



POLICY H: CLIENT MEETINGS & RELATIONSHIPS

Wyoming Guardians *Ad Litem* Program

Empowering youth & families through legal advocacy

SECTION ONE: PURPOSE, AUTHORITY, & SCOPE

- A. This policy was created pursuant to the Wyoming Guardians *Ad Litem* (GAL) Program Rules and Regulations, Chapter 1, § 2(b). The purpose of this policy is to set forth guidelines for facilitating client meetings and guidelines for appropriate and professional relationships between GAL Program attorneys and their clients.
- B. This policy encompasses all guardians *ad litem* attorneys contracted or employed with the State of Wyoming, Office of the State Public Defender, Guardians *Ad Litem* Program to provide GAL services in Wyoming. This policy applies to each child client involved in any juvenile court action assigned to the GAL Program. The GAL's responsibilities are the same to each client, even when there are multiple children or placements in a proceeding.
- C. This policy does not provide a comprehensive list of all behaviors or actions that are potentially inappropriate or unprofessional. Where there is doubt, the GAL should consult with the GAL Program Administrator.
- D. Violations of these provisions may be subject to disciplinary action up to, and including, termination.

SECTION TWO: GUIDELINES FOR SETTING & FREQUENCY OF MEETINGS WITH CLIENTS

- A. The GAL must maintain sufficient contact with clients to establish and uphold an attorney-client relationship that will enable the GAL to understand the client's interests and needs and position on issues or questions in the juvenile court action. All travel to and from client meetings must meet the provisions outlined in Section four of this policy.
- B. Meetings should take place in children's placement and the GAL should observe the client's interactions with their parents, caregivers, or custodians. All travel to and from client meetings must meet the provisions outlined in Section four of this policy.
 - I. The GAL must make their best effort to find a neutral setting where the client can speak openly should a meeting in the client's placement not be possible.
- C. The GAL must meet with the client at least once and should do so in person. All travel to and from client meetings must meet the provisions outlined in Section four of this policy.

- I. The GAL should schedule an initial meeting as soon as the GAL receives the case from a GAL Program District Supervisor.
 - II. The initial meeting must occur within thirty (30) days following appointment to a case.
- D. The GAL must meet with the client on a regular basis after the initial meeting and before disposition. These meetings should be conducted in a manner appropriate to the client's age and maturity level, and the level of complexity involved in the case. All travel to and from client meetings must meet the provisions outlined in Section four of this policy.
 - E. The GAL must meet with the client after any changes to the client's day-to-day activities within thirty (30) days following the event. Examples of these events are school suspensions, in-patient hospitalizations, and major court hearings. This list is not comprehensive. All travel to and from client meetings must meet the provisions outlined in Section four of this policy.
 - F. If a placement change has occurred, the GAL must meet with and observe the client in the new placement within thirty (30) days of the change. All travel to and from client meetings must meet the provisions outlined in Section four of this policy.
 - G. Meetings should be scheduled adequately before the next scheduled court appearance so that the GAL and the client have sufficient time to analyze information, take appropriate actions, and formulate meaningful arguments.

SECTION THREE: RESPONSIBILITIES FOR GALs DURING MEETINGS WITH CLIENTS

- A. The GAL should ensure that the content and direction of meetings are appropriate to the child's age, maturity level, and the complexity and potential stress created by the circumstances of the case.
- B. At a minimum, the GAL should update the client on the juvenile court action, inform the child of important changes in the case, discuss available alternatives and describe what will happen next at a level appropriate to the client's age and maturity level.
- C. The GAL shall maintain the confidentiality of communications with their client, except when such communications may be conveyed as permitted by law.

SECTION FOUR: TRAVEL RESTRICTIONS ON MEETINGS WITH CLIENTS

- A. The GAL should consider the cost of travel to conduct meetings with clients and should schedule and attend these meeting by and through the most feasible and economically sound manner possible.
- B. Travel to and from client meetings that require overnight travel or other reimbursable expense must be approved by the GAL Program Administrator or her designee prior to travel commencing in accordance with *GAL Program Policy J: Travel Approval & Reimbursement*. However, due to current Program budget constraints and state-wide budget cuts, GALs will not be approved to travel for client meetings if it requires the cost of overnight travel or other reimbursable expense.
- C. The GAL should balance the needs of the client with the cost of visiting the client. The GAL should:
 - I. Determine if communication with the client by phone, e-mail, or video conferencing can be adequate in order to effectively counsel the client and evaluate the placement;
 - II. explore other reliable third-party resources such as a recent facility evaluation visit made by Department of Family Services (DFS) or the Interstate Compact on the Placement of Children (ICPC) and their written reports and evaluations; and
 - III. ascertain the facility's quality with other third party contacts within the Program or the juvenile court system.

