

# The Guardian ad Litem Training Handbook

For the 4<sup>th</sup> Judicial District, Hennepin County  
2025 Revised Edition



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# Introduction:

## The Purpose of this Handbook and How to Use It

This handbook began when a few supervisors in the 4<sup>th</sup> Judicial District identified a need for a manual that guardians ad litem (GAL) could refer to for information and insight into their role and what is expected of them. GAL are measured by 3 key performance measurable areas:

1. **Child Contacts**
2. **Court Hearings**
3. **Reports**

In this manual, you will not find everything you need to know to be a great GAL: great GAL come about with experience and dedication to the foundations of the work. In this manual, you will find all the foundational information and guidance you need to start down the path to become a great guardian ad litem. With this manual, you'll begin on your journey to improve outcomes for children engaged in the juvenile court system. Hopefully, it will come in handy throughout your GAL journey.

This manual is not laid out, necessarily, in order of importance, nor do you need to read it sequentially; you may refer to any section you need to.

**Chapters 1-4** cover understanding **the GAL role, working with the court, writing reports, and working your case.**

**Chapters 5** outline **best practices for engaging with children,** families, and the professionals you will encounter in your day-to-day work.

**Chapter 6** outlines a summary of everything in this manual by way of outlining **what is expected of you** by your supervisor and the GAL Program.

**Congratulations!** You have embarked on the important work of child advocacy. This handbook will help you along the way.

# Chapter 1:

## What is a Guardian ad Litem?



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### Chapter 1 in Focus

So, what is guardian ad litem (**GAL**)? In this chapter we will look at the general statutory definition of the GAL in Minnesota, the GAL role, and the limitations of the GAL. At the end of this chapter, you will know about the definition of the GAL in Minnesota, the five core responsibilities of the GAL, and a list of things GALS do on every case, things they do on some cases, and things they never should do.

#### **A word to the wise:**

if this is your first time working with the court and/or child protection cases, this manual can be overwhelming. Remember: take breaths and take breaks as you go through each section! You don't have to get all of this at once. You will always have this manual to come back to and your supervisor to help you.

Learning all there is to know about being a GAL takes time, experience, fortitude, patience, and persistence. You will not master this work in one, or even a dozen, read throughs of this manual, but you will get there, and we are here to help!

Remember to ask your supervisor for help along the way so they know how to best support you.

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### Definition of a GAL

GALs can be found around the country, but in Minnesota the role is defined in statutes 260C.163.

**Subd. 5. Guardian ad litem<sup>1</sup>.** (a) The court shall appoint a guardian ad litem to protect the interests of the minor when it appears, at any stage of the proceedings, that the minor is without a parent or guardian, or that the minor's parent is a minor or incompetent, or that the parent or guardian is indifferent or hostile to the minor's interests, and in every proceeding alleging a child's need for protection or services under section 260C.007, subdivision 6, except proceedings where the sole allegation is that the child is a runaway or habitual truant. In any other case the court may appoint a guardian ad litem to protect the interests of the minor when the court feels that such an appointment is desirable. The court shall appoint the guardian ad litem on its own motion or in the manner provided for the appointment of a guardian ad litem in the district court. The court may appoint separate counsel for the guardian ad litem if necessary.

(b) A guardian ad litem shall carry out the following responsibilities:

- (1) **conduct an independent investigation** to determine the facts relevant to the situation of the child and the family, which must include, unless specifically excluded by the court, reviewing relevant documents; meeting with and observing the child in the home setting and considering the child's wishes, as appropriate; and interviewing parents, caregivers, and others with knowledge relevant to the case;
- (2) **advocate for the child's best interests** by participating in appropriate aspects of the case and advocating for appropriate community services when necessary;
- (3) **maintain the confidentiality of information** related to a case, with the exception of sharing information as permitted by law to promote cooperative solutions that are in the best interests of the child;
- (4) **monitor the child's best interests** throughout the judicial proceeding; and
- (5) **present written reports** on the child's best interests that include conclusions and recommendations and the facts upon which they are based.

(c) Except in cases where the child is alleged to have been abused or neglected, the court may waive the appointment of a guardian ad litem pursuant to paragraph (a), whenever counsel has been appointed pursuant to subdivision 2 or is retained otherwise, and the court is satisfied that the interests of the minor are protected.

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## Understanding the Statutory Definition

There are **The Five Core Responsibilities of a GAL** cited in statutes, and they are the essential to remember when you are doing your work. It is also important to remember that, as a GAL, you are not there to mentor children, provide services, or advise anyone on the case about how to interact with the court, or what to do in

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[https://www.revisor.mn.gov/statutes/cite/260c.163#:~:text=\(a\)%20The%20court%20shall%20appoint,hostile%20to%20the%20minor's%20interests%2C](https://www.revisor.mn.gov/statutes/cite/260c.163#:~:text=(a)%20The%20court%20shall%20appoint,hostile%20to%20the%20minor's%20interests%2C)

general. Primarily, you investigate (which we will talk about later in this manual), build relationships with the children and families on your cases, and make recommendations to the judge.

In Chapter 4:

Working Your Case, We will look closer at getting started on your case. Throughout every chapter in this manual, we will get into detail on each of **the five core responsibilities** of the GAL and how to be successful in your work. Below are the five core responsibilities in focus.

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## *The Five Core Responsibilities of a GAL*

1. **Conduct an independent investigation** to determine the facts relevant to the situation of the child and the family.
2. **Advocate for the child's best interests.**
3. **Maintain the confidentiality of information** related to the case -- except for sharing information as permitted by law<sup>2</sup>.
4. **Monitor the child's best interests** throughout the judicial proceeding.
5. **Present written reports** on the child's best interest that include conclusions and recommendations and the facts upon which they are based.

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## *What a Guardian ad Litem can do in every case:*

- ✓ Advocate for the child's Best Interests
- ✓ Listen to, observe, and identify the child's needs and concerns.
- ✓ Develop recommendations for the child based on observation, information from persons familiar with the child, and from review of documents.
- ✓ Visit the child in a home or placement
- ✓ Have access to meet with the child alone
- ✓ Collect information about a child from those who know the child<sup>3</sup>
- ✓ Read reports, assessments, and other documents to understand professional strengths and needs regarding the family and the child.
- ✓ Make recommendations for services and sometimes provide names of providers for the court to consider
- ✓ Present oral or written recommendations to the court regarding the child's best interests.

## *What a Guardian ad Litem can sometimes do in a case:*

- ❖ Attend meetings with professionals and caregivers in homes, schools, social services, or other meeting locations.
- ❖ File and respond to motions with the court.

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<sup>2</sup> Seek a legal consult if you have questions about maintaining confidentiality. How do you seek a legal consult? Check out the Resources section of this manual.

<sup>3</sup> Can include, but is not limited to, parents, relatives, foster providers, teachers, social workers, therapists, tribal representatives, and the child themselves.



- ❖ Request to be made a party to a family court matter to which the GAL has been appointed.

### **What a Guardian ad Litem *can't* do in any case:**

- ✗ Act as the child's social worker, therapist, mentor, or lawyer.
- ✗ Give legal advice to anyone in the case, or hire an attorney for the child, or parent.
- ✗ Enforce a court order or sanction a party.
- ✗ Determine if abuse or neglect has occurred.
- ✗ Make referrals for services for the child or parents or facilitate the referral process.
- ✗ Transport children or parents.
- ✗ Provide a "message" service for parents to communicate with each other.
- ✗ Supervise services: that can include, but not limited to, mediation, visitation, or parenting time exchanges.
- ✗ Make placement arrangements for the child.
- ✗ Talk with every person involved in a child's life.
- ✗ Remove a child from a home, school, or any other location.
- ✗ Tell parties how or what a judge might rule on a case.

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## **Chapter 1 Summary**

Now you know some of the essential details about what a guardian ad litem is and what your role is as a GAL. We covered the five core responsibilities of the GAL and the dos, don'ts, and sometimes of the position. In Chapter 2, we will take a deeper dive into how a GAL works with the court, the life of a court case, and the types of hearings and court events you can expect to run into in your GAL role.



**Origins of the GAL name:** The term Guardian ad Litem comes from Latin. Guardian means what you think, but *ad litem* translates to "for the case," or "for the suit." That means that grammatically, it isn't "Guardian ad litem" or "GALs" in plural; it is "Guardians ad litem" or "GAL" because it would literally be "Guardians of the cases." For example, "All the GAL of Hennepin County are dedicated to child advocacy."

# Chapter 2:

## The Guardian ad Litem and the Court



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### Chapter 2 in Focus

As you learned in chapter 1, the GAL role is 100% rooted in the court and in court cases where children may need protection or services. In Chapter 2, we will get into the timelines, case-types, hearing types, and the general outline of the court process that you will, over time, become deeply familiar with. **This is going to be a chapter you come back to frequently.** Since we want this manual to be useful and practical, it is laid out so you can easily access the information you will most likely come back to frequently.

In this chapter, you will find a “[Hearing Road Map](#).” This will look at daunting at first, so it is not recommended to spend much time studying it when you are just getting started. We recommend you take it in briefly and write down any questions that pop up as you look at it. Share them with your supervisor. As time goes by, you will find your self-surrounded in hearing types and acronyms. Come back to the road map any time you need to! As you go along, it will help you stay oriented.

At the end of this chapter, you will have learned about the various hearings, case developments, and terms you will encounter in court. You will also have a clearer idea of your role in the court process, how to present yourself, and how to interface with the juvenile court process.

Enjoy!

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## Presenting in Court: Appearance and Speech

### Dress Professionally

Make sure you are dressed professionally out of respect for the judge, the other legal professionals, the social services department, the families, and the children.



Figure 1: Business Casual

### Approved Court Attire Styles

- **Business Casual**
  - pencil skirts, dresses, slacks, khakis, trousers, blouses, collared shirts, button-down shirts, sport coats, blazers and sweaters. Accessorize with jackets, ties, simple jewelry and belts. Shoes can include flats, Oxfords, loafers, mules, boots or heels.
- **Business Professional**
  - tidy dresses, slacks, skirts, dark-colored suits and ties. Business professional tops include neat button-down shirts or blouses with a blazer. Business professional shoes include heels, loafers or flats.
- **Business Formal**
  - dark pant suit, dark suit and tie, a black suit with a light button-down shirt, skirt suit or suit dress. Shoe options include formal flats, heels, Oxfords or loafers.

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## Inappropriate Court Attire Styles

**Casual and Athleisure Wear:** T-shirts, cropped pants, shorts, sneakers, sandals, jeans, street shoes, hoodies, sweatshirts, workout clothing, athleisure wear, tank-tops, hats, sunglasses



*Figure 2: Things that are great to do outside of work, but not clothes you should wear to court.*

## Speak Appropriately

### Oral Presentation in the Court Room

1. Present a brief oral summary of how the children are doing and call them by their names. Paint a picture of the children for the judge so that the judge can get to know the child through you.
2. Share a summary of how the parents are doing on their case plan and how they are addressing any safety concerns as well as how they are communicating with you. Also share any challenges that they are facing.
3. Share your recommendations for the children and the parents on record. Avoid restating what's already in your report.

### *Example of a Good Oral Presentation*

- ✓ “Your honor, Jason is doing well in the non-relative foster care placement. Jason just turned 14 and went to Great Wolf Lodge for his birthday. He told me that he had a lot of fun and was glad his parents were able to come.

Jason is attending school regularly and really enjoys art class. He is a very good artist and showed me some of his drawings at our last visit.

Jason has expressed several times that he wants to go home and be with his mother and father and that the unsupervised visits are going well.

Jason is in individual therapy and engaged in family therapy with his parents. Mr. and Mrs. Thomas are engaged in domestic violence programming and have completed parenting education.

I am recommending that the department create a safety plan with the family, that Jason continues with individual therapy, that the family continues with DV programming and family therapy, and that Jason begin a trial home visit at home with Mr. and Mrs. Thomas.”

### *Example of an Unacceptable Oral Presentation*

- ✗ “Judge, the kid is doing well. I don’t have any updates. Continue prior orders.”
  - ✗ “Judge I just don’t think these parents are ready. Yes, they have done everything on their case-plan, but I just think the child needs more time in foster care. The parents’ house is kind of small and not very clean. Plus, the non-relative foster parent really enjoys having the child there. The child has a much bigger bedroom, and the foster parent takes him to extra-curricular activities and is teaching the child how to drive. The child’s parents don’t even have a car.”
  - ✗ “I agree with the department.”
-

# Written Court Report Foundations

## About This Section



As we progress through this chapter, you will learn more about when reports are due and the different kinds of hearings that require written court reports. [Chapter 3](#) is wholly devoted to writing in your GAL role. For now, there are some essential rules that apply to all written court reports. Come back to this section any time you need a refresher!

## When are Reports Due?

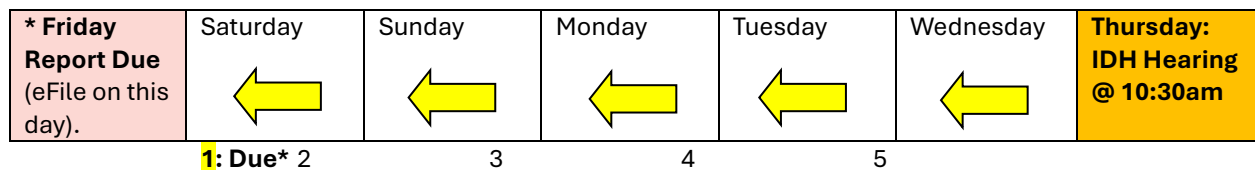
Your report must be filed **5 calendar days** before the hearing, minimum.

*Calendar days* means you must:

1. include weekend and holidays in your 5-day count, not just business days.
2. Don't include the day of the hearing in your count.
3. If you don't have eFiling permission yet, you will have to let your supervisor know when your report has been finished in COSMOS. coordinate with your supervisor to learn what day they say your report is due. They will need time to go over your report and work with you if changes need to be made before submitting.

## About Calendar Days:

A hearing on Thursday would mean your report is due the previous Saturday, as seen in the picture below. We count weekends and holidays, but we can't submit on those days, so we must eFile at the closest business day prior to the holiday or weekend. Based on the image below, it would not be okay to submit on the Monday; that would be considered late. 5 calendar days is the minimum, but it is **okay to file up to 7 days in advance** of the hearing.





## What is a Written Court Report?

One of our strongest advocacy tools can be our written court reports. We can paint a picture of the family's situation and then make recommendations to the court. Many times, our court reports convince the judge to



make one decision vs. another and help get all parties on board with our recommendations. This process only works well for us when our reports provide quality descriptive, up-to-date information and key insights regarding the children and families.

Our reports need to be based on facts, not opinions. We need to provide details not judgments. We need to write professionally and submit our reports on time to gain the trust of the judge, the other legal professionals, the social services department, the families, and the children.

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## How to Write a Great Court Report

A lot goes into writing great court reports, and that is why there is an entire chapter of this handbook devoted to Written Report Best Practices. Now that you know a bit about the court report and its critical role in the GAL responsibilities, we will not take a deep dive into reports yet. Refer to [Chapter 3](#) when you are ready to learn about writing reports, or just need a refresher.

**Here are 5 fundamental tips to great writing:**

1. **Tone, Topic, Information, and Delivery.** These are important question groupings to remember throughout your report:
  - a. **Tone.** How is your tone? How do you sound? How do you think your tone might come across to others? How do you want to come across?
  - b. **Topic.** What are the main topics you need to address in your report? Are you staying on topic? Are you missing anything, or focusing on any one topic too much, or not enough? Are any essential topics missing?
  - c. **Information.** Is all your information good? Is there anything that might be hearsay that you haven't vetted in your report? If so, have you cited that it isn't something you can speak to firsthand? Do you have all the information you need? Quality, vetted information is essential to have if you plan to put it in your report.
  - d. **Delivery.** What is the best way to deliver the information? Is everything you are conveying in the correct place in the report? Is the report the best place to convey the information, or are there things that would be better to address with the parties, family, or child first before it gets into a report? Are there things that are better to just say in court or better to have in writing? Is there anything you can leave out and just resolved in a phone call, email, or simply mention during the hearing?
2. **Issue Spotting.** Issue spotting is the idea of taking a big topic and breaking it down into individual elements. This allows a writer to be more thorough and specific with the arguments they are making.

3. **Simplicity and brevity above complexity and wordiness.** The more complicated a thought or concept, the shorter the sentence should be.
4. **Structure and consistency.** Use the report writing template in the KPI manual. Structure all your reports after it and keep all the headings. Use that template as the guide for the information you are collecting on cases each month.
5. **Substance should guide passion** (not the other way around).

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*“Writers can waste a lot of time running in circles and still miss the important points. This is particularly true if a writer is responding to another article or speaker. They should be able to mark down the exact points the other person is making and address each point. The most common culprit, leading writers astray, is when advocates get caught up in the emotional furor of a particularly hot issue and will vomit their opinions like they are chastising their diary.*

*If you make the choice to discuss important issues, it is your obligation to organize your thoughts, understand the important elements, and to be concise in your criticism or support of those elements.* Passion is a fantastic motivator for advocacy, but passion should not overshadow substance.” – Brian Sansom, *The Writing Cooperative*, 2020 (<https://writingcooperative.com/a-lawyers-guide-to-persuasive-writing-5-rules-to-live-by-39c35c6ae409>)

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## Writing Resources

Below are some essential books and links to learn more about professional writing.

### Online Resources

These resources are mostly geared toward attorneys, but GALs should adhere to the same standards and can benefit from the much of the same advice. There are not a lot of resources out there yet specifically for GALs.

- The American Bar, “**10 Tips from Legal Writing Experts**”, 2019, <https://www.americanbar.org/news/abanews/publications/youraba/2019/april-2019/10-tips-from-legal-writing-experts/>
- DRI, “**Legal Writing Guide**”, 2024, <https://www.dri.org/publications/blog/legal-writing-guide>
- Clio Blog, “**11 Legal Writing Tips for Lawyers**”, <https://www.clio.com/blog/legal-writing-tips-for-lawyers/>

### Print Resources

“**The Elements of Style**” by Strunk and White. This is a simple, short book that covers all the nuts and bolts of grammar and style. It has been the gold standard in writing for over 50 years and still the best and easiest to refer to standard for writing out there.



## GAL Recommendations in Juvenile Court

At all hearings, regardless of if a report is due or a best interest statement, GAL are expected to make recommendations that speak to the best interests of the child. Recommendations are the rule, no recommendations are the exception. If you don't have any recommendations, prepare to explain why that it is to the Judge. Do your best to always have at least one recommendation each hearing related to the needs and well being of the child. Need some ideas for recommendations? See below!

### Ideas for Recommendations

- **Protective Custody or Supervision:**
  - The child(ren) remain the care, custody and control of \_\_\_\_ (social services) and in appropriate placement.
  - The child remains in the custody of \_\_\_\_ County and in appropriate placement. (don't get specific about the placement because sometimes placements disrupt, and a child has to be moved.)
  - The child(ren) remain in the protective custody of \_\_\_\_ (social services agency) for appropriate placement.
  - The child(ren) remain in the protective supervision of \_\_\_\_ (social services).
- **Parenting Time:**
  - Parenting time should be as arranged by \_\_\_\_ (social services) with input from the GAL.
  - Parenting time should be within the discretion of \_\_\_\_ (social services) and GAL.
  - Visitations between \_\_\_\_ should be suspended until parent can demonstrate consistency. It is not in the children's best interest to have inconsistent visitations
- **Mental Health:**
  - \_\_\_\_ (mother/father) should undergo a mental health assessment/chemical dependency assessment and follow all recommendations.
  - \_\_\_\_ (mother/father) should follow the recommendations of her/his mental health assessment.
  - \_\_\_\_ should continue to participate in her/his mental health therapy.
  - Children should participate in therapeutic services. These can include play therapy, individual therapy, and family therapy with the care provider.
- **Housing**
  - That \_\_\_\_ (Child) remain in foster care until Mother and/or Father has secured safe and suitable housing. She/he has not done so currently.

