

Date of Meeting: September 6, 2024

Roll Call

Members Present

Judge Lori Morgan (Chair), Katie Kelsey, Judge Tom Felts, Magistrate Rosanne Ang, Magistrate Daun Weliever-Simpson, and Judge Stafford

Ex Officio Members Present

Leslie Dunn and Joseph Fischer

Others Present

Payton Lester (IOCS)

Welcome and Approval of Minutes

Judge Morgan welcomed the committee. Minutes from August 2, 2024, unanimously approved.

Indiana Lawyer Article and Upcoming Training

Leslie Dunn shared that there was an article in the Indiana Lawyer on the GAL Guidelines on August 28, which you can read here: <https://www.theindianalawyer.com/articles/indybar-gal-guidelines-under-consideration>. In addition, Leslie and Rae are providing a CLE to the Indianapolis Bar on September 27 to discuss the GAL Guidelines and answer questions.

Judicial Conference Board Meeting

Leslie shared that the GAL Guidelines and the Executive Summary of the Guidelines have been provided to the members of the Judicial Conference Board. Members will be asked to vote to approve the GAL Guidelines at their next meeting on September 18. This will be the third time the Guidelines have been provided to Board members for their consideration. The Guidelines were previously provided to the Board for input on June 15, 2023, prior to posting them for public comment, and again on April 9, 2024, in preparation for the final vote on the Guidelines at the September meeting. The Guidelines were also shared with judges at the District Meetings for judges at all judicial districts across the state. After the Board votes on the Guidelines, they will be presented to the Supreme Court for approval in September.

Update on GAL Online Application Process

Leslie provided an update on the application process. The application has been created and should be ready to go live in October. This will be the first step in the process for GALs-to go online and complete the application for IOCS and the GAL Oversight Committee to review. The plan is to “fast-track” experienced attorney GALs who have been trained and should be ready to begin taking cases and following the Guidelines when they go into effect January 1, 2025. Other attorneys and non-attorneys’ applications will be carefully reviewed to determine if they have completed the necessary training or whether they may need any additional training. After completing the GAL application, attorneys will receive a link to complete a CPS check. Non-attorneys will receive a link to complete both a criminal background check and a CPS check. IOCS will keep a spreadsheet of the status of each applicant’s application, background checks and initial and ongoing training. Relevant information from the online applications approved will be transferred into the GAL Registry/Directory.

Update on Initial Training

Leslie, Rae, Joseph and Payton have had numerous meetings with Kids' Voice to discuss the rollout of the training. The required initial training topics will be offered in modules on each topic so that applicants can take the modules that they may not have had previously or may need for review. The plan is for modules to be offered live, virtually (through Zoom webinars) and through recorded seminars in the IOCS Judicial Education Network Learning Management System. They are also developing a five-hour "refresher course" on key topics for existing GALs as well as a brief 60–90-minute overview of the Guidelines course.

Next Steps

The Guidelines will be presented to the Board and to the Court and hopefully approved later this month. Once approved, the Supreme Court will issue an official Order adopting the GAL Guidelines. The Order will be posted online and at that point, the new Family Law GAL webpage with the application can go live. The Oversight Committee will begin reviewing applications as they are submitted.

Adjournment

The meeting was adjourned. The next meeting will be on October 4, 2024 at 10:00 a.m. Future meetings will be on the first Friday of the month at 10:00 a.m.

Date of Meeting: August 2, 2024

Roll Call

Members Present

Judge Lori Morgan (Chair), Katie Kelsey, Judge Catherine Stafford, Magistrate Alexis Dedelow, Magistrate Ana Osan, Judge Thomas Felts, and Deb Dubovich

Ex Officio Members Present

Leslie Dunn, Rae Feller, Joseph Fischer

Others Present

Payton Lester (IOCS)

Welcome and Approval of Minutes

Judge Morgan welcomed the committee. Minutes unanimously approved.

Updates

Leslie Dunn provided an update on the application. The goal is for the application to be available on the website on October 1, 2024. The current GALs that are eligible to be waived then would be able to apply and be preliminarily approved. This would create a pool of GALs that are fast-tracked and available immediately on January 1, 2025, to accept appointments.

IOCS does anticipate having a limited amount of funds to pay for background checks for existing GALs. The committee agreed with Leslie's suggestion that those funds should first be expended on paying for existing GALs. Practitioners that want to become GALs following approval of the GAL guidelines would have to pay for their own background checks.

The committee discussed the frequency of updating the GAL Registry after it is established. The committee agreed that it should be updated more frequently than once per year. The onus would be on individual GALs to notify IOCS to make changes and update their contact information to remain current. Deb Dubovich suggested that GALs also be required to update the registry when they are no longer able to accept new cases due to a full caseload. Leslie and Payton spoke with tech and were told that it would take longer to build a component that would allow the GALs to go into the system and update their information on their own.

The committee discussed that the guidelines would only be applicable to GAL appointments after 1/1/25. The guidelines could not be applied retroactively to cases. The committee emphasized that litigants need to be made aware that cross examination is the avenue to attack a GAL report, not a complaint against a GAL at the conclusion of litigation. Nothing the committee does or does not do will be intended to have any effect on litigation. The committee will not interfere or intervene in cases.

Judge Morgan wants the benchbook to include the proposed order from the FLT that includes why the GAL was appointed and the duration of the appointment. Judge Stafford suggested this go out in the Wednesday message to the judges as well as the Court Times.

Leslie and Katie Kelsey gave an update that the State Office and Kids' Voice have been working on the initial training. The bulk of that is done and has been adapted for the state. Currently KV is going through the database of trainings that the State Office of GAL/CASA provided to see which might be applicable for preservice or ongoing or even preservice homework. The goal is to have initial training available prior to 1/1/25. Rae wants to also have a "train the trainer" available so that there are other trainings available throughout the state.

Judge Morgan brought up the idea of a listserv for GALs that would be a resource for GALs. Judge Morgan likes the idea and the committee was in agreement. It would be most helpful to include trainings available across the state.

The committee discussed parameters around how often someone could re-apply to be a GAL if their initial application was denied. It was agreed that this would be a case-by-case situation.

The committee discussed the application process. Many initial applications for longtime GALs, will be an easy waiver. For non-attorneys that are new, all should go through the committee. For longtime GALs that have a long history of complaints, additional training or an interview might be appropriate. Deb suggested a probationary status on the registry might be appropriate as well. Judge Stafford suggested a mentor or a letter that details that the person met the requirements, but also lists the concerns.

The committee reviewed the draft guide that Rae put together.

Adjournment

The meeting was adjourned. The next meeting will be on September 6 at 10:00 a.m. and will continue at 10:00 a.m. on the first Friday of the month.