

GUARDIAN AD LITEM

2005 Annual Report



Homes lost. Separation from family and friends. Treasured possessions left behind. It is like living through a hurricane.

A child advocate I know describes the plight of the abused and neglected children she represents in this way. There is an urgent need for help to avoid profound loss and irreparable harm. Trapped in situations they did not create, these children spend weeks, months, and even years in a child protection system that cannot, and was never meant to, replace having a family. Many people work to improve a child protection system that is broken and the children are waiting. They do not get their childhoods back. Their lives are changed forever, and we know – because science has told us – that the longer the children wait in this broken system, the more damage is done to their fragile hearts and minds. And somewhere along the way, whether it is the fifth foster home, or a parent’s relapse, some of the children break.

How do we help? What is the responsibility of the state, of the children’s neighbors, and of each of us as individuals? The guardian ad litem has but one responsibility – to advocate for the best interests of the child. The GAL pushes the system to find permanent homes for children, gathers facts about the case to present to the court, makes best interests recommendations and advocates for the child. These are actions which can positively impact outcomes for children in dependency court: sometimes homes are found that would not have been discovered; children are returned to a parent faster; foster families receive better support when children arrive.

Unfortunately, there are not enough guardians ad litem to represent all of the children in Florida. For the first time in the Program’s history, this report outlines the resources needed to provide a GAL for every child. It talks about the progress the Program has made in the past year to generate better outcomes for children and initiatives that will further enhance the Program’s representation. It is not a panacea, but it can make all the difference in the world to a child, to thousands of children throughout Florida.



Angela H. Orkin
Executive Director

A Guardian ad Litem for Every Child

Florida's Guardian ad Litem Program advocates for the best interests of children alleged to be abused, neglected, or abandoned who are involved in court proceedings. This means preserving the child's physical safety and emotional well-being; finding a permanent placement in a stable and nurturing home environment that fosters the child's healthy growth and development; and protecting the child from further harm during the child's involvement in the court system. The Program uses a team approach to represent children: volunteers, case coordinators and program attorneys. Volunteers bring a community-based, common sense approach to children's cases. They are supervised by case coordinators who help them navigate the complex dependency system. Some case coordinators directly advocate for children and are called staff advocates. The case coordinators and volunteers receive essential legal counsel and support from program attorneys and pro bono attorneys. Program attorneys attend hearings and depositions, negotiate at mediations and take on appeals. The unique perspective and expertise of each team member complements the others and all are critical to advocate for the best interests of children.

Florida Statutes require that a guardian ad litem (GAL) be appointed at the earliest possible time in an abuse or neglect (dependency) proceeding. § 39.822(1), Florida Statutes. After appointment, if resources are available, the Program accepts the case and assigns a volunteer or alternatively, a staff advocate is assigned.¹ When the Program accepts a child's case, a GAL begins to collect comprehensive information about the child and family, attends staffings and hearings, and takes steps to further the child's best interests. Throughout the proceeding, the GAL visits the child monthly in his or her home environment. By visiting the child, the GAL gains an understanding of the child's needs and wishes. Frequent contact offers an opportunity to explain the process to the child in an age-appropriate manner. Under Florida Statutes the GAL is required to make recommendations to the court as to the child's best interests and inform the court of the child's wishes. §§ 39.822(3), 39.807(2)(b), Florida Statutes. The GAL provides reports and recommendations to the court in order to assist judges in making pivotal decisions for the child, including placement, visitation, termination of parental rights and adoption. The GAL also monitors the child's safety and well-being, as well as significant changes in the parents' lives which could impact the child's safety.

GAL ADVOCACY

During the child's involvement in the dependency system, the GAL Program advocates for individualized services and programs that help children achieve positive outcomes both in and out of court. The GAL also advocates for goals such as:

- Stability in foster home placements and schools
- Visitation with siblings
- Minimizing the number of continuances
- Including children in court hearings when it is in their best interests
- Participation in after-school or extra-curricular activities
- Provision of specific mental health treatment
- Evaluation by a medical specialist
- Evaluation by the school system to determine whether an Individual Education Plan is needed

The Department of Children and Families (DCF) is the government agency responsible for protecting abused and neglected children. DCF contracts with Community Based Care agencies (CBCs) to provide investigative and social services to children and families. Unlike the GAL Program, DCF has obligations to serve a number of individuals in addition to the child, for example, the child's parents, relatives or foster parents. There are times when DCF's obligations to these other individuals conflict with the best interests of children. The GAL Program may work collaboratively with DCF to reach a goal for a child, but can also present the other side of a story or the child's opinion. Other times DCF's budgetary restrictions or failure to perform certain tasks on the child's behalf jeopardizes the child's best interests. Sometimes it is the court system that may need to be pushed by an advocate who is focused on the child. The Program can work to move a case toward permanency more quickly and make sure the child does not fall through the cracks. For all of these reasons and more, it is critical that every child has a GAL.

A STATUS UPDATE OF FLORIDA'S GUARDIAN AD LITEM PROGRAM

In 2003, a Statewide Guardian ad Litem Office was established under section 39.8296, Florida Statutes, which requires the Program to provide an Annual Report to the Legislature, the Governor and the Chief Justice of the Florida Supreme Court, including a plan to meet the state's guardian ad litem and attorney ad litem needs. The Program's 2004 report was completed after the statewide office had been in existence for only 10 months. At that time, the Program was in the process of centralizing its operations – combining 21 programs that formerly functioned under the authority of 20 chief judges into a single organization. There was a great deal to be learned about the individualized operation of each circuit. Administrative and data collection procedures were not uniform, and the benchmarks for success varied from circuit to circuit. The GAL Program used the creation of a state office as an opportunity to look at GAL representation from a single vantage point – to evaluate the Program as a whole and develop strategies to improve representation for children as one organization. The first step was to evaluate current operations, volunteer resources and caseloads. The second step was to identify best practices and implement efficiencies in each local program.

This statewide evaluation of program operations is central in determining the state's GAL needs and developing strategies to meet those needs. In simple terms, the Program had to learn what it had and how much it could be improved upon before determining the need for guardians ad litem. In order to accomplish this, the Program outlined a number of initiatives for the upcoming year in its Annual Report,



including: increasing the Program's volunteer base by 1,000, achieving a 5% efficiency goal, establishing additional public-private partnerships and securing additional state funding. Only by pursuing these four initiatives could the Program accurately estimate the state's GAL needs as required by statute because the relative success of each goal would impact the resources necessary to meet the state's GAL needs. The following sections describe the Program's progress in meeting these goals since the last Annual Report.

Increasing the Volunteer Base

Recruitment Increased but Retention Suffered

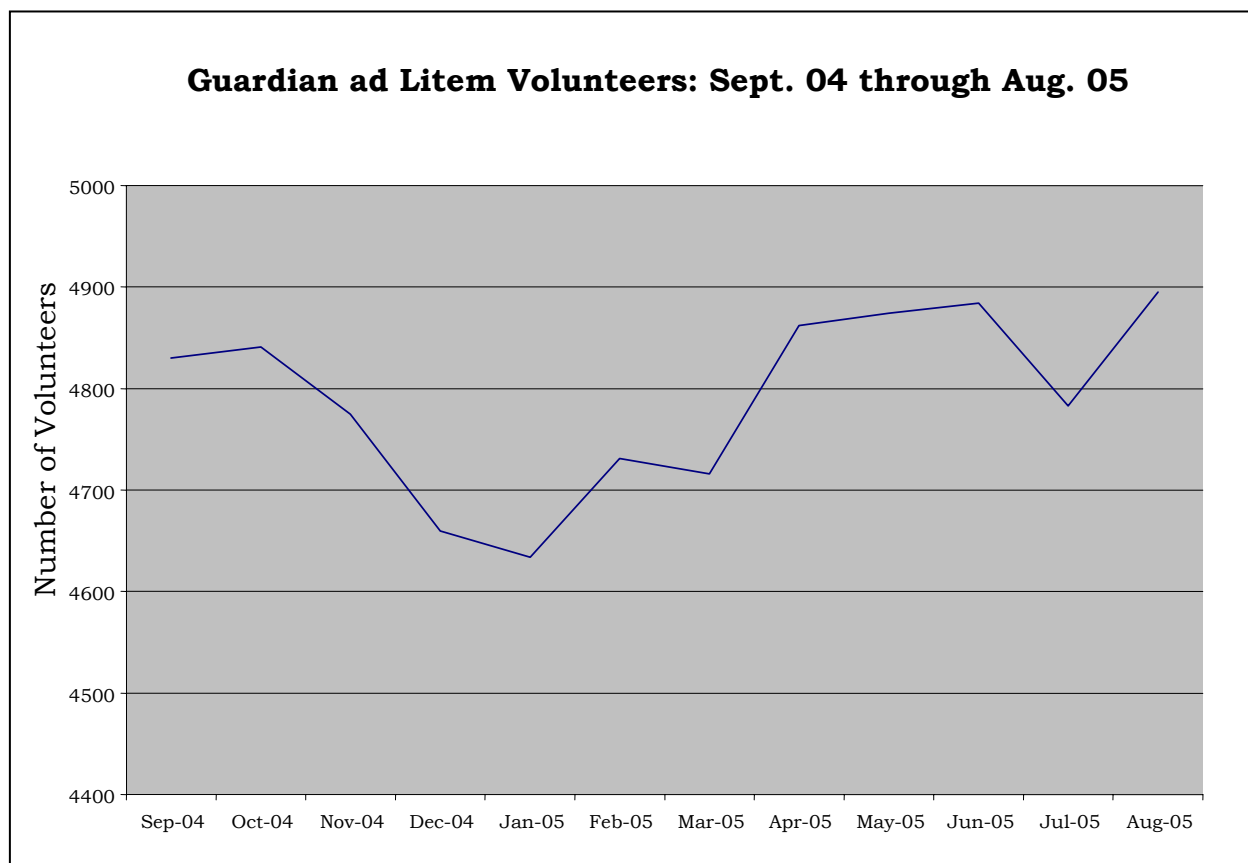
GAL volunteers have historically been the hallmark of the GAL Program. They donate countless hours to provide stability in the lives of dependent children. GAL volunteers give children a voice in court. Volunteers are a cost-effective and productive way to represent children, and their unique perspectives and often creative solutions are highly valued by dependency court judges. GAL volunteers handle an average of 1.6 cases at any given time, with an average of 1.8 children involved in each case.² When taking the entire volunteer force into account, volunteers represent over 12,000 children at any given time.

In its 2004 Annual Report, the Program promised to “actively recruit additional volunteers to represent children” and set a goal to increase the current volunteer base by 1,000 volunteers. This initiative was designed to provide additional representation to children and also allowed the Program to learn about the state’s capacity to provide volunteers to the Program. Prior to the creation of a state office, the number of volunteers had not grown significantly from year to year. The Program wanted to ascertain whether, through statewide recruiting strategies and targeting specific populations for recruitment (e.g., attorneys and retired law enforcement), the number of volunteers could be significantly increased.