- Parent should obtain and maintain their own residences. These residences should be safe and stable living environments, free from health and safety hazards, free from excess garbage and debris, free from drugs or drug users, free from persons whose behaviors are contrary to the safety and welfare of the children.
- Parents should allow announced and unannounced visits of their homes by this GAL and Social Worker.
- **Chemical Dependency:**
  - \_\_\_\_ (mother/father) should follow the recommendations of his/her CD assessment, including but not limited to, successfully completing treatment, and following any and all aftercare recommendations.
  - Parents should be free from mood altering chemicals, including alcohol and marijuana, unless prescribed by a physician and taken as directed.
  - Mother/Father should not use alcohol nor drugs not prescribed by a medical provider and submit to random testing.
  - Parents should submit to drug testing at the request of this GAL, Social Worker, or Probation Officers. Testing should include, urine, saliva, hair and sweat patch.
  - Mother/Father to complete a CD assessment/MH assessment within 30 days of today's date, follow recommendations, and successfully complete recommendations.
  - That \_\_\_\_ (child) remain in foster care until Mother and/or Father has regular and negative UAs for a period of time. Mother and/or Father has not submitted UAs consistently.
  - That \_\_\_\_ (child) remain in foster care until Mother completed a mental health assessment and engages in chemical dependency treatment, neither of which has happened at this time.
  - \_\_\_\_\_ (child) should follow all recommendations of her/his chemical dependency assessment including abstaining from alcohol use until age 21 and abstaining from mood altering chemicals.
  - Parent should continue to meet with their sponsor and attend sober support meetings.
- **Individual Education Plan (IEP):**
  - Child should continue to receive the academic accommodations outlined in her/his current Individual Education Plan (IEP).
  - Parent to cooperate with signing and following current or any future Individual Education Plan (IEP).
- **Mother/Father Cooperation:**
  - Mother/Father will continue to [work/cooperate] with \_\_\_\_ (social services agency) and GAL.
  - Parents should inform this GAL and Social Worker of any changes in phone number or address within 48 hours of change.
- **Additional Requests:**

- Parent should participate in parenting education or other approved services that are specific to the children's needs. Parent should be open to feedback from the educator.
- Parent should participate in Anger Management courses.
- Parent should remain law abiding and follow through with probation expectations.
- Parents should obtain and maintain employment or be able to financially support themselves and their children.
- Child should attend school every day that school is in session and be in classes as scheduled unless excused by an approved adult.
- Parent/Child should continue to take medications as prescribed.
- **Permanency Progress Review Hearing:**
  - \_\_\_\_ (social services) should file a permanency petition as soon as possible.
  - \_\_\_\_ (social services) should identify alternative permanency options for child(ren).
  - This hearing should serve as the Permanency Progress Review Hearing.
  - Allow for a trial home visit, if appropriate and agreed upon by \_\_\_\_ (social services agency) and GAL.
  - **Trial home visit:** Mother/Father to have a trial home visit beginning \_\_\_\_.
- **Revoke Stay of Adjudication on CHIPS:** Revoke the 90-day stay of adjudication granted to the parties on \_\_\_\_\_ (date), and the Court adjudicate these children as Children in Need of Protection or Services. This needs to be completed by the Court no later than \_\_\_\_\_ (date to adjudicate).
- **Post TPR:**
  - Guardianship of the child should remain with the Minnesota Commissioner of Human Services, pending adoption
  - Supervision of the child should remain with \_\_\_\_ (social services) for appropriate placement and case management.
  - The adoption process should continue until the adoption is finalized.
  - Adoptions efforts should continue.
  - Review hearing in [60/90] days if the adoption does not occur first.
- **Adoption:**
  - It is in the best interest of \_\_\_\_ to be adopted by \_\_\_\_.
  - Child's name should be changed from \_\_\_\_\_ to \_\_\_\_\_

## Court Hearings

In this section, we will be examining the different hearing types and the GAL role in each type. Below is a list of some of the kinds of hearings you will encounter, and we will discuss. It is not an exhaustive list, but these are the most frequent kinds of hearings you will encounter.

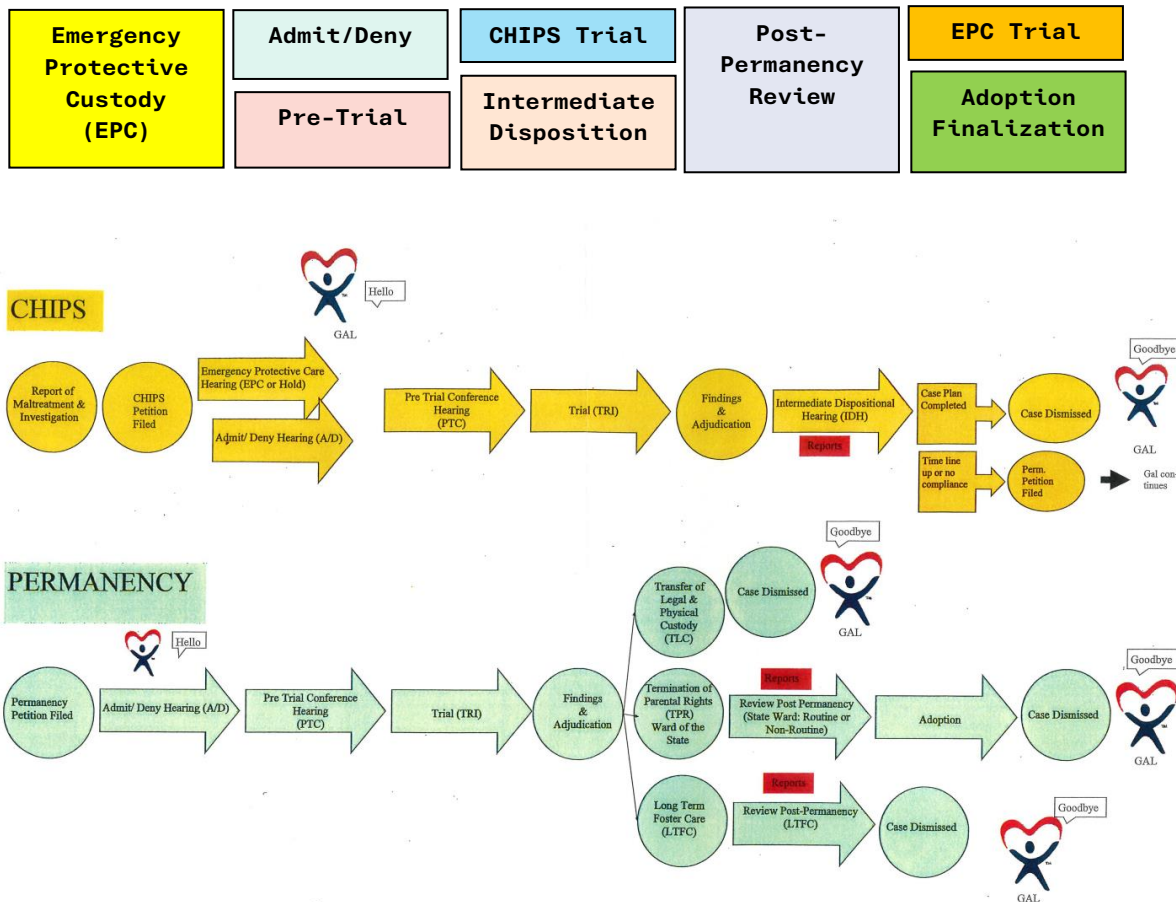


Figure 3: Court Pathways for CHIPS and Permanency cases

## CHIPS and the EPC

When you take on case assignments, you will likely be coming into cases at various points in the CHIPS process, but most cases you work will begin with the CHIPS EPC. What is **CHIPS**? It is an acronym that stands for **Child in Need of Protection or Services**.

When Child Protection and the County Attorney Office decides requesting court intervention to protect children or get them services, they believe are necessary based on their child protection investigation, or based on other legal procedures that we will cover later in this chapter, the County Attorney Office will file a CHIPS petition that they have created with the child protection services agency. In Hennepin County, the CPS agency refers to itself as **The Department**. In most districts, CPS and the County Attorney Office will be referred to as **The County**.

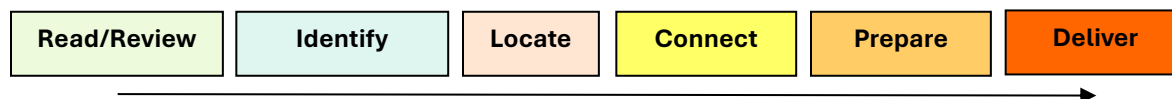


EPC stands for **Emergency Protective Custody**. When you attend an EPC hearing, technically the child has already been put into short-term emergency placement that was put into place by law enforcement. Only law enforcement, not child protection, has the authority to remove children from the home and put them on a temporary out of home placement, or hold. This emergency hold, the EPC, must have a hearing within 72 hours of child removal. Parents must be informed and served and be given the chance to appear and admit or deny to the allegations put forward in the petition by the county. When law enforcement does an EPC hold, they must always work with child protection, and vice versa. Law enforcement is not party to CHIPS court proceedings.



**IMPORTANT:** EPC Hearings are presumed to be held **in person** at the Juvenile Judicial Center (JJC). Just as GAL rotate coverage for EPCs, so do Judges. EPCS will therefore be held in different court rooms depending on who the coverage judge is that week.

## EPC GAL Expectations



1. **Read the CHIPS petition** thoroughly and thoughtfully.
2. Identify if the petition is a [MAAFPACWDA](#) (AKA **MAAFPA**).
3. Find out what courtroom the hearing is in. Ask your supervisor about getting access to the 4<sup>th</sup> District Holds calendar. Also, there are monitors on the 2<sup>nd</sup> floor of the JJC that list all cases, times, and rooms for the day.
4. Find out who all the parties are and introduce yourself. Generally, parties will include the assistant county attorney (AKA **HCAO** or **ACA**), investigative social worker (**CPI**), ongoing social worker (**CPS** or **CPSW**), kinship worker, parent attorneys (adult representation services, **ARS**), and the child's attorney (if the child is over 10 years old, they are appointed counsel).
5. If possible, introduce yourself to the family, relatives, foster care provider, and children. All or none of them may be present at the hearing. Some may be appearing virtually if they are incarcerated or were given permission.
  - a. Be sure to explain the role of the GAL. Give them the brochure and your business card.
  - b. Get as much contact information as you can! Numbers, email addresses, home addresses, etc. for parents, relatives, children, foster provider, on-going social worker, etc. This will set you or whoever will be assigned to the case up for success. It will help ensure the children receive timely GAL contact.
6. Complete the EPC Summary Form. You can get this from your supervisor or from the Appendix in this manual.
7. Be prepared to provide recommendations based on the petition and anything you may have been able to learn before the hearing.
  - a. See the Appendix for how to handle EPCs in MAAFPA and non-MAAFPA cases.

## Guideline Language at Standard EPC

At an Emergency Protective Care Hearing (EPC): Based on the motion/petition and supporting documents

1. I believe the motion/petition states a basis that there is a child(ren)'s health or welfare would be immediately endangered if returned home at this time and the child(ren) should remain in out of home placement until the parents can address the safety concerns and engage in a case plan.
2. This child needs protection and services, but the child should be returned home because the parents are already engaged in a case plan and there are no safety concerns.
3. This child is not in need of protection and services, the child should be returned home, and this case should be dismissed.
4. The department should set up visits between the parents and/or siblings and the child.
5. The department should conduct a relative search for a concurrent plan.

## Guideline Language at a MAAFPA EPC

At an Emergency Protective Care Hearing (EPC) or A/D where MAAFPCWDA applies: Based on the motion/petition and supporting documents

1. Agree that the Court find MAAFPA applies
2. If there is a request for OHP
  - a. Based on the petition do you believe there is a showing the child(ren) would be at risk of imminent physical harm if they were to be reunified with Mother at this time.
  - b. You can say something like **“the child(ren) would be at risk of imminent physical harm if they were to be reunified with Mother at this time based on Mother’s (insert what the petition says is the imminent harm basis for removal) and that the risk at this time outweighs the harm they would experience as a result of the removal.”**
  - c. That it’s in the best interests of the child(ren) for the Department to ensure the placement be provided with supports to ensure the child(ren)’s needs are met.
  - d. If the placement is not a relative, ask that the Department provide active efforts to engage relatives and Father(s) for placement consideration if there is an ongoing need for out of home placement.
3. If OHP is not requested:
  - a. Then based on the petition whether there is a basis for all or some of the children to be on the petition.
  - b. Recommend that the department make ongoing active efforts to prevent removal by engaging with Mother, any father(s), and any relatives to support the family.



### Pre-CHIPS Adjudication

Once the court makes prima facie **finding at the EPC**, the case will be primarily focused on either reuniting the child with the **removal home** via parents working case plans with the county/Department or with **setting a trial date**. If the court isn’t busy setting an admit/deny or a trial, that likely means that the parents admitted to a need for child protection intervention, or at least made a [limited admission](#). If the custodial parent/guardian denies the allegations in the CHIPS petition, they enter a denial. When they enter denial, trial and pre-trial dates must be set as soon as possible. An Admit-Deny or continued Admit-Deny hearing may need to be set first, but the pre-trial and trial dates are likely coming. While the trial is pending, the custodians can work their case plans set out by the Department. They may be able to do so voluntarily, or the judge may make specific orders for the parents to participate in the case plan based on the prima facie finding.

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## The CHIPS Petition Admit/Deny

An Admit/Deny Hearing (**A/D**)<sup>4</sup> is for a parent or legal custodian to read the allegations contained in the petition and admit to or deny what is alleged in the petition. The A/D hearing can happen simultaneously with an EPC or within 10 days of an EPC. If there was no child removal, the A/D is the initial case hearing.

A/D are presumed to be **in person** unless ordered otherwise.



### Admit/Deny Expectations:

1. No written report is required for an A/D<sup>5</sup>.
2. Have contact with the social worker.
  - a. Know about child's placement: are they in Out of Home Placement (**OHP**), or not? Is the placement appropriate? Is it clear where the child is residing? Etc.
3. Make a statement in court to indicate your involvement. Be sure that any recommendations you make are based on, and supported by, facts you have learned.



## CHIPS Pre-Trial Hearings

If parties deny the allegations in the CHIPS petition, they have the right to fair trial. A **Pre-Trial** hearing offers the opportunity for settlement (admission) or serves as time to schedule and prepare trial details (dates / times / **discovery** / etc.). These hearings are **presumed to be remote** via Zoom unless ordered otherwise.



### CHIPS Pre-Trial Expectations

1. No written report is automatically required.
  - a. Best practice is to submit a report if the case has stayed open for over 30 days, especially if there are multiple pretrial hearings.
  - b. If submitting a report use the Juvenile status update.
2. Provide an oral update (see [Oral Presentation in the Court Room](#))
  - a. Should have had contact with social worker, child, parents and other already identified providers.
3. Make a statement in Court to indicate your involvement. Be sure that any recommendations you make are based on, and supported by, facts you have learned.

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<sup>4</sup> A recorded training regarding the CHIPS petition and the A/D hearing is available for review. Ask your supervisor about how to access the training.

<sup>5</sup> A written report may not be typically required, but for any hearing type a judge can order or request written reports. Further, if an A/D or other hearing type that doesn't usually require a report **SHOULD** have a report filed if no written report has occurred in 30+ days. Talk to your supervisor if you are not sure about when reports are due.





## CHIPS Trial

**CHIPS Trials are presumed to be in person** at the JJC unless ordered otherwise. At a CHIPS Trial the Department must prove by clear and convincing evidence that the Child(ren) are in need of protection and/or services at the time the petition was filed, as well as currently.

Trial includes arguments, offering of exhibits, witnesses, testimony, and a variety of motions and objections. The GAL is a party to the case and is expected to fully participate in the CHIPS trial.

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Trial can be a daunting thing. Often, there is high conflict between parties, especially right before and during trials. Try your best to stay grounded in your role. You are not there to offer all solutions or make the peace. Stick to your role, as outlined below, and keep your focus: you are there to advocate for the child's best interests.

Below, you will learn about some key expectations of the GAL both prior to trial and at the trial. After that, if the judge adjudicates the CHIPS basis at the conclusion of the trial, the case will move into the post-adjudication flavor of hearings. If the judge does not adjudicate, then the case will be dismissed, along with your services.



### *GAL Expectations Prior to Trial*

1. No written report is required.
2. Legal consult with a GAL attorney must be scheduled by GAL in advance of the trial.
  - a. The earlier you schedule a legal consult the more help you will be able to get.
  - b. Be prepared for **cross-examination**.
  - c. Have a **Best Interest Statement** Prepared and reviewed by attorney and/or supervisor when possible.
3. Prior to trial review all exhibits, discovery, Department (county social worker) **PHR's**, etc.
4. Communicate with the with the social worker and parents ahead of trial. Communication should include meetings, phone calls, emails, etc.



### *GAL Expectations During Trial*

1. Testify at trial with updates on the child and their needs, parent case plan progress, and the appropriateness of the child's current placement. GAL should have seen the child multiple times per program requirements prior to the trial commencing.
  2. GAL has **two main issues to focus on at trial**:
    - a. Do the current circumstances require ongoing court involvement?
      - i. If **yes**, then the court should adjudicate the child as a child in need of protection or services (CHIPS).
      - ii. If **no**, then the court should dismiss the case.
-

## Ongoing Protection / CHIPS Adjudication

If a child needs ongoing protection, the GAL needs to address placement. There are some common question groups that will need to be answered, questions like:

- If child is still in the home in question, should child remain in the home? Why or why not? What [protective factors](#) are in place? What protective factors need to be in place to consider remaining in the home?
- If the child is not at the **removal home**, should they be return to the removal home? Why or why not? What protective factors are in place? What protective factors need to be in place to consider **being placed** back in the home?
- If the child is in out of home placement, should they remain in out of home placement (**OHP**)? Why or why not? What protective factors are in place? What protective factors are being considered for ending OHP?

Answering these questions involves study of the case history so far, your knowledge of current information in the child's life and placement status, parent or guardian's progress (or lack of progress) on their case plans, and anything else happening in the child's life or relationships that may be factors. There can be many factors, and your response should be thoughtful and well informed. You should have a good understanding of [protective factors](#), and what Minnesota considers to be protective factors that can qualify or prevent a child from returning from or remaining in a home. Jump to **Chapter 3: Working with Children** to learn more about protective factors and much more.



## Post CHIPS Adjudication

Once the need for ongoing child protection is established, the case will be primarily focused on reuniting the child with the [removal home](#) in most situations; there are always outlier cases, but the statutory requirement is generally that the county work to reunite the child with their parents or guardians (AKA removal home). Your role now is focused on continuing to build relationships with the child and family so that you can provide meaningful and informed updates and recommendations to the court throughout the life of the case. Below are some of the key hearing types you will encounter post-adjudication.



## Intermediate Disposition Hearing (IDH)

If there is a CHIPS adjudication, the court will hold subsequent case review hearings called **Intermediate Disposition Hearings (IDH)**. At these hearings, all parties will provide updates on the child's needs, case plan progress, various requests related to the child's and parent's needs, etc. IDH hearings **occur at least every 90 days** and can occur more frequently based on the needs of the child and the input from the parties and Judge. IDH hearings are [presumed to be remote](#) unless ordered otherwise.



## IDH/REVIEW Hearing GAL Expectations

1. Draft and **eFile** a [pre-permanency report](#) (GAL Report – CHIPS), with facts and recommendations to the court for the best interest (**BI**) of the child.
  1. Your report must be filed **5 calendar days** before the hearing, minimum. See **Written Court Report Basics**.
  2. Attend the hearing and provide any additional updates to the court orally and respond to any requests from the other parties if they are related to the well-being and needs of the child.



## Permanency Petition Admit/Deny (A/D)

A [permanency petition admit/deny hearing](#) is set by the court when a party files a permanency petition. There are many reasons a permanency petition may be filed. Also, there are several kinds of permanency petitions and various reasons why a party to the case may file one. In this section, you will learn about the primary types of permanency petitions and the timelines for those petitions.

