

GUARDIAN AD LITEM NEWS

JUNE 2009

From the DA's Desk

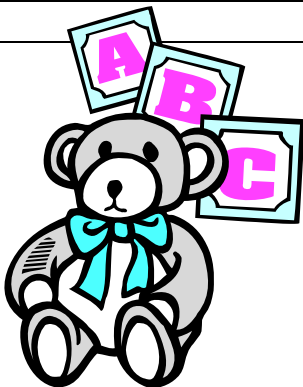
Green lush trees, flowers blooming, vegetables blossoming and setting their harvest, children counting down the days until school is out; two, at the time of this writing.

What seems to be the shortest of our seasons; spring skids in late, and leaves us way too soon before the blistering summer temperatures arrive. What a nice spring it has been for the Guardian ad Litem Program. We had two spring trainings and eight new volunteers were sworn in. Our lists of volunteers waiting to take a case contains the names of many strong advocates; some new; some seasoned.

Outback Steakhouse was a wonderful success. On May 1st and 2nd the North Carolina Guardian ad Litem Program celebrated 25 years of serving children with a state conference attended by many of you from our own district. Thank you to everyone who participated in training, came to Outback to let us honor you or journeyed all the way to Cary to attend the conference. Your commitment to the Program and to the children continues to inspire me. Thank you, EVERYONE for your service to the Guardian ad Litem Program, and especially, the children you serve.

A safe, healthy, relaxing and fun summer is what I wish for all of you. Again, my thanks.

Kathie Foreman
District Administrator



**Ricki has exciting news!
There's a baby on the way,
A new bundle of joy,
A very special gift,
A little baby boy.**

The anticipated date is October 15, 2009!



The Outback Steakhouse Volunteer Appreciation Luncheon, held on April 20, 2009, was outstanding once again. Special thanks to Aaron Klingenschmit for making it all possible. Our guest speaker was Veola Spivey, Regional Administrator.

Congratulations to **Amanda Carawan**, GAL and former intern, on her graduation from Elizabeth City State University with a Social Work degree.

Deborah "Robin" Bateman recognized at *The North Carolina Guardian ad Litem Program: Making Children Our Priority for 25 Years Conference* on May 1, 2009. Robin has been a Guardian ad Litem volunteer since March 2003. She is a single mother of three and works full time for the Department of Justice. "Robin " always says "yes" when called upon to serve the child clients or help he Program in any way. After six years, Robin has advocated for 40 different abused and neglected children. She is a tireless and tenacious investigator, exploring every detail of every child's case. The children adore her as she is funny and generous with her time. She is a strong recruiter and entertaining trainer. Robin's sincerity, sense of humor and sensitivity are her greatest assets. The number of hours that she freely gives on behalf of her child clients is unprecedented. On behalf of the program and the children we serve, it is an honor to submit Robin Bateman as our nominee who conveys "the spirit of Guardian ad Litem".



Happy Father's Day to all Guardian ad Litem dads. Volunteers and Attorney Advocates alike, we would like to honor each and every one of you. Thank you for your service. You are few in numbers, but mighty in your impact.

Mike Sanders, Attorney Advocate, Pasquotank County

Bill Brumsey, Attorney Advocate, Currituck County

Travis Ellis, Attorney Advocate, Chowan and Gates counties.

Lycurgus Harrell, Gates Volunteer child advocate since 1989

Gary Montalbine, Currituck, Volunteer child advocate since 1998

Ken Ries, Perquimans Volunteer child advocate since 1998

James Andrews, Dare County Volunteer child advocate since 2003

David Briggman, Dare County Volunteer child advocate since 2003

Charlie Petty, Dare County Volunteer child advocate since 2003

Reginald D. Edlow, Pasquotank Volunteer child advocate since 2005

Donald L. McCabe, Pasquotank Volunteer child advocate since 2003

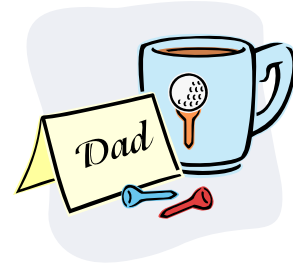
Ken Lightell, Pasquotank, Volunteer child advocate since 2007