Determining whether there is a maximum number of volunteers the Program can expect to sustain is critical to Program operations and to a determination of the need for GAL representation. A significant increase in the number of volunteers would decrease the need for state and private dollars to support the Program. During the past fiscal year, the Program’s base number of volunteers increased to 4,884 (or +156 volunteers).³ A total of 1,567 new volunteers were recruited and trained during that period; a 9% increase over the number of volunteers recruited in fiscal year 2003/2004 (1,437 volunteers).⁴

However, the Program lost 1,411 volunteers during the same time period. A significant part of this decline was due to the unusually severe hurricane season experienced in 2004. As the following chart illustrates, the number of volunteers declined sharply during the four month period from November, 2004 through February, 2005.

Many volunteers, particularly in storm ravaged areas of Florida, were forced to make deeply personal decisions on whether they could continue representing children when their lives were literally blown away by the storms. For many, precious time with children would have to wait until their lives were restored due to damages wrought by the 2004 hurricanes.



While the Program did not substantially increase its volunteer base as hoped, significant improvements in recruitment and retention management have occurred since the last Annual Report. These improvements are illustrated by the chart which shows that since January, the Program has a net growth of +261 volunteers. This recent success is derived from a combination of stronger recruiting efforts and more focused retention management. Moreover, the existence of the state office has facilitated sharing of resources and best practices throughout the state. The following is a list of activities undertaken during the last year, which is not all inclusive, but illustrates the Program's firm commitment to volunteer growth:

- Development of a partnership with Volunteer Florida resulting in, among other things, the production of two Public Service Announcements broadcast by Comcast Cable on donated airtime valued at over \$200,000.
- Further development of the GAL website which enables interested volunteers to obtain information regarding the Program, download a volunteer application, and access resources to help with their advocacy. The Program's web address is www.guardianadlitem.org.
- Publication of new recruiting brochures.
- Analysis of recruiting efforts statewide and development of local recruiting plans with specific goals for each circuit office.

- Establishment of a toll-free number for recruitment purposes. This number allows interested volunteers to call, at no cost to them, and they are automatically routed to the appropriate circuit to obtain information about volunteering with the Program. The toll free number is 1-866-341-1GAL.
- Designation of recruiting liaisons in each circuit office to ensure consistent efforts in recruiting.
- Initiation of monthly conference calls for recruiting liaisons to share best practices.
- Designation of volunteer liaisons in each circuit to share ideas and provide input to the Program on topics from the volunteer's perspective through regular conference calls.
- Implementation of strategic planning meetings with affiliated non-profits to encourage adoption of volunteer recruitment as a primary mission of their organizations.
- Presentation of a series of regional retention seminars for key management personnel to learn ways to retain volunteers more effectively.
- Creation of a new recruiting initiative to target attorneys to serve as GALs.
- Development of a partnership with Kiwanis Club, which provided information to its members about GAL volunteer opportunities through speaking engagements and an article in its quarterly magazine.
- Initiation of online training to enhance and expand pre-certification training for both lay volunteers and pro bono attorneys.
- Establishment of linkages with the Florida Mentoring Partnership to fully access its network of mentor partners and prospective volunteers.

The GAL Program remains firmly committed to growing its volunteer base. The experiences over the past year have shown that even when great emphasis is placed on recruitment, it is indeed a difficult task. We have learned that the Program cannot expect to recruit a sufficient number of volunteers to provide a guardian ad litem for all 43,203 children in need. In fact, based on the experience of 2004/2005, the Program has concluded that in meeting the remaining need, it is not reasonable to expect that volunteers can be recruited in the same ratio the Program currently experiences. However, volunteers contribute so much in terms of their creativity and passion that the Program will continue to work to find more Floridians to advocate for children.

Accomplishment of 5% Efficiency Goal

Operational efficiencies achieved

Inherent in the promises made for Florida's dependent children is an imperative that we utilize GAL Program resources as efficiently and effectively as possible. In its 2004 Annual Report, the Program emphasized that fact by promising to "achieve efficiencies with existing resources," and set a goal of increasing the Program's representation of children by 5% or 1,053 children. As discussed earlier, this required an analysis of how the 21 circuit programs were operating, development of a standard of performance, and evaluation of each circuit. The Program then designed training and provided support to facilitate improvement.

In setting goals for fiscal year 2004/2005, the Program estimated it could increase representation by an additional 2,700 children based upon \$4.3 million in new legislative funding. The actual increase in fiscal year 2004-2005 was \$3.3 million, or 77% of the total requested. Based on that level of funding, the Program should be able to represent an additional 2,295 children through new staff. The total number of children served increased from 21,065 in June 2004 to 22,672, in August 2005, or +7.6%, exceeding the 5% efficiency goal. As of December 2005, the Program will represent an additional 4,857 children. After accounting for children served by the new staff resources, the Program will increase representation by 2,562 children, an increase of 12%.

This growth in children served was achieved almost exclusively by more productive use of existing resources and staff. This was not an accidental improvement but a result of newly devised and implemented management tools designed to improve the efficiency of Program resources. In December, 2004 the Program conducted a series of regional training sessions for all circuit directors. Each director was provided newly developed assessment and measurement tools, specific goals and expectations on numbers of children to be served, and training on how to use both volunteer and staff resources more efficiently. Central to the training was the introduction of productivity measures and goals which would be assessed with the new tools.

Benchmarks were established in four critical areas: numbers of cases, numbers of children, average cases per volunteer (1.6), and average children per case (1.8). Previously, in January 2004, the Program collaboratively established goals of 40 volunteers per case coordinator supervising volunteers and 25 cases per staff advocate. The Program estimates that staff advocate cases involve approximately 2.5 times the amount of work as handling a case through a volunteer.⁵

A volunteer supervisor works with approximately 115 children.⁶ A staff advocate works with approximately 45 children, but after multiplying that result by a 2.5 difficulty factor, the equivalent workload is 113, nearly identical to the volunteer supervisor.⁷ After working with these averages for a year, it was decided that these would, hereafter, be benchmarks for “full productivity.” By using this information the Program devised productivity scoring models that allowed circuit directors to assess relative productivity among all staff members. Similar analysis could be done by comparing offices and by aggregating data to the statewide level. A productivity analysis chart was designed to aid circuit directors and statewide staff in this effort.

Each office was asked to provide monthly productivity analysis, using the assessment tool developed, to the Director of Operations who compared performance in usage of resources with each circuit director. Circuit directors could then determine where caseloads needed to be shifted, or developed, to work with the maximum number of children. In some cases, volunteers were approached to work with more children. In others, additional cases were assigned to staff. Through establishment of these new benchmarks and mechanisms to monitor productivity, the Program has been able to provide representation to more children. The Program is committed to continual process improvement and development of efficiencies that will provide a solid basis for future representation.



Establishment of Public-Private Partnerships

The movement of the GAL Program out of the state court system in 2003 created new opportunities to explore the possibility of public-private partnerships to increase representation of children. Following are a few of the successful partnerships:

The Florida Bar

The Program recently launched a new initiative called Fostering Independence: The Guardian ad Litem Pro Bono Project. The project is designed to increase GAL representation provided to teens in foster care through the use of pro bono attorneys serving as guardians ad litem. The GAL Program received support from The Florida Bar and its President, Alan Bookman, who has agreed to represent a child and to help raise awareness about the need for representation. The Florida Bar News published an article in its September 15, 2005 edition calling on lawyers to volunteer.⁸ The GAL Program is also working with the Pro Bono Coordinators Association to recruit for the project. Additionally, the Young Lawyers Division of The Florida Bar agreed to allow the GAL Program to appeal to newly-licensed attorneys during the Practicing with Professionalism training, which is mandatory for all new attorneys in Florida.

Transitioning Youth Projects

The GAL Program increased advocacy to teens in foster care through its existing partnership with Legal Aid Society of the Dade County Bar Association in the Transitioning Youth Project and through a new partnership with Suncoast Voices for Children. These partnerships are unique in their focus on children 14 and over, a population typically underserved in the child welfare system. Volunteers are recruited to become GALs for these children with the expectation that they will continue the relationship and support the child through the transition to adulthood and beyond. In the short time since its inception, Suncoast Voices for Children has earned support in the community from organizations and foundations willing to supplement the funding provided by the GAL Program.

Legal Aid Society of the Orange County Bar Association

The GAL Program continued its partnership with the Legal Aid Society of the Orange County Bar Association. Legal Aid is the only GAL program in Florida that is not part of the state office, and it was not part of the state court system prior to the creation of the statewide office. Legal Aid uses pro bono attorneys to provide GAL representation to children in the Orlando area. This year the GAL Program has contracted with Legal Aid to provide expanded representation using a multidisciplinary approach modeled after Philadelphia's successful Support Center for Child Advocates in which volunteer attorneys work as a team with staff social workers and attorneys.



Lawyers for Children America

In partnership with Lawyers for Children America, the GAL Program is providing best interest GAL representation in addition to the attorney ad litem representation it previously provided in the Eleventh Judicial

Circuit. As part of the GAL representation, Lawyers for Children America will provide specialized training to pro bono attorneys, allowing them to advocate in cases involving substance abuse.

These partnerships have enabled the GAL Program to reach additional volunteers and to represent more of Florida's children. Continuing to establish community partnerships will always be a priority of the GAL Program, as they encourage local communities to get involved in solutions for their children.

Implementation of New Resources

The Program received \$3.3 million in new funding in order to provide representation to additional children. The majority of funding was provided in salaries and benefits, and allowed the Program to hire an additional 9 program attorneys and 51 case coordinators.⁹ These positions were distributed based upon the number of unrepresented children in each circuit and existing caseloads. New positions were allocated to the circuits as indicated in the following table:

Distribution of New Positions by Circuit

Circuit	Case Coordinators	Attorneys	Senior Secretary
1	3		
2	1		
3	1		
4	4	1	
5	3		
6	4.5		
7	3		
8	2		
9	4	1	
10	4	1	
11*	2	1	
12	1.5		
13	3.5	2	
14	2	0.5	
15	2		1
16			
17	3	1	
18B	1	1	
18S	1		
19	3.5		
20	2	0.5	
TOTAL	51	9	1

*Additional resources were provided for the 11th Circuit in the amount of \$200,000 through a direct appropriation to Voices for Children Foundation, Inc.

These new staff members became part of existing teams within circuits of one program attorney, four case coordinators, and one-half secretary representing 225 children. It is anticipated that deployment of these resources will enable the Program to represent 25,922 children by December, 2005.

Other Initiatives to Enhance GAL Representation

While the four initiatives described previously were undertaken to meet and further assess the GAL needs of the state, since its last Annual Report the Program has made a great deal of progress in other areas.

Review of Operations

For example, one of the first initiatives was for the statewide office to conduct an operational review in local circuit offices. The operational reviews are used to determine how the Program implements the existing Standards of Operation and to identify needed revisions to the Standards. Some of the areas addressed in the Standards include:

- Program mission and roles of the GAL staff and volunteers
- Program administration
- GAL certification and training
- Conduct and supervision of volunteers

The Director of Operations isolated each of the Standards and reviewed the procedure in every office.¹⁰ The review involved discussions with the directors, and where appropriate, review of documentation, specifically a sampling of volunteer files and case files, to ensure compliance. Where there were deviations, strategies were devised to bring the office into compliance with the Standards. Several common themes arose from these Operational Reviews:

- The Program's basic mission and focus on providing best interest representation to children is keenly understood and practiced.¹¹
- The Program's team concept of representation, involving the volunteer, the case coordinator, and the attorney is functional and evolving rapidly.
- Directors and attorneys in the circuit offices understand their role in shaping the new organization, recruiting and training new volunteers, and community outreach.
- The increase in the quantity and quality of the legal representation is a growing strength of the Program. Legal representation is now provided at almost every judicial hearing involving a child. The Program's appellate practice is substantially improving, as well.

