



**ILLINOIS JUDICIAL COLLEGE
GUARDIAN AD LITEM EDUCATION COMMITTEE**

COMPREHENSIVE EDUCATION PLAN

August 1, 2018

Committee on Guardian ad Litem Education Comprehensive Education Plan

STANDING COMMITTEE ON GUARDIAN AD LITEM EDUCATION STANDARDS AND GUIDELINES

Charge:

Under the direction of the Illinois Judicial College Board of Trustees, the Committee on Guardian *ad Litem* Education (GALE) shall coordinate and deliver continuing education for GALs. This will include identifying opportunities to enhance the effective and efficient administration of justice in a way that promotes public integrity, trust and confidence, and considers the legal, sociological, cultural and technical issues that may impact decision making and court administration.

Projects and Priorities:

1. Design and implement a comprehensive education program, including curriculum development, program development and delivery, faculty selection and training, and publications for GALs who represent children, with consideration given to the education of GALs who also represent disabled and incapacitated adults;
2. Uphold the educational standards established by the Illinois Judicial College;
3. Ensure programming is responsive to the needs of the GALs;
4. Evaluate potential educational programs for inclusion in the GAL curriculum;
5. Establish methods of delivery of education programs that are most effective and appropriate;
6. Ensure that program faculty are equipped, prepared and able to deliver education programs;
7. Maintain a three-year academic calendar outlining training for GALs;
8. Where appropriate, utilize Court Improvement Program (CIP) funding;
9. Identify, collaborate and coordinate with appropriate Illinois Judicial Conference Committees, Supreme Court Committees and Commissions;

10. In the development of curricula, consult and comply with applicable Supreme Court Rules and Statutes;
11. Provide information and make recommendations to the Illinois Judicial College Board of Trustees regarding curriculum and continuing education; and
12. Conduct Needs Assessments as needed.

Membership:

GALE shall include 14 members. Members shall consist of:

- Two Parent Attorneys; one public defender; one private attorney; 399
- One Prosecutor
- One DCFS representative
- Seven Guardians *ad litem*, three from the first appellate district and one from each of the four remaining appellate districts, representing each area of expertise: juvenile, family court, and probate
- Three Judges, one representing each area of expertise: juvenile, family court, and probate

Leadership:

GALE shall be governed by the Chair and Vice Chair. The Chair shall preside over all meetings. In the absence of the Chair, the Vice Chair shall preside.

The Chair shall be a Guardian *ad litem*. The Vice Chair shall be a judge. GALE may create Workgroups as needed for planning purposes.

Organization:

Due to the diverse nature of GAL representation, the GALE Committee formed four (4) sub-committees in order to address the specific training needs for each case type.

1. Domestic Relations
2. Child Protection
3. Adult Guardianship
4. Child Representatives in Other Settings

II. PURPOSE AND GOAL

Guardians *ad litem* appointed in cases that fall under Article II of the Illinois Juvenile Court (IJCA) Act (abuse, neglect and dependency) will receive standardized, needs based training,

rooted in core competencies, best practices and principles of procedural fairness and access to justice to ensure high quality representation, effectuate optimal outcomes and provide a voice for each youth in the child welfare system.

III. COMPREHENSIVE CURRICULUM OVERVIEW

The curriculum will be based on core professional competencies resulting from the needs assessment, developed by the committee and organized around the areas of knowledge and skills needed by GALs.

In addition, as curriculum develop unfolds, the workgroup anticipates the need to expand training to include juvenile abuse, neglect and dependency judges and key stakeholders outside the committees of the Judicial College. The workgroup outlined training topics and the type of training.

- **Basic Training:** Provides the essential foundation necessary for GAL representation in abuse, neglect and dependency cases.
- **Advanced Training:** Building on the basic training and introducing more nuanced concepts.
- **Specialized Training:** Detailed or specifically targeted training that concentrates on a particular area of child welfare.

Method of Delivery

Training delivery and methods will take into account the regional differences across the state, at the same time, incorporating adult learning principles. While professional competencies are not affected by geographical boundaries, local resources as well as cultural, social and economic issues range widely across the state. Therefore, there is a necessity to have a multi-pronged training delivery approach including: in-person state-wide and regional trainings as well as web-based trainings. Curriculum delivery methods will be both web-based and in-person.

Comprehensive Plan Development Process

The GALE committee completed a needs assessment consisting of focus groups and attorney surveys.