David Fisher, Pasquotank Volunteer child advocate since 2008

Roy Hammond, Camden Volunteer child advocate since 2007

Mark Schomers, Pasquotank Volunteer child advocate since 2008

Earl Ramey, Currituck Volunteer child advocate since 2006



1st Judicial Statistics:

Permanency Planning Outcomes for June 2008 –May 2009

	<u>Families</u>	<u>Children</u>
Adoptions	16	25
Guardianships	14	25
Legal Custody	8	13
Reunification	16	26

Permanency Planning and Volunteer Empowerment

North Carolina Guardian ad Litem Volunteer Training Program

Legal Permanency

In-Service Seminar for Guardians ad Litem 2007

With my child, the supposed “permanency plan” is understood by everyone to be insincere and unworkable. There are good reasons for that, but it bothers me that the law is being followed in name only (Child is teenager, mother in prison until child’s majority, and father in alcohol rehab. Child is not interested in being adopted outside the family. Attempting to place with maternal grandmother. The supposed plan is “reunification with mother.”) I think it leads to cynicism. The jargon is thrown into the DSS reports without discussion among the child’s team as to what we are REALLY working towards, and I don’t like that either. I’m not sure what my role as GAL should be in this area.

Jennifer T. Harrod, Volunteer, District 15A

As this quote demonstrates, coming up with a viable permanent plan within one year is challenging. What the law seems to mandate is not congruent with what usually happens in juvenile court. This can be confusing and frustrating for volunteer Guardians ad Litem. One goal of Legal Permanency is to empower volunteers to advocate for system change, one case at a time. If each volunteer pushes for their own case to comply with Federal and State guidelines, the whole system will move more quickly. As each volunteer works to find a good and realistic permanent plan for her/his child-client – including even the most difficult to place children – the system will be more successful as a whole, and more authentic. Indeed, if the permanent plan is “insincere and unworkable” the GAL must identify a plan that will work and advocate for it. Children must not languish in foster care.

With knowledge and understanding of the permanency planning process, the time lines mandated by law, and strategies for moving a case ahead, volunteers will be able to advocate more successfully. The GAL role in court is to bring an *independent* community voice to bear for the best interest of the child. GAL independence enable the volunteer to advocate zealously for the best permanent plan, regardless of the other stakeholders’ positions on case issues. In order to identify the best plan, volunteers must be well-informed on the facts of the case and the many variables to consider. Volunteers should partner with their supervisors and attorney advocates in this effort; access their expertise and support.

The Guardian ad Litem/Attorney Advocate Working Relationship: The amount of contact between volunteers and their attorney advocates and the timing of that contact varies from district to district across North Carolina. Your GAL supervisor should be your guide about how and when to be in touch with the attorney advocate. Obviously, a case that is routine, where the GAL and social worker are in agreement, would be less in need of pre-hearing consultation with the attorney advocate than a case where they disagree or where the guardian ad litem has come up with an out-of-the-box plan.

Attorney advocates are trained by the GAL program that their client is the child-client, the *real party in interest*. The GAL volunteer is the liaison between the child-client and his/her attorney. The volunteer provides a buffer between the child and the court process to protect the child from adult issues. When it come to a question about the facts of the case, the attorney advocate should defer to the volunteer, who will know more about the child's situation and all the variables affecting her/his life. This is the reason it matters so much that the volunteer is in court for the hearing. When questions of fact come up, no one else will have the level of information that the volunteer has. When it comes to matters of law, legal strategies or issues, the volunteer should defer to the attorney advocate's expertise. For instance, if the volunteer thinks a witness should be asked a question, they should suggest it but allow the attorney advocate to decide if, indeed, that question should be asked of that witness.

Why the “Minimum Sufficient Level of Care” Standard Is Important

Children grow up best in families. To develop into functional, emotionally stable adults, they need that unique sense of belonging that comes from being part of a family. Children need that safety net that only the unconditional acceptance of family can provide. They need that knowledge of and connection to their cultural/ethnic heritage that is learned within the family.