Operational reviews revealed that most of the standards the Program has been using since 2003 are sound. With that in mind, the Standards of Operation have been revised slightly to simplify and clarify some issues, and to eliminate duplication with human resources and administrative service procedures. The revised Standards of Operation are nearly ready for publication. In addition, new Attorney Standards of Practice and Pro Bono Attorney Standards have been written and are in the final approval process.

Training Initiatives

Florida Statutes directed the Guardian ad Litem Program to establish a curriculum committee to develop a GAL training program. § 39.8296, Florida Statutes. The curriculum committee met via conference call and in a face-to-face meeting to review the current Florida Dependency Volunteer Training Manual along with the National Court Appointed Special Advocate ("CASA") curriculum. The committee recommended and circuit directors agreed that the Program should begin using the CASA curriculum with some Florida specific additions. This initiative is being finalized and the Program will launch the new curriculum and classroom training in the local programs by the end of this year. In March of 2006 an online version of portions of the training will be available.¹²

The curriculum committee also made recommendations about what types of ongoing training should be offered to volunteers. GAL volunteers are required to complete six hours of in-service training annually to keep up-to-date on emerging issues in child protection. The committee's recommendation regarding the content of this training led to a larger initiative to offer volunteers more training about issues that directly impact their ability to advocate for children. Several of the training opportunities recommended by the committee have been conducted and videotaped, and are available in DVD format to be checked out by volunteers for in-service credit. These topics include education, independent living, psychological evaluations, infant mental health, permanency and communicating with children. The volunteer can check out the DVD with written material that accompanies the DVD and a short test to ensure they understood the material presented. This is a cost-effective method to deliver training and improve the quality of GAL advocacy.

The Program is committed to improving its advocacy for children by training its staff at all levels and undertook the following training initiatives during the last year:

- A statewide training for volunteer recruiters was held to provide information and resources to improve recruitment efforts.
- A leadership conference focusing on achieving permanency for children and the GAL's role in that process was held in May. The Program brought in national speakers and child advocates from other programs in Florida to help identify strategies and create solutions for achieving permanency in a more timely way for dependent children. Each circuit program left with action steps to implement the new strategies.
- Two regional trainings on volunteer retention were held this year (with one more planned for November). Key staff from each circuit and several volunteer liaisons met to learn about volunteer retention. Circuit staff

along with volunteer liaisons developed strategic plans for improving retention in their areas.

While the GAL Program has historically been known for the work of its thousands of volunteers, since the establishment of the state office, the Program has been working diligently to improve its legal practice. Part of the effort to improve the GAL Program's advocacy for a child's best interests was reducing caseloads of attorneys. Another part was to focus on providing better quality representation. Having an attorney at every court proceeding ensures that children are on equal footing with other parties, all of whom are entitled to be represented by attorneys. The Program can take a proactive role in moving the child's case toward permanency. By having resources available that are dedicated to achieving timely permanency, program attorneys can take action to realize stability in a child's life more quickly. The attorney makes motions and objections at court proceedings preventing delay between what a case coordinator or volunteer experiences in court and the Program's reaction that was previously experienced. Attorneys can advocate for outcomes like visitation, change in placement or counseling. In 2005, the Program had over 116 attorneys working for children's best interest.

Establishment of a state office has enabled the Program to improve the quality of its legal practice. The Program is better able to evaluate training and educational needs of its program attorneys and address them. The statewide office supports program attorneys by serving as an information clearinghouse for a variety of resources, training, and materials.

Some examples of training opportunities and resources available to program attorneys include:

- *Conference Call Training:* The Program began training program attorneys in April 2005 through monthly conference calls. These popular trainings, which fulfill the program attorney's continuing legal education requirements, are topical and typically include a variety of attorney practice aids provided via e-mail. The Program provides these conference call trainings and materials at no cost on issues such as ethics, trial advocacy, and evidentiary issues. The conference calls utilize both experts within the Program and experts throughout the state. Transcripts of the conference call trainings, and the practice aids associated with the trainings, are available on the intranet.
- *New Attorney Training Presentation:* The Program introduced a new attorney training presentation, in CD form, in February 2005. The presentation is an overview of the basic information a program attorney must know in order to practice in dependency court. The Program has made this training available for circuits to train new attorneys and will update the presentation yearly with new legislation, case law and best practices.

- *Practice Manual:* The Program is developing a practice manual for program attorneys that will include practice aids and guidance on a variety of legal issues. This is a first of its kind document produced by the Program and is designed to improve overall legal practice by individual attorneys. Statewide experts have volunteered to contribute to the practice manual on subjects such as education, mental health, independent living and working with volunteers.
- *Website:* The statewide website (www.guardianadlitem.org) continues to develop as a useful resource for program attorneys, volunteers, and pro-bono attorneys. The Program designed the website to recruit new volunteers and pro bono attorneys, increase volunteer retention, and enhance advocacy for children. The site is also a resource for program attorneys, attorneys ad litem, and pro bono attorneys because it contains up-to-date case summaries, legislative updates, and links to statutory and administrative materials.
- *Newsletter:* The Program's Legal Briefs Newsletter provides case summaries and articles reinforcing general areas of practice as well as instruction on complex legal issues. The newsletter is available to volunteers, judges, attorneys, and others who have an interest in Florida dependency law and can be accessed through the website.
- *Forms Bank:* The Program has developed a collection of legal forms for program attorneys. The forms include sample motions and assorted legal memoranda for program attorneys to adapt to their cases. The availability of the forms ensures attorneys who are unfamiliar with an area of law have accurate information which will promote more effective advocacy.
- *Practice Protocols:* The Program has developed, and is continuing to create, protocols to provide guidance to staff on a variety of complex issues. These protocols address psychotropic medication, decision-making, confidential records, and manifest best interests.

The Program's ability to streamline training and support allows it to maximize its legal resources and provide better advocacy in a way that could not be achieved before the creation of a single state office. Providing program attorneys with the support they need and the information necessary to advocate effectively goes a long way to help further the best interests of children.

Appellate Advocacy

Centralization of the Program has allowed the Program to begin providing consistent, proactive appellate advocacy for children. Before the creation of the statewide office, guardian ad litem representation of children in Florida appellate courts varied widely among the local programs. Whether a local program pursued or participated in an appeal depended to great extent on the

Program's ability to retain and pay appellate counsel or to recruit pro bono counsel on a case-by-case basis. Tracking appellate case data and advocating for the development of consistent case law on a statewide level did not occur.

The absence of an appellate program meant not only that children went unrepresented in appeals but also that permanency was delayed by appeals that were not pursued in a timely manner. Moreover, no mechanism existed to monitor case law development or to advocate for consistent case law and policy favorable to abused, neglected, and abandoned children.

In August 2004, the Program added an appellate attorney charged with responsibility for reviewing the appellate practices among the local programs, tracking appellate activity among Program cases, assisting the local programs, and representing the Program in select appeals. After seeing the results, the statewide office determined that additional attorney resources were needed for the Program's appellate practice. Appellate practice is a specialized area of legal practice, and the Program believes that it is more efficient to have designated attorneys focused solely on appeals, rather than having all attorneys handling their own appeals. The appellate practice will allow the Program to participate in more appeals, thereby assuring that the voices of more children are heard in the appellate courts.¹³ At another level, the expanded appellate practice will afford the Program more insight into systemic issues at the circuit court level that negatively impact the rights and interests of abused, neglected, and abandoned children. Most importantly, the expanded appellate practice will permit the Program to advocate for the development of good policy and consistent case law and on issues affecting Florida's abused, neglected, and abandoned children.

Focus on Permanency

Over the last year the GAL Program has put particular emphasis on advocating for permanency for children. Every child deserves a safe, permanent home, in the fastest possible time, whether that means reunification with the parents, placement with caring relatives, or adoption following the termination of parental rights. Overall, the system is far too slow in achieving permanency for children, and there is much that the GAL Program can do to address this problem. There are opportunities at nearly every stage of a dependency proceeding to expedite permanency. Simple actions such as objecting to a continuance or asking to schedule a case plan conference can help a case stay on track. Bigger steps, such as finding a relative or identifying a child's father at the beginning of a proceeding, can radically change a child's experience in the dependency system.

The GAL Program has been identifying practices to employ in all cases to help expedite permanency such as:

- Each circuit developed a “permanency plan” on specific actions that can be undertaken to improve permanency advocacy. Permanency plans are reviewed at every circuit office visit by the Director of Operations to gauge progress and keep the organization focused on permanency.
- Various circuit programs are exploring ways to effectively deploy GAL resources, particularly legal resources, to help children achieve permanency more quickly. Circuit programs are focusing on problem areas in working towards permanency such as identifying non-offending fathers, finalizing adoptions, and combating unnecessary continuances.
- All circuit offices are encouraged to stay on a child’s case until the case is closed and permanency has been achieved. Too many children languish in foster care short of adoption once their parents’ rights have been terminated and the GAL Program’s active involvement can help.
- A permanency project focused on children awaiting adoption has been undertaken in the Fourth Judicial Circuit, in part through a grant provided by The Florida Bar Foundation. Through a combination of staff, 18 pro bono attorneys and 7 certified legal interns from the Florida Coastal School of Law, there have been substantial improvements in the number of adoptions finalized. On May 31, 2005, there were 414 children awaiting adoption in Circuit Judge David Gooding’s courtroom. Through the project and Judge Gooding’s focus on finalizing adoptions, four months later the number of children awaiting adoption was reduced to 313.
- Leaders from every circuit attended the 2005 Leadership Conference which was dedicated to the concept of building the Program’s permanency advocacy.
- The Program has begun statistically tracking permanency for the children it represents. Historically, approximately 30% of case closings involved true permanent solutions for children.



STATUS UPDATE ON ATTORNEYS AD LITEM

In addition to its responsibilities for providing GAL representation, the GAL Program administers \$309,338 for attorney ad litem (“AAL”) appointments in the 20 judicial circuits. This figure is based on historical allocations by the Office of the State Courts Administrator, consultation with chief judges, and actual expenditures. Each year dependency judges are advised as to the amount of money available for their circuits and then make appointments of AALs. Judges may appoint an AAL in a variety of circumstances, including when a child disagrees with a GAL, has a legal problem outside the scope of the dependency proceeding, or when an attorney with relevant expertise is available to handle an issue for a child. Some appointments are made to comply with Rule 8.350 of the Rules of Juvenile Procedure, which requires appointment of an attorney ad litem in certain cases when DCF requests that a child be placed in a residential treatment facility. If through DCF’s motion, the GAL’s report or communication with a party the child indicates that he or she disagrees with DCF’s motion, the court is required to appoint an attorney to represent the child. Rule 8.350(6), Fla. R. Juv. P. However, the rule does provide a mechanism for the case to proceed if an AAL is not available. Rule 8.350(10), Fla. R. Juv. P.

The GAL Program has developed an efficient process for reimbursement for AALs. When an AAL is appointed, the AAL notifies the Program and, if funds are available, the Program provides a contract to the attorney for that specific case. The AAL submits invoices to the Program for payment up to \$1,000 per child represented. The attorney’s hourly rate is negotiated locally and is generally around \$70 per hour.

