

What is a Guardian Ad Litem or Court Appointed Special Advocate?

In Indiana, when children are involved in court cases, the judge may choose someone to look out for the child's welfare. These people are called Guardian Ad Litem/Court Appointed Special Advocates (or "GAL/CASA volunteers" for short). In Indiana, there are almost 2000 GAL/CASA volunteers representing children involved with the court because they are juvenile delinquents, have been abused or neglected, have mental problems, or because of custody fights between parents. These volunteers act for the child in the courtroom, deal with social services, and help in cases of family crisis. Their goal is to protect the child's safety and feelings, and make sure the child lives in a good home where he or she will not be abused.

What do GAL/CASA volunteers do?

Investigate – The GAL/CASA volunteer gathers information about the child's situation by talking to the child and people who know him or her and by collecting any reports or written records. The volunteer may interview parents, family members,

friends, teachers, doctors and others who know the child.

Monitor – The GAL/CASA volunteer works as the "eyes and the ears" of the judge by checking up on the parents and agencies involved in the case to make sure everyone is following the orders of the judge. If the judge's orders are not being followed, the volunteer can tell the judge.

Speak for the child – The GAL/CASA volunteers speak for the child to the judges, at case conferences and to other agencies (like child welfare) to tell them what is best for the child.

Report to the court – After investigating the child's situation, the GAL/CASA volunteer forms an opinion about what the court or child welfare agency should do and makes a written report for the judge. In the report, the volunteer offers the judge advice on how he should rule. The judge does not have to follow this advice, but he will pay attention to what the GAL/CASA volunteer reports.

Find needed services – The GAL/CASA volunteer may find other needed services for the child and make sure the agencies involved

are working together. The volunteer will check that the parents are talking to the school, the social workers, and doctors, and that all these people are also talking to one another so the child gets the best care possible. The GAL/CASA volunteer may also ask the judge to order more services for the child.

Is a GAL/CASA volunteer a lawyer?

Sometimes the GAL/CASA volunteers are lawyers or social workers, but many times they are just regular people who have other full time jobs. Even though they are not lawyers, they receive training about the law and how to deal with children and families in trouble. The GAL/CASA volunteer speaks to the court about what is best for the child, not what the child wants. The volunteer may recommend things to the judge that the child does not like. The GAL/CASA may recommend things the parents do not like either.

When are GAL/CASA volunteers used?

1. The child is threatening to hurt himself or others;
2. The child has been abused or neglected, the judge must take the

child away from the parents forever and the parents do not want this to happen;

3. The child is born with drugs or alcohol in his body;
4. The child is not getting needed medical care; or
5. The court cannot find the child's parents.

The judge may order a GAL/CASA volunteer to speak for the child in other kinds of cases, like:

1. The child is a juvenile delinquent;
2. The child is abused or neglected;
3. The parents are fighting for custody during a divorce; or
4. In an adoption or paternity case.

How can I get a GAL/CASA volunteer?

Parents cannot get a GAL/CASA volunteer for their child's case. Only the judge can appoint a GAL/CASA volunteer. The parents, a lawyer, or a social worker can *ask* the judge to do this.

Do I have to pay for a GAL/CASA?

The services of a GAL/CASA volunteer are not free; but when the law requires the judge to get a GAL/CASA volunteer for the case, they are usually free to the parents. However, in cases like divorce, the parents must pay for the volunteer's services. The amount may be around \$50.00 per hour.

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Guardians Ad Litem

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