Based on information from *Beyond Rhetoric: A New American Agenda for Children and Families*, National Commission on Children, Washington, D.C.: Government Printing Office, 1991.

When a child's biological family is unable to meet these needs, what then? What is in the child's best interest? These are not easy questions to answer. The GAL/CASA volunteer starts with the assumption that a child's own family is usually the best setting for raising and nurturing that child. This is true even if the family's lifestyle, beliefs, resources, and actions are radically different from the volunteer's. *As long as the child's family meets or can be helped to meet the minimum sufficient level of care required for the safety of that child*, the child belongs with his/her family.

A minimum sufficient level of care (MSL) means that all basic needs are met and the child is not harmed physically, sexually, or emotionally. On the other hand, the optimum level of care means that the child has considerably more than the minimum: things like a library card, tutoring, tennis lessons, a community of faith, Little League, Scouts, college, a loving extended family. The state intervenes when the basic needs are not met – not when a family is unable or unwilling to provide an optimal level of care.

In considering what the minimum sufficient level of care is for any one child, it is important to remember the key parameters of this standard:

1. It relates to a particular child.
2. It is a set minimum conditions, not an ideal situation.
3. It is a relative standard, depending on the child's needs, social standards, and community standards. It will not be the same for every family or every child in a particular family.
4. It remains the same when considering removal as when considering reunification.

The idea that a minimum sufficient level of care should be the standard for families is often difficult for GAL/CASA volunteers to embrace. It feels counterintuitive, almost like it defies common sense. Volunteers are tempted to ask, “Wouldn’t any child be better off in a family without the limitations that are present in this situation?” The truth is that most would not. The overwhelming sense of loss that children suffer when removed from their home – loss of love, of security, of the familiar. Of their heritage, of control in their lives; feelings of worthlessness; and the almost unendurable pain of separation – is far worse for most children. Despite the bad things that have happened in their lives, most children in the system love their families and want desperately to be reunited with them. In some ways, that is not strange at all. Take a moment to think back to your own childhood. Whatever it was like, how would it have felt if a stranger came one day to take you away to live with a “better” family?

If parenting hovers at the minimum sufficient level of care, the child protective services system and the court likely will not get involved. If parental care drops below the minimum sufficient level of care (meaning the child’s basic needs are not being met and/or the child is being abused), the child protective services system steps in. Once the system has intervened, the responsibilities of the parent (e.g., seek substance abuse treatment, learn parenting skills) and those of the child protective services agency (e.g., provide visitation, financial aid, etc.) are spelled out in agreements that are enforced by court orders.

Ideally, these agreements will help the parent move at least to a minimum sufficient level of care, and hopefully beyond. The steps in these agreements with parents need to be in small, manageable segments. Appropriate resources need to be available to support changes that the parent makes. If the steps are too big or complex, the parent may give up, causing the family situation to deteriorate and the child to lose the chance to ever return home. It is also helpful if these agreements are written in a way that allows success to be measured. For example, a parent can “attend parenting classes” for six months without ever making a change in behavior. If the agreement specifies that the parent is “able to describe and apply five ways to discipline their child without spanking,” both the parent and any observer will be able to tell whether the task gets accomplished. GAL/CASA volunteers should routinely ask the question of both parents and case managers, “How will you know when this requirement is met.?”

GAL Volunteer Reminders

- Please help us to continue to keep our records updated. If you have a new e-mail address, cell phone number, have moved or changed phone numbers, please call the main office with the changes.
- Remember to visit your child at least once a month, unless the child is placed out of your county. This is the most important part of your service as a GAL. If you are having a problem making these visits, please call us and we will make arrangements to have someone visit for you.
- Until further notice there will be no reimbursement for travel. We sincerely hope this changes.
- **Per Court Order** - Court reports are to be submitted to all parties involved in the case **three (3) days prior to court per our chief District Court Judge**. If you need our office to type your report we will need it **seven (7) days in advance**. **If a report is not submitted within the required time frame, The Court does not have to read the report or consider GAL recommendations. If this happens, your child's voice will not be heard.**

The GAL Office continues to use a new format for Court Reports for Monitoring and Review Hearings. It is referred to as **MONITORING COURT REPORT**. Please follow this report which will help you to focus on your most important duties as you check regularly on how things are going. There is a separate format to use for **TERMINATION OF PARENTAL RIGHTS**.