Last year the GAL Program contracted with individual attorneys, non-profit entities and legal aid organizations to provide attorney ad litem representation to approximately 314 children. In fiscal year 2004/2005, and in previous years, the full amount of AAL funding was not utilized. The underutilization of the full contract amount led the Program to conduct an analysis of the invoices submitted. Approximately 20% of AALs billed for the full \$1,000, 25% of AALs billed for between \$500 and \$1,000, and 55% of AALs billed for less than \$500, including some who did not bill at all.¹⁴

In an effort to make resources available to those circuits where judges are appointing AALs, the GAL Program has:

- redistributed funds throughout the state for fiscal year 2005/2006 based on actual spending;
- pooled funds for smaller circuits so that contracts will be awarded on a first come basis rather than being held for specific circuits where the judges may or may not appoint AALs; and
- decreased the amount for each contract from \$1,000 to \$500 so that fewer dollars are encumbered and potentially left unused. AALs can request modification to the contract to allow them to bill up to \$1,000 if the initial \$500 is billed, if contract funds are still available.

Historically, over 50% of the attorney ad litem allocation was unspent.¹⁵ Due to steps taken by the Program, in the first few months of fiscal year 2005/2006, \$227,826 in contracts have already been executed, indicating that some of these efforts may result in utilization of more funds.¹⁶

The GAL Program is making efforts to administer the funds to improve the quality of advocacy. For example, the GAL Program is contracting with more organizations to provide AAL representation. Organizations often provide support, training and mentoring to their attorneys, which allows them to provide better quality representation. The Program is currently contracting with organizations to provide AAL representation in five circuits.¹⁷ The GAL Program contracted with individuals in four circuits to provide all or most of the AAL representation for that circuit. These AALs can become specialized in issues affecting children, such as mental health commitment and independent living. Finally, the GAL Program is providing all AALs with a copy of Chapter 39, Florida Statutes, and the National Association of Counsel for Children's Revised ABA Standards of Practice for Lawyers who Represent Children in Abuse and Neglect Cases. AALs are required to review the Standards pursuant to their contracts, in an effort to ensure that any attorney undertaking the representation understands the unique role of the child's attorney.

Conclusion

During 2004 the Program learned a great deal about meeting the GAL and AAL needs of the state of Florida. First, the GAL Program confirmed its belief that it is through a mixture of resources that effective advocacy can be provided to Florida's children. The Program is recommitting itself to the initiatives identified last year to improve GAL representation: strong volunteer recruiting and retention, identifying and implementing efficiencies and establishing public-private partnerships. Secondly, the Program learned that centralization of Program operations will positively impact representation. It allows for a single point to gather and distribute information, a single authority for program

operations and a united voice for the Program and the children it represents. This has enabled the Program to galvanize its efforts for better communication within communities, such as with counties, non-profit entities and corporations, as well as with state decision-makers.



Third, the Program has learned that its practice representing children can be greatly improved through training at all levels of the organization, particularly on-going training for volunteers and staff. Lastly, the Program ascertained the true need for GAL representation. In August, 2005, the Program represented 22,672 children, leaving 20,808 without representation. With the new resources implemented by the Program, 17,558 will still be in need of representation in December, 2005. Regrettably, the Program cannot promise volunteer representation for these remaining children. Today, 4,895 volunteers advocate for Florida's abused and neglected children and while the Program continues to be dedicated to recruiting volunteers, the Program is more sober about its ability to meet the state's GAL needs through a substantial increase in volunteers. The GAL Program has relied heavily upon its volunteer force for 25 years, yet the people in the Program now recognize that abused and neglected children cannot wait for more volunteers. The children in Florida need representation. As fast as the Program is working to find resources to represent them, it is not fast enough - Florida's abused and neglected children cannot be made to wait. The Florida Statutes require that children be provided a guardian ad litem. The state, the Program and the citizens of Florida must find a way to give children the voice they deserve so that they can reach the homes they so desperately need.

A MISSION TO SERVE ALL OF FLORIDA'S CHILDREN

On May 28, 2002, the Governor's Blue Ribbon Task Force recommended that the Florida Legislature set among its highest priorities the full funding of the GAL Program such that every child under the supervision of the DCF could have a GAL. Florida Statutes require that the Statewide Guardian ad Litem Office provide a proposed plan including alternatives for meeting the state's guardian ad litem and attorney ad litem needs. § 39.8296, Florida Statutes. In its 2004 Annual Report, the Program proposed a two-year plan designed to ensure every child is represented in accordance with state legislative mandates. As detailed previously, the plan focused on achieving efficiencies, establishing public-private partnerships and increasing volunteer representation. Through those efforts the Program learned a great deal about its ability to provide advocacy for children. As a result, the Program is in a position to present a plan which identifies the resources needed to ensure that every abused or neglected child is represented from shelter to permanency.

Determining the number of children who need a GAL should be a simple mathematical equation. However, the method used for ascertaining the number of children who need a GAL has varied over the Program's history. While the Program was in the state court system, data was collected by the Office of the State Courts Administrator which compared limited case data collected annually from the local programs with court data regarding dependency proceedings. There are two reasons that this figure does not accurately indicate the number of children in need of a guardian ad litem. First, in certain circuits, judges no longer appoint a GAL on every case because the Program is unable to meet the need. By not appointing a GAL on every case, the number of cases referred to the Program is artificially low. Second, the percentage of children is based upon the number of cases in which a GAL is assigned. Since all cases cannot be accepted, the Program is constantly balancing cases to determine which cases are most in need of a GAL. Sometimes the Program discharges from a case in which a child appears to be in a stable placement to accept appointment on a new, more complex case. Counting the number of total case assignments without regard to the length of the assignment gives the false impression that the Program is representing these children until case closure. Accordingly, with an artificially low denominator and an artificially high numerator, the percentages previously given were much higher than the actual number of children with a GAL.

Since Florida Statutes require that every child involved in court proceedings have a GAL, the state office determined that comparing judicial appointments to cases assigned is not an accurate measure for assessing the need for GAL representation. Thus, the Program now uses the number of children DCF reports as under its supervision and involved in court proceedings. The need for GAL representation is calculated by using the total number of children

receiving services from DCF and involved in court proceedings and comparing that to the current number of children represented by the Program.

The Program's effort to ascertain need led to the discovery of reporting errors.¹⁸ Last year, the GAL Program reported that it represented 50%, or 21,394 children. After correcting for data inaccuracies, the June 30, 2004 number should reflect representation of 21,065 children, or 49.5%. This year, as of August 30, 2005, the GAL Program represents 22,672 children. According to DCF HomeSafeNet data, 43,480 children are currently under DCF supervision and involved in court proceedings.¹⁹ In fiscal year 2005/2006 the GAL Program has been allocated new resources to represent additional children. It is anticipated that with the addition of new staff, the Program will be able to represent 25,922 children by the end of 2005, leaving 17,558 children without representation.

Guardian ad Litem Representation

Determining the number of children who need a GAL is only part of the equation. Defining what constitutes GAL representation is critical to determining the need for guardians ad litem. The Florida Statutes state the following about GAL responsibilities and involvement:²⁰

- Sections 39.0132 and 39.202: A GAL has the right to inspect a child's court record and is entitled to confidential information in the possession of DCF.
- Sections 39.402, 39.807, and 39.822: A GAL shall be appointed for each child in a dependency proceeding.
- Section 39.4085: Florida Statutes establish a goal for all children to "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; the guardian ad litem and attorney ad litem shall have immediate and unlimited access to the children they represent." This same section provides that children's records should be available for review by their guardian ad litem if they deem such review necessary.
- Section 39.407: If a child is on psychotropic medication, the GAL may request the court conduct reviews of the child's status more frequently than is provided for in statute. Additionally, all children in residential treatment facilities must have a GAL appointed. The GAL must be notified upon the child's placement in the facility, be provided with information and copies of reports concerning the child, and participate in development of the child's treatment plan consistent with the child's treatment needs.

- Section 39.601: The case plan must be developed in conference with the child's GAL and copies of the finalized plan must be provided to all parties.
- Sections 39.622, 39.701 and 39.810: The statutes provide that the court should consider the recommendation and any testimony of the GAL.
- Section 39.807: In termination of parental rights proceedings, the statutes enumerate responsibilities of the GAL including investigating the child's circumstances, being present at all hearings, filing a report, and reporting the child's wishes to the court.
- Section 39.811: The GAL may seek the court's review of the appropriateness of a child's adoptive placement with a showing of good cause.
- Section 39.815: The GAL has statutory authority to bring appeals.

The GAL is responsible for participating in all aspects of the court proceeding, including case conferences and staffings. The GAL is appointed at the earliest point in the case and has responsibilities at each juncture in the proceeding. The GAL must make recommendations to the court, which, in order to be meaningful, require visits to the child in his or her environment and contact with the people in the child's life. The GAL is focused on the child's best interest, a mandate which requires the GAL to fulfill responsibilities both to the child and to the court.

Dependency cases are not short. They often go on for years and for some children for most of their childhoods. GALs stay with the children they represent. GALs can report to the court, and sometimes to DCF, events that may have happened months or years ago, long before the judge, caseworker or CBC was involved. Equally important, if not more important, the child has a familiar face that he or she can count on. There has historically been significant turnover among DCF staff, and the recent transition to community-based care has made this a continuing trend. This turmoil is not invisible to children. They feel it each time they have a new caseworker or when they are told they must wait months for a needed service. The GAL can provide stability. In a dependency court proceeding, where often a child does not know where he or she might be living, or if he or she might go home, much less when, the stability of a consistent, independent advocate can impact a child's well being. The GAL Program also has a responsibility to try to prevent children's cases from languishing in the system. GAL attorneys work alongside case coordinators and volunteers to expedite permanency by taking actions such as ensuring a child receives needed services or by pushing the system so that he or she can reach a permanent home. The GAL monitors all players in a child's case to expedite permanency to the greatest degree possible.

When one takes into account the requirements of the Florida Statutes, the nature of the child welfare system, the need for children in it to have an

advocate of their own, and the necessity for the court to have information concerning the child's best interests, the state's guardian ad litem needs can be met by implementing a model of representation with the following elements:

- a focus on the child's best interests;
- a mechanism to gather information concerning the child, his or her environment, the status of DCF and the activities of the child's caregivers;
- an ability to advocate effectively for the child in court with sufficient legal staff and resources;
- a link to provide community advocacy; and
- the ability to provide comprehensive, accurate and timely reports to the court.

Creating Models for Representation of Children

In general, the model of representation for abused and neglected children is determined by state statutes. Florida Statutes provide that all abused and neglected children shall have a GAL, and provides a goal that children have an AAL to represent their legal interests, when appropriate. § 39.4085 (20), (21), Florida Statutes. Due to this statutory scheme, the Program has provided four options for GAL representation to address the unmet need for representation of 17,558 children.²¹ A table presenting a side by side comparison of the four options can be found in Appendix A. Funding information regarding AAL representation, including a potential funding model, is also provided.