You can learn more about permanency petitions in MN statutes. It takes some navigating to find everything about permanency petitions in the statutes, but here is a good place to start:

[Sec. 260C.515 MN Statutes \(https://www.revisor.mn.gov/statutes/cite/260c.515\)](https://www.revisor.mn.gov/statutes/cite/260c.515)

## Things to Know

- Typically combined with an IDH/Review Hearing when there is an open CHIPS case
- Not typically combined with an IDH/Review Hearing if there is no CHIPS case.
- There does not need to be a CHIPS case open for a Permanency Petition to be filed. You will learn more about why and when that is the case as you read through this chapter.



## Expectations for Permanency Petition A/D Hearings

1. Read the Permanency Petition thoroughly and thoughtfully.
2. If there is a companion CHIPS case that you are assigned to:
  - a. Check and see if the IDH and the A/D are scheduled for the same day.
  - b. Verify if the hearing will be remote or in person: A/D hearings are often presumed to be in person so that parties can be served the petition if they haven't been already.
  - c. File your IDH GAL report as normal, 5 calendar days ahead of the hearing, though you do not need to respond directly to the petition in your report. Your recommendations may have some overlap with what is in the permanency petition, but direct response to the permanency petition will come from everyone at the trial.



## Permanency Petition Pre-Trial

A [Pre-Trial](#) hearing offers the opportunity for settlement (admission) or serves as time to schedule and prepare trial details (dates/times/discovery, etc.). If there is a companion CHIPS matter, **the pre-trial is often the same time as an IDH/Review Hearing**, so keep an eye on MGA and Cosmos. They may only talk about the pre-trial in court, but if they set it for IDH, too, you will have a report due.



### *Expectations for Permanency Petition Pre-Trial Hearings*

1. File pre-permanency report with recommendations in BOTH court files (that means the open CHIPS case and the Permanency Petition case if the CHIPS case exists).
2. Reports are due 5 calendar days before hearing. See **Written Court Report** for more information about court report basics.
3. Use the GAL Report template in Cosmos to complete your report.
4. eFile in Cosmos.
5. Provide an oral update at the hearing.
6. Had contact with social worker, child, parents, etc. prior to the hearing.
7. Make a statement in Court to indicate your involvement and investigation. Be sure that any recommendations you make are based on, and supported by, facts you have learned in your independent investigation and contacts.



## Permanency Petition Trial

At a permanency trial, the county/Department must prove by clear and convincing evidence that a statutory basis for permanency that isn't reunification, and that it is in the best interests of the child(ren) for the plead Permanency Outcome.

Trial includes submission of exhibits, calling of witnesses, taking of testimony, as well as varying motions and objections. The GAL is a party to this case and is expected to fully participate in trial.

Trial can be a daunting thing. Often, there is high conflict between parties, especially right before and during trials. Try your best to stay grounded in your role. You are not there to offer all solutions or make the peace. Stick to your role, as outlined below, and keep your focus: you are there to advocate for the child's best interests.

Below, you will learn about some key expectations of the GAL both prior to trial and at the trial. After that, if the judge adjudicates the CHIPS basis at the conclusion of the trial, the case will move into the post-adjudication flavor of hearings. If the judge does not adjudicate, then the case will be dismissed, along with your services.



## Expectations for Permanency Petition Trials

1. GAL **must schedule a legal consult** with the staff attorney.
  - a. The earlier you request a consult the more help you will get.
  - b. Be prepared for cross-examination.
  - c. Prepare Best Interest Statement with staff attorney.
  - d. If represented at trial by an attorney, the GAL must prepare for trial with the attorney.
2. **Review:** all exhibits prior to trial, discovery, Department PHR's, etc.
3. **Testify at trial with updates** on the child(ren) and their needs, parents' case plan progress, and the permanency recommendation of the GAL and the facts which it is based on.
  - a. GAL Should have seen the child(ren) multiple times per program requirements prior to the Trial commencing.
  - b. GAL should have had phone calls and/or emails with the social worker.
  - c. GAL should have had phone call and/or emails, messages with the parent(s).

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## Post-Permanency Review Hearing



If Permanency is achieved, the case may close in some instances. In others, the case will continue in **post-permanency** until the children are adopted or age out of the system, usually around 18 years-old (extensions can go until 21 in some situations, but we will not spend time on outlier situations in this manual. Ask your supervisor if you have questions about outlier situations on your case load).

The court will hold subsequent case review hearings called **Post Permanency Review Hearings (PPR)**. At these hearings, all parties will provide updates on the child's needs, case plan progress, various requests related to the child's and parent's needs, etc. PPR hearings **occur at least every 90 days** and can occur more frequently based on the needs of the child and the input from the parties and Judge.

PPR hearings are **presumed to be remote** unless ordered otherwise.



## Expectations for PPR Hearings

1. Reports are due 5 calendar days before hearing. See **Written Court Report** for more information about court report basics.
2. Use the GAL Report template in Cosmos to complete your report
3. eFile in Cosmos.
4. Provide an oral update at the hearing and respond to requests from other parties. May involve reiterating the recommendations you made in your report.



## Adoption Hearing

An adoption petition is filed in a new and separate, confidential file. This hearing will be scheduled either as the petition is being filed or shortly thereafter.



## Expectations for Adoption Hearings

1. The Adoption Report is due 5 calendar days before the hearing. See **Written Court Report** for more information about court report basics.
2. **Use the Adoption Report template** in Cosmos, however **you cannot file it in Cosmos**. The report must be filed directly from the EFS website. *See your supervisor about filing in EFS.*
3. After filing in EFS, save a PDF version of your report to your computer and send it in an email to the Judge and parties.
4. Make sure your report references if you received the accompanying documents that were filed with the petition or not. If you did not get them, contact the County Attorney to have them send them to you.
5. Delete all CHIPS and Permanency Case File Numbers in the top right section of the Report Template.
6. The Report must **ONLY** be filed in the **Adoption Matter**. Not the underlying permanency case.
7. Attend hearing and provide any oral updates, as appropriate, to the court.
8. Once the Adoption is finalized, **send the dismissal order** to your supervisor.



## Chapter 2 Summary

In Chapter 2, we covered a ton of material. From how to dress, to how to speak, to types of hearings, and much more, we got into the court framework that will be a big part of your weeks. As stated at the start of this chapter and in the introduction of this handbook, you will come back to chapter 2 often, and you should come back to this chapter often.

It is also important to remember that while this is a long and comprehensive chapter, it doesn't teach you everything. You should continue to learn from GAL trainings, legal trainings, and your supervisors about the court and your role as GAL.

In Chapter 3, you will be learning all about writing. We only briefly touched on some of the general rules around writing and due dates in chapter 2. Chapter 3 will be more like a master class.

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# Chapter 3:

## All About Writing

Court Reports, Cosmos Notes, and Beyond



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### Chapter 3 in Focus

Writing is important in the work of a GAL; great writing is essential. One of our strongest advocacy tools can be our court reports. We can paint a picture of the family's situation and then make recommendations to the court.

Many times, our court reports convince the judge to make one decision vs. another and help get all parties on board with our recommendations. This process only works well for us when our reports provide quality, descriptive information and key insights regarding the children and families.

Our reports need to be based on facts, not opinions. We need to provide details not judgments. We need to write professionally and submit our reports on time to gain the trust of the judge, the other legal professionals, the social services department, the families, and the children.

It can take time to learn how to write truly great court reports. Chapter 3: All About Writing, will help you build the foundational skills you need to succeed. Refer to this chapter often throughout your career as a GAL, but don't stop there. Trainings and working with your supervisor are also essential to mastering court reports and court writing.

In this chapter you will learn about editing rules, style guides, and content expectations.

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## Editing Guidelines: Best Practices and Practical Tips

Below are some general editing, style, and technical guidelines for your court reports.

The information below was adapted from a writing best practice guide for CASA workers (like a GAL) on the [www.speakupnow.org](https://www.speakupnow.org) website (<https://www.speakupnow.org/wp-content/uploads/2023/10/Court-Report-Style-Guide.pdf>).



### Names/Abbreviations

**Do not use names in reports, other than for children and parents.** For parents, on first introduction, use full names. Thereafter, only use their prefix and last name (e.g. Ms. Smith). Ms./Mr./Mx. Last Name.

**All professionals will be referred to by title/role.** Be specific about how relatives are connected to the family (e.g. maternal grandmother, paternal uncle, Ms. Smith's cousin)

**Once an acronym has been used once, no need to spell out again.** These common acronyms DO NOT need to be spelled out:

- CPS or CPSW
- CSW



### Listing

Do not use bullet points when the need for a list of items arises. Instead, please include in a sentence with each item separated by a comma.

**For example:** The services Josh receives include preferential seating, extra time to complete assignments, individual help with math assignments, and 15 minutes of tutoring before school.

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## Confidential Placements and Cases

Always be mindful if the case you are working is Confidential or Public. Most cases are public, but placement information isn't always. **Don't include the placement address** or identifying information in reports. **Do not name the school.** Teachers can be listed in *Persons Contacted*, **but by title only**. If unable to confirm whether placement is confidential, treat the placement as confidential. Do not use social service practitioner's report to determine whether a placement is confidential: always refer to the source court documents in MGA.



**REALLY IMPORTANT:** if a case is **confidential**, you can't refer to the children by name in writing or in hearings. You need to be extra cautious in talking to family and parents to not divulge confidential information. Look in MGA to find the **confidential document** that lists how the children are to be signified in court and in reports: it will follow the naming convention, "**child 1**," "**child 2**," "**child 3**," etc. Be sure that you are always referring to the correct child.



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## Boilerplate Language: Education and Medical Info

Reporting current medical and educational information does not generally need to “paint a picture”. Boilerplate language and statements are acceptable. You can also review the **Being Thorough** section of this chapter for more about relating education and medical information in your reports.

### Medical

#### Boilerplate sentences for Medical:

- ✓ *The [insert source] told me on [insert exact date] that Karen is up to date on her medical and dental appointments and immunizations.*
- ✓ *Karen is a client of the Inland Regional Center IDRC.*

The sentence above can usually suffice for relaying medical information, unless there is a specific issue that needs to be addressed such as a missed dental appointment.

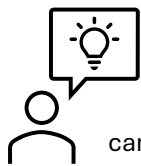
Best practice is to include the most recent appointment date if known.

If the child is medically fragile or has a specific medical issue – it should be discussed in your report but try to avoid overly lengthy detail (see **Being Thorough**).

### Education

#### Boilerplate Sentences for School Related Topics:

- ✓ *Karen has an individualized education program (IEP) with the qualifying disability of intellectual disability and a secondary disability of speech or language impairment (SLI). Her IEP was last reviewed on [insert date].*



## Recommendations to the Court

Recommendations are one of our strongest advocacy tools. After you read documentation, meet with family members, and observe the family’s circumstances and the child’s needs, you can use some of these recommendations to advocate for the child’s best interest.

### Sample Recommendations

#### Placement

- ✓ The child should remain in the current placement.
- ✓ The child should be moved to [insert location – could be group home, difference foster home, treatment setting, etc.].
- ✓ The child return home under Protective Supervision.
- ✓ The child to begin a Trial Home Visit in the reunification home.

#### Visitation

- ✓ Visitation with parents be supervised/unsupervised at [specific location].

- ✓ Visitations continue as is with parents and maternal aunt.
- ✓ Visitations with father include a parenting education component.

### Services for Child, Parents, or Foster Providers

- ✓ Foster Provider to set up a dentist appointment, vision check, and/or hearing check for the child before the next hearing.
- ✓ The Department ensure a CADJ waiver/DD waiver assessment take place for the parent or child.
- ✓ Set up Early childhood screening (for a child that has turned 3).
- ✓ The child to complete a speech and language evaluation.
- ✓ Follow the recommendations of [eval type] evaluation or [site title] provider.
- ✓ Complete a Chemical Dependency Evaluation.
- ✓ Complete a Psychological/Mental health evaluation.
- ✓ The department provide an additional clothing allowance for the child.

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## Report Essentials

**Keep It Fresh:** each report should be fresh and original with new information from this reporting period, although the History section can be used in subsequent reports. Judges may notice repeated information.



**Focus on the Child:** always make the child the focus of the report and emphasize the positives. While the report must be objective, GAL are advocating for the child and may be the only source of positive information about the child. Everyone involved will likely know that Maddy was suspended, but not everyone will know that Maddy helped another child with their homework, apologized without being asked, or frequently picks up litter on walks with their GAL.

**Be Respectful:** use correct pronouns for people. There is no need to specify or emphasize a child's appearance, race or ethnicity if it is not relevant to the report. Physical descriptions should add value to the report and give the reader a better understanding of who the child is. It is okay to highlight a child's culture, ethnicity or physical appearance if it is something the youth has indicated to the GAL as important to them. Avoid using details that can be gleaned from a photo.

For example:

- Rather than "Jose is a beautiful 5-year-old boy with chocolate brown skin and brown eyes [...]," say "Jose is a 5-year-old boy who continues to share how proud he is of his Mexican heritage during our visits."
- Rather than "Cecilia has long dark hair [...]," say "Cecilia has long dark hair with which she likes to experiment. Each time I see her, she tries a new style or highlight color."
- Rather than "Maria is a chubby 10-year-old girl who loves Doritos," say "Maria is a 10-year-old girl who loves Doritos." A child's weight or other physical condition **may be appropriate** to mention in the medical section of the report **IF** a medical professional has indicated a concern.
- ✓ "Angelica is involved in the Asian American Pacific Islander (AAPI) club at her high school and always tells me how excited she is about upcoming events."
- ✓ "Adrian is a 14-year-old boy who is over six feet tall. He often gets mistaken for being much older due to his height."

**Be Specific:** be specific and include details. In describing abuse, especially sexual abuse, court reports should maintain a balance between being overly explicit and being too vague or euphemistic. Vague words such as “inappropriate” can obscure the degree of the abuse or behavior. Judges will have access to original social services practitioner reports. Enough details, however, will save the reader from the trouble of referring to other documents to find out what happened.



**Write Active:** in general, using active voice when writing is most effective. Active voice is more concise and reads easier. Passive voice tends to be stiffer and excessively formal; it also obscures the sentence’s subject.

✓ **Example of Active:** Mr. Walters, the CPSW, and I attended the meeting.

✗ **Example of Passive:** The meeting was attended by Mr. Walters, the social services practitioner, and I.

- **Exceptions to Active:** there are instances in which passive voice is appropriate and potentially clearer. Examples of when the passive voice may be appropriate:
  - “The IEP was last reviewed on May 6, 2021.”
  - “Reunification services for the parents were terminated on January 14, 2020.”
  - “Sam was detained on December 5, 2021.”

**Attributions:** be sure to attribute when referring to others’ information. Phrases such as “according to the CPSW,” “the foster mother told me,” “the teacher said,” etc., help clarify the source of information and adds credibility. It also helps an advocacy supervisor gauge whether a court report leans too heavily on information from the youth, caregiver, or third-party source. Try to include a date when possible.

- “On February 4, 2021, the caregiver told me...”

**Stay Simple:** embrace simple language. Avoid using unnecessarily big words. For example, “use” is a much better word than “utilize” in most cases.

**Optimal sentence Length is 12-25 words.** If every sentence you right is short and simple, your writing will sound choppy. If every sentence is long, it will be difficult to read and sound pompous. The sweet spot, according to technical writing experts, is 12-25 words per sentence, but also includes varying sentence length to create great flow.

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## Editing Exceptions

**Capitalize “Court” when it refers to a specific judge’s action:** The Court ordered reunification services to be continued, but “The court-ordered reunification services continued.”

**In most cases, do not capitalize school subjects** unless based on a proper noun, for example, math, science, English, Spanish, U.S. history. Unless you are listing them as grades, then they should be capitalized.

**Commas:** For optimal clarity, use the **serial comma** which is a comma placed before the conjunction “and” or “or” in series or three or more items. i.e.

✓ “The girl ate pizza, lasagna, and apples.”

✗ “He could paint his car red, white, or blue.”

**Try to avoid connecting two independent clauses with a comma** and an “and” too frequently. Vary sentence length in your reports and communication. Often, such sentences, can be better written as two sentences. For example,

- ✗ “Mary had a little lamb, and its fleece was white as snow.” could be split into
- ✓ “Mary had a little lamb. Its fleece was white as snow.”

**Do not overuse contractions.** i.e. “can’t” is a contraction of “cannot”. You can use them “sprinkled in” to achieve a more natural sounding style, but if you overuse contractions, your style will seem too familiar and less professional.

**Dates:** Spell out months. Use specific time elements as possible. A specific date, January 23, 2013, is better than a month and year, which is better than a season. In all cases, include a year for context. Without a year, timing issues can be confusing. Years will be offset by commas when a day is included in the date, for example, “On April 15, 2013, I attended an individualized education program (IEP) meeting for my case child.” No comma is used if you are only listing the month and year. For example, “In April of 2022 the child had a medical exam.”

Exclamation Points and Emojis: **Do not use exclamation points or emojis.**

**Names:** Use first names for case children and their siblings. For parents, use full name on first reference and Mr. and Ms. on subsequent references. For example, Mr. Brown and Ms. Green rather than father and mother. All other adults should be referred to by their relation to the child. For example, CPSW, maternal grandmother, caregiver, foster provider, special education teacher, therapist, etc.

**Numerals:** Generally, spell out whole numbers less than 10 and use numerals for figures 10 or more. Use numerals for ages and other measurements: 7-year-old, 5’3”, 178 pounds, level 4 group home, etc.

**Examples:**

- The boy was 11 years old. The 11-year-old boy liked cheese. The boy was placed on a 72-hour 5150 hold. The woman was detained at the psychiatric hospital for three days. Exceptions include 6-month review, 12-month review, etc. when specifying hearing type.
- With writing decimals less than one, add a zero before the decimal point for added clarity, i.e., Brian’s GPA was 0.7.
- Spell out all grade levels, including tenth, eleventh, and twelfth grades. Use eleventh grade, not 11th grade.

**Prepositions:** Try to avoid ending sentences with prepositions (of, to, with, etc.) unless doing so provides greater clarity.

**Pronouns:** Use pronouns (he, she, they) carefully as they can create ambiguity.

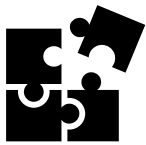
**Spacing:** At the end of a sentence, use one space, not two, between period and next sentence.

**Grammar Tools:** Whether you are great editor or not, you should always make sure the autocorrect features are enabled in Microsoft Word, where you will be writing your court reports. To make sure these time saving tools are enabled, in MS Word, go to:

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And make sure that check spelling and grammar as you type are selected.

## Being Thorough



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*"A sentence should contain no unnecessary words, a paragraph no unnecessary sentences, for the same reason that a drawing should have no unnecessary lines and a machine no unnecessary part." - William Strunk Jr. (Author of The Elements of Style)*

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*"Beginning writers tend to be verbose. The shorter and the plainer the better." - E.B. White*

It is important that your reports are thorough, however it is easy to confuse thoroughness and being too verbose. You do not need to convince the parties of your intelligence, but rather of your investigative skills and understanding of the needs the child.

It is also too easy to confuse being thorough and oversharing sensitive information. Our court reports should always remain focused on creating rich narrative, but we must be careful not to get into the weeds.

For example, it's important for the Court to know that a child has been prescribed a mood altering medication; it's important for the Court to know if the dose of that medication changes drastically (increases or decreases) and the general reason for the change in dosage, who was involved in the decision, if it was at the request of a parent or foster provider, or if it was something the doctor wasn't sure about, etc. However, including the exact dose amounts quoting more than a few sentences from medical records is not essential information for the court to have, unless they specially request it: but even if the court were to specially request medical details, they would request it of the county, not of the GAL.

It is expected that you are familiar with the child's needs firsthand as much as possible, but not that you are reporting on every detail. You are not there to parrot doctors or have reports that look like medical reports: if the court needs that, they will get it from the source. It is enough that you refer to anything that seems critical or of note, and that you understand as much as you can, but not that you relay everything you read.

### **A Sentence that is too verbose**

"Jaya reportedly has been missing too many days of school according to the school therapist, and Mr. Smith doesn't agree with the reasons provided by Ms. Smith as they say they are self-serving, and this is reportedly harmful for the child."

### **A much better way to write that sentence**

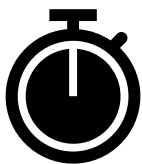
"According to the school therapist, Jaya has been missing too much school. She has missed 42 days this semester. Ms. Smith says the child has missed school due to illness. Mr. Smith doesn't agree that the child has missed all the days because of illness. There is some contention around why Jaya has missed school this year."