Focus Groups:

- Judges hearing abuse, neglect and dependency cases
- Judges hearing domestic relations cases
- Judges hearing adult guardianship cases
- Youth in the foster care system

Attorney Surveys:

- GALs appointed in abuse, neglect and dependency cases
- GALs appointed in adult guardianship cases
- GALs appointed in domestic relations cases
- GALs representing children in cases other than domestic relations and abuse and neglect

Due to the volume, diversity and complexity of guardian *ad litem* representation in Illinois, the GALE Committee elected to begin the process of developing a comprehensive education plan for those GALs appointed in cases that fall under Article II of the IJCA, which include abuse, neglect and dependency cases (*see Purpose and Goal below*). Once the current plan is approved, the committee will continue working on the additional sub-sets of guardian *ad litem* representation.

The committee chose to begin with Article II of the Illinois Juvenile Court Act (IJCA) representation because each child in an abuse and neglect and dependency case must be appointed a GAL and based on our research and experience, abuse and neglect GALs have fewer educational opportunities than GALs in other types of cases.

In addition, the models of appointment for attorney and guardians *ad litem* in abuse, neglect and dependency cases, pursuant to 705 ILCS 405/1-5 and 705 ILCS 405/2-17 of the IJCA differ across the state. Sample models of appointment for attorney and guardian *ad litem* representation in abuse and neglect cases include:

- A government office focused on representation of children as attorney and guardian *ad litem*.
- Part-time Public Defenders appointed.
- 3 attorneys contracted, part time, with the Public Defender's Office.
- One attorney is contracted to serve for all cases.
- The Public Defender is appointed on behalf of the youth, and Special Public Defenders are appointed to represent parents.
- Public Defenders.
- Legal Clinics.
- CASA is appointed GAL and is represented by an attorney.

The workgroup participated in the Judicial College *Knowledge, Skills, Abilities and Attitudes Workshop* as well as a webinar on adult learning principles, methods of curriculum delivery and demonstration of building a web-based platform delivered by Andy Yost, Capacity Building Center for Courts. Lastly, the workgroup completed an in-person facilitated discussion to

finalize core competencies and organize skills and topics for curriculum development. The Comprehensive Education Plan developed below is a result of the workgroup's in-person discussion.

IV. TARGET AUDIENCE

Primary:

- A. All GALs appointed in Article II IJCA cases.

Secondary:

- A. Youth in Care
- B. Juvenile abuse, neglect and dependency judges
- C. DCFS legal counsel
- D. Parent attorneys
- E. Prosecutors
- F. CASA
- G. DCFS/POS agency staff (i.e. caseworks, supervisors, etc.)
- H. Probation (dually adjudicated youth)
- I. Legal Clinics

PROFESSIONAL COMPETENCIES

The workgroup identified core professional competencies that provide the foundation for GALs appointed in cases that fall under Article II of the Illinois Juvenile Court (IJCA) Act in order to provide high quality legal representation. The professional competencies reflect the values and attributes needed to represent children in the child welfare system and allow for a roadmap to build the skills and knowledge to attain these competencies:

1. Know the state & federal laws and local rules of procedure related to children and families involved in the child welfare system.
2. Know the Illinois rules of professional conduct.
3. Understand the social, emotional & clinical needs that may affect children & families involved in the child welfare system.
4. Understand systems: Non-governmental & governmental resources on local & state level.
5. Understand DCFS policies and procedures that impact families in the child welfare system.

6. Engage in skilled client observation, communication, counseling & advocacy (legal & other).
7. Recognize role as conduit & communicator between service providers & the multiple systems involved in the lives of youth in care.
8. Confront personal & systemic bias by acknowledging & understanding cultural, social & economic differences which impact outcomes for youth & families.
9. Ensure procedural fairness for youth.

Areas of Knowledge Needed by Guardians ad Litem in Article II IJCA Cases:

- Law/Legal Requirements
- Child Development/Needs
- Understanding Systems (i.e., local resources, court culture and DCFS)
- Family Treatment

Areas of Information Needed by Guardians ad Litem in Article II IJCA Cases:

- Listening
- Empathy
- Problem Solving
- Communication

Skills Needed by Guardians ad Litem in Article II IJCA Cases:

- Effective Interviewing/Investigation
- Critical Analysis
- Client Counseling
- Advocacy

Attitudes Needed by Guardians ad Litem in Article II IJCA Cases:

- Professionalism
- Compassion
- Passion/Zeal
- Openness
- Curiosity

VI . FACULTY ELIGIBILITY, FACULTY DEVELOPMENT AND TEACHING CREDIT HOURS

Faculty Eligibility:

The GALE Committee will develop a subcommittee to review applications for specific trainings and/or trainers and will submit recommendations to the full committee for consideration. The following criteria will be used to guide the review process.

