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October 29, 2007

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RE: GAL Program Report
FY'06-- July 2005 through FY'07-- June 2007

Dear State Legislators:

In accordance with Session Laws of Wyoming 2005, chapter 237 and Session Laws of Wyoming 2007, chapter 136, section 101, the Wyoming Supreme Court is reporting on the status of the Guardian ad Litem Program.

During the 2005 Session, the Legislature enacted House Bill 314—Guardians ad Litem, which established a state-funded Guardian ad Litem program “to reimburse attorneys providing legal representation as guardians ad litem in child protection cases under W.S. 14-3-101 through 14-3-440, children in need of supervision cases under W.S. 14-6-401 through 14-6-440, or termination of parental rights actions brought as a result of a child protection or a children in need of supervision action.”

Pursuant to the bill, implementation of the program was a joint effort on the part of the District Judges' Conference, the Board of Judicial Policy and Administration (Board), and the Wyoming Supreme Court. The District Judges' Conference created Uniform Rules for District Courts 106. The Board recommended adoption, and the Wyoming Supreme Court implemented the rule effective July 1, 2005. Moreover, a

three-judge GAL Subcommittee was established by the District Judges' Conference to serve as an advisory committee for the program. Members of the GAL Subcommittee are Judge Jeffrey Donnell from the Second Judicial District, Judge Gary Hartman from the Fifth Judicial District, and Judge Norman Young from the Ninth Judicial District.

Rule 106 includes standards for the legal representation and training requirements for attorney GALs seeking payment under the state-funded program. Attorney GALs are required to meet an initial training requirement of ten hours of child-related training accredited by the Wyoming State Bar. Each subsequent year thereafter attorneys must annually obtain five hours of approved training to continue their GAL accreditation.

As required by law, the GAL program was established as a matching program, with participating counties covering 25 percent of the state's share. To that end, each county contracts with, and pays the services of, the individual GALs practicing within its boundaries. The Supreme Court, in turn, reimburses the counties the proportional state share for GAL services pursuant to Memorandums of Understanding entered with each of the twenty-three counties. The parties to the MOUs are the Wyoming Supreme Court, the District Judges' Conference, and the boards of county commissioners in the individual counties. A list of qualified GALs, segregated by county, appears on the websites of the Supreme Court and the Wyoming State Bar.

Initially, upon implementation of this program in July 2005, the minimum hourly contract rate was established at \$75 per hour. Moreover, counties had, and continue to have, the freedom of contracting on a part-time or full-time basis. See Appendix A, *Memorandum of Understanding*. During the first year, all counties, save two, entered into hourly contracts; one county chose a \$1700 monthly contract for its primary GAL, combined with \$75/hr hourly contracts with its remaining GALs and the other county continued the previous contract of \$750/mo. Of note, seven counties elected to contract above the minimum \$75 hourly rate, ranging from \$80 to \$125 per hour. Monies expended in excess of the minimum contract rate are paid by the individual counties; state reimbursement is computed at the minimum contract rate. Following are the GAL expenditures for FY'06, the first full year of program implementation. One hundred twenty-nine attorneys were placed on the list of qualified GALs, with 116 actively contracted with the counties.

FY'06 – July 2005 through June 30, 2006							
County	Contracted	Projected Budget	State Exp	County Exp	Total Exp	# Cases	Av per case
Albany	9 @ \$75/hr	\$59,598.00	\$18,258.93	\$4,564.73	\$22,823.66	20	\$1,141.18
Big Horn	9 @ \$75/hr	\$44,093.00	\$17,010.66	\$4,252.67	\$21,263.33	6	\$3,543.89
Campbell	3 @ \$75/hr 4 @ \$85/hr	\$126,205.00	\$54,628.30	\$20,473.38	\$75,101.68	60	\$1,251.69
Carbon	8 @ \$90/hr	\$68,194.00	\$46,671.55	\$23,364.74	\$70,036.29	83	\$843.81
Converse	8 @ \$75/hr	\$56,466.00	\$31,179.10	\$7,794.78	\$38,973.88	45	\$866.09
Crook	6 @ \$75/hr	\$19,537.00	\$8,801.35	\$2,200.34	\$11,001.69	7	\$1,571.67
Fremont	7 @ \$75/hr	\$116,557.00	\$12,758.49	\$3,189.62	\$15,948.11	64	\$249.19
Goshen	6 @ \$75/hr 1 @ \$1700/mo	\$53,640.00	\$18,903.00	\$4,725.75	\$23,628.75	46	\$513.67
Hot Springs	6 @ \$75/hr	\$19,029.00	\$14,165.02	\$3,541.25	\$17,706.27	25	\$708.25
Johnson	4 @ \$75/hr	\$22,535.00	\$6,135.64	\$1,533.91	\$7,669.55	13	\$589.97
Laramie	5 @ \$75/hr	\$275,906.00	\$132,515.30	\$33,128.83	\$165,644.13	315	\$525.85