**Dos:**

- ✓ Include rich, specific details that are unique to the child.
- ✓ Sentences that are simple yet varied in structure.
- ✓ Comprehensive in scope.
- ✓ Short paragraphs, no more than 5 sentences long.
- ✓ Moderate and analytical.
- ✓ Observational without trying to “read into” motives behind words or actions.
- ✓ Include any essential medical, mental health, and educational records, etc., but generally: do not include the exact contents and deep details of this kind of information unless it is clear it is relevant for to the Court and parties to know.

**Don'ts:**

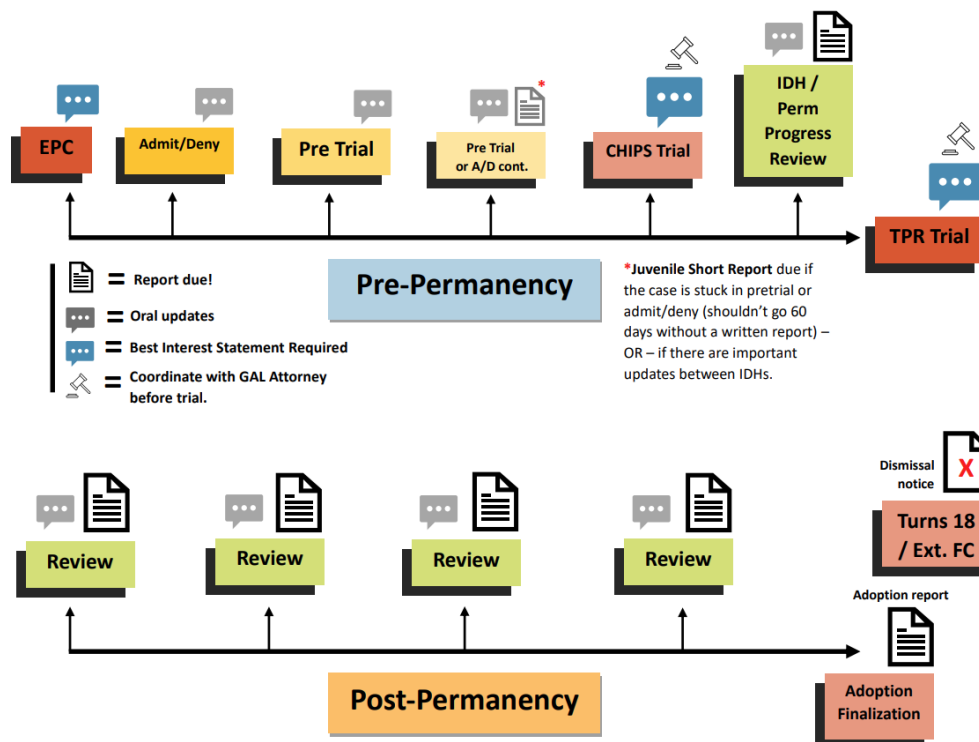
- ✗ Over explain.
  - ✗ Make assumptions.
  - ✗ Jump to conclusions.
  - ✗ Use too many adjectives (i.e. “Mrs. Smith scathingly told me”).
  - ✗ Don't include sensitive information about a child unless it is clearly necessary, or make sure you have consent to share, i.e. child said they hate their mom.
    - Before you include something like that in a report, check in with the child, or at the very least pause and think if sharing that opinion is necessary: maybe it is, maybe it isn't. check in with your supervisor if you ever feel uncertain about what to include and what not to.
-



## When Reports are Due

Reports are due for certain kinds of hearings. In this section, you will learn what hearings need report submission and what kinds of reports to submit. You can also refer back to the section in Chapter 3, **Written Court Report**.

### Reports Due Cheat Sheet



### When Reports are Due Infographic

#### Report Due:

- ✓ Intermediate Disposition Review and Permanency Progress Review<sup>6</sup>
- ✓ Post Permanency Review Hearings
- ✓ Adoption Finalizations
- ✓ Only on Pre-trial or A/D cases when no report has been submitted for 60+ days.
- ✓ Whenever the judge orders a report to be submitted.

<sup>6</sup> Permanency Progress Reviews happen at 6-months in on a CHIPS case, and then once every subsequent year the case is open. They do not require special reports; your report will be the same as you write for an IDH hearing. This is a time when you should review the Out of Home Placement Plan, which the County/Department is required to submit in advance of these progress review hearings.

## No Report Due:

- ✖ EPC
- ✖ Admit/Deny
- ✖ Pre-trial
- ✖ CHIPS Trial
- ✖ Permanency Trial



## Kinds of Reports

Always check in with your supervisor if you are not sure what kind of report to write and when. Here is a list of main types of reports you will file. The templates for these reports are in Cosmos, except for the **Court Notification (CN)**. See your supervisor to get a template for a CN.

## Pre-Permanency Report

These are used for CHIPS cases. Submit these for Intermediate Disposition Hearings (**IDH**) and if you need to submit one for a pre-trial or A/D related to the 60-day rule cited earlier in this section.

## Post-Permanency Report

These are used after the CHIPS case has gone into permanency via a TPR or a Permanent Transfer of Custody if either of those things resulted in the child becoming the **ward of the state**<sup>7</sup>. Submit these for Intermediate Disposition Hearings (IDH), and any other report that may be requested by the judge as a matter of review and update ahead of a hearing.

## Court Notifications (CN)

Write a Court Notification when no report is due, but you want the judge to order something. Reach out to your supervisor if you need to file a CN and don't already have the template for your district.

## Juvenile Short Report

Write a Juvenile Short Report when no report due, but you want the parties to know something significant that happened between hearings and you are not asking the judge to order anything.

## Adoption Finalization Report

Like it sounds, this is the report you write once an adoption finalization hearing has been scheduled.

**Adoption reports are always confidential.** The template for them is in Cosmos, but the report needs to be

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<sup>7</sup> No one can claim custody rights to the child and an adoption has not occurred.



filed only into the adoption case file. It can't be filed into any other file related to the child. See your supervisor about how to file and serve an Adoption Finalization Report.

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## Chapter 3 in Summary

After reading this chapter, you should have a clear idea about the editing, style, and format guidelines of written reports. You learned some best practices and practical tips. You also learned about when reports are due, and the different kinds of reports GAL write. For even more help, go to the appendix to see an example template that has lots of direct guidance for each section of your report.

**Want to know more about writing?** Ask your supervisor! It can also be helpful to study articles or classes in technical writing. Courses in court writing can be helpful, but these are often focused on attorneys; the GAL is a more niche role, and we do not write like attorneys, even if there is some general overlap. Courses in technical writing are likely to be more helpful, as the way we write is professional, persuasive, and should be highly readable. After reading this chapter, you should know that we do not want complex reports that are hard to understand or full of jargon. We also shouldn't sound just like social workers in their report. Our role is professional, but it is also to be more natural and personable. We should show more passion for the children we advocate than what is found in the average social worker report.

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# Chapter 4:

## Working Your Case



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### Chapter 4 in Focus

**Working your case is a broad topic.** Technically, every chapter in this manual is about working your case. Therefore, Chapter 4 is a bit like a summary or condensation of every Chapter that comes before and after it. That is why it is in the middle!

After reading the first 3 Chapters, you might be feeling a bit overwhelmed by the court and report writing elements of the GAL role. That is okay and completely normal. The important thing is to try and get it all at once, but to **break it up into smaller problems and work on them bit by bit.**

**This Chapter will be a bit like first and second gear in your GAL car.** It will remind you of the foundation of your role, where to start on your cases, and the various people you are likely to come across and need to communicate with when you are going through the life of a case.

At the end of this chapter, you should be more confident in knowing your role and where to start once you are assigned to your first case.

Good luck!

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## Independent Investigation

As you may recall from [Chapter 1](#), as the assigned GAL you have a **statutory requirement** to conduct an **independent investigation**. As a GAL, you are not parroting anything you see or hear. You are gathering information from many sources. From those many sources and perspectives, you are forming opinions related to the child's best interests and recommendations to the court on how to achieve the best interests of the child.

You are not forming recommendations to social workers or foster providers directly. As outlined in statutes, you are advising the court with your recommendations. Be sure you know what the court can and can't do.

### What is the court responsible for?

- ✓ Ordering services for the child or parents
- ✓ Ordering changes to visitations
- ✓ Designating who is responsible for specific tasks or orders
- ✓ Ordering additional payments or support to child or parents from the County/Department
- ✓ Ordering a change in placement, or the end of a placement
- ✓ Dismissing a case or keeping it open

### What is the court not responsible for?

- ✗ Coordinating services for the child or parents
- ✗ Scheduling appointments for children
- ✗ Getting case related documents from sources outside the parties. The court may order certain documents be provided to the court, but they will designate one of the parties, usually the County/Department or one of the parent's attorneys, to be responsible for securing those documents and submitting to the court.

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## Investigative Best Practices

1. **Form your own relationships with the families, children, and collaterals.** Do not rely on 3<sup>rd</sup> or 4<sup>th</sup> hand information for your investigation. If you utilize 2<sup>nd</sup> hand information, make sure you confirm with the source of the information, whether it be written or oral. If you use 2<sup>nd</sup> hand information, do not present it as facts: make sure to cite your source.
2. **Obtain records on your own.** You may request certain records from the County/Department, but if you are able to get them from the source, do so.
3. **Form your own opinions and recommendations.** These may be informed by the views of others, but you should take more than the opinions of others into account when forming your own opinions and recommendations. Always try to know as much about a thing from as many angles and direct sources as possible before you come to any conclusions or recommendations.
4. **Gather your own current information.** You may be in contact with the social worker often but try to not rely on their information. Talk to foster providers, parents, children, professionals, as often as needed to keep up on current information related to the child and placement to have your own understanding of what is current information.



## Where to Start

**When do you begin your investigation?** It begins at the **EPC hearing**, or as soon as your supervisor assigns the case to you. You may not always be assigned at the start of a case: you may be assigned late in the **pre-permanency** proceedings, or even after permanency has been “achieved,” and the case is in **post-permanency**. Be sure to let your supervisor know if you have questions about where a case is at in its lifecycle.

Regardless of where the case is in its lifecycle, once you are appointed you are required to conduct **your own independent investigation**.

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### *Here are some practical steps to take to get started at an EPC:*

1. Introduce yourself to **the Assistant County Attorney (HCAO)**. Get their contact information.
2. Introduce yourself to:
  - a. **the Investigative Social Worker (CPI)**. Get their contact information.
  - b. **the Ongoing Social Worker (CPSW)**. Get their contact information.
  - c. **the Kinship Worker**. Get their contact information.
3. Introduce yourself, and explain your role, **to the family**. Get their contact information:
  - a. Names
  - b. phone numbers
  - c. Email addresses
  - d. physical addresses
  - e. current treatment facilities (if applicable)
4. **Get the location of the children** and the contact information for their current physical custodians and / or the child.
5. **Ask about any relative supports** they have and get contact info if possible.



### *If You Don't Have Contact Info*

If you do not have the contact information when you get the file, determine who else could have that information.

For example: the investigative or ongoing social worker, the assistant county attorney, the Cosmos Directory, the GAL who covered the EPC, parents, a relative backup contact person, MGA, foster provider, or the parent/child attorneys. Ask your supervisor if you need help! **Do not wait over a week for someone to get back to you without reaching out to other possible sources.**

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## Contact with Parents and Guardians (not ad litem)

At the heart of every case is a family. We need to keep this in the forefront of our work. Child contacts are addressed in [Chapter 5](#). More detailed information related to working with parents and guardians can be found in Chapter 5, as well. You should have ongoing contact with parents – whether it be in person, by phone, email, etc.

In this section and in general, when we say **guardian**, we don't mean guardians ad litem. In many cases, the **removal home** is not from the child's parents. Maybe their parents passed away, or maybe they were adopted by a relative in a previous case, etc., but kids sometimes live with caretakers who the court refers to as guardians.



**Pro-Tip:** Many people you encounter will mistake you, the GAL, as the guardian. The term guardian ad litem is not familiar to many people. Also, the families you meet will be under stress and will be coming across many professionals. It is not always easy to understand the GAL role, and it often takes several months of reminding parents, guardians, foster providers, and other family members what our GAL role is all about. Try not to feel frustrated! Have our GAL brochure always handy, and practice explaining what we do in simple terms. Ask if people have questions about your role.



### *Practical Tips for Working with Parents and Guardians*

1. **Keep the first meeting casual.** Which means, don't skip the niceties like asking about how their day is going, the weather, traffic, saying nice things about their home, etc. Ask how they are doing. Try to build a bit of rapport before diving any harder questions, and when possible, ask for consent before questioning them:
  - a. **For example:** "Now that you know a bit more about my role, is it alright if I ask you some questions about Michael?"
  - b. Remember that you are required to conduct your investigation, but **parents are not required to talk to you unless the court specifically orders it.** Be respectful if they do not wish to engage.
2. **Explain your role.** You may do this at many of the meetings.
3. **Explain your role patiently and as often as needed.**
4. **Ask often if they have questions** for you **about the GAL role.**
5. **Don't try to answer their questions about the case.** Parents will often see you as a court expert and want to hear your answers about court and about their case. You will get all kinds of questions about court and the case, but do not answer these kinds of questions. Only answer about your role. For court and case questions, refer them to the social worker and their attorney.
6. **Do not argue with the parents or guardians.** You are only there to collect information. If they want to voice concerns about the allegations and the validity of the allegations, it is good to remind them that **it is not the GAL role to make determinations about allegations.**
7. **Stay away from the word "investigate."** That is the word used in statutes, but it can be a triggering word for many people outside the court world. Instead, use phrases like "gathering information," or "learning about the situation."
8. **Keep excellent records.** There are many ways you can keep record of your interactions and interviews. Different people prefer doing this in different ways. Here are some tips:
  - a. **We don't collect audio recordings.** You should not be taking recordings of any of your interactions with family, children, or professionals.

- b. **Take notes on your computer.** Some people don't like to do this while connecting with people face to face because they find it distracting, but it is an acceptable way to keep records. If you don't like this method face to face, you could still do it on phone calls, which make up many of our regular contacts. If you are taking notes during a visit, make sure the people you are meeting with know that taking notes is what you are doing.
- c. **Take notes on your phone.** If you do this, make sure you are doing it on your work phone and not keeping any sensitive case records or information in an application that wasn't installed on your phone by IT. If you are using your phone, don't do this during visits as typing on your phone has some complex cultural connotations for many people.
- d. **Old fashioned pen and notepad.** It's worked for journalists for decades, tried and true. At the main office, you can request these kinds of office supplies. Be sure that if you are keeping paper notes that you get them to the shredding bin at the main office every month. **You should transcribe any paper notes to Cosmos ASAP and then shred the original paper notes ASAP.** Do not use a shredder at your house! They should be done at the office because it can be done with increased security.

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### *Sample Questions and Prompts for Parents and Guardians*

This is not meant to be a list of questions you necessarily ask all at once or ask every time you speak with the parents or guardians. This list can help you think about the kinds of questions and information you need to collect during your investigation.

- "Tell me about your child."
- "Are there cultural or religious needs that should be addressed?"
- "What school and year are they in? How are they doing in school?"
- "What kinds of activities does your child enjoy?"
- "What is your child's favorite toy or comfort item? What kinds of things help them feel safe?"
- "Does your child have any special needs?"
- "What are your hopes for the future?"
- "What do you think the children need, or what needs to be done, for them to return home safely?"
- "Are you working your case plan? Do you understand your case plan and what you need to do?"
- "Are there resources you need?"
- "What services are you involved in currently, or have recently completed?"
- "Is there any important medical, dental, or behavior needs that the court should know about?"
- "Are there any barriers to getting to visits with your child?" (think transport and cell phone access).
- Discuss visitation. How are the visits going?



## Contact with Foster Providers

If the child is in placement, it is vital to speak with foster providers. Below are some possible topics to ask about during your contacts. You do not necessarily need to ask about all these topics at once or on every visit. It can vary on a case-by-case basis.

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### *Topics to Ask About with Foster Providers*

- Specific information about the child's daily life/daily functioning
- Visits with parents and siblings
- Behavior before and after visits. **Take caution with this topic.** It is a well-documented reality that children who have been removed from a parent frequently have increased behaviors before and/or after visits with the parent they were removed from. **This is not necessarily a sign that the visit went badly or that the child is upset by the visit.** There are many factors to consider when it comes to behaviors around visits, so be careful coming to conclusions or interpreting the behaviors. Frequently, foster providers or other family members will want to interpret all intense behaviors around visits as a sign that the visits are bad or should be reduced or modified in some way. That may be the case, but it may not be.
- Is the child dysregulated? If so, for how long? What is the behavior?
- Contact made by parents through phone calls, FaceTime...
- School issues
- Behavior problems and strengths
- Cultural needs being met
- Medical and dental concerns
- Child's adjustment to the separation/loss
- Always have these discussions outside of the presence of the child
- Are they a permanency option for the child
- Keep any potential foster provider bias in mind and the dynamics with the parents if it is a relative placement



## Contact with Social Workers

These are the county / Department employed case managers. They should have the most up to date information about the child's placement, parent's case plans, and progress. They are often referred to as the **CPSW** (Child Protection Social Worker). If there are 4 or more children subject to the CHIPS case, the Department in Hennepin County will generally assign a **CSW** (Child Social Worker), as well. The CSW has the role of managing the kids needs while in placement and often helps with supervising visits, or at least coordinating them. The CPSW then takes on the role of manager the case plan and engagement with the parents. The CPSW will often defer to the CSW for monthly visits with the children, though they will get to as many as those visits as possible, depending on variables.

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## ***Information the Social Worker Should Have***

- Where is the child placed
- Contact information for parents, foster provider (if you still need it)
- If the child is not placed with relatives, what is being done to get the child with relatives
- Status of the relative/kinship search, including engagement with the father(s)
- Is the placement a permanency option
- Current safety issues
- Does the child have any medical issues
- Is the child in therapy, if not, why not
- Where does the child attend school, what grade
- Cultural and religious needs being met
- Visitation schedule
- Case Plan progress



## **Contact with Collateral**

During your ongoing independent investigation, you need to contact individuals for collateral information. This is an ongoing responsibility throughout the entire case. Tailor and adjust to the needs of the case - some cases you will need to be more involved in school, others with the therapist. Be engaged and understand the dynamics well enough to know where your attention is required.

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## ***Possible Collateral Contacts***

- Adoption resource worker
- Child placement staff
- Collateral family members, family friends, kin, or other important people
- Teachers/school social workers/IEP case managers
- Therapists (mental health and behavioral health, OT, PT, speech)
- Case managers at treatment facilities
- Medical providers
- Children's Mental Health Case Managers (with social services)
- ARMHS workers
- Attorneys (children and parents)
- Probation/Parole officers
- Visit/parenting time supervisors





## Documents: Reviewing and Collecting

It is essential that you obtain your own documents when working a case. Do not rely solely on the county or parties to provide you with collateral documents. There are many kinds of documents you may need to obtain and review. Many of them will be available in MGA and

Cosmos. Many of them won't. You won't review the same kinds of documents on every case. Some cases will be very document intensive while others will be less so. Below are some of the kinds of documents you might be requesting on your cases.

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### *Types of Documents You May Be Requesting and Reviewing*

- Court file records (MGA)
- Related criminal/juvenile files
- Chemical Dependency
- Psychological Evaluations
- Diagnostic Assessments
- School records
- Special education records
- Supervised visitation notes
- Parenting assessments
- Kinship searches
- Medical records
- Law enforcement records
- Intake and discharge summaries

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### *Obtaining Records, Reports, and Assessments*

This is a basic list of important things to know about obtaining records, reports, and assessments.