In developing models for representation of children, several factors must be considered:

- any statutory requirements for representation and roles of the advocate;
- complement of staff, which may consist of some combination of case coordinators, attorneys, paralegals or secretaries;
- funding source of staff (FTE, OPS or contract); and
- caseloads of staff

The costs of each model are provided at the end of the sections describing the models. There are several important assumptions upon which these were developed. First, these models assume that the same number of children that the Program can represent within its current resources (25,922) would receive the current model of representation. If a different model were selected and funded for the remaining children, there would be a gradual shifting of certain cases to the new model, when appropriate. The types of cases that would be directed to the new models are described below in Options C and D.

Second, if GAL representation is fully funded, the Program will be faced with conflicts of interest. Currently, when a conflict of interest arises, the Program accepts only one of the children's cases. An example of this is when a dependent child has a baby, and the two children have interests that may conflict with one another. In order to account for this, the Program reduced the total request in each funding model by 750 children, and requested contract funds to provide representation in conflict situations. Finally, all four models include \$258,000 in funding for attorneys ad litem in residential treatment cases. The justification for this funding request is explained in the status section of this report, and in the section regarding attorney ad litem funding.

It is important to note that many models can be developed by using variations of the factors above. Implementation of any of the models would take into account the unmet need in each circuit, as well as availability of local resources to meet this need.

Models for GAL Representation

Option A: The Current Model

The current GAL model uses a team approach including a volunteer, when available, a case coordinator and a program attorney to represent children's best interests. GAL volunteers handle an average of 1.6 cases at any given time, with an average of 1.8 children involved in each case.²² Currently, volunteers represent 12,272 children. Volunteers perform a variety of important tasks. Volunteers monitor whether services ordered by the court are provided to the child. They consistently follow up and check on the children and their families to ensure that proper referrals are made, visitation is taking place, and counseling is attended. While judges may rotate, caseworkers may resign, be promoted or reassigned, the volunteer who has made a personal commitment to the child provides continuity for the child, for months or even years. The volunteer also provides important historical information regarding the child as other players in the case often change. Additionally, the volunteer serves as a critical link between the child and his or her community because volunteers know how to find local resources and opportunities for the child and family. It is a shining example of what can occur when communities stand up for their own children.

Volunteers work directly with case coordinators to advocate for children. Some case coordinators assist volunteers with reports and help volunteers navigate the child protection system. They also attend hearings on behalf of volunteers when a volunteer is unable to be present. It is often the case coordinator that links the attorney, the volunteer and the social service providers together. Over the past 25 years, however, children's need for GALs has always outpaced the

Program's ability to recruit and retain volunteers. In the past several years, acknowledgement of this fact has manifested itself in Program operations through creation of specialized case coordinators in the "staff advocate" role. These staff advocates conduct direct advocacy on behalf of children without a volunteer. Often, these staff advocates are effective in handling more complex cases, because they know the key players in the child protection system and are able to go straight to the source to resolve a problem.

Additionally, 116 attorneys work in or with the Guardian ad Litem Program. The program attorneys represent the best interests and protect the legal interests of children in all phases of court proceedings from trial through the appellate process. They file petitions, motions and responsive pleadings and participate in the discovery process, including attending depositions. They also present legal arguments at hearings and trial, and work to move children quickly into safe and permanent homes. Outside the courtroom, program attorneys facilitate agreements that further the children's best interests without resorting to litigation through both formal mediation and informal negotiations.

The team approach described above allows the GAL Program to conduct an



independent investigation of the facts and circumstances surrounding the child's case. Obtaining first hand knowledge of the child, his or her environment, and the status of the child's caregivers is critical to the development of recommendations to the court and effective monitoring of the case. This independent investigation is highly

valued by judges, as it presents an unbiased glimpse into the life of a child. The case coordinator or volunteer visits the child every 30 days and has first hand knowledge of the circumstances of the case. Additionally, the GAL team makes critical contributions by monitoring the work of DCF, CBCs, and the courts to ensure that all parties are keeping the best interests of children paramount and that critical needs of children are being met. The specific activities provided by the current GAL model are summarized in the following table.

Current GAL Model	
Investigation	<ul style="list-style-type: none"> ➤ Conduct independent investigation into allegations of abuse or neglect through interviews and obtaining records, including the DCF file on each child ➤ Visit children every 30 days ➤ Explain court process to child when age appropriate ➤ Visit parents to assess needs, compliance and safety issues ➤ Visit potential placements, including relatives and non-offending parents ➤ Assist with identification of appropriate relatives for placement
Courtroom Advocacy	<ul style="list-style-type: none"> ➤ File written and oral reports with the court, recommending: <ul style="list-style-type: none"> ○ legal status of each child ○ placement ○ visitation (parents and siblings) ○ services needed ➤ Legal advocacy: <ul style="list-style-type: none"> ○ file pleadings and motions ○ object to continuances ○ prepare witnesses for trial ○ advocate for adherence to statutory timelines ➤ Inform court of child's wishes ➤ Protect child from depositions and testimony if harmful to the child ➤ Pursue termination of parental rights when DCF or the CBC chooses not to do so ➤ Participate in mediation ➤ Appellate advocacy as needed
Monitoring and Community Advocacy	<ul style="list-style-type: none"> ➤ Ensure court orders are followed and all necessary reports are filed ➤ Advocate for adequate case plans, including any needed services for children ➤ Monitor case plan compliance ➤ Attend critical staffings ➤ Visit educators regarding school needs and educational progress ➤ Observe visitation between parents and children ➤ Consult with mental health professionals on appropriate therapy, medication and treatment ➤ Ensure independent living services and assessments for older children ➤ Facilitate ICPC process ➤ Facilitate communication and coordination among service providers, when needed
Reporting to the Court	<ul style="list-style-type: none"> ➤ Provide reports and recommendations as required by Florida Statutes ➤ Advise the court of failures of the system in meeting the child's needs and provide updated information requesting hearings as necessary through motion practice

As can be seen from the current GAL model, the Program believes children are served best when their advocate is present at the important events in their lives and cases. In order to accomplish this, the GAL Program uses one program attorney, five case coordinators and one half-time secretary to represent 225 children. The current budget for the GAL Program is \$26,524,125.

The strengths of the current GAL model include the ability to conduct a full investigation of the child's circumstances, the monthly visits and the individualized advocacy at all stages of the child's involvement in the dependency process. However, in order to meet Florida's GAL needs and provide representation to 17,558 children, the Program would require a very large increase in staff. The existing staff would more than double in size, which will require the employment of additional managerial staff. Further, providing workspace for these employees will likely be a challenge for the counties who currently provide facilities for the Program, as required by statute.

Option B: Current GAL Model with Efficiencies

Another option for meeting Florida's GAL needs is by shifting some of the duties among members of the GAL team to achieve efficiencies. As part of the exercise to identify alternative methods for providing GAL representation to children, the Program discovered that a team can represent the same number of children at a lower cost by creating the para-professional role of assistant case coordinator to perform certain duties currently completed by the case coordinator. The assistant case coordinator could perform any of the following functions:

- Records requests
- Data base input
- Follow up phone calls
- Tracking referrals
- Pulling and preparing files for court
- Functioning as a court liaison
- Following up with volunteers, or assisting with monthly reports
- Setting up meetings or visits

The assistant case coordinator must have knowledge of the issues and the advocacy plan in a child's case in order to provide appropriate support. He or she must have a thorough understanding of the dependency system. With the support of an assistant case coordinator, the Program believes that case coordinators would be able to serve 54 children each, as opposed to the current caseload of 45, a 20% increase. The representation provided would be very similar to Option A, described earlier. The reduction of a half secretary per team could result in a slight workload increase for the case coordinators, but the assistant case coordinator should be able to perform most of the functions.

Therefore, Option B presents an alternative which allows for provision of similar representation at a lower cost. The GAL team would then consist of one program attorney, four case coordinators and one assistant case coordinator serving 225 children. The strengths and weaknesses of this model are the same as those discussed in Option A.

Option C: Small Team Model

The Small Team Model introduces an alternative which teams a program attorney, a case coordinator and an assistant case coordinator (as described in Option B) to represent 180 children. This reconfiguration of staff increases the caseloads of case coordinators but slightly reduces the caseloads of attorneys from 225 children to 180 children. The primary difference between this model and Options A and B is the lack of first hand interviews and observation and reliance on third parties to provide information regarding the child.

The premise of this model is that it is possible to positively impact outcomes for some children by providing a limited level of representation. The model recognizes that there is a difference in the severity of circumstances among dependent children. Those children who have more complex cases need and would receive the same representation provided in the current GAL model. There are other children, however, whose circumstances are, relatively speaking, not as complex or for whom stability and safety seems assured, for the time being. In these cases, a file review would be conducted as opposed to a full investigation, children would be visited less often, and fewer DCF/CBC staffings would be attended. Much of the field work currently conducted would be accomplished by telephone. This limited investigation allows for an increase in the caseloads of the case coordinators. For example, in Option B, the ratio of children to case coordinators is 54 to 1; in this option, the ratio increases to 180 to 1.

Option C would require the Program to assess the cases assigned to it and differentiate between complex and less complex cases. The Program conducts a similar analysis today using the case prioritization matrix to determine which cases the Program will accept. With some changes, a similar tool can be developed for case assessment as described here. This approach introduces an element of uncertainty since children's situations are difficult to assess at the beginning of the case. Often, what presents itself as a stable situation can become untenable, and therefore, the boundary between the two kinds of cases would be permeable. Cases should and will move back and forth between both types of representation.

In this model it is expected that program attorneys would be able to provide enhanced legal representation, as the caseload is reduced from 225 to 180 children. However, the advocacy would be driven to a greater degree by file review and the attorney will necessarily have to rely less upon the case coordinators for information. For this reason, the caseload for attorneys is

reduced slightly in order to enable them to take greater responsibility for knowing the circumstances and needs of each child. Also, since many of the children in this model should be in more stable placements, the program attorneys will focus on achieving permanency in a timely manner.

As stated above, more complex cases would receive representation similar to Option A and B and cases which appear more stable would receive the following representation, in general:

Small Team Model	
Investigation	<p>Activities are differentiated based on assessment of case</p> <ul style="list-style-type: none"> ➤ File review of information gathered by other agencies <ul style="list-style-type: none"> ○ May conduct independent verification of disputed issues ➤ Visit children every 90-180 days <ul style="list-style-type: none"> ○ Interim telephone contact ➤ Visits with parents limited to telephone and court hearings ➤ Research relatives and non-offending parents for potential placement
Courtroom Advocacy	<ul style="list-style-type: none"> ➤ File written and oral reports with the court, recommending: <ul style="list-style-type: none"> ○ legal status of each child ○ placement ○ visitation (parents and siblings) ○ services needed ➤ Legal advocacy: <ul style="list-style-type: none"> ○ file pleadings and motions ○ object to continuances ○ prepare witnesses for trial ○ advocate for adherence to statutory timelines ➤ Inform court of child's wishes ➤ Protect child from depositions and testimony if harmful to the child ➤ Pursue termination of parental rights when DCF or the CBC chooses not to do so ➤ Participate in mediation ➤ Appellate advocacy as needed
Monitoring and Community Advocacy	<p>Activities are differentiated based on assessment of case</p> <ul style="list-style-type: none"> ➤ <i>Complex cases:</i> Same as Option A ➤ <i>All other cases:</i> Monitoring and community advocacy are limited to solving problems that arise, as opposed to Option A's proactive approach, and will likely be conducted by telephone.
Reporting to the Court	<ul style="list-style-type: none"> ➤ <i>Complex cases:</i> Same as Option A ➤ <i>All other cases:</i> Provide reports and recommendations as required by Florida Statutes

In conducting an analysis of the strengths and weaknesses of this model, the limited amount of investigation, in particular the reduced number of visits with the child, can immediately be identified as a shortcoming, as it could create a potential time lag in the identification of needed services and obtaining those services for a child. It may also result in a diminished relationship between the GAL and the child and recommendations, and reports to the court will likely be less comprehensive. However, this may not be the reality for those cases that truly are less complex. In these cases, the availability of increased courtroom advocacy may sufficiently protect the child's interests. The reduced caseloads for attorneys should allow for a proactive legal practice that is focused on expediting the case in court.

