
Joint Study Committee
on the
Guardian ad Litem Program

Final Report
April 2005

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Executive Summary of the Joint Study Committee on the Guardian ad Litem Program

The Guardian ad Litem Program provides a vital service to South Carolina's abused and neglected children. Since 1984, volunteers have contributed thousands of hours each year to provide a voice for these children. By focusing on one child at a time, volunteers assist judges in implementing the best possible plan for each child. This innovative program is remarkably cost-effective. Through a relatively small investment, South Carolina not only meets its legal responsibilities, but also provides meaningful representation for these children who need it the most. No where else in state government is so much gained through so little.

The 2004 General Assembly established a Joint Study Committee to examine the organizational structure, funding, and location of the Guardian ad Litem (GAL) Program within the structure of state government. The GAL Program experienced a financial crisis during 2003, culminating in news announcements that it would no longer be funded. Additional concerns were raised after the GAL Program was administratively combined with the Foster Care Review Board under the directorship of one person.

The Study Committee was charged with conducting an in-depth review of the GAL Program and with making recommendations to address its organizational structure, needed funding, the allocation of funds to counties, and the appropriate agency for location of the program.

The Study Committee reviewed financial and statistical information, compared the operations of the Program to those in other states, solicited input from staff, volunteers, and others familiar with the GAL Program, and held a series of open meetings. Based on this review, the Study Committee recommends the following:

1. To avoid conflicts of interest, the GAL Program should be administered as a separate, distinct program.
2. The Program should be known as the South Carolina Volunteer Guardian ad Litem Program.
3. The Guardian ad Litem Program should have an Advisory Council to offer guidance for services.

4. The General Assembly should appropriate a minimum of \$3,105,785 from the general fund for FY 2005/06 to be used solely for the GAL Program.
5. Counties should be required to provide office space, including utilities and telephone and Internet connections. The office space for GALs should be separate from the offices of the local Department of Social Services.
6. The Director of the GAL Program should continue to be responsible for financial management and the allocation of funds to counties. The GAL Program should operate in each county to ensure that all children are served.
7. The GAL Program would ideally be administered through creation of a Children's Services Agency which would include all services for children. This would require major restructuring of current service agencies. Given current realities, the Study Committee recommends that the GAL Program continue to be administered through the Office of Executive Programs and Policy (whether under the Office of the Governor or the Department of Administration).
8. The GAL Program should administer the state appropriated and federal funds available to pay for legal representation of volunteer GALs. The GAL Program should contract with attorneys to represent volunteer GALs.

Acknowledgments

The Study Committee is grateful to those who assisted in reviewing the operations of the Guardian ad Litem Program, including Louise Cooper, Program Director; Michael J. Cavanaugh, Director of Administrative Services, Office of the Governor; and Eddie Gunn, Chief of Staff, Office of the Governor. The staff of the Governor's Office was responsive and helpful in providing information.

Attorney General Henry McMaster and his staff were also helpful in considering issues related to the GAL Program. General McMaster demonstrated interest and concern for the well being of children and the administration of the GAL Program.

We also express our appreciation to Program staff who completed questionnaires, to volunteers who wrote letters, and to those who presented to the Study Committee, including Senator Mike Fair, Betsy Chapman, Gloria Prevost, and Elizabeth Waldrep.

Finally, we extend our thanks to the following legislative staff who so ably assisted the committee: Brenda Hart, Senate Finance; Dianne Carraway, Senate Finance; and Phil Lenski, Senate Judiciary.

**Report of the
Joint Study Committee
on the
Guardian ad Litem Program**

I. Introduction

The Guardian ad Litem (GAL) Program provides a vital service to South Carolina's abused and neglected children. Since 1984, volunteers have contributed thousands of hours each year to provide a voice for these children. By focusing on one child at a time, volunteers assist judges in implementing the best possible plan for each child. This innovative program is remarkably cost-effective. Through a relatively small investment, South Carolina not only meets its legal responsibilities, but also provides meaningful representation for these children who need it most. No where else in state government is so much provided for such a small cost.

A. Purpose of Study Committee

The 2004 General Assembly established a Joint Study Committee to review the organization, funding, and location of the GAL Program within the structure of state government.¹ The GAL Program experienced a financial crisis during 2003, culminating in news announcements that the program would no longer be funded. Additional concerns were raised after the GAL Program was administratively combined with the Foster Care Review Board, under the directorship of one person.

The Study Committee was charged with conducting "... an in-depth review of the Program to determine:

- (1) the most effective organizational structure to ensure that the program serves the best interest of children who require a guardian ad litem;
- (2) the level of funding necessary to adequately operate the program to ensure that all children are served;
- (3) the allocation of funds to counties; and
- (4) the appropriate agency in which the Guardian ad Litem Program should be located."