1. When requesting a CHILD'S records send an email or letter stating who you are and the specific items you need. Include your appointment order from the Court
2. When requesting the PARENT'S records: Send an email or letter stating who you are and the specific items you need. You should include a signed Release of Information ("ROI")
  - a. A generic ROI signed by the parent can be used to speak to probation officers.
  - b. Medical providers and therapists will generally have their own ROI that you should use
3. Prior to requesting records for the parents, ask the provider if they have a preferred ROI
4. If the parent is not willing to sign an ROI, or the provider is not willing to disclose their records schedule a legal consult with the Staff Attorney
5. **See Appendix 'X' for a memo on how to obtain records.**



## Other Things to Remember While Working Your Case

1. **Document all case information you gather in Cosmos.** This includes attempts to contact people. Thorough and detailed documentation not only provides proof of your due diligence, but it will also help you write great court reports, make informed recommendations, and be an expert in the case.
  - a. **Document method of contact:** phone/text/email/in-person
  - b. **Record all communication attempts.** doing so will demonstrate that you made efforts to contact people involved in the case, including parents, other relatives, and professionals. You should also note these attempts in your written reports.
  - c. **Truly make the effort to communicate.** We want to reach out to parents/custodians every month, because we do not want to be accused of not trying at a trial. For example, if an individual does not want contact with social services, do not assume they do not want contact with GAL. Sometimes people want to talk to us because we are not the agency.
  - d. **Contact parent/custodian attorney** if all attempts to contact that person fail.
2. **In Juvenile Protection Proceedings, the best interests of the child are paramount.**
  - a. The “best interests of the child” means all relevant factors to be considered and evaluated. [Minn. Stat. 260C.511](#)
  - b. In making a permanency disposition order or termination of parental rights, the court must be governed by the best interests of the child. That includes a review of the relationship between the child and relatives and the child and other important persons with whom the child has resided or had significant contact.
  - c. For the GAL the best interests of the child are all the factors that are relevant to that individual child, as well as the sibling group.



## Scheduling Visits: Tips and Tricks

Scheduling visits can be a challenge. You are expected to meet with a lot of different children, families, and professionals; that means juggling many schedules, not just your own. In this section we will provide some tips and tricks to help you get started. This section is not meant to be an exhaustive list. Generally, you will find your own preferences and rhythm with scheduling visits as you get acclimated to the work and your caseload. It is okay, and wise, to keep evolving and adjusting your unique approach as you learn and grow in the GAL role.

In this section, the tips and tricks are broken up into “stages” or weeks in the month.

### Stage 1: Get It in the Books

The first week, or stage, is to get as many of your visits scheduled as possible. Start with your priority visits and work your way through your list. Schedule your visits for as early in the month as possible but try not to schedule too much in the first week: that is your week for scheduling and setting up the month. Schedule a lot in the first week only if you are feeling confident in your scheduling progress across your caseload.

### **Schedule as many of your visits as you can for the 2-3 weeks of the month.**

Be diligent in your efforts and the Cosmos documentation of your efforts! Be creative and persistent. Don't worry about bothering people: you are required to see the child, and providers are required to be in touch with you and help make sure those visits happen.

Some strategies if you are having a hard time getting in touch with anyone:

- **Visit the child at school** (just get in touch with school and have your appointment letter handy – you will need it!).
- **Connect the dots.** Can't reach the social worker? Call the foster parent. Can't reach the foster parent? Call the social worker. Can't reach either? Call the county attorney. County attorney not helpful? Talk to your supervisor.
- **Check back in weekly.** Don't get stuck just "waiting" for someone to get back to you, but don't start calling every day either.

### **Pro-Tips**

- Don't sit around waiting for someone to call back before working down your visit list. Work through that list as fast as possible, booking everything that can be booked. Priority visits are important, but they shouldn't hold up the scheduling train either.
- Group visits as much as possible. This will not only save you time and sanity, but if you have 30+ kids on your case load, you don't have the luxury of doing 1 visit a day for your average caseload.
- **Set up as many visits as you can as recurring events that happen at the same time each month.**

## **Stage 2-3: Complete the Visits**

Stages 2 and 3 of the months should be the time when most your visits are happening. Try to keep the last week of the month open. Keeping the last month open means you will have wiggle-room for any visits that get postponed or any visits where you just couldn't get in touch with anyone for scheduling in stage 1. The last week should have room for those last-ditch efforts.

### **Pro-Tips**

- Schedule your visit for next month before you leave the visit if you can, or at least confirm the date and time with the family if you already set up a recurring visit.

## **Stage 4: Wrap-ups and Rain Checks**

Stage 4 is the week of flexibility. You have left it opened and used it to schedule any visits that were cancelled or missed, or that had to be scheduled late. In a perfect scenario, you will already be done with all your visits before this week starts. If so, this is a great week to see if you can get any collateral consults in (therapists, social workers, school staff, etc.), review cases, check your notes, start working on court reports, or get a head start scheduling visits for next month.

## Chapter 4 in Summary

In Chapter 4, you learned a lot about working a case. Now you know what we mean when we talk about independent investigations, various types of contacts, and how to complete those contacts. We talked about reviewing and collecting documents and other essential things to keep in mind when working your case. Hopefully, after reading this chapter you not only know how to get started working on your case, but you understand the scope and steps of working a case.

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# **Chapter 5:**

## **Working with Children, Families, and Service Provider Professionals**



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### **Chapter 5 in Focus**

In many ways, this is the most important chapter in this manual. Working with children and advocating for their needs in court is the heart and soul of what we do in our GAL role. This is a chapter you should return to often throughout your career as a GAL. It covers topics in child best interests, engaging with children, child development, and other important tips and best practices.

Knowing all about working with children will inform the conversations and relationships you build with families and professionals, as well. At the heart of all your interactions with caregivers, parents, guardians, family members, and professionals is the need to understand what the child's best interests are in their unique situation.

What is in the best interests of the child is often evolving and changing. There are often obstacles and barriers in the way of achieving those best interests and finding the best solutions is at times labyrinthian. That is why it is key to stay focused on the fundamental rules of our role and know as much as we can about the children, we serve to make the strongest recommendations and reports possible.

By the end of this chapter, you should feel more confident and prepared to meet with children, family, and other professionals. You will feel more confident to advocate for children in the courtroom.

# Understanding Child Safety

Understanding child safety, the factors that contribute to, and the scope of child safety that we are dealing with in our GAL role is nuanced and complex. This is not an area where answers are always easy to find. We are often dealing with “degrees” of safety and a safety “spectrum” that are influenced by many variables, including but not limited to, culture, poverty, limitations of services and systems, availability of resources, availability of solutions, rapidly changing conditions, mental health factors, chemical dependency factors, domestic abuse factors, family systems, and institutional racism, to name a few.

**The kind of safety we are looking to achieve for the children we serve is rarely the kind that seems perfect, comprehensive, clear, stable, or certain.** That previous sentence is a hard sentiment to come to terms with, but it is important to meditate on it throughout your career in child welfare. In our cases, like in life, sometimes we are just doing the best we can with what we have available, and a perfect solution is not only unattainable, but the definition of a perfect solution is frequently highly debatable.

To understand child safety better, in this section we will look at the key protective factors in detail.



## Key Protective Factors

There are six areas of protective factors: nurturing and attachment, knowledge of parenting for child and youth development, parental resilience, social conditions, concrete supports for parents, and social and emotional competence of children.

In this section, we will look more closely at the six areas of protective factors.

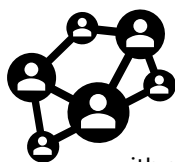
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*“Protective factors are like a shield that can prevent people from being overwhelmed by high levels of stress, violence, and health problems. In child welfare work, protective factors are organized into six categories according to the [Strengthening Families Model](https://cssp.org/) [https://cssp.org/].*

*Protective factors include things like parents feeling supported emotionally and financially, children feeling connected to family and friends, and both parents and children learning how to talk about and manage emotions in a healthy way.”*

*(From MN Dept. of Health, [Protective Factor Basics - MN Dept. of Health](https://www.health.state.mn.us/communities/ace/pfbasics/) [https://www.health.state.mn.us/communities/ace/pfbasics])*

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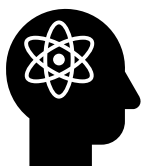
## Nurturing and Attachment

According to the Child Welfare Information Gateway<sup>8</sup>, strong early bonds with caregivers build healthy brains. Nurturing and attachment with caring adults in early life is associated with better grades, healthier behaviors, stronger friendships, and an increased ability to cope with stress later in life.

Nurturing is important at all ages. Parents nurture their children as they grow by making time to listen to them, being involved and interested in their child's school and other activities, staying aware of their interests and friends, and being willing to advocate for their children and youth when necessary.

Trauma and stress can interfere with parents' ability to nurture their children. Daily or acute stressors, such as financial stress, family or community violence, past traumas, or caring for a child with special needs, can make taking time to focus on nurturing more challenging for some parents. They may need extra reassurance that showing their children love and affection makes a difference.

*This section was adapted from the Child Welfare Information Gateway, cited above.*



## Knowledge of Parenting for Child and Youth Development

According to the Child Welfare Information Gateway<sup>9</sup>, Knowledge of parenting and child development is an important protective factor. Parents who understand the usual course of child development are more likely to provide their children with developmentally appropriate limits, consistent rules and expectations, and opportunities that promote independence.

No parent can be an expert on all aspects of child development or on the most effective ways to support a child at every age. As children grow, parents will need to continue to learn and respond to children's emerging needs.

Parenting styles need to be adjusted for each child's unique temperament and circumstances. Parents of children with special needs may benefit from additional coaching and support.

*This section was adapted from the Child Welfare Information Gateway, cited below.*

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<sup>8</sup> <https://www.childwelfare.gov/resources/nurturing-and-attachment-protective-factor-conversation-guide/#:~:text=Parents%20nurture%20their%20children%20as,children%20and%20youth%20when%20necessary>

<sup>9</sup> <https://www.childwelfare.gov/resources/knowledge-parenting-protective-factor-conversation-guide/>



## Parental Resilience

According to the Child Welfare Information Gateway<sup>10</sup>, resilience is the flexibility and inner strength to bounce back when things are not going well. Parents with resilience are better able to protect their children from stress and can help children learn critical self-regulation and problem-solving skills.

All parents have strengths and resources that can serve as a foundation for building their resilience. These may include faith, flexibility, humor, communication, problem-solving, caring relationships, or the ability to identify and access needed services.

Self-care is important, but it is only part of the picture. Families experiencing multiple life stressors—such as a history of trauma, health concerns, marital conflict, substance use, or community violence—and financial stressors—such as unemployment, financial insecurity, or homelessness—face more challenges coping effectively with typical day-to-day stresses of raising children.

Addressing stressors in the family, community, and society will ultimately create stronger, more resilient families.

*This section was adapted from the Child Welfare Information Gateway, cited below.*



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## Social Conditions

According to the Child Welfare Information Gateway<sup>11</sup>, our health is impacted by several factors outside of those that are strictly medical. Conditions such as where we were born, educational background, work experience, and social class all impact our health. These socioeconomic conditions are known as social determinants of health.

Understanding the social determinants of health can help us understand the broader forces that lead to poor outcomes. For example, families living in poverty face challenges that hinder their access to healthy living and working conditions. Policy and system changes that create opportunities for all families involves looking at the root causes of system involvement and prioritizing upstream prevention by connecting families with economic and concrete supports.

The Office of Disease Prevention and Health Promotion identifies five key social determinants of health: economic stability, education access and quality health-care access and quality, neighborhood and built environment, and social and community context.

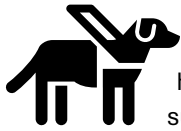
*This section was adapted from the Child Welfare Information Gateway, cited below.*

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<sup>10</sup> <https://www.childwelfare.gov/resources/parental-resilience-protective-factor-conversation-guide/>

<sup>11</sup> <https://www.childwelfare.gov/topics/social-determinants-health/>





## Concrete Supports for Parents

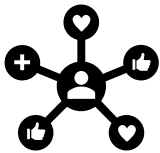
According to the Child Welfare Information Gateway<sup>12</sup>, economic and concrete supports can help families meet their basic needs, alleviating stress and promoting well-being. They include supports such as housing programs, food assistance, childcare, and other economic assistance.

Poverty is not the same as neglect, and most families experiencing poverty do not neglect their children. However, those families are overrepresented in the population of people reported to child protective services. Providing economic and concrete supports to families can reduce the risk of family separation or help them reunify if separation already occurred.

Creating policies that facilitate connecting families to supports tailored to their unique needs within procedures and practice is essential. Additionally, families should be centrally involved in decision-making, including when determining which supports they need.

Families may need assistance overcoming certain obstacles, e.g., availability of supports in rural areas. Collaboration among agencies and communities can help families overcome these barriers.

*This section was adapted from the Child Welfare Information Gateway, cited below.*



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## Social and Emotional Competence of Children

According to the Child Welfare Information Gateway<sup>13</sup>, Children who exhibit social and emotional competence are likely to have better relationships and greater resilience to stress as adults. Social and emotional competence refers to children's ability to form bonds and interact positively with others, self-regulate their emotions and behavior, communicate their feelings, and solve problems effectively.

Helping children to develop these skills can result in stronger parent-child relationships that are mutually rewarding. Parents grow more responsive to children's needs—and less likely to feel stressed or frustrated—as children learn to say what they need, rather than “acting out” difficult feelings.

Children's delays in social-emotional development can create extra stress for families. It is important to identify any such concerns as early as possible and to provide services to children and their parents that facilitate healthy development.

*This section was adapted from the Child Welfare Information Gateway, cited below.*

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<sup>12</sup> <https://www.childwelfare.gov/topics/prevention/economic-and-concrete-supports/?top=1483>

<sup>13</sup> <https://www.childwelfare.gov/resources/social-emotional-competence-protective-factor-conversation-guide/>



## Positive Childhood Experiences (PCEs)

Identifying and understanding PCEs is part of research project that has been going on for some time. The goal of the research was to identify what increases child resiliency and increases the odds of a child thriving despite childhood traumas and difficulties. Visit

<https://pinetreeinstitute.org/positive-childhood-experiences/> to learn more about PCEs.

### Why Should you know about PCEs?

As a GAL, it is important to be familiar with the 7 PCEs, because knowing that these experiences can exponentially improve a child's life can inform the kinds of recommendations you make to the court. They can also help you understand what some of the most critical things to focus on are in complex cases.

### The 7 PCEs are:

1. **The ability to talk** with family about feelings.
2. **The sense that family is supportive** during difficult times.
3. **The enjoyment of participation** in community traditions.
4. Feeling **a sense of belonging** in high school.
5. **Feeling supported** by friends.
6. Having at least two non-parent adults **who genuinely cared**.
7. **Feeling safe and protected** by an adult in the home.



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## Understanding Child Development

Child Development is an expansive topic. Like every other section in this chapter, we can only scratch at the service. The goal of this section, and this chapter, is to introduce you to some key information that can lead you down the path of learning more about working with children. This section will introduce some basic themes and resources that are important for you to be familiar with when working with children in your GAL role.

### Children Ages 0 – 5

When working with younger children, **Help Me Grow** is an excellent gateway resource. If you have been working in child welfare, you are likely familiar with Help Me Grow and the assessments they do, which are often featured in child welfare cases and recommended by education professionals. Their website is a great place to go to learn about developmental milestones of children 0-5 and find many resources and articles.

The sections below are taken from <https://helpmegrowmn.org/HMG/index.htm>.



#### Newborn Child Developmental Milestones<sup>14</sup>

Babies develop at their own pace and each milestone shows a range of skills typically seen in infant development. Babies might develop more quickly in some areas than in others. One baby may not meet every milestone listed here and still be progressing normally. Since each child is unique, the baby's growth might be different from what's included here.

#### Moving - Physical or Motor Development

- Supports head and upper body when lying on stomach. When lying on tummy, "pushes up" (lifts head and chest and looks around for a minute).
- Turns head easily from side to side. When lying on tummy, moves head one way and then another.
- Comforts self by bringing hands to face to suck on fingers or fist.
- Keeps hands mostly closed and fisted.
- Blinks at bright lights.

#### Talking - Communication and Language Development

- Communicates mainly by crying.
- Gives clues about being hungry by smacking lips and rooting.
- Yawns and arches back when overstimulated.

#### Interacting - Social and Emotional Development

- Shows feelings by crying and smiling.
- Uses face and body to communicate feelings.
- Shows interest in watching your face.

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<sup>14</sup> <https://helpmegrowmn.org/HMG/DevelopMilestone/Newborn/index.html>

- Quiets in response to your touch.

### **Thinking - Cognitive Development**

- Sees objects that are eight to 12 inches from his/her face.
- Is sensitive to sounds around him/her.
- Startles to loud noises by arching back, kicking legs and flailing arms.



## **1-Month Infant Developmental Milestones**

No two children develop, grow and learn in the same way or at the same pace. However, children do develop in certain predictable ways. Listed below are common developmental milestones for a **1-month-old infant**.

### **Moving - Physical or Motor Development**

- Raises head slightly off floor when lying on stomach.
- Holds head up momentarily when supported.
- Keeps hands in closed fists.
- Comforts self by sucking on fist or fingers.

### **Talking - Communication and Language Development**

- Makes cooing sounds.
- Cries to communicate.
- Smacks lips and roots when hungry.
- Yawns and arches back when overstimulated.

### **Interacting - Social and Emotional Development**

- Shows feelings by crying.
- Shows interest in watching your face.
- Quiets in response to your touch.

### **Thinking - Cognitive Development**

- Watches briefly and follows moving object with eyes.
- Startles to loud noises by arching back, kicking legs and flailing arms.



## **2-Month Infant Developmental Milestones**

No two children develop, grow and learn in the same way or at the same pace. However, children do develop in certain predictable ways. Listed below are common developmental milestones for a **2-month-old infant**.

### **Moving - Physical or Motor Development**

- Holds head up and begins to push up with arms when lying on stomach.
- Makes smoother movements with arms and legs.
- Moves both arms and both legs equally well.
- Brings hands to mouth.

### ***Talking - Communication and Language Development***

- Makes cooing sounds.
- Cries to communicate needs.
- Turns head toward sounds.
- Yawns and arches back when overstimulated.

### ***Interacting - Social and Emotional Development***

- Shows feelings by crying or smiling.
- Begins to smile at you.
- Follows you with eyes.

### ***Thinking - Cognitive Development***

- Follows moving object, such as rattle or toy, with eyes.
- Recognizes familiar people at a distance.
- Cries or fusses if bored.
- Startles to loud noises.



## ***3-Month Infant Developmental Milestones***

No two children develop, grow and learn in the same way or at the same pace. However, children do develop in certain predictable ways. Listed below are common developmental milestones for a **3-month-old infant**.

### ***Moving - Physical or Motor Development***

- Lifts head and chest when lying on stomach.
- Moves arms and legs easily and vigorously.
- Shows improved head control.

### ***Talking - Communication and Language Development***

- Makes cooing sounds.
- Chuckles in response to you.
- Cries when hungry or uncomfortable.
- Makes gurgling noises.

### ***Interacting - Social and Emotional Development***

- Quiets to familiar voice or touch.
- Smiles at people.
- Enjoys being hugged and cuddled.

### ***Thinking - Cognitive Development***

- Recognizes breast or bottle.
- Follows movement by turning head.
- Startles at loud noises.



## 4-Month Infant Developmental Milestones

No two children develop, grow and learn in the same way or at the same pace. However, children do develop in certain predictable ways. Listed below are common developmental milestones for a **4-month-old infant**.

### *Moving - Physical or Motor Development*

- Holds head steady without support.
- Grabs and shakes toys, brings hands to mouth.
- Pushes down on legs when feet are placed on a hard surface.
- Pushes up to elbows when lying on stomach.
- Rocks from side to side and may roll over from tummy to back.

### *Talking - Communication and Language Development*

- Babbles and imitates sounds.
- Laughs aloud.
- Cries in different ways to show hunger, pain or being tired.

### *Interacting - Social and Emotional Development*

- Smiles spontaneously, especially at people.
- Shows excitement by waving arms and legs.
- Calms and stops crying when comforted (most of the time).
- Enjoys playing with people and imitating smiles and frowns.

### *Thinking - Cognitive Development*

- Watches moving objects, moves eyes from side to side to watch.
- Communicates if happy or sad.
- Watches faces, looks at your face while feeding.
- Reaches for toys and brings toys to mouth.



## 6-Month Baby Developmental Milestones<sup>15</sup>

No two children develop, grow and learn in the same way or at the same pace. However, children do develop in certain predictable ways. Listed below are common developmental milestones for a **6-month-old baby**.