Option D: Contract Attorney-Guardian ad Litem Model

In this model, the model presented in Option B is combined with a representation by contract model. The Program would identify a population of children to be represented by a contract attorney who would represent the child's best interests called an "Attorney-GAL". For purposes of projecting costs, the GAL Program has identified children ages 16 and over as the group to receive such representation, or approximately 3,379 children. In order to implement this model, the Program would assign new cases of children ages 16 and up to Attorney-GALs and may shift some of the children that it currently represents to an Attorney-GAL.²³ The remaining children would be served by the team described in Option B, where one program attorney, four case coordinators and one assistant case coordinator provide GAL representation to 225 children.

While all children under this model will receive best interests representation, the cases that have an Attorney-GAL may have a different scope of GAL representation. The majority of children will receive the representation described under Option B. It is expected that the level of courtroom advocacy for all children would remain the same as provided in the current GAL model. For children ages 16 and over, often their most pressing issues relate to the identification and delivery of independent living services enabling a successful transition to adulthood. Many of these services are specialized and would benefit by the direct legal advocacy of an Attorney-GAL. However, because the Attorney-GAL will be working without any support staff, it is anticipated that there will be a reduced level of investigation, community advocacy and monitoring, possibly resembling what is provided in Option C. This might be considered a weakness of this model because it contemplates a more limited investigation and less community advocacy and monitoring.

The fact that the Attorney-GALs work under contract also has advantages and disadvantages. It would not be necessary for the Program to employ managerial staff to supervise them, although their conduct under the contract would need to be monitored. In some areas of the state, particularly rural areas, it may be difficult to find a sufficient number of qualified attorneys to conduct this representation. Additionally, because the GAL Program may not observe or supervise the Attorney-GAL on a daily basis, it will be more difficult to control the quality of the representation. For these reasons, it will be critical under this model for the Program to have the authority to determine which method of representation is provided to each child in order to ensure that all areas of the state can provide effective representation.



Cost of providing representation under various options

Below are cost estimates for each of the models described above. Estimates are based upon existing staff in the circuit programs and unmet need.²⁴ These figures are based on the projected number of children the Program can represent within current resources and the most recent DCF case data. More specific detail of these cost projections is provided in Appendix B.

	Staffing	Cost
Option A: Current GAL Model	225 children represented by: <ul style="list-style-type: none"> • 1 program attorney • 5 case coordinators • .5 secretary 	\$25,796,037.13
Option B: Current GAL Model with Efficiencies	225 children represented by: <ul style="list-style-type: none"> • 1 program attorney • 4 case coordinators • 1 assistant case coordinator 	\$23,488,771.91
Option C: Small Team Model	180 children represented by: <ul style="list-style-type: none"> • 1 program attorney • 1 case coordinator • 1 assistant case coordinator 	\$15,924,399.15
Option D: Contract Attorney-GAL Model	<u>Children 0-15</u> 225 children represented by: <ul style="list-style-type: none"> • 1 program attorney • 4 case coordinators • 1 assistant case coordinator <u>Children 16+</u> 3,379 children represented by Contract Attorney-GALs at \$1,000 per child	\$22,136,476.72

Funding For AAL Representation

Florida Statutes also require the GAL Program to provide a plan for meeting the attorney ad litem (AAL) needs for the state. Unlike the mandate for a guardian ad litem found in Chapter 39, Florida Statutes do not specify when an attorney ad litem should be appointed in dependency proceedings. The following sections of the Florida Statutes refer to appointment of attorneys ad litem:²⁵

- Section 39.202 – A child’s attorney is entitled to access to confidential records in the possession of DCF concerning the dependency case.
- Section 39.407 – If a child is on psychotropic medication, the AAL may request that the court conduct reviews of the child’s status more frequently than is provided for in statute.
- Section 39.4085 – Florida Statutes establish a goal for all children to have "where appropriate, an attorney ad litem appointed to represent their legal interests" who shall have immediate and unlimited access to the child. This same section provides that children's records should be

available for review by their attorney ad litem if they deem such review necessary.

- Section 39.4086 – Describes a pilot project for representation of children in which attorneys ad litem were appointed to represent the child's wishes for purposes of proceedings under Chapter 39, as long as the child's wishes were consistent with the well-being of the child. Funding for this project was provided from 2000-2003.

Unlike guardian ad litem representation, the parameters of which are laid out in statute, the scope of AAL representation is undetermined. While this makes it difficult to determine need, it is consistent with the nature of representation, which is client-directed. The only situation in which appointment of an AAL is provided for is in Rule 8.350 of the Florida Rules of Juvenile Procedure. That provision requires appointment of an attorney ad litem in certain cases where DCF requests that a child be placed in a residential treatment facility. If through DCF's motion, the GAL's report or communication with a party the child indicates that he or she disagrees with DCF's motion, the court is required to appoint an attorney to represent the child. Rule 8.350(6), Fla. R. Juv. P. Based on information provided by DCF, the GAL Program estimates that approximately 567 children will enter residential treatment facilities in fiscal year 2006/2007.²⁶ It is unknown how many of these children will object to placement in the facility and will therefore be entitled to an AAL. Additionally, judges make AAL appointments in their discretion. Given these considerations, there are an unlimited number of models which could be devised to provide AALs.

One methodology for determining the state's AAL needs would be to define the need as children eligible for an attorney under Rule 8.350. Currently, the GAL Program administers \$309,338 for attorney ad litem representation statewide using a contract attorney model. Attorneys are compensated up to \$1,000 per child. In order to address the need for representation under Rule 8.350, additional funds would need to be appropriated.²⁷ Additionally, the manner in which the Program administers these funds would have to change. Over the three years that these monies have been available, spending has not been limited to representation of children entering residential treatment facilities and many judges have used the funds for discretionary appointments. If the state's AAL needs were determined to be the population of children placed in residential treatment facilities, monies could no longer be used for discretionary appointments.

Another model for providing AAL representation is the staff model. In 2000, the Florida Legislature created a pilot project under section 39.4086, Florida Statutes, to experiment with different types of representation for children. In that pilot project, Barry University School of Law provided attorney ad litem

representation to a caseload of approximately 200 children. The staff AALs represented 50 children on average, with both staff paralegal and administrative support. The staffing and cost of using the Barry University model to provide all remaining children with a staff attorney ad litem is as follows:

Attorney ad Litem model	200 children represented by: <ul style="list-style-type: none"> • 4 attorneys • 1 paralegal • 2 secretaries 	\$34,543,841.32
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More specific detail of this cost projection is provided in Appendix C.

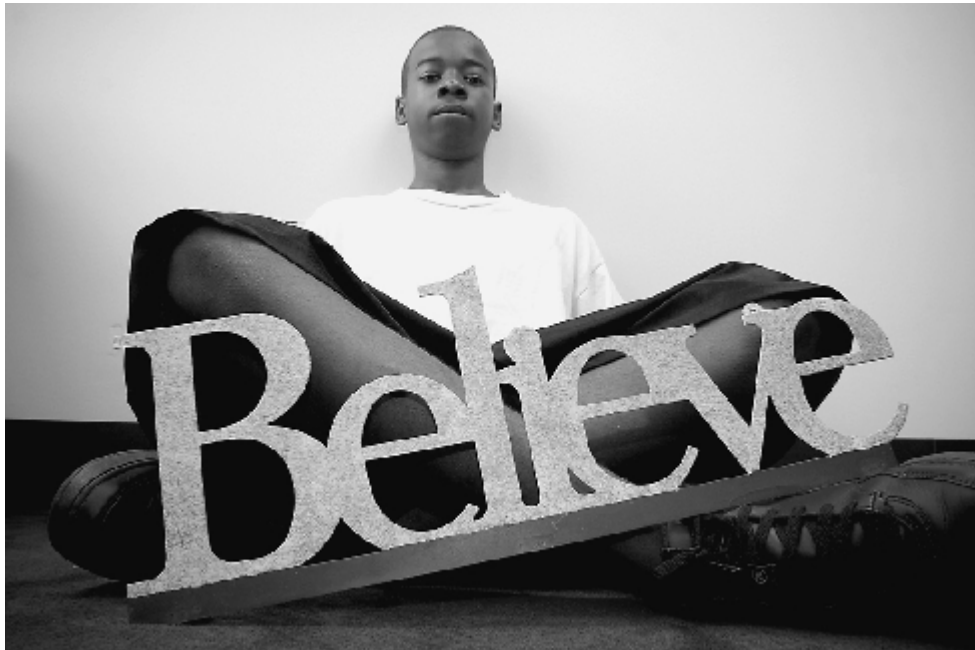


The AAL would represent the child's wishes and fulfill the same duties of advocacy, loyalty, confidentiality, and competent representation which are due an adult client. The AAL's advocacy would be dictated by decisions made by the AAL and the child client, and will differ from GAL representation in that the AAL would not make

substituted judgment reports or recommendations to the court. Since this funding model provides for FTE attorney positions, it is important to note that the staff AALs could not accept cases that would be in conflict with the GAL, and vice versa. This would create a conflict of interest.²⁸ Therefore, funding of this model as described would also require that additional funding be available for conflict cases, including cases pursuant to Rule 8.350, in which children may be placed in residential treatment centers.

Conclusion

Throughout this Annual Report, the Guardian ad Litem Program has presented a variety of models to provide representation of children. As directed by statute, the Program has presented options for the state of Florida that had never been fully explored - the provision of representation to all children in dependency court. It is a huge undertaking - and one that will be a significant expense. While the challenge may seem daunting, as the benefits of the representation are weighed against costs, we must remember who we are serving. We must remember these are Florida's most vulnerable children - abused and neglected and taken into custody by the state. The state decided that they must be given an advocate in court. The GAL Program stands ready to provide each of them a voice.



Endnotes

¹ The exception to this is the Eleventh Judicial Circuit where the Program is only appointed after a determination is made that they will accept the case.

² The averages of 1.6 cases per volunteer and 1.8 children per case were established through actual case load data in June 2004, and June 2005.

³ This figure includes pro bono attorneys and volunteers trained by the Legal Aid Society of the Orange County Bar Association in the Ninth Judicial Circuit.

⁴ The number of new volunteers does not include pro bono attorneys or volunteers working with the Legal Aid Society of the Orange County Bar Association.

