

## Date of Meeting: 1/3/25

### Roll Call:

#### Members' Present

Judge Lori Morgan (Chair), Judge Thomas Felts, Kelly Lonnberg, Judge Catherine Stafford, Judge, Magistrate Ana Osan, Magistrate Roseanne Ang, Kelly Lonnberg, Katie Kelsey, Deb Dubovich, Magistrate Daun Weliever

#### Ex Officio Members Present

Leslie Dunn and Rae Feller

#### Others Present

Tara Rochford (IOCS), Payton Lester (IOCS), Joseph Fischer (IOCS)

### Welcome

Judge Morgan welcomed the committee.

### GAL Appointment Order for Benchbook

Joseph Fischer from IOCS joined the meeting and discussed the proposed GAL Appointment Order from the Domestic Relations Benchbook. The order is from the Family Law Task Force and can be shared with the committee. The Domestic Relations Benchbook Committee will now be reviewing the form since the GAL Guidelines are in effect. The next meeting is scheduled for January 31, 2025.

### Statewide Training by Kids' Voice

Katie Kelsey updated the committee on the status of in-person trainings that Kids' Voice has scheduled to take place in different areas of the State, with the first being in Allen County. There are currently four scheduled with an additional training in the works. Jordan Burton from Kids' Voice is leading that project and scheduling those with help from local judges and GAL/CASA programs. Rae Feller thanked the judicial officers and members of the committee that were working with Jordan and had helped get those scheduled.

## State Office LMS Modules

Leslie Dunn and Payton Lester updated the committee on the status of the State Office's online modules for the training that will be needed for applicants in addition to the training provided by Kids' Voice and for the applicants that already have some training but need a refresher. All modules are loaded in the learning management system. The State Office has been working closely with the Education Division to get that accomplished. Messages with instructions should be sent out to applicants soon to complete the training.

## Complaint Process Finalization

Judge Morgan went over the complaint process that was circulated to the committee prior to the meeting. This is the complaint process that the sub-group of the committee drafted when the committee was formed many months previously. As the date of March 1, 2025, approaches, the process needs to be finalized and available online. Rae discussed the process internally to have the complaint form on the website. The State Office will be working with the communications team, like the application, to get the form completed to contain all the elements in the complaint process created by the committee. The complainant will then be able to submit the form online.

## Update on Applications/Guidance from Committee

The State Office sought guidance from the committee for those applicants that need judicial references. It was discussed whether the committee wanted to review each of those applications individually. The consensus was that those applications would be treated the same as any other applicant unless there was something out of the ordinary that would warrant bringing the application before the committee for a decision.

The committee then discussed applicants that had only gone through the 30-hour GAL/CASA training. The committee agreed that while there are topics that are covered in both courses that would not need to be duplicated, the GAL/CASA training is not a substitute for the 12-hour GAL Family Training that is required under the Family Law GAL Guidelines.

## Communication on Application Process

Leslie Dunn spoke to the group about misinformation the office continues to receive about the application process and the GAL Guidelines. The committee discussed different ways to get the word out in their individual communities. There are plans to continue to do trainings for judges on the guidelines. The GAL/CASA network has been asked to help as well by talking to the family law GALs in their communities.

## Approval of Minutes

The meeting minutes for the December meeting minutes were unanimously approved.

## Adjourn

Next meeting: 2/7/25 at 10 a.m.

## Date of Meeting: 2/7/25

### Roll Call:

#### Members' Present

Judge Lori Morgan (Chair), Judge Thomas Felts, Kelly Lonnberg, Judge Catherine Stafford, Judge, Magistrate Roseanne Ang, Magistrate Anan Osan, Kelly Lonnberg, Katie Kelsey

#### Ex Officio Members Present

Leslie Dunn and Rae Feller

#### Others Present

Tara Rochford (IOCS), Joseph Fischer (IOCS)

### Welcome

Judge Morgan welcomed the committee.