Lincoln	0	\$51,730.00			\$0.00	0	
Natrona	11 @ \$75/hr thru Feb'06 11 @ \$85/hr Mar thru Jun'06	\$313,327.00	\$154,625.36	\$51,299.47	\$205,924.83	262	\$785.97
Niobrara	2 @ \$75/hr	\$6,977.00	\$15,346.09	\$3,836.52	\$19,182.61	4	\$4,795.65
Park	11 @ \$75/hr	\$93,470.00	\$67,967.24	\$16,991.81	\$84,959.05	82	\$1,036.09
Platte	4 @ \$75/hr	\$43,797.00	\$13,297.22	\$3,324.31	\$16,621.53	50	\$332.43
Sheridan	1 @ \$750/mo	\$122,119.00	\$6,600.00	\$1,650.00	\$8,250.00	8	\$1,031.25
Sublette	2 @ \$80/hr	\$16,048.00	\$3,696.00	\$1,232.00	\$4,928.00	5	\$985.60
Sweetwater	3 @ \$80/hr	\$170,432.00	\$33,899.45	\$11,295.61	\$45,195.06	130	\$347.65
Teton	2 @ \$125/hr	\$40,363.00	\$27,999.92	\$29,887.23	\$57,887.15	30	\$1,929.57
Uinta	3 @ \$80/hr thru Mar'06 1 @ \$90/hr Mar thru Jun'06	\$78,088.00	\$8,285.40	\$2,962.80	\$11,248.20	20	\$562.41
Washakie	4 @ \$75/hr	\$28,495.00	\$4,181.00	\$1,045.25	\$5,226.25	18	\$290.35
Weston	1 @ \$75/hr	\$12,434.00	\$1,341.00	\$335.25	\$1,676.25	3	\$558.75
		\$1,839,040.00	\$698,266.03	\$232,630.24	\$930,896.27	1296	Statewide Av \$718.28

Unexpended monies were reverted to the state general fund.

Upon commencement of the second year of the program, FY'07, the MOUs increased the hourly rate to \$100 in all counties. One county chose to pay its GALs at an increased hourly rate of \$145; the \$1700 part-time monthly contract remained in the other county, combined with the hourly contract rate of \$100 per hour. Due to budget constraints, one county modified its GAL contracts to cap the number of hours per month; hours expended in excess of the cap are considered pro bono. Following are the GAL expenditures for FY'07. One hundred sixty-one attorneys appeared on the list of qualified GALs, with 139 actively contracted with the counties.

FY'07 – July 2006 through June 30, 2007								
County	GAL	County Contract	Projected Budget	State Exp	County Exp	Total Exp.	# Cases	Av per case
Albany	15	8 @ \$100/hr	\$59,598.00	\$14,252.44	\$3,563.11	\$17,815.55	16	\$1,113.47
Big Horn	16	8 @ \$100/hr	\$44,093.00	\$37,220.74	\$9,305.18	\$46,525.92	29	\$1,604.34
Campbell	14	8 @ \$100/hr	\$126,205.00	\$66,962.43	\$16,740.61	\$83,703.04	105	\$797.17
Carbon	12	9 @ \$100/hr	\$68,194.00	\$69,251.20	\$17,312.80	\$86,564.00	100	\$865.64
Converse	18	8 @ \$100/hr	\$56,466.00	\$44,369.89	\$11,092.47	\$55,462.36	52	\$1,066.58
Crook	12	8 @ \$100/hr	\$19,537.00	\$8,992.99	\$2,248.25	\$11,241.24	7	\$1,605.89
Fremont	20	8 @ \$100/hr	\$116,557.00	\$27,939.91	\$6,984.98	\$34,924.89	49	\$712.75
Goshen	13	5 @ \$100/hr 1 @ \$1700/mo	\$53,640.00	\$19,637.60	\$4,909.40	\$24,547.00	47	>>\$ 522.28
Hot Springs	14	9 @ \$100/hr	\$19,029.00	\$9,249.58	\$2,312.40	\$11,561.98	20	\$578.10
Johnson	12	3 @ \$100/hr	\$22,535.00	\$5,013.04	\$1,253.26	\$6,266.30	15	\$417.75
Laramie	21	8 @ \$100/hr	\$275,906.00	\$267,340.28	\$178,469.07	\$445,809.35	337	\$1,322.88
Lincoln	5	0	\$51,730.00			\$0.00	0	
Natrona	18	16 @ \$100/hr	\$313,327.00	\$211,434.47	\$52,858.62	\$264,293.09	235	\$1,124.65
Niobrara	11	2 @ \$100/hr	\$6,977.00	\$16,884.58	\$4,221.14	\$21,105.72	5	\$4,221.14

