallery of Florida to create public awareness of the fact that Florida has children ready and available for adoption who are just waiting on a forever family.

⁹ Governor Crist announced record breaking adoptions in a press release, dated June 22, 2009 (available at: <http://www.fl.gov.com/release/10913>).

The Guardian ad Litem Program continues its private and public partnerships.

The Guardian ad Litem Program continues to establish partnerships with private and public entities. During the 2008-2009 fiscal year, the Program has continued to receive support from the Florida Parent Teacher Association (PTA), Florida Association of School Psychologists and Florida's Junior League. We are excited about our current efforts to establish partnerships with the Florida American Legion and the Florida Chapter of 100 Black Men of America.

To assist us with raising awareness and pro bono attorney recruitment efforts, we continue to receive support from Voluntary Bar Associations including: The Virgil Hawkins Association, The T.J. Reddick Association, The Malcolm Cunningham Sr. Association, The George Edgecomb Association, The Haitian Lawyers Association, The American Academy of Matrimonial Lawyers, The National Black Lawyers Student Association, Southern Region, The Kubicki Draper Law Firm, The Florida Bar's Young Lawyers Association, The Hispanic Bar Association of Central Florida, The Hispanic Bar Association of N.E. Florida, and The D.W. Perkins Association.

During this past year, the Program also continued its work with 18 state agencies as part of the State Agency Initiative (Initiative) established in 2007. Its premise is to bring together state agencies, not only to recruit Guardian ad Litem volunteers within those organizations, but also to leverage resources for the Program to better recruit and retain volunteers statewide. The state agencies joined together this year for the March 2009 Recruitment Campaign to raise awareness about the Guardian ad Litem Program. Also during this time, Governor Crist proclaimed March, 2009 as Guardian ad Litem Month. Through the combined efforts of the state agency partners, the Program currently has approximately 140 state employees serving as a Guardian ad Litem volunteer. The Initiative continues to create opportunities for the Program to reach further into communities to recruit volunteers by using resources available to the partners.

Through the State Agency Initiative, Florida's Department of Corrections filmed and produced a Public Service Announcement on behalf of the Guardian ad Litem Program. The Florida Department of Community Affairs has a website link on their intranet to the Guardian ad Litem Program, and Florida's Agency for Health Care Administration printed Guardian ad Litem recruitment posters.

The Guardian ad Litem Program and the Children and Youth Cabinet: Agency Information Sharing System

In July 2007, Florida Governor Charlie Crist signed House Bill 509 into law creating The Children and Youth Cabinet (Cabinet).¹⁰ Florida's Statewide Guardian ad Litem Office Executive Director serves as a member of the Cabinet. The Cabinet is charged with ensuring that the public policy of Florida relating to children and youth promotes interdepartmental collaboration and program implementation in order for services designed for children and youth to be planned, managed, and delivered in a holistic and integrated manner to improve the self-sufficiency, safety, economic stability, health, and quality of life of all children and youth in Florida.¹¹ The Cabinet is focused on promoting collaboration and creativity, increasing efficiency and information sharing, and improving service delivery between state governmental organizations that provide services for children and youth and their families.¹² Recently, the Cabinet worked to develop an information sharing system to allow for "real time" data exchange between state agencies. The Guardian ad Litem Program worked with the Cabinet in this important initiative and welcomes the opportunity to continue to work closely with the Cabinet and other stakeholders as Florida strives to promote efficiency and permanency for children in foster care.

"The Data and Information Sharing Project was a wonderful collaborative effort and partnership of state agencies and members of the Cabinet. The mission was clear and completely focused on the children of Florida."

~Kristen Krueger Griswold, Deputy General Counsel, Statewide Guardian ad Litem Office.

¹⁰ Section 1, Chapter 2007-151, Laws of Florida.

¹¹ Section 402.56(3)(a), Florida Statute.

¹² Section 402.56, Florida Statutes.

The Florida Guardian ad Litem Foundation

The mission of the Florida Guardian ad Litem Foundation is to provide additional resources for the Florida Guardian ad Litem Program and its affiliated circuit non-profit organizations in order to promote Guardian ad Litem representation for 100% of abused, abandoned, and neglected children in Florida's dependency system.

The Florida Guardian ad Litem Foundation (Foundation) was created by the Legislature in 2007, as a direct-support organization for the Statewide Guardian ad Litem Office.¹³ The Foundation recognizes volunteers as the cornerstone of the Program and extends its resources to assist the Program in increasing its volunteer recruitment and retention, and support to train staff and volunteers.

The Foundation provides support for the Program in several ways, including sponsoring the annual Guardian ad Litem Day which is held each spring at Florida's Capitol. This event is an opportunity for Program staff and volunteers, child welfare professionals, and other key stakeholders to come together and meet with legislators and one another. The Foundation also hosts a Guardian ad Litem awards banquet to celebrate the achievements and honor the commitment of the Program's outstanding volunteers and community advocates from each of the twenty judicial circuits. The Foundation also holds an annual conference consisting of speaker programs and workshops designed to inspire and educate the Program's staff and volunteers.

By extending financial support to the Florida Guardian ad Litem Program, the Guardian ad Litem Foundation is helping to create a new reality where the best interests of every abused, abandoned and neglected child in Florida is represented in court by a Guardian ad Litem Volunteer. This support is available to the Program because of funds through grants, individual donations, non-profits, corporations, and foundations.

¹³ Section 39.8298, Florida Statutes.

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For further information, please visit the Foundation's website at www.FLGAL.org.

A Final Word

As previously stated, the role of a Guardian ad Litem is to represent the child's best interest. This requires a personal relationship that is uniquely provided by a Guardian ad Litem. As mentioned in this report, the Program's volunteer base has grown to approximately 6,700 people over the last two years, and it currently represents more than 25,000 children. However, the Program recognizes that there is more work to be done. That is why the Program is adamant about implementing innovative, recruitment and training initiatives to help grow the volunteer base while simultaneously improving the quality of its child advocacy.

It is important to remember that these children have been disadvantaged through no fault of their own and to them there is no acceptable excuse for the absence of a family. That is why, the time is now... every child deserves a Guardian ad Litem.



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