### Update on Statewide Trainings

Katie Kelsey informed the committee that seven people were trained in-person in Allen County and 20 more were trained virtually. The people participating are lively and engaged. It is a mix of attorneys and non-attorneys. There are trainings within the next couple of months scheduled, starting with Vanderburgh on March 7<sup>th</sup>. Next will be in Ripley County. The plan after that is to head to the northwest area of the state.

### State Office LMS Modules

The online portion of the training is running and available to applicants. There have been applicants that have completed the training through the modules and been approved. The State Office has received some feedback that the modules are well done and contain good information. Approximately 220 GALs are approved and on the registry. There are 100+ that are in process.

### Complaint Process Update

Rae Feller walked the committee through the proposed complaint process form as it will appear online. The committee went through some revisions it would like regarding the process. The State Office will work with the tech team internally to try to have those changes made to conform to the committee's requests and will have an update at the next meeting.

The Committee discussed the information that should be sent to complainants when they submit a complaint. The Committee would like the email notification to include a period to hear back.

The Committee discussed notification to GALs. Some Committee members felt GALs should be notified of every complaint. It was agreed that GALs should be notified after a determination of the substance of the complaint had been made.

## Application Reviews

The Committee reviewed a number of individual applications. Moving forward it was agreed that applicants must submit judicial references from judges they have appeared in front of as a GAL for their applications to be considered. The State Office has changed the judicial reference form to reflect the same.

## Communication on Application Process

Leslie Dunn spoke to the group about misinformation the office continues to receive about the application process and the GAL Guidelines. The committee discussed different ways to get the word out in their individual communities. There are plans to continue to do trainings for judges on the guidelines. The GAL/CASA network has been asked to help as well by talking to the family law GALs in their communities.

The Committee discussed applicants that do not have any license or expertise to qualify as a GAL and do not have judicial references. The State Office will be drafting a letter from the Committee to discuss at the next meeting that can be distributed to these applicants with instructions on their next steps if they wish to continue to pursue becoming a GAL. The Committee discussed the possibility of a GAL mentor or CASA cases.

## Continued Outreach

Word still needs to be spread about the requirement that GALs complete the application process and be on the registry in order to be appointed to cases. The State Office plans to email GALs from past trainings as well as a list of GALs serving on cases from Odyssey. A message will be sent out in the Wednesday weekly that the registry is available and GALs must apply. The Committee would like to host a webinar for judges, preferably over lunch.

Other options would be to reach out to NCFCJ. Judge Graham is the Indiana representative. Judge Hanlon would be a good resource as well.

## Adjourn

Next meeting: 3/7/25 at 10 a.m.

## Date of Meeting: 3/7/25

## Roll Call:

### Members' Present

Judge Lori Morgan (Chair), Judge Thomas Felts, Judge Catherine Stafford, Judge, Magistrate Roseanne Ang, Magistrate Anan Osan, Kelly Lonnberg, Katie Kelsey, Magistrate Alexis Dedelow, Magistrate Daun Weliever, Debra Dubovich

### Ex Officio Members Present

Leslie Dunn and Rae Feller

### Others Present

Tara Rochford (IOCS), Joseph Fischer (IOCS) Payton Lester (IOCS) Lindsey Borschel (IOCS)

## Welcome

Judge Morgan welcomed the committee.

## Approval of the Minutes

Judge Stafford moved for the minutes from the February meeting to be approved and Katie Kelsey seconded. The meeting minutes for the February meeting minutes were unanimously approved.

## Complaint Process Demonstration

Lindsey Borschel from the Indiana Supreme Court, Office of Communication Education & Outreach, joined the meeting to provide the committee with a demonstration of the online complaint process. Persons wishing to file a complaint will be able to create an account and save their progress if they wish. Qualifying questions must be answered to proceed with the application. Once the correct person/party has met the requirements, they will be asked for name, address, case information, etc. They will also be asked for the same for the GAL. They will then choose the Guideline or Code of Ethics the GAL is alleged to have violated. The end of the form includes two affirmations. After the form is submitted the complainant will receive an email with a copy of the form. The email will go to Rae as well. Deb Dubovich and Judge Stafford discussed if it would be possible to link the GAL registry on the complaint form in case the complainant does not know the GAL's information and the committee agreed that it is a good idea. That update will be made to the form.

