

The Care and Feeding of Your Child's Guardian Ad Litem

By Kellie F. Williams, Attorney, Van Cott, Bagley, Cornwall & McCarthy, P.C.

It has been said that it take a village to raise children. This is especially true for children in foster care, and as a foster parent, your child's guardian ad litem is part of the village.

The courts appoint a guardian ad litem to look after the welfare of your child. The term "ad litem" literally means "for the lawsuit," and is appropriate because the guardian ad litem makes recommendations for the welfare of a child while the court has legal charge or influence in the life of that child.

Guardians ad litem do not work for the court or a child protection agency, but independently to investigate all sides of the situation and act solely for the best interests of the child.

The quality of contact between a child and a guardian ad litem often depends on the age of the child. In each instance, children have the opportunity to speak with a guardian ad litem about their concerns, wants, and needs. While a guardian ad litem advocates for the children's best interest, however, the guardian ad litem does not necessarily advocate for what the child wants, as sometimes what a child wants isn't in their best interest.

A guardian ad litem also has the ability to submit written information and recommendations to the court, make home visits, and subpoena and question witnesses during court hearings. In any child custody or visitation hearing, the guardian ad litem plays an important role. While the court is not required to follow the recommendations of guardians ad litem, their recommendation often carry substantial weight with the judge.

As foster parents and as part of the caregiving team, it is important for you to cooperate with the guardian ad litem and be as helpful and forthcoming as possible. Here are some ideas for successful relationship:

- Remember, the guardian ad litem is there to protect the best interests of the child — not to be your friend and confidante. Be professional.
- Ask the guardian ad litem about the appropriate frequency, content, and format for updates. Since people differ in their preferences, find out what that preference is and then communicate accordingly. You might send email or text messages, but do not overwhelm the guardian with paperwork.
- Photos of the child interacting with your family are positive and helpful.
- Document issues and concerns as they happen, then discuss them in detail when you have a scheduled appointment.
- Ask and answer questions openly and honestly.
- Return phone calls promptly.

It's difficult as a foster parent to have a stranger question many of your actions and make suggestions that sometimes affect your entire family, but it is also necessary and for the benefit of your child.

KELLIE F. WILLIAMS is Of Counsel and a member of Van Cott's Family Law Practice Group. Her practice concentrates in complex divorce, custody and divorce modification matters. She has successfully argued cases before the Utah Court of Appeals and the Utah Supreme Court.

This article should not be taken as legal advice, but as general information only. If you believe that you require the services of an attorney, we strongly encourage you to seek legal counsel regarding your specific circumstances. Ms. Williams can be reached at 801.532.3333.



Seth

Birthday: 10/1996
Grade in School: 8th
Heritage: Caucasian

Kids of Seth's age normally dream and fantasize about an array of things, but Seth's dream is simple. What he wants most is to have a "normal life", outside foster care, with a family who loves and appreciates him. This fun guy has a lot of positive characteristics to add to his forever family. He is outgoing, energetic, respectful, well-mannered, has a great sense of humor, and LOVES to make people laugh! Seth's favorite pastimes include football, basketball, hanging out with friends, and watching movies. He has good relationships with the adults in his life.

For more information, please contact

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