### *Moving - Physical or Motor Development*

- Rolls over in both directions.
- Begins to sit with a little help.
- Supports weight on both legs when standing and might bounce.
- Rocks back and forth on hands and knees, may crawl backward before moving forward.

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<sup>15</sup> <https://helpmegrowmn.org/HMG/DevelopMilestone/6Months/index.html>

### **Talking - Communication and Language Development**

- Makes sounds like "bababa," "dadada," "mamama."
- Understands "no."
- Copies gestures such as nodding head for "yes" and shaking head for "no."
- Points at things.

### **Interacting - Social and Emotional Development**

- Knows familiar faces and begins to know if someone is a stranger.
- Enjoys playing with others, especially family ("peek-a-boo").
- Likes to look at self in mirror.
- Responds to other people's emotions and often seems happy.
- Makes sounds to express happiness or displeasure.

### **Thinking - Cognitive Development**

- Uses hands and mouth to explore the world.
- Transfers objects from hand to hand.
- Likes to look at self in mirror.
- Looks around at things.



## **9-Month Baby Developmental Milestones<sup>16</sup>**

No two children develop, grow and learn in the same way or at the same pace. However, children do develop in certain predictable ways. Listed below are common developmental milestones for a **9-month-old baby**.

### **Moving - Physical or Motor Development**

- Gets in and out of sitting position and sits well without support.
- Creeps or crawls.
- Pulls to stand and stands, holding on.
- Begins to take steps while holding on to furniture (cruising).

### **Talking - Communication and Language Development**

- Makes sounds like "bababa," "dadada," "mamama."
- Understands "no."
- Copies gestures such as nodding head for "yes" and shaking head for "no."
- Points at things.

### **Interacting - Social and Emotional Development**

- Shows feelings by smiling, crying and pointing.
  - Prefers certain toys.
  - Clings to familiar adults.
- 

<sup>16</sup> <https://helpmegrowmn.org/HMG/DevelopMilestone/9Months/index.html>

- Cries when you leave and is shy around strangers.
- Responds to own name.

### **Thinking - Cognitive Development**

- Watches an object as it falls.
- Looks for objects hidden while watching.
- Transfers things smoothly from hand to hand.
- Plays peek-a-boo.
- Uses thumb and index finger to pick things up, such as cereal o's.
- Turns pages in a book.
- Puts things in mouth.



## **12-Month Baby Developmental Milestones<sup>17</sup>**

No two children develop, grow and learn in the same way or at the same pace. However, children do develop in certain predictable ways. Listed below are common developmental milestones for a **12-month-old baby**.

### **Moving - Physical or Motor Development**

- Pulls to stand and walks holding on to furniture.
- Gets into sitting position without help.
- Begins to stand alone.
- Begins to take steps alone.

### **Talking - Communication and Language Development**

- Uses simple gestures like shaking head “no” or waving “bye-bye”.
- Says “mama” and “dada.”
- Tries to say words.
- Responds to simple requests (such as shaking head when asked, “are you all done?”).

### **Interacting - Social and Emotional Development**

- Puts objects in and out of containers.
- Looks at the correct picture when it is named.
- Bangs things together.
- Begins to use common objects correctly (drinks from a cup, brushes hair).
- Follows simple directions, such as “pick up your book.”
- Explores things by banging, shaking or throwing.
- Pokes with index finger.
- Lets things go without help.

### **Thinking - Cognitive Development**

- Puts objects in and out of containers.

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<sup>17</sup> <https://helpmegrowmn.org/HMG/DevelopMilestone/12Months/index.html#>



- Looks at the correct picture when it is named.
- Bangs things together.
- Begins to use common objects correctly (drinks from a cup, brushes hair).
- Follows simple directions, such as “pick up your book.”
- Explores things by banging, shaking or throwing.
- Pokes with index finger.
- Lets things go without help.



## **18-Month Baby Developmental Milestones<sup>18</sup>**

No two children develop, grow and learn in the same way or at the same pace. However, children do develop in certain predictable ways. Listed below are common developmental milestones for an **18-month-old baby**.

### ***Moving - Physical or Motor Development***

- Walks alone and begins to run and walk up steps.
- Walks backward pulling toy.
- Feeds self with spoon and drinks with cup.
- Helps dress and undress self.

### ***Talking - Communication and Language Development***

- Speaks three or more single words.
- Starts to imitate two-word phrases, such as “all done.”
- Points to show what he/she wants.
- Says “no” and shakes head.

### ***Interacting - Social and Emotional Development***

- Shows interest in other children.
- Plays simple pretend, such as feeding a baby.
- Imitates your behavior.
- Tries new things with familiar adults nearby.
- Hands things to others as part of play.
- Shows feelings, for example, temper tantrums, fear of strangers, affection with familiar people, clinging to familiar adult in new situations.
- Points to show things to others.

### ***Thinking - Cognitive Development***

- Scribbles with crayon or pencil.
- Points to at least one body part.
- Follows one-step directions without any gestures (sits when you say “sit”).
- Knows what common objects are for, such as a phone, brush or spoon.
- Points to get the attention of others.

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<sup>18</sup> <https://helpmegrowmn.org/HMG/DevelopMilestone/18Months/index.html>

- Shows interest in a stuffed animal or doll; plays pretend.
- Enjoys books, stories and songs.
- Turns pages of a book.



## **2-Year Toddler Developmental Milestones<sup>19</sup>**

No two children develop, grow and learn in the same way or at the same pace. However, children do develop in certain predictable ways. Listed below are common developmental milestones for a **2-year-old child**.

### ***Moving - Physical or Motor Development***

- Kicks a ball forward.
- Throws a ball overhand.
- Walks up and down stairs holding on.
- Stands on tiptoes.
- Builds tower of four or more blocks.
- Begins to run.
- Climbs on and off furniture without help.
- Puts simple puzzles together.

### ***Talking - Communication and Language Development***

- Uses two or three words together.
- Points to things or pictures in a book when named.
- Follows simple directions.
- Knows names of familiar people, and body parts.

### ***Interacting - Social and Emotional Development***

- Plays briefly beside other children and gets excited when with other children.
- Imitates others, especially adults and older children.
- Shows more and more independence.
- Shows defiance, such as doing what he/she was told not to do.
- Begins to play with other children, as in chasing one another.

### ***Thinking - Cognitive Development***

- Finds things even when hidden under two or more covers.
- Explores how things work by touching them and trying them out.
- Begins to sort shapes and colors.
- Follows two-step directions such as, “pick up your truck and put it on the shelf.”
- Plays simple pretend or make-believe games.
- Names items in a book such as a dog, cat, car or baby.
- Completes sentences and rhymes in familiar books.

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<sup>19</sup> <https://helpmegrowmn.org/HMG/DevelopMilestone/2Years/index.html>



### **3-Year Child Developmental Milestones<sup>20</sup>**

No two children develop, grow and learn in the same way or at the same pace. However, children do develop in certain predictable ways. Listed below are common developmental milestones for a **3-year-old child**.

#### ***Moving - Physical or Motor Development***

- Climbs and runs well.
- Walks up and down stairs, with one foot on each step.
- Jumps with both feet and may hop on one foot.
- Pedals tricycle or three-wheel bike.

#### ***Talking - Communication and Language Development***

- Uses three-word sentences and carries on a conversation.
- Talks clearly enough to usually be understood by strangers.
- Follows two- or three-part instructions.
- Says words like “I,” “me,” “you,” and “we” and uses some plurals.
- Understands words such as “in,” “on” and “under.”
- Says first name, age and gender.
- Asks “why,” “where,” “what,” “when” and “how” questions.
- Names a friend.

#### ***Interacting - Social and Emotional Development***

- Shows concern and affection for others without prompting.
- Copies adults and friends (for example, runs when other children run).
- Takes turns in games.
- Separates easily from parents.
- Shows a wide range of feelings.
- Enjoys routines and may get upset with a major change.
- Dresses and undresses self.
- Enjoys helping with simple household tasks.
- Verbalizes toilet needs and may be toilet trained during the day.

#### ***Thinking - Cognitive Development***

- Does puzzles with three or four pieces.
- Draws or copies a circle with crayon or pencil.
- Plays make-believe with dolls, animals and people.
- Uses imagination to create stories or play.

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<sup>20</sup> <https://helpmegrowmn.org/HMG/DevelopMilestone/3Years/index.html>

- Matches and sorts objects by shape and color.
- Works toys with buttons, levers and moving parts (for example, makes mechanical toys work).
- Knows what “two” means.
- Turns pages one at a time.
- Knows common colors.
- Screws and unscrews jar lids and turns door handles.



## 4-Year Child Developmental Milestones<sup>21</sup>

No two children develop, grow and learn in the same way or at the same pace. However, children do develop in certain predictable ways. Listed below are common developmental milestones for a **4-year-old child**.

### *Moving - Physical or Motor Development*

- Catches a bounced ball most of the time.
- Hops and stands on one foot for a few seconds.
- Pours beverages, cuts with supervision and mashes own food.

### *Talking - Communication and Language Development*

- Tells stories and recalls parts of stories.
- Knows some basic rules of grammar and uses words correctly.
- Sings a song or says a rhyme from memory.
- Says first and last name.
- Communicates clearly and speaks in complete sentences.

### *Interacting - Social and Emotional Development*

- Plays cooperatively with other children.
- Negotiates solutions to conflicts.
- Prefers playing with other children than playing alone.
- Enjoys doing new things.
- Becomes more creative in make-believe play.
- Confuses what's real and what's make-believe.
- Expresses likes and dislikes.
- Seeks new experiences.

### *Thinking - Cognitive Development*

- Copies simple shapes.
- Understands the concepts of “same” and “different.”
- Follows instructions with two or three steps.
- Understands the concept of counting and may know numbers.
- Draws a person with two to four body parts.
- Begins to understand time.
- Knows basic colors.

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<sup>21</sup> <https://helpmegrowmn.org/HMG/DevelopMilestone/4Years/index.html>

- Uses scissors.
- Copies letters.
- Plays board games or card games.
- Tells you what will happen next in a story.

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## 5-Year Child Developmental Milestones<sup>22</sup>



No two children develop, grow and learn in the same way or at the same pace. However, children do develop in certain predictable ways. Listed below are common developmental milestones for a **5-year-old child**.

### *Moving - Physical or Motor Development*

- Hops and may be able to skip.
- Does somersaults.
- Uses a fork and spoon, and sometimes a table knife.
- Stands on one foot for at least 10 seconds.
- Uses the toilet independently.
- Swings and climbs.

### *Talking - Communication and Language Development*

- Speaks very clearly, using sentences of five or more words.
- Tells a story in complete sentences.
- Uses future tense, such as “I will be there.”
- Says name and address.

### *Interacting - Social and Emotional Development*

- Wants to please friends.
- Wants to be like friends.
- Agrees to rules more easily.
- Likes to sing, dance and act.
- Knows the difference between fantasy and reality.
- Knows who is a boy or girl.
- Expresses likes and dislikes.
- Shows increasing independence.
- Seeks new experiences.
- Demonstrates both demanding and cooperative behaviors.

### *Thinking - Cognitive Development*

- Counts 10 or more objects.
- Names at least four colors correctly.
- Understands items used every day such as food or money.

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<sup>22</sup> <https://helpmegrowmn.org/HMG/DevelopMilestone/5Years/index.html>

- Draws a person with at least six body parts.
- Copies a triangle and other geometric shapes.
- Understands the concept of time.
- Prints some letters and numbers.
- Recognizes own printed name and may be able to write name.

## Building Relationships with Children

Young people respond to how you relate to them. Always listen to their story and treat them with respect. Stay in the role of a guardian ad litem so that they know what to expect from you. Staying in your role, advocating for their best interest, listening, and behaving respectfully, empathetically, and compassionately will help you gain and maintain their trust. Be honest and be accountable.

## Practical Tips and Best Practices for Engaging with Children

When a family allows you into their home because you have a court order from a judge, remember that the family is probably feeling vulnerable and judged. **Treat all family members with respect** regardless of what you think of them.

A Guardian ad Litem is a **legal advocate** for a child during a court proceeding. We observe, interview, and explore in to understand what roadblocks to safety a family is facing and then we recommend services to remove those roadblocks so that children can be safe at home, ideally with their families.

Safety concerns that are being evaluated can be physical abuse, sexual abuse, or neglect. They may even be a combination of some or all those different conditions.

Families are not perfect, and we must always remember we are not here to address perceived imperfections of the way our families and children live their lives. **If your concerns don't fall under the umbrella of abuse and neglect, then they should not be used to hold the family back** from proceeding through the child protection system towards reunification and/or dismissal. In this section, we will look at do's and don't when working with children tips for engagement.

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### Practical Tips and Best Practices

1. **Meet with the child at their home or placement location whenever possible.** We don't want to be overly disruptive of their school life. It is good to ask the child where they prefer to have visits, too.
  - a. If they prefer to meet at school, check in with the school if meeting with child would be disruptive. Be planful.
  - b. Children must be visited in placement, and we are **allowed to meet the child one-on-one.**
  - c. Best practice is to visit the child when child sees the parents, as well, so we can observe the interaction, however we do not want to do this too often. The cost can be that we are intruding on the children's special time with their parent, which often feels too brief for them already.

2. **Make your role clear.** Younger kids will likely be unimpressed or disinterested in the GAL brochure. Try to explain in a way that is fun, engaging, and simple. Make sure to still be clear about the main distinctions:
  - a. GAL make recommendations to the court.
  - b. GAL recommendations aren't always what the children wants or wishes, so a GAL doesn't make promises or make predictions related to the case.
  - c. **GAL can't make case changes, give things, or be a communication go-between to other people in the child's life.** This bit is often the most difficult for children and families to understand.
  - d. The social worker is the only one who can put in referrals, coordinate things, or put things in motion for the children in the case.
  - e. If the child is over 10, they have an attorney appointed. Talking to the attorney is important because they can also convey the needs and wishes of the child to the court.
  - f. GAL don't disseminate the records we obtain to children or parties to the case. Only the judge can order the GAL to release records to the court that the GAL has obtained.
3. **Get to know the child and their interests.** What are their favorite things to do?
4. **Ask about school.** What do they like or not like about school? Favorite classes? Least favorite classes? Good friends?
5. **Ask about their needs.** Do they need anything? Do they need help getting the things they need?
6. **Be Patient and Build Rapport.** Sometimes, you don't have a lot of time before a trial or other variables that may lead you to needing to ask some bigger questions early on, however it is best practice to build rapport before you start asking the big questions. Examples of big questions are "where do you want to live?" "What are your hopes for the future?" "How are visits going with your parent?" etc. Building rapport can take time, but it is different for every child. Some children may open up to you right away, some children may need months before they feel at ease. **Be patient and keep building.**
7. **Find out who the child's important people are.** Who are those people? Does the child get to see them? Is it often enough? You may even want to talk to some of those important people or make recommendations to increase the time they have together. To understand the importance of supportive relationships, refer to
8. Positive Childhood Experiences (PCEs) from earlier in this chapter.
9. **Make Observations.** Observe and document developmental stages, verbal abilities, facial affect, relationships, and interactions with others in your notes. These details will inform and enhance your written court reports.

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**Things you should not do:**

- ✗ Act as the child's social worker, therapist or lawyer.
- ✗ Give legal advice to anyone in the case or hire an attorney for the child or parent.

- ✗ Enforce a court order or sanction a party.
- ✗ Determine if abuse or neglect has occurred.
- ✗ Make referrals for services for the child or parents or facilitate the referral process.
- ✗ Transport children or parents.
- ✗ Provide a “message” service for parents to communicate with each other.
- ✗ Supervise services including mediation, visitation or parenting time exchanges.
- ✗ Make placement arrangements for the child.
- ✗ Talk with every person involved in a child’s life.
- ✗ Remove a child from a home.
- ✗ Tell parties how or what a judge might rule on a case.
- ✗ Help the child feel better with gifts.
- ✗ Take the child home with you.

## Healthy Boundary Dos and Don’ts

Here is a list of dos and don’ts when it comes to maintaining healthy boundaries with children and family. Allow this guide to help you stay in your role.

DO ✓	DON’T ❌
Make recommendations regarding children’s best interests to help protect them from abuse.	Use our personal preferences as a measuring stick to judge families and impose our beliefs onto them.
Gather information and maintain confidentiality.	Provide a “message service” for communication among parents, attorneys, social workers, children, etc.
Communicate with families and be flexible so that we can see children in the home or placement setting.	Regularly disrupt school or supervised visits.
Direct families and children to the assigned social worker, their attorney, or other relevant resource provider if they have needs related to the case.	Provide direct services, rides, money, gifts, or resource referrals to the children and family.
Consider the best interest factors when making recommendations for the children and families.	Impose your own judgement and opinions on families via updates to court, recommendations, and court reports.
Listen to, observe, and identify the child’s needs and concerns; explore the family’s circumstances as part of our independent investigation.	Make assumptions about families and children.
Report child maltreatment to CPS when children disclose harm to you – if it is alleged harm from some one caring for the adult, or one of their siblings. Other kinds of harm from non-care providers, like from a school staff, should be reported to the police.	Refuse or fail to make a maltreatment report based on fear of reprisal or fear of losing child’s trust.
Read all kinds of documents to understand the evaluations and observations of other professionals regarding the children and parents. Documents could include medical, mental health, chemical health, and education records.	Rely solely on the reports of social workers and the updates from the County/Department in hearings in creating our recommendations and reports.
Have the goal of fostering relationships with children, families, social services workers, attorneys, and judges. Always communicate respectfully.	Damage relationships with children, families, and court officials because of our own feelings and notions.



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## Ask Open Ended Questions

Open ended questions don't encourage yes or no responses. Remember, especially early on, the kids you work with will likely be leery of you and unsure of your role, even if they grasp the words you say. It can be hard even for grownups to really get what a GAL does and what the implications of talking to you are, so be patient, be encouraging, and do your best to make them feel comfortable.

**Sample open ended questions:** (these are just ideas, not a comprehensive list or an expectation that you are asking all of them in a visit with the child. The right questions to ask will vary on the child and the case. Try to **have a plan for what you will ask** before going to the visit).

- "What has been going on at school since the last time I saw you?"
- "Tell me more about the last few visits you have had with your [parent or guardian]?"
- "When do you feel the most safe and happy?"
- "How do you feel about moving back in with your [parent or guardian]?"
- "Who are the supportive people in your life?"

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## Practice Active Listening

- **Reflect.** "It sounds like you've been feeling alone since your father passed away." When speaking with children, make sure you are restating what they have told you. Try to avoid restating at a question unless you really need clarity on what they are saying. Children can be quick to feel that adults aren't listening or understanding them, and frustration is often their first response. **Give children your undivided attention when they are telling you things.**
- **Validate.** "Losing a parent that way happens too often. I hear that it has really been hard for you, and that makes sense. It is such a huge loss in your life." When children are telling you what they are struggling with or really happy about, validate those feelings, validate what they have shared. Keep in mind, though, **to not validate maladaptive/bad behavior.** We don't want to validate that they hit their sibling when they were sad; we want to only validate the feeling of sadness in a situation like that.
- **Empathize.** "I see why it would be hard to concentrate in school when you are grieving. Grief takes time and impacts everything in our lives when it is a loss like you've had." Try to imagine facing the struggles the child is going through. Imagine that you were facing the same struggles at your age. Imagine you had the same kind of network and people in their lives that they have. What would you be feeling? What would you need? What would you want? **The ability to empathize with the children you work with is key.**

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## Engage in Age-Appropriate Activities

While we can't buy children on our cases anything, take them out to eat, or bring them anywhere, there are still many kinds of activities you can do with the children on your caseload. Many kids don't like to just sit around and talk. They would rather do something fun and engaging. Doing something fun and engaging may also help them open up and share more, making your visits not only more meaningful for them, but for you, too, and the quality of information you can collect.