## Complaint Process Discussion

Rae Feller and Leslie Dunn met with Adrienne Meiring to go over OJAR's complaint process. Suggested updates were made based on that discussion. Adrienne suggested that the website make clear the purpose of the complaint process is to protect the public from unqualified GALs, not to review recommendations of the GAL in a case. This language will be added to the website. Based on the discussion, it is agreed that all complaints submitted will be provided to the GAL, regardless of the outcome. If a complaint is dismissed, the GAL does not have to be excluded from subsequent motions in the same case.

If a complaint is submitted that has probable cause for a violation of the Guidelines or Code of Ethics, the complaint will be provided to a 3-member panel (ideally 2 JOs, 1 GAL) to review. The panel can either dismiss or ask the GAL to provide a written response within 30 days. After reviewing the response, the panel may do its own investigation and consult other agencies. If the panel finds by clear and convincing evidence that there has been a violation of the guidelines or code of ethics, the complaint will be substantiated. The options will be to enter into an agreement with the GAL to remedy the conduct, including more training and/or requiring the GAL to work with a supervisor for a period of time. If the violation is particularly egregious or a repeat violation, the GAL may be deemed unqualified and removed from the registry and the judicial officer notified. An

appeal process to the full panel will be made available to the GAL should this arise. If a complaint is substantiated, the GAL should remove themselves from any future cases with the family.

The committee discussed the standard of review and agreed that clear and convincing was the appropriate standard for substantiating a complaint.

If a GAL is required to respond to a complaint, a letter will be sent giving 30 days to respond. If no response is received, a second letter will be sent notifying the GAL that a failure to respond within 30 days will result in the removal from the registry.

## Training Updates

Judge Felts has agreed to help Magistrate Weliever with the training at the end of April on the complaint process. Rae and Leslie will send him some slides and information. Judge Morgan, Magistrate Dedelow, Leslie, and Rae will be doing training at the Spring Judicial Conference on the GAL Guidelines from start to finish. The committee still needs to nail down the details for the webinar that judges are going to do for JOs.

## Letter to Category 4 Applicants

Rae shared her screen to go over the draft language for the letter the committee would send to category 4 applicants under the guidelines who do not have experience serving as a GAL and do not have any other qualifications. The committee approved the language. The committee agreed that applicants wanting to serve as GALs in smaller counties could potentially use attorneys as references if there were not enough JOs in the community. Those people could also work side-by-side with other GALs in the community to gain experience and use those GALs as references.

## Ethics Review

A frequent question that has come before the State Office is whether GAL reports must be shared with the parties, particularly in high conflict cases where parties are sharing the information with children.

Rule 3.8 states that a GAL must deliver the GAL report to parties 10 days prior to the hearing unless the parties have waived the requirement.

The committee discussed different ways to approach protecting children in these circumstances. Deb Dubovich stated that cases often have protective orders around sensitive financial information. Information about children can clearly be far more sensitive than finances. Courts or parties can ask to protect and keep confidential GAL reports in appropriate circumstances. At this point, there is concern that if a report is provided to attorneys only and kept from the parties, it could result in due process complaints and reversal on appeal. The committee discussed making the report available to parties only in the courthouse), as “read only,” with no copies being allowed to leave the courthouse so the report cannot be provided to children or others. There was a discussion about other options a GAL has to address these concerns, such as writing a report with factual information only and no recommendations, making only an oral report until the final hearing, writing a short report and letting the details get flushed out in testimony, and filing for

protective orders. The consensus is that due process requires that GAL reports be available to parties.

## Continued Outreach

Leslie prepared some FAQs for the judges to review and disseminate to other judges. The committee agreed the FAQs look good and will use those accordingly. The committee will continue to share information about the guidelines in their communities and the requirement for GALs to complete the application and be placed on the Registry to be qualified.