OLD WOMAN IN A SHOE

By Jordan Riak

There was an old woman
Who lived in a shoe.
She was a kindhearted mom
Who knew exactly what to do.

She raised all her children
With patience and love.
Never once did she give them
A spank, shake or shove.

Her children all learned
To be gentle toward others,
And good parents too
When they became fathers and mothers.

From their days in the shoe
They learned this about living:
Kindness, not force,
Is the gift that keeps giving.



Birthdays

Sally Francis Keyhayes	June	8
Karen Rockwell	June	9
Janet Lamm	June	11
Denae Lassiter	June	12
Debra Perrot	June	12
Lycurgus Harrell	June	22
Vivian Hunter	June	24
Jocelyn Ramey	June	27

KyMBER Taylor	July	8
Sherry Smith	July	18
Sandra Rice	July	21
Joan McCann	July	28
Sonya Anderson	July	28

Joanne Adams	Aug	5
Louse Dow	Aug	6
Margaret Lumsden	Aug	6
Fiona Hiser	Aug	16
Mildred Vanterpool	Aug	19
Mary Bowden	Aug	19
Lemoizine Riddick	Aug	20
Emily Jo Custer	Aug	26
Mark Schomers	Aug	26
Arlene Herzer	Aug	30

JUNE 2009						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

JULY 2009						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST 2009						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Anniversaries

Maureen Thompson	1 year
Jocelyn Ramey	3 years
Earl Ramey	3 years
Melva Garrison	3 years
Loretta Walz	4 years
Claudette Smith	5 years
Margaret Andrews	6 years
James Andrews	6 years
Roberta McCabe	6 years
Donald McCabe	6 years
Carolyn LaFleur	16 years

**SOCIAL SERVICES / GUARDIAN AD LITEM JUVENILE COURT SESSIONS FOR 2009
(JUNE – DECEMBER 2009)**

CAMDEN		CHOWAN	(2)	GATES		PERQUIMANS	
June 15	(2)	June 18	(2)	June 17	(2)	June 16	(2)
July 21	(2)	July 17	(2)	July 15	(2)	July 29	(2)
Sep5ember 03	(2)	August 17	(2)	August 19	(2)	August 26	(2)
October 14	(2)	September 18	(2)	September 22	(2)	September 30	(2)
December 02	(2)	October 18	(2)	October 14	(2)	October 28	(2)
		November 23	(2)	November 17	(2)	November 25	(2)
		December 18	(2)	December 15	(2)	December 16	(2)
CURRITUCK		DARE		PASQUOTANK			
June 15	(5)	June 10	(4)	June 11	(1)		
June 19	(5)	June 30	(4)	June 29	(1)		
July 14	(5)	July 15	(4)	July 9	(1)		
August 06	(5)	July 30	(4)	August 11	(1)		
August 27	(5)	August 18	(4)	August 28	(1)		
September 15	(5)	August 28	(4)	September 16	(1)		
October 01	(5)	September 11	(4)	October 5	(1)		
October 27	(5)	September 25	(4)	October 29	(1)		
November 16	(5)	October 13	(4)	November 18	(1)		
December 03	(5)	October 28	(4)	December 04	(1)		
December 15	(5)	November 12	(4)	December 21	(1)		
		December 01	(4)				
		December 14	(4)				

Codes: (1) Judge C. Christopher Bean
(4) Judge Amber Davis

(2) Judge J. Carlton Cole
(5) Judge Eula E. Reid

(3) Judge Edgar L. Barnes

Guardian ad Litem Program
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