**Activity Ideas:**

- **Go for a walk**
  - Ask the child if there is somewhere they like to walk to, ask if they will show you.
  - Ask the child if there are people whom they want you to meet in their neighborhood; people who they like and trust.
- **Play a game** (think Uno, Checkers, Chess, Go Fish, Crazy 8s, etc. It is okay if you have some board games at home that are age appropriate and bring them to visits).
- **Ask the child:** they maybe have favorite games in their home or activities they like to do. If the kids are school age, they likely are impressed by paper airplane making skills. You could likely win them over if you can make a great paper airplane.



**Pro-Tip:** If you make a paper airplane together, you can turn this into another kind of trust building exercise. Ask them, if they would like to, write something inside the paper airplane that they would like you to know about themselves or about what they are curious about, or just something they want you to know. You could see if they want to do it before your visit is over or offer to ask for the airplane back at the next visit.

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## Advocate

The ideal relationship between you and the child is one that maximizes your ability to successfully and meaningfully advocate for the child and their needs to the court. To do this, you must have direct and sufficient contact (**monthly at minimum**). Having meaningful contact and connection with each child is part of a successful investigation. Gain firsthand knowledge of the child's unique personality, abilities, and needs. Don't only look at what they say, though: take in their environment, their past, and things that will likely inform their near future (upcoming or proposed changes to their placement, school, visits, etc.).

As the advocate, be an **independent advocate** and **do your best to be objective** in your findings and recommendations.

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## Chapter 5 in Summary

Working with children, families, and service providers is an area of your work that should grow and develop over time. We covered some essential things to keep in mind when engaging with people on your cases, but it is not something you can learn merely through reading and study. During your time as a GAL, you will encounter many situations, challenges, and complexities that will shake your evolving perspectives and understanding on how the best interests of the child can be achieved.

In Chapter 5, you learned about factors in safety and wellbeing for children and families.

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# Chapter 6:

## Performance Expectations



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### Chapter 6 in Focus

In this chapter, you will learn about what is expected of you in the GAL role. Aside from the practical expectations, some of the key things you will learn about is managing the GAL software, Cosmos, and your Outlook email account. You will also learn how you are expected to interact with families, professionals, supervisors, and co-workers. By the end of the chapter, you should have a good idea of what is expected of you in your role as a GAL. If something isn't clear, please remember to reach out to your supervisor.

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## Cosmos Updated

- ✓ Cosmos notes are **entered daily** and accurately.
  - ✓ **All documents are filed into the Document section** of Cosmos as they are collected.
  - ✓ Directories are set up at the beginning of a file and **updated regularly**.
  - ✓ **The child details are entered, updated and accurate:** gender, race, DOB, preferred name, etc.
    - If the child has more than one race, indicate multi-racial and add appropriate race in comment section.
    - On the case detail screen indicate if a child is runaway or is placed out of state. Indicate this by writing “exception”.
  - ✓ **Inform your supervisor** by email when a case has been closed by providing final orders and case update form
  - ✗ **Do not delete previous contacts** in directories
- 



## Outlook Updated

- ✓ Place **all work-related appointments** in Outlook.
  - ✓ **Add case name and addresses** of home visits, foster home visits, etc. in Outlook.
  - ✓ **Update Outlook** when meetings change/cancel if possible.
  - ✓ **Share your calendar** with your supervisor with full details.
  - ✓ When out of office ensure your Outlook **out of office email response is turned on** both internally and externally.
  - ✓ Ensure you use “New Meeting” for **both sick and vacation** time so that it accurately reflects time off on your calendar. **Add your supervisor’s email to the required section.**
  - ✓ **Update Outlook signature** as required.
- 



## Cosmos Timesheets and Expense Reports

- ✓ **Document case notes and expenses daily** or every other day minimum.
- ✓ **Ensure time is entered in .1** (6-minute increments) format.
- ✓ GALs are allowed **two paid 15-minute breaks** in an 8-hour day.
- ✓ **Expenses should list addresses** and if the visit was round trip or one way.
- ✓ Follow the expense reporting expectations i.e.
  - list names of case under description
  - mark if training related, out of state, etc.
- ✓ **Ensure the amount of expense matches** your receipt and date. The receipt should show payment. The receipt should show what food was purchased. No snacks or alcohol.
- ✓ **Use affidavit of non-receipt** if you are missing a receipt and/or for places that do not give receipts such as parking. Ask your supervisor for more information if you are missing a receipt.
- ✓ **Follow out of state policy** when applicable as well as for lodging, overnight, and over-ride mileage.
- ✓ **Submit expense reports bi-weekly** at the same time as timesheets.

## Time Reporting: Essential Rules

1. Cosmos time entered **every other day at minimum**.
  - a. entering notes fully every day is the gold standard.
2. **Payroll time entered once every two weeks**, before 4pm on the Tuesday that the pay period ends.
3. Cosmos time entry matches closely to Payroll time entry.
  - a. We report about **90%** of our time in Cosmos (approximately **7.2 hours of an 8-hour** shift reported in payroll needs Cosmos notes that outline the work you did).
  - b. The days/hours you work in Cosmos should be reflected in Payroll reporting: if you worked 4 hours on a Sunday in Cosmos, but in payroll you report no weekend hours and only weekday hours, this would be flagged by your supervisor -- and payroll if your supervisor doesn't catch it.
  - c. **It is expected you work 40 hours each five-business day interval.**
    - i. Since our payroll goes from Wednesday – Tuesday over a two-week period, the 40-hour work weeks within that are: **Wends-Thurs-Fri-Sat-Sun-Tues**. Make sure you are adding up and planning your weekly hours to match that format. If you plan your hours Monday – Friday, that invariably causes issues if you work long or short days.
    - ii. **If you work/report less than 40 hours**, this may affect your benefits, so always get supervisor approval prior to working less than 40 hours a week.
    - iii. **If you work/report more than 40 hours a week**, that is considered overtime and should never be done without prior approval. Overtime can be approved on rare occasion, but it needs to be approved beforehand. Overtime is discouraged in the program because of the stressful nature of our work. We don't want staff to burn out!

## Time Entry Tips

- If you keep your Outlook calendar properly updated with all your visits, hearings, meetings, and appointments, including travel time, it will be much easier to get your Cosmos and Payroll to match.
- Be sure to count travel time in your notes! You can track travel time in separate notes, but I prefer to pad notes with the time spent traveling and include a sentence at the start or end of the note: "Time reported includes travel time."
- **Don't sell your work short** – you are not a machine! Maybe you were on a phone call for 15 minutes, but think of the iceberg analogy: maybe the call was 15 minutes, but how many attempts did you have to make before the call happened that day? Did you have to review your notes before taking the call? How about after? Did you have to process what you learned on the call? Did you have to think about next steps, or coordinate more calls or meetings after the call? Remember to think about the process and include the process in your reporting.
  - Of the time you must report **each day** you work:
    - Make sure **most of it is "targeted case management"**. Assign the time you did directly to cases. Include not only the direct contacts, but the travel time and pad the notes with any time you spent mulling over the case or planning on it.
    - It is okay to reserve 1-2 hours each day of "**General case management**". This can be reported in non-case time. It can be a standard note you include that mentions things like "email mgmt., general coordination and planning across cases, consulting with supervisor," etc. Because those are things we need to do every day. This is time that also accounts for the time it takes to transition our minds between cases, between visits, meetings, travel for work, etc.



## Collaboration and Support

Below are the expectations of collaboration and support in your GAL role.

### *Meets with Supervisor*

- ✓ **Meets with supervisor** to review cases on a regular basis.
- ✓ **Be aware and be prepared** to discuss upcoming types of hearings, especially trials or other contested hearings.
- ✓ **Requests to case consult** one on one with your supervisor.
- ✓ **Is prepared for meeting** by looking at MGA, court orders, and relevant material in advance of meeting.
- ✓ **Request case consults with the program attorney** for trial prep, appeals, motions, or other legal issues.
- ✓ **Inform your supervisor:**
  - of mandatory maltreatment reports you make or plan to make.
  - of any deaths or near-death incidents in your cases.
  - If a case will potentially be in the news.
  - of any legal issues or motions that come up on your cases.
  - of any cultural, religious, gender, or other DEIA concerns on your cases or in the workplace.
  - If you are injured.

### *Attends Case Team Meetings and Consults*

- ✓ **Attendance is required** for all staff meetings and team consults.
- ✓ **Respectfully participate** in team meetings.
- ✓ **Bring cases for team consult.** That means be prepared to talk about a case you are working on.
- ✓ If you will be absent, it is your responsibility to **connect with your supervisor for what you have missed.**
- ✓ **Contribute to creating a safe environment** for your co-workers to talk about their cases.
- ✓ **Speak respectfully of collateral contacts.**
- ✓ **Provide constructive feedback** as needed and when possible. It is okay to respectfully “push back” and offer an alternative view.

### *Aid and Support Co-Workers*

- ✓ **Mentor co-workers** and share phone contact information with one another.
- ✓ **Allow others to shadow you in court.**
- ✓ **Take advantage of opportunities to learn from peers.**

### *Effective and Efficient Communication*

- ✓ **Effectively, professionally and promptly sends verbal, electronic and written communications.**
- ✓ **Respond same day or within 24 hours** (business day) to all stakeholders.

- **Remember everything you write** to stakeholders can be subject to discovery.
- ✓ **Set appropriate boundaries** with parents and children.
- ✓ You can take calls from parents/children on the weekends and evenings, **but it is not required**. Always record your work hours, and **do not work overtime without prior approval**.
- ✓ You may be included on group texts/emails with social workers, parents, and other providers.
- ✓ **Ensure your voicemail is set up** and is not full.
- ✓ **If you disagree with the county or a provider**, document your concerns in an email rather than calling so you have clear record of what is being communicated. Attempt to address concerns prior to bringing the issue to court.
- ✓ **If parties are not responding to you**, copy your supervisor.
- ✓ **Avoid political or religious communications**.
- ✓ **In cases of conflict**, consult with your supervisor regarding next steps.
- ✓ **Do not:**
  - ✗ Use cap-locks, underlines, or bolds in your emails on a regular basis (lacks professionalism and you may appear angry or disrespectful).
  - ✗ Use smiley faces or other emojis with outside stakeholders.
  - ✗ Communicate with parents/children through social media.
  - ✗ Have direct contact with judge without other parties present.
- ✓ **Comply with Program Confidentiality Policy**. If you do not have a copy of this policy or know where to find it, ask your supervisor.
- ✓ **We can share pertinent information** with county social workers and parties. However, **we cannot provide the records we collect from parties or collateral**. The social workers must request these independently and other parties must request them through the court.
- ✓ **Keep all passcodes confidential** and lock your computer when you walk away.
- ✓ **Use confidential form 11.3/11.4** when sharing confidential information with the court. Ask your supervisor if you are not sure when to use these forms.
- ✓ **Exhibit objectivity and openness in communication** with others.
- ✓ **Do not:**
  - ✗ Re-disseminate documents to anyone without a Court Order directing you to.
  - ✗ Discuss our cases with others outside our supervision/team.
  - ✗ Provide foster parents information about parental progress or non-progress with case plan.
- ✓ **Build good relationships with stakeholders**. Maintain independence and objectivity while building trust and respect with others.
- ✓ **Be mindful of your tone of voice and facial expressions**. Even if you are upset it is important to always be respectful.
- ✓ **Be a good listener** and have the perspective that each case is unique.
- ✓ **Acknowledge and address any implicit and explicit personal biases**.
- ✓ **Acknowledge what is going well** on a case and express this in court when deserved.
- ✓ When communicating with children find areas/things they have done well and **provide positive feedback**.
- ✓ **Always use a language interpreter** if the parent/child speaks a different language.
- ✓ **Do not:**
  - ✗ Be quick to judge.
  - ✗ Only focus on the negative.
  - ✗ Allow a family member/child to interpret for you in another language.
  - ✗ Regularly bold, underline, or use all capitals in your communication.



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## Summary of Chapter 6

Now you've learned more about what is expected of you in the GAL role. Managing the GAL software, Cosmos, and your Outlook email account are critical parts of your work. Clear, consistent, and timely communication and coordination is critical in the GAL role. If something isn't clear, please remember to reach out to your supervisor with any questions.

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# Glossary of Acronyms and Terms

The glossary of acronyms and terms is in no way meant to be comprehensive. The field of child welfare is brimming full of acronyms and terms; the acronyms and terms can even vary district to district. The definitions in this glossary will hopefully cover some of the acronyms and terms you see most often.



If you are unsure about a term or acronym, ask your supervisor, but **do not rely on a general internet search.**

Often, the acronyms in child welfare and court are common acronyms in other fields, too. BIOC for example, is used in the sciences for a very different purpose than it is used in the GAL role.

## A

**AD or A/D:** Admit Deny Hearing. (pg. 16)

**ACA:** Assistant County Attorney. In Hennepin, the ACA is usually referred to as HCAO (Hennepin County Attorney Office).

**ARMHS**

**ARS:** Adult Representation Services.

**ARSW:** Adult Representation Services Worker.

## B

**BIOC:** Best Interests of Child.

**BIS:** Best Interest Statement. A BIS is provided by the GAL at EPC hearings, Trials, Default proceedings, and other kinds of hearings as required by statute and legal procedure.

## C

**CASA:** Court Appointed Special Advocate.

**CHIPS:** Child in Need of Protection or Services. (pg. 14)

**CMH:** Children's Mental Health.

**CN:** Court Notification. A CN is a brief, written document filed by parties and used to communicate something to the court. A CN is used when there is not only an update, but when that update comes with a specific request for the judge to make an order.

**CPI:** Child Protection Investigator.

**CPSW:** Child Protection Social Worker.

**Cross-Examination:** a witness or party being questioned by multiple attorneys or parties in a trial setting.

**CSW:** Child Social Worker.

## E

**EFS:** Electronic Filing System

**EPC:** Emergency Protective Custody. (pg. 14)

## G

**GAL:** Guardian ad litem, or Guardians ad litem (same acronym for single and plural uses).

**Guardian:** a person legally appointed by a court, parent, or spouse to make personal decisions for an individual who cannot make those decisions for themselves. This individual is then considered a "protected person" or a "ward".

## H

**HCAO:** Hennepin County Attorney Office. This is also how they refer to the assistant county attorneys in Hennepin, so you will see it after their name in Zoom or on documents.

**HSPHD:** Human Services and Public Health Department (Hennepin County).

## I

**IDH:** Intermediate Disposition Hearing. (pg. 18)

**IEP:** Individualized Education Program.

**Individualized Education Program:** a written document that outlines the special education and related services a school district will provide to a student with a disability. It's a collaborative effort between the parents/guardians, educators, and the student, and is designed to ensure the student receives a free and appropriate public education.

**Independent investigation:** a process where someone, not connected to the issue being investigated, is tasked with gathering and analyzing information to determine facts and make recommendations.

## J

## K

**Kinship Worker:** supports relatives through the foster care licensing process and identifies family supports for parents working with child protective services.

## L

**Limited Admission:** means a party admits only part of the statutory grounds stated in the CHIPS petition, rather than all of them. This can be done with the agreement of the petitioner.

## M

**MGA:** Minnesota Government Access. A website used for handling court records.

## N

## O

**OHP:** Out of Home Placement.

## P

**Parenting Time:** the term used for the time a parent spends with their child after a separation or

divorce, also known as "visitation" or "physical custody". It dictates how often and when a parent has the child in their care and can include overnights, weekends, holidays, and summer breaks. A court order may specify the exact schedule and can also include conditions like sober parenting time or treatment if necessary.

**PHR:** Pre-Hearing Report. PHR are filed by social workers ahead of most types of hearings. They may have different names for this kind of report in different districts, but in Hennepin it is a PHR.

**Post-permanency:** refers to the period following the finalization of a permanent placement for a child who was previously in foster care. This means the child has a stable and secure living situation, whether it's reunification with their birth family, adoption, or permanent guardianship. Post-permanency services are designed to support these families and ensure the child's ongoing needs are met.

**Pre-permanency:** refers to the initial phase of the case before a permanent plan for the child's care and custody has been established.

**Pre-Permanency Review Hearing:** This type of hearing happens starting at six months and then can occur yearly or as ordered by the judge. This hearing type does not require any special response or action from the GAL; however, it is important to read the Out of Home Placement Plan ahead of this trial. If you see anything amiss in the plan or believe there should be changes or additions, be ready to share those things at this hearing. You can recommend changes to the OHP at any time, though, that is why this type of hearing isn't especially of note to GAL. It will usually be scheduled at the same time as an IDH or Pre-trial. You should plan to file a written report for this type of hearing under most situations, so best to file one rather than not.

**Protective Supervision:** protective supervision is a court-ordered disposition that places a child under the supervision of a social services agency or child-placing agency, but the child remains in the custody of a parent or legal custodian. This means the parent or custodian is responsible for the child's care, but the agency monitors the

child's well-being and provides support to ensure their safety and needs are met.

## Q

## R

**Removal Home:** The home the child was removed from by court order but doesn't relate to the physical location the child was removed from necessarily. For example, the child lives with his mother, but the mother is homeless. The child was taken into emergency protective custody while the child was at his aunt's home. The aunt's home is not the removal home. In that situation, it is wherever the mother resides or will reside. AKA the mother's custody, regardless of location, is the removal home.

**Reunification:** refers to the process of returning a child who has been in foster care back to the care of their parent(s). This is the preferred permanency goal when it is deemed safe and appropriate for the child. Reunification often involves a case plan outlining the steps the parent(s) must take to demonstrate their ability to provide a safe and stable home. The court typically monitors the process and may terminate jurisdiction over the CHIPS matter once reunification is successful.

## S

## T

**TPR:** Termination of Parental Rights.

**Termination of Parental Rights:** It's a legal process where a court ends the legal parent-child relationship, stripping the parent of their rights and responsibilities toward the child. This can happen if the parent is unable or unwilling to

provide a safe and nurturing environment for the child, even after reasonable efforts have been made to help them.

**TPLPC (formerly TLC):** Termination of Physical and Legal Parental Custody. Sometimes still referred to as a "TLC" in some districts.

**Transfer of Permanent Legal and Physical Custody:** a court-ordered process where a child in foster care has their permanent legal and physical custody transferred to a relative, who then becomes the child's permanent caregiver and decision-maker until they turn 18.

**Trial Home Visit:** a trial home visit is a temporary period during which a child is returned to the care of their parent or guardian from whom they were removed, but with the agency maintaining legal custody according to the Minnesota Judicial Branch. This placement is typically for a period not exceeding six months and allows the family to demonstrate their ability to provide a safe and stable home environment with ongoing support from the agency.

## U

## V

## W

**Ward of the State:** means that a child's guardianship and legal custody have been transferred to the Commissioner of Human Services by court order.

## X


## Y

## Z

# Appendix

## Court Report Guide

Below is a link to the PDF court report Guide. If you are reviewing this manual via hardcopy, ask your supervisor for a copy of the court report guide.



STATE OF MINNESOTA

County of (auto populate)  
(auto populate) Judicial District

In the Matter of the Welfare of the Children of:  
Enter case name here (parents or legal custodians as listed in the petition)

Date of Report: date is auto populated (ensure correct)  
Date of Hearing: date is auto populated (ensure correct)  
Type of Hearing: enter report type

DISTRICT COURT

Guardian ad Litem Juvenile Court Report Pre-Permanency

Case Type: Juvenile  
Court File Number(s): all court file numbers are auto populated (check to ensure correct)

Guardian ad Litem: auto populated, ensure correct name is entered  
Date GAL Appointed: enter the date of your appointment to the child

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Children  
Enter each child's name, date of birth, and age  
  
If the children's names are confidential make sure to identify them as Child 1, Child 2 in accordance with the 11.4 Confidential Information Form  
  
Do NOT use # (use Child 1, not Child #1)  
  
Use Child 1 and they/them pronouns throughout the entire report

Parents/Guardians  
Enter the names of the parents/custodians and their relationship to the child  
  
Include adjudicated or alleged fathers

Indian Child Welfare Act/ Minnesota Indian Family Preservation Act  
Has the court made inquiry whether ICWA and/or MIFPA applies to any child(ren) in this case:  
  
Choose an item.  
This is a "yes" or "no" response from the drop down. Do not answer yes without first reviewing the EPC or Admit Deny Court Order to ensure the ICWA inquiry has actually been made.

## EPC Coverage Form

Hardcopies are located by the parking passes in the main office. You may use the form below as a template for completing a Word doc or email with the information filled in. Send to your supervisor in a timely fashion.