## Adjourn

Next meeting: 4/4/25 at 10:00 a.m. The committee will skip the July 2025 meeting. Otherwise, will continue to meet monthly. At the end of 2025, the committee might move to meeting every other month.

## Date of Meeting: 4/4/25

### Roll Call:

#### Members' Present

Judge Lori Morgan (Chair), Judge Catherine Stafford, Magistrate Roseanne Ang, Magistrate Ana Patricia Osan, Judge Rhett Stuard, Magistrate Debra Dubovich, Judge Tom Felts, Magistrate Alexis Dedelow

#### Ex Officio Members Present

Leslie Dunn and Rae Feller

#### Others Present

Tara Rochford (IOCS), Joseph Fischer (IOCS) Payton Lester (IOCS)

## Welcome

Judge Morgan welcomed the committee.

## Approval of the Minutes

The minutes are amended to remove the typo in Magistrate Asan's first name. Otherwise Judge Stafford moves for the minutes from the March meeting to be approved and Magistrate Osan seconded. The meeting minutes for the March meeting minutes were unanimously approved.

## Complaint Process Update

The complaint process should be up by the end of the day today or early next week at the latest. When a complaint is submitted, the GAL will be notified and will receive information describing the complaint process. Rae or Leslie will send out an email to the Committee as a follow up when the complaint process is live so the Committee can submit test complaints.

## Outreach on GAL Guidelines

As was previously discussed by the Committee, the State Office set out an email to the list of GALs that IOCS has advising them to apply to the GAL Registry. Committee members continue to hear from the legal community that people think the GAL Registry is optional. The latest questions the State Office has received have been about GALs that are agreed upon by the parties. GALs that are agreed upon by the parties must be selected from the registry.

## Suggested Amendments to Guidelines

The Committee agrees that future amendments need to clarify that the GAL Registry is mandatory and not optional. The GAL Guidelines do not specifically state that the Registry is mandatory, however it is clear that is the case. The Registry is the mechanism in which the Committee carries out its purpose to monitor background checks, ensure GALs are properly trained, etc. The Guidelines also need clarity about when a GAL from a certified GAL/CASA program is appointed to a case. GALs supervised and appointed under a GAL/CASA program do not need to be on the Registry.

There was a discussion about further amendments to the Guidelines if there is a particular applicant that raises specific concerns for a Committee member and how that could be addressed in the future. The Committee agreed that at this time, applicants that meet the qualifications will be placed on the Registry if and until complaints arise.

The Committee discussed the format of the Registry that is available online. The judges would like the Registry itself to be searchable via county. Currently the registry lists applicants by city. In order to search by county, the PDF must be downloaded. IOCS plans to update the Registry in the future to look more like the mediator registry. The version that is available now is not the final version.

## Code of Ethics Update

Leslie Dunn informed the Committee that the 2025 version of the Code of Ethics is now uploaded to the website. The 2024 version was uploaded prior to this most recent update. In the 2024 version, the introductory paragraph stated that GALs would be required to sign a copy of the Code of Ethics. The Committee previously agreed that the logistics of that would be time-consuming and complicated. Since every order appointing a GAL is required to order a GAL to follow the Code of Ethics, it was decided by the Committee that having GALs sign a copy of the Code of Ethics is unnecessary. Paragraph 25 of the Code of Ethics was updated as well. The Committee did not have anything to add.

## Training Updates

Leslie will be attending a trauma training at noon. It is a free CLE that is available to GALs and CASAs.

Kids' Voice will be scheduling future statewide GAL trainings in the near future.



## Ongoing Training

Ongoing training will need to be made available starting on 1/1/26. The State Office of GAL/CASA plans to offer at least 6 free CLE hours of ongoing training through the CASA Training Academy that will be applicable to both GAL/CASA in child welfare and family law GALs. The trainings can then be uploaded into ISC's LMS and be monitored. The Committee will need to come up with a plan for monitoring and reporting on trainings that are not in the LMS.

## Adjourn

Next meeting: 5/2/25 at 10:00 a.m.