The proviso established the composition of the Study Committee to be: two members appointed by the Governor; two members of the Senate; two members of the House of Representatives; and two members appointed by the Chief Justice of the South Carolina Supreme Court.

¹General Appropriations Bill, Part 1B, Section 72.87.

B. Overview of GAL Program

South Carolina statute² and federal law³ require the appointment of a GAL for every child in child abuse and neglect cases that result in family court actions. A GAL must also be appointed for every child in termination of parental rights cases. The GAL assists the family court and promotes the best interests of the child by conducting an impartial assessment of the facts, submitting recommendations on behalf of the child, and monitoring implementation of the court's orders.

South Carolina has met these state and federal requirements primarily through operation of the South Carolina GAL Program, which oversees the recruitment, training, and supervision of volunteer guardians who are appointed by the family court. In 2003/04, 1527 volunteers were appointed to serve as guardians for 7836 children⁴. The volunteers were supported by a staff of 24 full-time and 32 part-time employees.

For the first time in the program's history, the number of children served last year declined from the previous year.⁵ Moreover, 928 children were not appointed a volunteer GAL due to an insufficient number of volunteers. This number of children not receiving a volunteer GAL may be underestimated, as declined cases may not be accurately recorded in counties where Program staff are not on-site. When volunteers are not available, attorneys must be appointed to serve as GALs for the children.

The use of citizen volunteers in this role reflects a national trend that began in 1977 and is endorsed by the National Council of Juvenile and Family Court Judges. The advantages of volunteers are many, including cost-effectiveness and the ability of volunteers to focus exclusively on the needs of each child. The use of volunteers also reduces the burden and costs of appointments on the Bar.

The Joint Legislative Committee on Children was instrumental in establishing the GAL Program in 1984, one of the first statewide programs in the country. Cass Elias McCarter established the GAL Program as part of TRIO Programs at the University of South Carolina. The GAL Program began in 4 judicial circuits in fiscal year 1984/85 and, through implementation of a five-year plan, operations expanded to 45 counties in

²S.C. Code Ann. §20-7-110(1) (Supp. 2004)

³Child Abuse Prevention and Treatment Act, 42 U.S.C.A. §5106a

⁴ This reflects cases throughout the state, except in Richland County where a separate volunteer program is in place. Richland County CASA is a public/private partnership that operates under the auspices of Richland County Council. It was established in 1983 and has developed parallel to the state's GAL Program.

⁵7,909 children were served in 2002/03, a difference of 73

all 16 judicial circuits by 1989. The General Assembly enacted legislation in 1988 that directs the operation of the GAL Program.⁶ This statute defines specific duties of volunteer GALs, establishes confidentiality requirements, provides qualified immunity, identifies those persons who are not eligible to serve, and specifies that the General Assembly shall provide the funds necessary to carry out these provisions.

As planned, the GAL Program remained at USC until 1992 when it was moved to the Worker's Compensation Fund. On July 1, 1993, the GAL Program was moved to the Office of the Governor, Office of Executive Programs and Policy, as part of the Restructuring Act of 1993.

II. Committee's Review Process

The Study Committee has carefully examined the operations and possible locations of the GAL Program. This process has included the extensive review of materials, including caseload statistical information; financial reports including expenditures and sources; organizational charts; national models and recommendations; and information from other states.

The Study Committee distributed a questionnaire to Guardian ad Litem Program staff and solicited input from volunteers. A series of open meetings was held.

The Study Committee heard from a former employee who reported that the program has suffered in recent years due to inadequate funding and turnover in the Director's position. She noted that staff morale was low and that several longterm employees have left the program. Thirty-three percent of the staff coordinators who responded to the Study Committee's questionnaire had been in their position for one year or less.

Morale appears to be improving with the resumption of an independent organizational structure, increased funding for 2004/05, and the appointment of a new director in the fall of 2004. Comments from several staff indicated the GAL Program is stabilizing under this new leadership.

⁶S.C. Code Ann. §20-7-121 *et seq.* (Supp. 2004)

III. Issues Addressed by Study Committee

A. Organizational Structure

The Study Committee was asked to determine the most effective organizational structure to ensure that the program serves the best interests of children who require a GAL. While organizational structure was treated as a different issue than location, both could give rise to conflict of interest issues.

The Director of the GAL Program currently reports to the Chief of Staff of the Office of the Governor. The Program is organized with 2 regional supervisors, a circuit coordinator in each of the state's 16 judicial circuits, and county coordinators who report to the circuit coordinators. Comments from staff indicate that this structure contains unnecessary layers of bureaucracy. Additionally, circuit coordinators may be consumed overseeing their own county and have little time to supervise staff in other counties.

The Study Committee believes that, in order to maintain volunteer recruitment, the structure of the Program should provide for an on-site coordinator in each county. The Program should continue to be managed on a statewide basis, with county coordinators ultimately responsible to the state director. The internal lines of authority (e.g. utilization of circuit or regional coordinators) should be determined by the Program's Director and not be specified in legislation.