Park	14	13 @ \$100/hr	\$93,470.00	\$85,014.09	\$21,253.52	\$106,267.61	97	\$1,095.54
Platte	14	6 @ \$100/hr	\$43,797.00	\$17,068.98	\$4,267.24	\$21,336.22	37	\$576.65
Sheridan	10	3 @ \$100/hr	\$122,119.00	\$38,722.38	\$9,680.59	\$48,402.97	30	\$1,613.43
Sublette	8	2 @ \$100/hr	\$16,048.00	\$9,996.00	\$2,499.00	\$12,495.00	5	\$2,499.00
Sweetwater	5	3 @ \$100/hr	\$170,432.00	\$9,588.00	\$2,397.00	\$11,985.00	57	>>\$ 841.05
Teton	11	2 @ \$145/hr	\$40,363.00	\$30,848.00	\$24,784.00	\$55,632.00	22	>>\$2528.73
Uinta	4	4 @ \$100/hr	\$78,088.00	\$17,291.87	\$4,322.97	\$21,614.84	21	\$1,029.28
Washakie	10	4 @ \$100/hr	\$28,495.00	\$6,400.00	\$1,600.00	\$8,000.00	26	\$307.69
Weston	7	1 @ \$100/hr	\$12,434.00	\$1,308.00	\$327.00	\$1,635.00	1	\$1,635.00
DFS-- TPRs*				\$50,000.00				
			\$1,839,040.00	\$1,064,786.46	\$382,402.62	\$1,397,189.08	1313	Statewide av \$1091.50

>>Goshen paid 3 GALs; 1 of which was paid a monthly contract rate and served majority of clients

>>Sweetwater, at time of reporting, had submitted invoices for only 3 months; average monthly total expenditure (\$3,995) times 12 was used for calculating per case average

>>Teton pays GALs at higher hourly rate, thus average per case expenditure differs from other counties

*The above \$50,000 expenditure represents a DFS approximation of program liability for reimbursement of GAL services in cases of termination of parental rights. Although such reimbursement is, by law, included within the program, the reimbursement will be requested upon completion of an internal audit.

Final FY'07 reimbursement requests have not been received from four counties, one of which is 9 months behind in submitting invoices. Program liability is minimal in three of those counties. Program liability for that fourth county, however, is estimated at about \$25,000.

GAL training sessions are regularly presented. To minimize costs, sessions are often in cosponsorship with the Childrens' Justice Project. Following is a list of training sessions that have been presented since the program's inception.

Date	Conference	Location	Participants	CLE Hours
June 2005	2005 Guardian ad Litem Conference	Casper	94 participants Judges; Attorneys; UW law students; Public defenders; county attorneys	10
August 2005	Asking the Rights Questions: A Judicial Checklist to Ensure That the Educational Needs of Children and Youth in Foster Care Are Being Addressed	Video-conference (15 locations statewide)	103 Registrants CASA; County attorneys; Attorneys; Public defenders; AG's; Judge; UW law students	1.5
September 2005	Judicial Council/State Bar Convention	Casper	Approximately 25 judges Approximately 80 attorneys	4.5
November 2005	Kinship Care	Video-conference (14 locations)	66 Registrants Attorneys; County Attorneys; CASA; AG's	1.75
February 2006	Family Centered Practice and Family Partnerships	Via Video-conference (13 locations)	83 registrants Public defenders; CASA; Attorneys; County attorneys; Child advocates	1.25
April 2006	Regional Training: ASFA and Transitional Living	Cody	14 Attorneys	4
June 2006	2006 Annual GAL conference	Casper	86 Attorneys; Public defenders; County attorneys	9.5
June 2006	4 th Annual Governor's Roundtable on Wyoming Children and Families: Improving Foster Care Through the Eyes of the Child	Cheyenne	250	13.5

August 2006	Judicial Council/Wyoming State Bar Convention	Laramie	12 juvenile judges Approximately 80 attorneys for each session	3
October 2006	GAL Regional Conference: Putting Together the Team, Roles/Boundaries	Gillette	44 participants Attorneys; Caseworkers; MH counselor; Foster parent; CASA	4
December 2006	GAL Regional Conference: Putting Together the Team, Roles/Boundaries	Casper	36 participants Attorneys; DFS; CASA; UPLIFT	5
April 2007	GAL Regional Conference	Thermopolis	42 participants Attorneys; County Attorneys; CASA; Caseworkers	5
June 4-6, 2007	2007 Annual CJP/GAL Conf	Casper	101 participants Attorneys; CASA; UW Law students; DFS	16.5
September 2007	Judicial Council/Wyoming State Bar Convention	Jackson	50 attorneys 23 judges	3
Nov 7, 2007	ASFA	Green River		
Nov 9, 2007	ASFA	Laramie		

Additional approved training seminars, sponsored by other organizations, are posted on the Supreme Court's GAL CLE calendar. *See [GAL CLE Calendar](#)*. Notification of training facilitated by other organizations is sent to the attorneys via our private GAL listserv, a service provided to the Supreme Court at no cost other than very minimal monitoring/maintenance. The Court also maintains a lending library of past videotaped conferences and other materials in further aid to our GALs.

The appropriation for the GAL program covers the cost of one position on the Supreme Court's staff, training for attorney GALs, and GAL reimbursements at the matching proportional rate.

Yours very truly,

Holly Hansen
State Court Administrator

Enc.: [Uniform Rules for the District Courts 106 Memorandum of Understanding](#)