Guardian Ad Litem Court Coverage: \_\_\_\_\_ Date: \_\_\_\_\_

Case Name \_\_\_\_\_ JC File Number \_\_\_\_\_

Judge: \_\_\_\_\_ County Attorney: \_\_\_\_\_ CPW \_\_\_\_\_

Mother: \_\_\_\_\_ Mothers Attorney: \_\_\_\_\_

Mother's Phone Number: \_\_\_\_\_

Father \_\_\_\_\_ Fathers Attorney: \_\_\_\_\_

Father's Phone Number: \_\_\_\_\_

Child: \_\_\_\_\_ Childs Attorney: \_\_\_\_\_

Tribe: \_\_\_\_\_

Placement: \_\_\_\_\_

Recommendations/Updates from Parties:

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**Court Ordered:**

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**Next Court Hearing Type and date:** \_\_\_\_\_

**Other Information:**

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# EPC Statements and MAAFPCWDA

## Statements

Based on the motion/petition and supporting documents (*select one of the following, adapt as needed*):

- I believe the motion/petition states a basis that there is the child's health or welfare would be immediately endangered if returned home at this time and the child should remain in out of home placement until the parents can address the safety concerns and engage in a case plan.
- This child needs protection and services, but the child should be returned home because the parents are already engaged in a case plan and there are no safety concerns.
- This child is not in need of protection and services, the child should be returned home, and this case should be dismissed.
- The department should set up visits between the parents and/or siblings and the child.
- The department should conduct a relative search for a concurrent plan.

## MAAFPCWDA\*

At an Emergency Protective Care Hearing (EPC) or A/D where MAAFPCWDA applies.

**\*Minnesota African American Family Preservation and Child Welfare Disproportionality Act.**

1. Agree that the Court find MAAFPFA applies
2. Ask if there is a request for Out of Home Placement.
  - 2.1. Based on the petition, do you believe there is a showing the child(ren) would be at risk of *imminent physical harm* if they were to be reunified with Mother at this time?
  - 2.2. You can say something like:
    - 2.2.1. "The child would be at risk of imminent physical harm if they were to be reunified with Mother at this time based on Mother's (insert what the petition says is the imminent harm basis for removal) and that the risk *at this time* outweighs the harm they would experience as a result of the removal."
  - 2.3. That it's in the best interests of the child for the Department to ensure the placement be provided with supports to ensure the child's needs are met.
  - 2.4. If the placement is not a relative, ask that the Department to provide active efforts to engage relatives and Father(s) for placement consideration if there is an ongoing need for out of home placement.
3. If OHP is not requested:
  - 3.1. Then based on the petition whether there is a basis for all or some of the children to be on the petition.
  - 3.2. Recommend that the department make ongoing active efforts to prevent removal by engaging with Mother, any father(s), and any relatives to support the family.

## Extended Foster Care

Extended Foster Care (EFC) Policy: EFC is a voluntary program (Meaning the youth has a choice to participate in EFC or not) and youth must qualify each month and provide documentation to remain in the program. This is a big difference from when youth are under the age of 18.

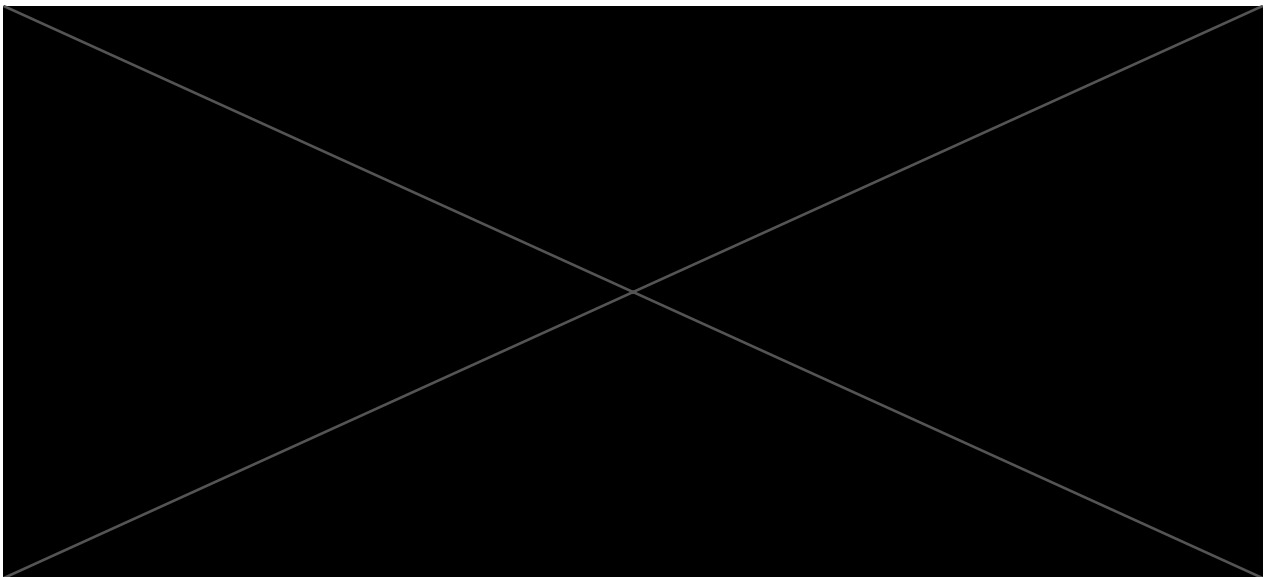
- To participate youth must sign a voluntary placement agreement (VPA) and agree to meet face to face at least 1x a month and communicate via phone text or email regularly with the assigned EFC worker.
- EFC is an independent living skills (ILS) program that helps youth prepare to leave foster care and live on their own. Prior to the department supporting a youth in living on their own they must demonstrate they have the ILS needed to live on their own. For example, have a bank account, understanding a budget, experience handling money, having money saved up to pay half of their security deposit, utilize public transportation, be responsible for their own appointments such as medical, dental, therapy.
- EFC goals and plans will look different for each youth depending on their needs and abilities, so remember that just because one youth was approved and moved into an apartment within months after turning 18 doesn't mean that every EFC youth will be approved to move into an apartment within months after turning 18. Everyone's situation is different so make sure to be communicating with your EFC worker.

## EFC Procedures

### Guardian ad Litem Program Fourth District

Extended Foster Care Procedure

Drafted January 10, 2024



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<sup>23</sup> 18-years-old is the age of majority in Minnesota.



## Court Notifications

Below is a link to the Court Notification (CN) template. If you are reviewing this manual via hardcopy, ask your supervisor for a copy of the court notification template.

### STATE OF MINNESOTA Guardian ad Litem Program



**State of Minnesota**

**District Court**

<b>County:</b> Hennepin	<b>Judicial District:</b> Fourth <b>Case Type:</b> Juvenile <b>Family ID Number:</b> <b>Court File Number:</b>
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**In the Matter of the Welfare of the Child (ren) of:**

**GUARDIAN AD LITEM  
Court Notification/Request for Order**

**Judicial Officer:**

**Name of Guardian ad Litem:**

**Date:**

**Child(ren) Name(s):**

### **NOTIFICATION TO THE COURT**

**Narrative:**

**Recommendation(s):**

**Order:**

**Judge's Signature:**

**Date:**

# CHIPS to Permanency Timeline

A timeline created by the MN Courts is linked below. If you are reading this manual via hardcopy, visit [CHIPS\\_TO\\_Permanency\\_Timeline\\_Chart\\_\(February\\_2015\)\\_\(Ahlstrom\).pdf](#)



## CHIPS TO PERMANENCY TIMELINE Required Timing for Permanency Proceedings under Minnesota Statutes Chapter 260C except CHIPS By-pass Cases and Voluntary Placements

Ann Ahlstrom

Last Revised: February 2015

Month	Day	Event	Other
1	1	Child enters foster care by: 1. Law enforcement hold; or 2. Order for immediate custody; or 3. Voluntary placement agreement	Voluntary placement may occur by agreement under: 1. <a href="#">Minn. Stat. Chapter 260C</a> (for children who are emotionally disturbed or developmentally disabled to access treatment); 2. <a href="#">Minn. Stat. 260C.227</a> ; 3. <a href="#">Minn. Stat. 260C.228</a> (youth age 18 and older) Each type of voluntary has unique court review and permanency requirements.
	3	Emergency Protective Care Hearing	If child is removed involuntarily, CHIPS petition is filed within 72 hours. <a href="#">Minn. Stat. § 260C.176</a> ; <a href="#">MRJPP 33.01</a> requires petition to be filed at or prior to EPC hearing
	3-13	Admit/Deny Hearing Scheduling Order	If ICWA case, service must take place 10 days prior to hearing; tribe may request up to 20 more days. <a href="#">25 U.S.C. § 1912</a> ; <a href="#">MRJPP 34.02, subd. 1(b)</a> . Scheduling order must issue at or within 15 days of this hearing. <a href="#">MRJPP 6.02</a>
	30	Out of Home Placement Plan filed	Court may approve plan based on contents of CHIPS petition, and implementation of approved plan may be basis for reasonable efforts determination. <a href="#">Minn. Stat. § 260C.178, subd. 2</a> ; <a href="#">MRJPP 37.02, subd. 4</a> Minnesota Assessment of Parenting for Children and Youth is completed by agency. <a href="#">Minn. Stat. § 256N.24</a>
2 weeks to 14 months	14-53	Pretrial Hearing	Must be held at least 10 days prior to trial. <a href="#">MRJPP 36.01</a>
	63, but not later than day 93	CHIPS Trial	CHIPS matters come to trial by day 63; county attorney determines whether criminal or juvenile case proceeds first in cases of egregious harm. <a href="#">Minn. Stat. § 260C.503, subd. 2(b)</a> ; <a href="#">MRJPP 39.02, subd. 1(b)</a>
	78 or within 15 days of conclusion of testimony at trial	Findings and Adjudication Disposition	Court may extend total time for findings to 30 days under <a href="#">MRJPP 39.05</a> , if extension is in the interests of justice and best interests of child. <a href="#">MRJPP 39.05</a> . To extent practicable, disposition is entered same day as adjudication. <a href="#">MRJPP 41.02</a> . If disposition cannot be entered the same day, <a href="#">R. 41.02</a> requires disposition to be ordered within 10 days of date petition is found proved. See also last paragraph of <a href="#">Minn. Stat. § 260C.201, subd. 1(b)</a> .
	At least every 90 days as long as child is in foster care until there is permanency order	Review Hearings	At any review hearing: 1. Child may be returned home if parent has made progress on case plan and mitigated unsafe conditions to the point home is safe for the child; or 2. If parent is not making significant progress on case plan, agency can move to permanency. Hearings review parent(s) progress on case plan, afford an opportunity to correct problems with services, and address barriers to reunification; also afford opportunity to ensure parent knows consequences to both parent and child of failure to comply with case plan. <a href="#">MRJPP 41.06, subd. 2</a>
			See table on next page.
6	180	Permanency Progress Review Hearing	
11	335	Permanency Pleadings filed	Permanency petition filed by month 11. <a href="#">MRJPP 42.01, subd. 1(b)</a> , and <a href="#">42.04, subd. 2</a> ; see also <a href="#">Minn. Stat. § 260C.503</a>
12	365	Admit/Deny Hearing	Finding required regarding whether the permanency petition states: a prima facie case that the agency has made reasonable efforts to reunify the child with the parent. <a href="#">MRJPP 34.03, subd. 3 and 4</a> ; <a href="#">Minn. Stat. § 260C.507(c)</a>
14	Not later than 425	Permanency Trial	Trial, if any, must commence within 60 days of admit/deny hearing. <a href="#">MRJPP 39.02</a> ; <a href="#">Minn. Stat. § 260C.509</a>
Month 14 or later	Within 15 days	Permanency Order issued by court	15 days runs from the conclusion of testimony. Court permitted to extend the time 15 days to a total of 30 days if the court finds an extension of time is required in the interests of justice and the best interests of the child. <a href="#">MRJPP 39.05, subd. 1</a>
	Within 10 days	Post-trial motions, if any	10 days runs from service of notice of filing by court administrator; response is due within 5 days of service of post-trial motion; hearing on post-trial motion is within 10 days of date the post-trial motion is filed; decision on post-trial motion is required within 10 days of conclusion of hearing, if any. <a href="#">MRJPP 43.01</a>
	Within 20 days	Notice of Appeal	20 days runs from service of notice of filing of the order: • finding petition proved and ordering permanency • finding petition not proved; or • disposing of the last post-trial motion. <a href="#">MRJPP 47.02, subd. 2</a>

## Request for Dismissal Template

Before asking for a dismissal on a case, always consult with your supervisor. Below is guidance on how to fill out a CN as it relates to dismissing a GAL from a case.

### STATE OF MINNESOTA Guardian ad Litem Program



**State of Minnesota**

**District Court**

<b>County:</b> Hennepin	<b>Judicial District:</b> Fourth <b>Case Type:</b> Juvenile <b>Family ID Number:</b> XXXXXX <b>Court File Number:</b> 27-JV-
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**In the Matter of the Welfare of the Child (ren) of:**

**GUARDIAN AD LITEM**

**Case Name**

**Court Notification/Request for Order**

**Judicial Officer:** Honorable <Judge's surname>

**Name of Guardian ad Litem:** GAL Name

**Date:** Date of Request

**Child(ren) Name(s):** Child(ren)'s name and DOB

**NOTIFICATION TO THE COURT**

Give brief update that the GAL has spoken with the CHILD, CHILD’S ATTORNEY, and SOCIAL WORKER and that there are not particular reasons warranting the need of a GAL on the case any further.

**Recommendation(s)**

The GAL be discharged from Child(ren)’s name EFC case. As they have reached the age of majority and there are currently no reasons warranting the need for a GAL.

**Order:** The GAL is dismissed from Child(ren)’s case, but a GAL may be reappointed prior to the Youth’s 21<sup>st</sup> birthday upon request of any party if it is in the best interests of the child(ren).

Judge’s Signature:

Date:

**Certificate of Service and Copy**

NAME – Assistant Hennepin County Attorney

NAME – Assistant Public Defender/ Attorney for Child(ren)

NAME – HSPHD

*Additional Appendices ideas:*

1. Legal consult procedure
2. ROI’s memo
3. Parents in custody memo
4. Acronym/definitions page




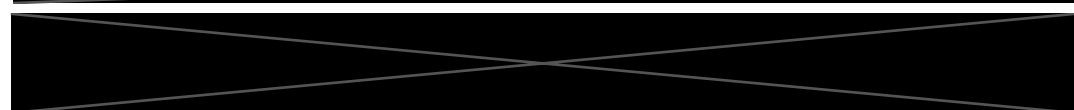
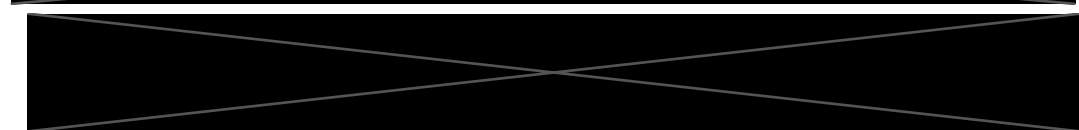
## Interpreter Request Process

If you find yourself on a case with a family member or child who speaks a different primary language than you, you may need interpreter services. Consult with your supervisor first, if possible, in case the case could be assigned to a GAL in the district who speaks the person's primary language.

### Hennepin Guardian ad Litem Program

#### **REQUEST FOR INTERPRETER**

#### **Contact Information:**

	– Guardian ad Litem Program		Program Manager
			
			
			

Date Interpreter Services Needed:	
Time Interpreter Needed: (2 hour maximum)	
Date Interpreter Request Sent:	
Language	
Case Name:	
Case Number:	
Client/Party Name:	
Meeting Address:	
Guardian ad Litem name and phone number:	
Name of Interpreter Assigned:	

# Rental Car Request Process

4<sup>th</sup> District Enterprise rental cars

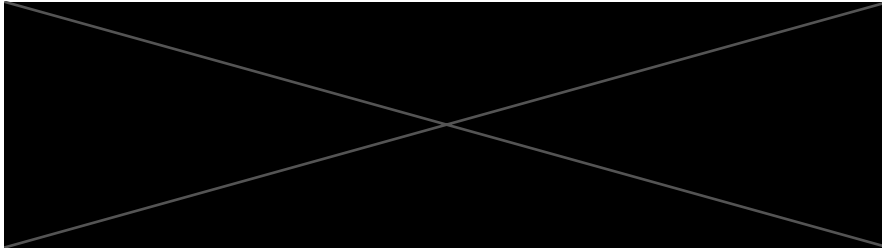


Vehicles may be rented at any locations.

Must use this link:

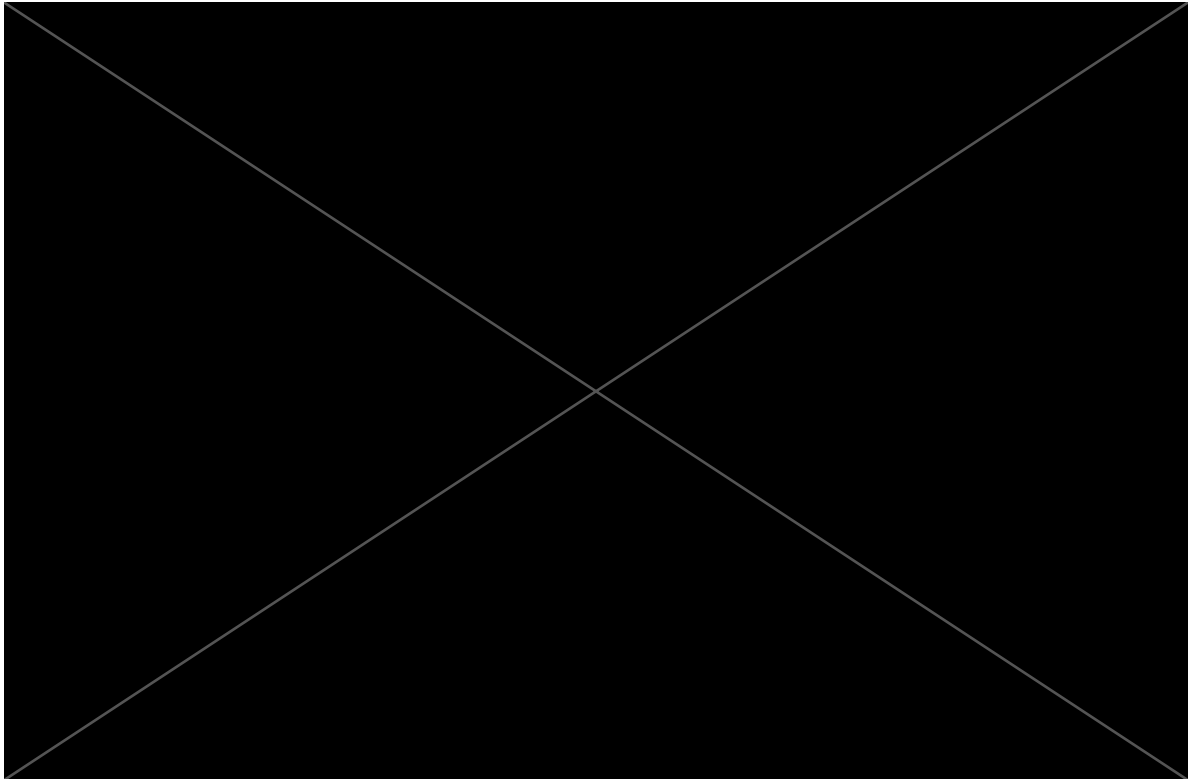


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Other Information:

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## EPC Holds Calendar / MJB SharePoint Access

The Court has its own SharePoint webpage that is different from our own. It has many useful features, but the most useful for GAL is the “Holds” Calendar where the EPC schedule is kept for each month. It can change daily.

To Access the Holds Calendar:

1. [REDACTED] and ask for access to the Juvenile Court  
[REDACTED] rm to sign and return. The form is already  
attached! [REDACTED]
2. When your access has been granted, you’ll receive an email from Aimee Clifford with a link to the site.