Trainers: Attorneys

Illinois Faculty must meet the following criteria:

- Experience as a guardian *ad litem* appointed in cases that fall under Article II of the IJCA
- Submit a recommendation which could include the Chief or Presiding Judge of the Circuit/Division, current or past juvenile court judge or supervising attorney, or from a convener of a conference where faculty has previously presented.
- No ARDC findings or pending complaints

Nationally Recognized Expert:

- Provide resume and bio

Trainers: Judges or Retired Judges

Illinois Faculty must meet the following criteria:

- Presided over juvenile abuse and neglect cases
- Approval by the Chief or Presiding Judge (current judges)

Nationally Recognized Expert:

- Provide resume and bio

Trainers: Subject Matter Experts (non-attorney and non-judicial)

Faculty must meet the following criteria:

- Submit a resume, bio and recommendation(s) from a convener(s) of a conference/symposium where the faculty has previously presented

Faculty Development:

Due to the multi-disciplinary nature of trainers for the guardian *ad litem* curriculum, the GALE Committee recommends that trainers participate in Judicial College or approved provider Faculty Development Workshops, but it is not a requirement to be a trainer.

Faculty Teaching Credit Hours:

The GALE Committee recommends that faculty teaching credit hours reflect the Illinois Supreme Court Rules.

SCR 795 (d)(5) Teaching Continuing Legal Education Courses. Teaching at CLE courses or activities during the two-year reporting term, subject to the following:

(i) Credit may be earned for teaching in an approved CLE course or activity. Presentations shall be counted at the full hour or fraction thereof for the initial presentation; a repeat presentation of the same material shall be counted at one-half; no further hours may be earned for additional presentations of the same material.

(ii) Time spent in preparation for a presentation at an approved CLE activity shall be counted at six times the actual presentation time.

VII. PARTICIPANT MINIMUM CONTINUING EDUCATION (CE) HOURS

Attorneys are required to complete 30 hours of continuing legal education (CLEs) during each reporting period. The GALE Committee recognizes that many GALs, in addition to serving as GALs in Article II IJCA cases, handle a variety of other types of cases. Therefore, GALs will need the flexibility to obtain CLEs in more areas than those that apply to the core competencies laid out in the Comprehensive Education Plan.

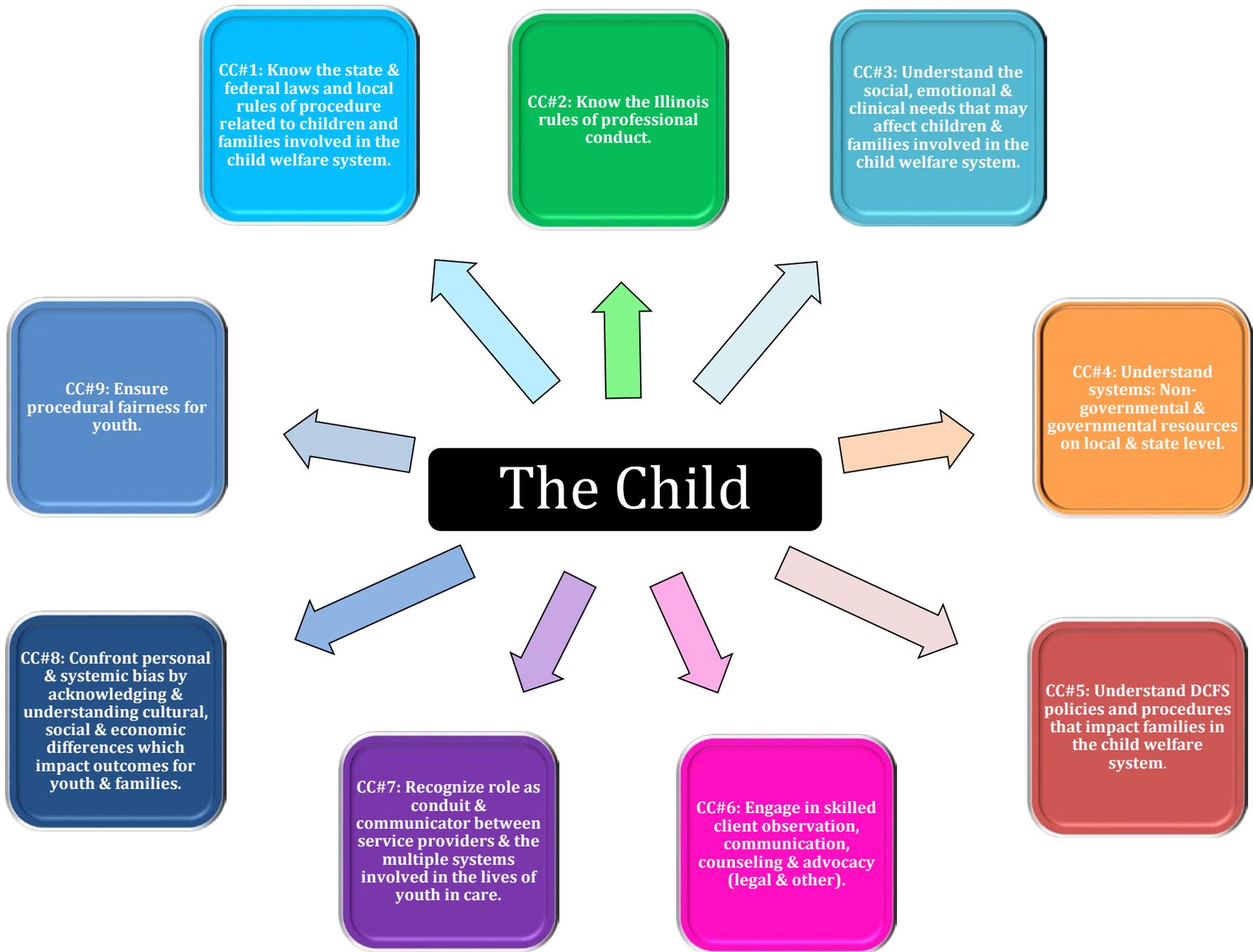
- The committee recommends that, for in order to remain in good standing, GALs participate in a minimum of 4 CLEs per reporting period addressing the core competencies needed to be an effective guardian *ad litem* appointed in cases that fall under Article II of the IJCA