⁵ When working directly with children as a staff advocate, all of the activities typically completed by a volunteer must be done by the staff advocate. For example, visiting children monthly, attendance at staffings and hearings, investigating parents and their home environments, and working directly with DCF/CBC case workers and service providers, are all typically done by volunteers. If no volunteer is available, these tasks must still be done to allow good decisions to be made in advocating for a child, and they are done by the staff advocate. After considering this added case work, the Program concluded that working a case directly involved, on average, 2.5 times the amount of time to supervise a case through a volunteer. Stated differently, a case coordinator working with volunteers can assist those volunteers with approximately 115 children. If, however, there are no volunteers to assist a case coordinator, a staff advocate can work with only 45 children. These workloads are equivalent, because of the additional time it takes to work a case directly.

⁶ This number is calculated by multiplying 40 volunteers by 1.6 cases per volunteer and by 1.8 children per case.

⁷ This number is calculated by multiplying 25 cases by 1.8 children per case by 2.5 difficulty.

⁸ The article can be found on The Florida Bar's website at www.floridabar.org.

⁹ \$1 million was provided in nonrecurring OPS dollars.

¹⁰ Fifteen of the twenty-one offices were reviewed, as new directors were trained on compliance with the Standards of Operation as opposed to reviewed.

¹¹ Judges frequently comment on how important the information provided by the GAL Program is in helping them make decisions about dependent children.

¹² Funding for development of the online training was provided by a grant from the Children's Justice Act Task Force.

¹³ Many appeals are taken by parents from orders terminating their parental rights. These appeals can result in delays in children reaching permanency.

¹⁴ It is possible that the attorneys who did not submit invoices simply chose not to bill for their time and served as pro bono counsel.

¹⁵ In fiscal year 2003/2004, \$115,771.62 was expended. In fiscal year 2004/2005, \$158,698.92 was expended. This number includes funds that were certified forward for payment on AAL contracts. Actual spending cannot be accurately determined until after December 31, 2005.

¹⁶ While \$227,826 has been placed under contract and has been encumbered by the Program for attorney ad litem spending, actual spending will depend upon the amount of dollars billed on the invoices submitted by individual attorneys.

¹⁷ The GAL Program contracted with Legal Services of North Florida to provide AAL services to the 1st, 2nd and 14th Circuits. The GAL Program continued to contract with Lawyers for Children America to provide AAL representation to the 11th Circuit and Legal Aid Services of Broward County, Inc. to provide representation to the 17th Circuit.

¹⁸ For example, the Legal Aid Society of the Orange County Bar Association initially reported representing 1,316 children. Due to a miscommunication, they later learned many pro bono GALs had been discharged without Legal Aid's knowledge and the number of children actually represented was 988 children. Legal Aid had not received the discharge orders from the court or from the pro bono GALs in those cases. Based on this error, the GAL Program also overstated the total number of children represented by GALs throughout the state.

¹⁹ This figure is based on DCF HomeSafeNet data as of August 31, 2005.

²⁰ This list does not include every reference to GALs in Florida Statutes and does not include any references from the Florida Rules of Juvenile Procedure.

²¹ This number is the Program's estimate of children who will need representation on December 31, 2005.

²² The averages of 1.6 cases per volunteer and 1.8 children per case are based on actual case load data in June, 2004.

²³ Over time, the goal would be for most children ages 16 and up to have an Attorney-GAL. However, it would be in the local program's discretion to assign the cases to the Attorney-GALs, and there may be other children who would benefit from this model of representation, just as some children ages 16 and up may benefit from the current model of representation.

²⁴ Standard rounding was used to determine when an additional staff member was added.

²⁵ This list does not include every reference to AALs in Florida Statutes and does not include any references from the Florida Rules of Juvenile Procedure.

²⁶ The GAL Program was unable to obtain the number of children in fiscal year 2004/2005 who were placed in residential mental health treatment facilities from DCF. However there were 556 children placed in such facilities in fiscal year 2003/2004. Since the total number of children under DCF supervision increased by 2% between last fiscal year and this fiscal year, it is reasonable to estimate the number of children in residential treatment facilities will increase by 2%, or 567.

²⁷ The Program estimates \$1,000 per case will be needed to serve each of the 567 children.

²⁸ According to the Rules Regulating the Florida Bar, a lawyer shall not represent a client if the representation will be adverse to the interests of another client unless the lawyer reasonably believes the representation will not adversely affect the lawyer's responsibilities to and relationship with the other client and the client consents. R. Regulating Fla. Bar 4-1.7(a). Furthermore, Rule 4-1.10 of the Rules imputes liability to all lawyers in a firm, and prohibits them from representing a client when any one of them practicing alone would be prohibited from doing so. The Florida Supreme Court has defined public defenders and state attorneys as belonging to a firm for purposes of Rule 4-1.10 (Babb v. Edwards, 412 So. 2d 859 (Fla. 1982), and State v. Fitzpatrick, 891 So. 2d 550 (Fla. 2004)), and likewise attorneys ad litem and guardians ad litem within the same agency would function as a firm, following the same standards of performance, reporting to the same executive director and accessing the same technology. Therefore the GAL Program believes having attorneys ad litem and program attorneys for the GAL Program within the same agency or "firm" would potentially be a conflict of interest that would violate the Rules Regulating the Florida Bar, if appropriate steps were not taken.

APPENDIX A

Options for GAL Representation of Abused and Neglected Children

Models estimate the cost of providing advocates for 17,558 unrepresented children (projected as of 1/1/2006), for final estimates of numbers, see the GAL Program's LBR.

	Option A Guardian ad Litem	Option B Guardian ad Litem	Option C Guardian ad Litem	Option D Guardian ad Litem
Description	Current GAL model that includes volunteers, case coordinators and program attorneys	Current GAL model with efficiencies created by establishing assistant case coordinators	Modified GAL model providing limited investigation and community advocacy but more legal resources through a reduction of case coordinators and a decrease in attorney caseload	Contract Attorney-GAL model for children over age 16 and Option B representation for the remaining children
Staffing Model	225 children represented by: <ul style="list-style-type: none"> • 1 program attorney • 5 case coordinators • .5 secretary 	225 children represented by: <ul style="list-style-type: none"> • 1 program attorney • 4 case coordinators • 1 assistant case coordinator 	180 children represented by: <ul style="list-style-type: none"> • 1 program attorney • 1 case coordinator • 1 assistant case coordinator 	Children 0-16 225 children represented by: <ul style="list-style-type: none"> • 1 program attorney • 4 case coordinators • 1 assistant case coordinator Children 16+ 3,379 children represented by Contract Attorney-GALs at \$1,000 per child
Approximate added cost to current budget of \$26,524,125	\$25,796,037.13	\$23,488,771.91	\$15,924,399.15	\$22,136,476.72

	Option A Guardian ad Litem Investigation	Option B Guardian ad Litem Investigation	Option C Guardian ad Litem Investigation	Option D Guardian ad Litem Investigation
Advocacy Provided	<ul style="list-style-type: none"> ➤ Conduct independent investigation into allegations of abuse or neglect through interviews and obtaining records ➤ Visit children every 30 days ➤ Visit parents to assess needs, compliance and safety issues ➤ Research relatives and non-offending parents for potential placement 	<p>Same as Option A</p>	<p>Activities are differentiated based on assessment of case:</p> <ul style="list-style-type: none"> ➤ File review of information gathered by other agencies <ul style="list-style-type: none"> ○ May conduct independent verification of disputed issues ➤ Visit children every 90-180 days <ul style="list-style-type: none"> ○ Interim telephone contact ➤ Visits with parents limited to telephone and court hearings ➤ Research relatives and non-offending parents for potential placement 	<p>Children 0- 16 Same as Option A</p> <p>Children 16+ Same investigation as Option C by Attorney-GAL</p>

	<p style="text-align: center;">Option A</p> <p style="text-align: center;">Guardian ad Litem</p> <p>Courtroom Advocacy</p>	<p style="text-align: center;">Option B</p> <p style="text-align: center;">Guardian ad Litem</p> <p>Courtroom Advocacy</p>	<p style="text-align: center;">Option C</p> <p style="text-align: center;">Guardian ad Litem</p> <p>Courtroom Advocacy</p>	<p style="text-align: center;">Option D</p> <p style="text-align: center;">Guardian ad Litem</p> <p>Courtroom Advocacy:</p>
<p>Advocacy Provided</p>	<ul style="list-style-type: none"> ➤ File written and oral reports with the court, recommending: <ul style="list-style-type: none"> ○ legal status of each child ○ placement ○ visitation ○ services needed ➤ Legal advocacy: <ul style="list-style-type: none"> ○ file pleadings and motions ○ object to continuances ○ prepare witnesses for trial ○ advocate for adherence to statutory timelines ➤ Inform court of child’s wishes ➤ Protect child from depositions and testimony if harmful ➤ Pursue termination of parental rights when DCF or the CBC chooses not to do so ➤ Participate in mediation ➤ Appellate advocacy as needed 	<p>Same as Option A</p>	<p>Same as Option A</p>	<p>Same as Option A</p>
<p>Advocacy Provided</p>	<p>Monitoring and Community Advocacy</p> <ul style="list-style-type: none"> ➤ Ensure all court orders are followed and reports are filed ➤ Ensure adequate case plans ➤ Monitor case plan compliance ➤ Attend critical staffings ➤ Visit educators on school needs ➤ Observe visitation ➤ Consult with mental health professionals on therapy, medication and treatment ➤ Ensure independent living services and assessments ➤ Facilitate ICPC process 	<p>Monitoring and Community Advocacy</p> <p>Same as Option A</p>	<p>Monitoring and Community Advocacy</p> <p>Activities differentiated based on assessment of case:</p> <ul style="list-style-type: none"> ➤ <i>Complex cases:</i> ➤ Same as Option A ➤ <i>All other cases:</i> <p>Monitoring and community advocacy are limited to solving problems that arise, and will likely be conducted by telephone.</p>	<p>Monitoring and Community Advocacy</p> <p>Same as Option C</p>

APPENDIX B

FLORIDA GUARDIAN AD LITEM PROGRAM
Cost of Increasing Staff

Current Model

Class	Quantity	Base	Benefits	Total
<u>Circuit Staff</u>				
Senior Secretary	14	24,242.36	5,818.17	420,847.37
Senior Secretary - CAD 1 ⁽¹⁾	4	25,467.68	6,112.24	126,319.69
Senior Secretary - CAD 2 ⁽²⁾	8	24,685.64	5,924.55	244,881.55
Administrative Assistant	9	27,274.29	6,545.83	304,381.08
Administrative Assistant - CAD ⁽³⁾	3	28,479.45	6,835.07	105,943.55
Case Coordinator I	309	29,725.43	7,134.10	11,389,595.76
Case Coordinator I - CAD ⁽¹⁾	62.5	30,930.59	7,423.34	2,397,120.73
Case Coordinator II - Lead Worker	16	34,049.28	8,171.83	675,537.80
Case Coordinator II - Lead Worker -CAD ⁽¹⁾	5	35,314.70	8,475.53	218,951.16
Program Attorney	20	40,458.59	9,710.06	1,003,373.03
Senior Program Attorney	61.5	44,415.30	10,659.67	3,387,110.78
Assistant Program Director	2	35,407.14	8,497.71	87,809.71
Appellate Attorney (Sr. Program Attorney)	3	44,415.30	10,659.67	165,224.92
<u>State Office Staff</u>				
GAL Business Specialist	3	32,427.89	7,782.69	120,631.75
GAL Business Analyst	1	40,458.59	9,710.06	50,168.65
Enterprise Network Systems Analyst	1	40,458.59	9,710.06	50,168.65
Enterprise Network Systems Specialist	1	35,407.14	8,497.71	43,904.85
Computer Programmer Analyst	1.5	44,415.30	10,659.67	82,612.46
Senior Program Attorney	2	44,415.30	10,659.67	110,149.94
Volunteer Recruiter/Retention Coord.	1	46,636.24	11,192.70	57,828.94
Attorney Contract Administrator	1	56,686.50	13,604.76	70,291.26
Total	528.50			21,112,853.63

