

County Children Seen and Heard

by Brandee Hayhurst

from the Times-News, Burlington, NC, November 23, 2003, page A1.

Volunteers like Mary Baker have visited homes crawling with cockroaches, full of rotting trash, or dark and cold with the power and heat shut off.

She's trying to answer a question: Should a child live in such a place?

As of October, there were 107 children in foster care in Alamance County, and each one of them has an assigned Guardian ad Litem.

Alamance County's Guardian ad Litem program was identified in 1997 as the most effective in the state.

Baker represents the interests of a child in court hearings to determine his future home.

"I've been asked a hundred times," she said, "'Doesn't it just tear me up emotionally?'"

"The child has been removed from that situation," Baker said.

Most Guardians ad Litem work with just one case at a time, allowing them to put their full focus on one child's life.

Baker first visits the child in foster care, then asks a lot of questions of parents, teachers, and next-door neighbors.

She asks "everybody."

"Any name, phone number I can get a hold of."

She tries not to press the children, because they already have so many strangers asking questions. Instead, she listens during school lunch or watches them visit with mom. And when the time comes, she asks "What would you like me to tell the judge?"

"Our goal is to find a safe, permanent home for these children as soon as possible," said Tammy Minnis, volunteer recruiter and trainer for Alamance County's Guardian ad Litem program.

Her volunteers get involved once the Alamance County Department of Social Services (DSS) removes a child from the home, usually after things have reached near crisis.

Minnis said neglect, often a result of parents' drug or alcohol abuse, is the most common problem her volunteers see. They also deal with cases of child abuse and dependency -- when no caretaker is available for the child.

Guardians ad Litem investigate the child's home situation, determine if the child needs services like tutoring or counseling, and write a final report for the court. They also attend court hearings with an attorney and stand up for what they believe is best for the child.

While Guardians ad Litem work for the court system, they have no formal training in child welfare or the law, and sometimes that can be an advantage.

"They do have a fresh and unfettered view on what is in the best interests of the child," said Chief District Court Judge Kent Washburn. "It gives you a second perspective that gives you a lot more confidence in where you are going."

As a judge deciding these children's futures, he said, "I began to sleep better at night."

Nobody likes to think of tearing apart a family. Jamie Hamlet, staff attorney for DSS, said it's just a small percentage of social workers' cases -- the "worst-case scenarios" -- that reach that point.

"The law is geared towards reunifying children with their families," Hamlet said.

Of the 107 children in foster care, 42 currently have the goal of adoption, according to Social Services statistics.

A judge must hear evidence presented by Social Services and the parents in court and rule that the child is not getting proper care or living in a safe environment before a decision on adoption is reached. A Guardian ad Litem attorney also makes arguments before any ruling.

Sometimes Guardians ad Litem and Social Services agree in those hearings; sometimes they don't. But they work hand-in-hand, Hamlet and Minnis said.

Hamlet, who decided on a career path at law school after volunteering as a Guardian ad Litem, said many people don't realize how pervasive a problem child neglect and abuse is in Alamance County.

"I saw some really sad things, but it really opened my eyes up," she said.

"The frustrations are, I guess, making the right decision," Minnis said. "Some of them are easy. A lot of times there are wonderful relatives out there."

"Others, you see families struggling economically," Minnis said. "You see these families that love their children, but they struggle with these outside elements."

"You want to see that family together, because children need to be with their parents."

The N.C. General Assembly established Guardian ad Litem Services in 1983, but it wasn't until 1994 that the program reached all 39 judicial districts.

In 1997, Alamance County's program was selected as the most effective in the state and was adopted in every county.

The county did things differently by matching an attorney with volunteers. Between the two, the necessary legal expertise and investigative legwork was possible.

Robert Collins has served as the Guardian ad Litem attorney since 1989 and works with every child's case.

In courts until the late 1970s, "there was no voice for the child," Collins said. "Gradually, the system has come to recognize that children have rights of their own."

"If the parents are not properly protecting them, someone needs to intervene," he said.

As a criminal defender, Collins sees evidence every day that growing up in an abusive or neglectful home can lead to crime later in life.

His work with the Guardian ad Litem program can help prevent children from heading "for a type of lifestyle that might make them a problem for society," Collins said.

Unlike the volunteers, Collins is paid for his work. The court system also funds two staff members, while Minnis is funded by an Americorps Vista grant that runs out after next year.

"You don't do it for the money," Minnis said, laughing. "If you do, you're out of luck."

In 1995, the General Assembly cut funding for attorneys and limited all staff to working two years per case.

Volunteers are the core of the program's existence. Minnis has recruited steadily since she became volunteer recruiter and trainer in May, but because people come and go, she is always looking for more.

Minnis tells people that most anyone can do it. She asks volunteers to commit five hours a month for 12 to 18 months, plus time for occasional daytime court hearings.

It takes maturity, independence, assertiveness, openness to different lifestyles and a love for children to do the job, Minnis said. As far as education, she requires only a high school diploma. "We're not here to change the world," Minnis said. "We're just here to try and make life better for children."

Still, some might wonder why anyone would do all this for free.

"You can truly see where you can make a difference in a child's life," Minnis explained. "After several cases, it became a real passion of mine."

Baker said she was a little intimidated by the work at first, but the need was so great.

"Terrible atrocities happen to children every day," Baker said. "Somebody's got to help them. They don't deserve that sort of treatment."

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