VIII. CONTINUING EDUCATION PROVIDERS

Providers may include the Illinois State Bar Association (ISBA), regional bar associations, Legal Clinics, public defender offices where there is a dedicated unit focused on serving as GALs in Article II matters and the Cook County Office of the Public Guardian.

Attachment 1

Suggested Courses Based on Professional Competencies



1: Know the state and federal laws and local rules of procedure related to children and families involved in the child welfare system.			
Curriculum	Basic	Advanced	Specialized
Illinois Juvenile Court Act and Related Statutes	<input checked="" type="checkbox"/>		
Termination of Parental Rights	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Education Rights for Youth in Care	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Indian Child Welfare Act	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>

2: Know the Illinois rules of professional conduct.			
Curriculum	Basic	Advanced	Specialized
Ethical Duties & Managing Conflicts	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

3: Understand the social, emotional & clinical needs that may affect children and families involved in the child welfare system.			
Curriculum	Basic	Advanced	Specialized
Substance Abuse	<input checked="" type="checkbox"/>		
The Dynamics of Domestic Violence and the Child Welfare System	<input checked="" type="checkbox"/>		
The Impact of Mental Health Issues: Parents and Children on the Child Welfare System	<input checked="" type="checkbox"/>		

Child Sexual Abuse	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Basics of Child Development	<input checked="" type="checkbox"/>		
Working with LGBTQ Youth in Care	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Understanding the Impact of Trauma and Child Development	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Child Sex Trafficking and the Connection to Child Welfare	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
The Effect of Childhood Trauma on Adults	<input checked="" type="checkbox"/>		

4: Understand systems: Non-governmental and governmental resources on local and state level.			
Curriculum	Basic	Advanced	Specialized
Programs Parents are Required to Attend	<input checked="" type="checkbox"/>		
Education and Vocational Services for Youth	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>

5: Understand DCFS policies and procedures that impact families in the child welfare system.			
Curriculum	Basic	Advanced	Specialized
Preparing Youth to Transition to Adulthood/Independence	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Administrative Appeals Process	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

6: Engage in skilled client observation, communication, counseling & advocacy (legal & other).			
Curriculum	Basic	Advanced	Specialized
Communication	<input checked="" type="checkbox"/>		
Listening	<input checked="" type="checkbox"/>		
Problem Solving	<input checked="" type="checkbox"/>		
Effective Interviewing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Client Counseling	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Critical Analysis	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
How to Talk to Youth/Interviewing Youth	<input checked="" type="checkbox"/>		
Written and Oral Communication	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Advocating for Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Resolving High Conflict Situation	<input checked="" type="checkbox"/>		
Advanced Litigation Skills		<input checked="" type="checkbox"/>	
Appeals		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Trial Advocacy	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

7: Recognize role as conduit & communicator between service providers in the multiple systems involved in the lives of youth in care.			
Curriculum	Basic	Advanced	Specialized
Immigration Issues & Unaccompanied Minors	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Dually Adjudicated Youth	<input checked="" type="checkbox"/>		

8: Confront personal bias by acknowledging & understanding cultural, social & economic differences which impact outcomes for youth & families.			
Curriculum	Basic	Advanced	Specialized
Implicit Bias	☒		☒

9: Ensure procedural fairness for youth.			
Curriculum	Basic	Advanced	Specialized
Youth Involvement in Court	☒		

The workgroup recognizes that the curriculum development phase is a fluid process and that some of the topics or concepts above may be adjusted as necessary.