SECTION FIVE: APPROPRIATE & PROFESSIONAL RELATIONSHIPS WITH CLIENTS

- A. The GAL should always be aware of unique issues facing each client, such as mental health status, poverty level, and exposure to domestic violence or substance abuse. The GAL should take appropriate steps to assure that these issues do not interfere with effective representation of the client.
- B. The GAL must be aware of and avoid all potential conflicts of interest or the appearance of a conflict of interest that would interfere with the competent representation of the client.
- C. The GAL shall know, recognize, and maintain appropriate and professional boundaries with their clients. The GAL is responsible for setting and maintaining these boundaries.
 - I. Appropriate boundaries and unhealthy client relationships are especially important when representing minors.
- D. The GAL shall adhere to the Wyoming Rules of Professional Conduct at all times.

- E. The GAL shall adhere to the GAL Program Rules and Regulations, Chapter 2, Section 3(a) which states:

“Notwithstanding any additional conditions imposed by order of the court, an attorney guardian ad litem in a juvenile court case shall possess the knowledge and training necessary to perform the court appointment and shall be subject to all of the rules and standards of the legal profession.”

- F. The GAL shall not partake in prohibited behaviors. These behaviors are:

- I. Sexual relations with the client or a member of the client’s family;
- II. Initiating gratuitous talk about sex;
- III. Physical contact with sexual intent;
- IV. Rough handling;
- V. Lending money to a client;
- VI. Receiving money or services from the client for yourself;
- VII. Accepting as a client someone whom you have had a business relationship;
- VIII. Accepting as a client someone who is or was a member of your family;
- IX. Accepting as a client someone you have known socially;
- X. Giving the client a personal mobile or home phone number, a personal e-mail address, or a home address;
 - i. Exception for contracted GALs only: a personal mobile or home phone number, personal e-mail address, or a home address may be given to a client if it is also used as a professional mobile or office number, professional e-mail address; or a professional home office address.
 - ii. Exception for employees that are not provided a state-purchased cellular phone: a personal mobile number may be given to a client if it is also used as a professional mobile number.
- XI. Spending time with the client at your home, or at various restaurants, movie theatres, or other social facilities outside of the client’s home or placement, where the purpose of the meeting is purely social and not related to the client’s juvenile court action;
- XII. Freely sharing and discussing your own personal experiences or intimate details about self with the client; and

- XIII.** Engaging in the use of drugs and/or alcohol with the client.
- G.** The following behaviors may signal violations of a professional and appropriate relationship with the client. The GAL should heed these warning signs and contact the GAL Program Administrator immediately:
- I.** Excessively thinking about a client away from work;
 - II.** Planning other client's meetings and representation around a particular client's needs;
 - III.** Being defensive about your representation of a client;
 - IV.** Secretive behavior with a client;
 - V.** Giving gifts to the client or their family;
 - VI.** Inability to remain objective to feedback or comments from the team due to strong feelings for a client;
 - VII.** Feeling personally responsible for the client's progress;
 - VIII.** Feeling possessive about a client;
 - IX.** Believing that the system does not understand the client the way that you do and believing that because of this, you must personally intervene;
 - X.** Believing that colleagues do not understand when you discuss or defend your behavior with a client; and
 - XI.** Considering yourself part of a client's family.

SECTION SIX: WITHDRAWAL FROM A GAL PROGRAM CASE APPOINTMENT

- A.** If a GAL has an unhealthy, inappropriate, or unprofessional relationship with a client that cannot be repaired, the GAL shall not continue to represent the client and must withdraw from the case in accordance with *GAL Program Policy D: Attorney-Client Conflicts of Interest* and *GAL Program Procedures on Withdrawal* and must also complete a *Request for Appointment of New GAL* form.
- B.** Upon review and approval of the form, the GAL Program or the District Supervisor will file a Notice of Withdrawal or a Notice of Substitution with the court. The Program will maintain representation of the client and assign a new Program GAL.