Class	Quantity	Base	Benefits	Total
Expenses				
Conflict Cases				750,000.00
Residential Treatment Cases (Rule 8.350)				258,000.00
Orange County Representation				136,000.00
Circuit Staff				
Support Staff	26.00	3,640.00		94,640.00
Case Coordinators	392.50	5,304.00		2,081,820.00
Attorneys	84.50	5,045.00		426,302.50
Other Professional Staff	14.00	4,345.00		60,830.00
State Office Staff				
Attorneys	3.00	10,446.00		
All Other	8.50	9,746.00		82,841.00
Total	528.50			3,890,433.50
OCO				
Circuit Staff				
Support Staff	26.00	1,500.00		39,000.00
Professional Staff	491.00	1,500.00		736,500.00
State Office Staff	11.50	1,500.00		17,250.00
Total	528.50			792,750.00
TOTAL COST				25,796,037.13

Notes:

(1) Broward, Dade, Palm Beach, Monroe

(2) Hillsborough, Pinellas

(3) Broward, Dade, Palm Beach

FLORIDA GUARDIAN AD LITEM PROGRAM
Cost of Increasing Staff

Current Model with Efficiencies

Class	Quantity	Base	Benefits	Total
<u>Circuit Staff</u>				
Assistant Case Coordinator	91	25,700.00	6,168.00	2,899,988.00
Case Coordinator I	233	29,725.43	7,134.10	8,588,271.24
Case Coordinator I - CAD ⁽¹⁾	40	30,930.59	7,423.34	1,534,157.26
Case Coordinator II - Lead Worker	16	34,049.28	8,171.83	675,537.80
Case Coordinator II - Lead Worker -CAD ⁽¹⁾	5	35,314.70	8,475.53	218,951.16
Program Attorney	20	40,458.59	9,710.06	1,003,373.03
Senior Program Attorney	61	44,415.30	10,659.67	3,359,573.29
Assistant Program Director	2	35,407.14	8,497.71	87,809.71
Appellate Attorney (Sr. Program Attorney)	3	44,415.30	10,659.67	165,224.92
<u>State Office Staff</u>				
GAL Business Specialist	3	32,427.89	7,782.69	120,631.75
GAL Business Analyst	1	40,458.59	9,710.06	50,168.65
Enterprise Network Systems Analyst	1	40,458.59	9,710.06	50,168.65
Enterprise Network Systems Specialist	1	35,407.14	8,497.71	43,904.85
Computer Programmer Analyst	1.5	44,415.30	10,659.67	82,612.46
Senior Program Attorney	2	44,415.30	10,659.67	110,149.94
Volunteer Recruiter/Retention Coord.	1	46,636.24	11,192.70	57,828.94
Attorney Contract Administrator	1	56,686.50	13,604.76	70,291.26
Total	482.50			19,118,642.91

Class	Quantity	Base	Benefits	Total
Expenses				
Conflict Cases				750,000.00
Residential Treatment Cases (Rule 8.350)				258,000.00
Orange County Representation				136,000.00
Circuit Staff				
Case Coordinators	295.00	5,304.00		1,564,680.00
Attorneys	84.00	5,045.00		423,780.00
Other Professional Staff	92.00	4,345.00		399,740.00
State Office Staff				
Attorneys	3.00	10,446.00		31,338.00
All Other	8.50	9,746.00		82,841.00
Total	482.50			3,646,379.00
OCO				
Circuit Staff				
Professional Staff	471.00	1,500.00		706,500.00
State Office Staff	11.50	1,500.00		17,250.00
Total	482.50			723,750.00
TOTAL COST				23,488,771.91

Notes:

(1) Broward, Dade, Palm Beach, Monroe

FLORIDA GUARDIAN AD LITEM PROGRAM
Cost of Increasing Staff

Small Team Model

Class	Quantity	Base	Benefits	Total
<u>Circuit Staff</u>				
Assistant Case Coordinator	96	25,700.00	6,168.00	3,059,328.00
Case Coordinator I	80	29,725.43	7,134.10	2,948,762.66
Case Coordinator I - CAD ⁽¹⁾	16	30,930.59	7,423.34	613,662.91
Senior Program Attorney	96	44,415.30	10,659.67	5,287,197.31
Assistant Program Director	1	35,407.14	8,497.71	43,904.85
Appellate Attorney (Sr. Program Attorney)	3	44,415.30	10,659.67	165,224.92
<u>State Office Staff</u>				
GAL Business Specialist	3	32,427.89	7,782.69	120,631.75
GAL Business Analyst	1	40,458.59	9,710.06	50,168.65
Enterprise Network Systems Analyst	1	40,458.59	9,710.06	50,168.65
Enterprise Network Systems Specialist	1	35,407.14	8,497.71	43,904.85
Computer Programmer Analyst	1.5	44,415.30	10,659.67	82,612.46
Senior Program Attorney	2	44,415.30	10,659.67	110,149.94
Volunteer Recruiter/Retention Coord.	1	46,636.24	11,192.70	57,828.94
Attorney Contract Administrator	1	56,686.50	13,604.76	70,291.26
Total	303.50			12,703,837.15

Class	Quantity	Base	Benefits	Total
Expenses				
Conflict Cases				750,000.00
Residential Treatment Cases (Rule 8.350)				258,000.00
Orange County Representation				136,000.00
Circuit Staff				
Case Coordinators	192.00	5,304.00		1,018,368.00
Attorneys	96.00	5,045.00		484,320.00
Other Professional Staff	1.00	4,345.00		4,345.00
State Office Staff				
Attorneys	3.00	10,446.00		31,338.00
All Other	8.50	9,746.00		82,841.00
Total	300.50			2,765,212.00
OCO				
Circuit Staff				
Professional Staff	289.00	1,500.00		433,500.00
State Office Staff	11.50	1,900.00		21,850.00
Total	300.50			455,350.00
TOTAL COST				15,924,399.15

Notes:

(1) Broward, Dade, Palm Beach, Monroe

FLORIDA GUARDIAN AD LITEM PROGRAM
Cost of Increasing Staff

Contract Attorney-GAL Model

Class	Quantity	Base	Benefits	Total
<u>Circuit Staff</u>				
Assistant Case Coordinator	54	25,700.00	6,168.00	1,720,872.00
Case Coordinator I	220.5	29,725.43	7,134.10	8,127,527.07
Case Coordinator I - CAD ⁽¹⁾	38.5	30,930.59	7,423.34	1,476,626.37
Program Attorney	14	40,458.59	9,710.06	702,361.12
Senior Program Attorney	40	44,415.30	10,659.67	2,202,998.88
Assistant Program Director	1	35,407.14	8,497.71	43,904.85
Appellate Attorney (Sr. Program Attorney)	3	44,415.30	10,659.67	165,224.92
<u>State Office Staff</u>				
GAL Business Specialist	3	32,427.89	7,782.69	120,631.75
GAL Business Analyst	1	40,458.59	9,710.06	50,168.65
Enterprise Network Systems Analyst	1	40,458.59	9,710.06	50,168.65
Enterprise Network Systems Specialist	1	35,407.14	8,497.71	43,904.85
Computer Programmer Analyst	1.5	44,415.30	10,659.67	82,612.46
Senior Program Attorney	2	44,415.30	10,659.67	110,149.94
Volunteer Recruiter/Retention Coord.	1	46,636.24	11,192.70	57,828.94
Attorney Contract Administrator	1	56,686.50	13,604.76	70,291.26
Total	382.50			15,025,271.72

Class	Quantity	Base	Benefits	Total
Expenses				
Contract Attorneys				3,379,000.00
Conflict Cases				750,000.00
Residential Treatment Cases (Rule 8.350)				258,000.00
Orange County Representation				136,000.00
Circuit Staff				
Case Coordinators	259.00	5,304.00		1,373,736.00
Attorneys	57.00	5,045.00		287,565.00
Other Professional Staff	55.00	4,345.00		238,975.00
State Office Staff				
Attorneys	3.00	10,446.00		31,338.00
All Other	8.50	9,746.00		82,841.00
Total	382.50			6,537,455.00
OCO				
Circuit Staff				
Professional Staff	371.00	1,500.00		556,500.00
State Office Staff				
	11.50	1,500.00		17,250.00
Total	382.50			573,750.00
TOTAL COST				22,136,476.72

Notes:

(1) Broward, Dade, Palm Beach, Monroe

APPENDIX C

**Florida Guardian ad Litem Program
Cost of Increasing Staff**

Attorney ad Litem Model

Class	Quantity	Base	Benefits	Total
Paralegal	90.50	29,725.00	7,134.00	3,335,739.50
Senior Program Attorney	59.50	44,415.30	10,659.67	19,799,452.43
Senior Secretary	107.50	24,242.36	5,818.17	3,231,506.59
Senior Secretary - CAD 1 ⁽¹⁾	28.50	25,467.68	6,112.24	900,027.81
Senior Secretary - CAD 2 ⁽²⁾	43.00	24,685.64	5,924.55	1,316,238.32
Appellate Attorney (Sr. Program Atty.)	3.00	44,415.30	10,659.67	165,224.92
<u>State Office Staff</u>				
GAL Business Specialist	4.00	32,427.89	7,782.69	160,842.33
GAL Business Analyst	1.00	40,458.59	9,710.06	50,168.65
Enterprise Network Systems Analyst	2.00	40,458.59	9,710.06	100,337.30
Enterprise Network Systems Specialist	1.00	35,407.14	8,497.71	43,904.85
Computer Programmer Analyst	1.50	44,415.30	10,659.67	82,612.46
Senior Program Attorney	2.00	44,415.30	10,659.67	110,149.94
Volunteer Recruiter/Retention Coord.	1.00	46,636.24	11,192.70	57,828.94
Attorney Contract Administrator	1.00	56,686.50	13,604.76	70,291.26
Total	645.50			29,424,325.32

Class	Quantity	Base	Benefits	Total
Expenses				
Conflict Cases				750,000.00
Residential Treatment Cases (Rule 8.350)				258,000.00
Orange County Representation				136,000.00
Circuit Staff				
Support Staff	179.00	3,640.00		651,560.00
Attorneys	362.50	5,045.00		1,828,812.50
Other Professional Staff	90.50	4,345.00		393,222.50
State Office Staff				
Attorneys	3.00	10,446.00		31,338.00
All Other	10.50	9,746.00		102,333.00
Total	645.50			4,151,266.00
OCO				
Circuit Staff				
Support Staff	179.00	1,500.00		268,500.00
Professional Staff	453.00	1,500.00		679,500.00
State Office Staff	13.50	1,500.00		20,250.00
Total	645.50			968,250.00
TOTAL COST				34,543,841.32

Notes:

(1) Broward, Dade, Palm Beach, Monroe

(2) Hillsborough, Pinellas

THE FLORIDA
GUARDIAN
AD LITEM
PROGRAM



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