Concerns related to the organizational structure of the GAL Program were focused on its having been combined with the Foster Care Review Board in 2003/04. Because the Foster Care Review Board and a child's GAL both make recommendations to the court on the same cases, this structure was seen by many as a conflict of interest. The ability to make independent recommendations to the court is essential to the integrity of the GAL Program and the child's best interests. The Study Committee believes that the Program's structure should support this independence, and that it should not be co-administered with another program.

The status of the Director has also been raised as a concern. Many persons affiliated with the program suggested that the Program's need for stability would be better served if the Director's position were not employment at will. Proviso 72.93, which has been enacted for the past 3 years, provides that agency directors, deputies, and persons who report to deputies must be at will. There is no justification for singling out the GAL Program for an exception to this practice. The option of making the Director a lower level employee could reduce the strength of the GAL Program in the longterm. Finding no viable alternative, the Study Committee does not recommend a change in the at will status of the Director.

Recommendation # 1: That the organizational structure of the GAL Program promote independence and integrity of its functions. If housed within another agency, the GAL Program must be administered separately from any other program, particularly one with potential conflicts of interests. The Program should be operated in such a manner as to protect the autonomy of the volunteer GALs to advocate independent recommendations which advance the best interests of children.

Recommendation # 2: The Program should be known as the South Carolina Volunteer Guardian ad Litem Program. This will distinguish volunteer guardians from lay GALs who are appointed for a fee in private custody and visitation disputes.

Recommendation # 3: An Advisory Council should be established to offer guidance regarding volunteer GAL services and to promote stability of the GAL Program. Suggested membership includes: a volunteer GAL selected by the Program Director; a family court judge appointed by the Chief Justice; a member of the Senate appointed by the President; a member of the House of Representatives appointed by the Speaker; an appointee of the Governor; the Director of the Children's Law Office or his designee; and the Director of the S.C. Bar or his designee. Advisory Council members should serve without compensation.

B. Funding Level

The Study Committee was charged with recommending the level of funding necessary to adequately operate the program ensuring that all children are served. The Study Committee found that not all children who need GALs have been served and that the current funding is inadequate.

Volunteers receive no compensation and are not reimbursed for expenses incurred in the performance of their duties. Funding is necessary to provide a support system for these volunteers. Professional staff are responsible for recruiting and screening volunteers, training, assigning cases, and providing ongoing supervision. Personnel costs make up approximately 71 % of the budget, encompassing a small state office staff, 2 regional supervisors; county coordinators; and administrative staff who are time-limited. The remaining portion of the budget (29%) is for operational costs, including office rent, equipment, supplies, and travel to state meetings. Payments to the attorneys who represent volunteers have not been made through the GAL Program budget, except for a limited amount of federal dollars restricted for this purpose.

Total expenditures for the Program for FY2004/05 are projected to be \$2,369,940. This is \$439,334 less than the amount spent in FY 2001/02.

Initially the GAL Program was supported entirely by state funds appropriated by the General Assembly. State appropriated funds have decreased from \$1,024,251 in FY 1997/99 to \$172,988 in FY 2004/05. A patchwork of other sources was substituted,

including Victims Compensation funds, federal IV-E, and TANF funds. These new sources failed to provide stable support for the GAL Program which, in combination with the decline in state appropriations, resulted in the announcement that the Program did not have funding last year. (See Attachment 7).

In an effort to prevent closure of the GAL Program, a proviso was enacted directing that the Department of Revenue reduce interest on refunds by 2% and that this estimated savings of \$1,556,891 be used to support the GAL Program. During the first half of the year, \$771,346 has been collected, indicating that the estimated savings is realistic.

The current budget reflects an expenditure of \$385 per child served, or \$1967 per volunteer. The national median expenditure, in contrast, is \$800 per child or \$2600 per volunteer.⁷ In North Carolina, the GAL Program budget represents an expenditure of more than \$1000 per child.⁸

The Director of the GAL Program, at the request of the Study Committee, has prepared a budget of \$3,105,785⁹ that would enable the Program to provide a GAL for each child, resolve pay discrepancies, provide adequate staffing, streamline the administration, and provide for attorney representation. (See Item "E" on page 10 for discussion of representation.) The Committee has reviewed the proposed budget carefully and endorses the proposal. (See Attachment 8.)

The Committee found that, while office space in county buildings is provided in some counties, in most counties the GAL Program rents private office space. Rent and utilities payments for county offices amount to approximately \$199,113 per year.

Recommendation # 4: The General Assembly should appropriate a minimum of \$3,105,785 from the general fund for the GAL Program for FY 2005/06. This amount would minimally fund all services including the cost of legal representation for volunteers. State funds appropriated for the GAL Program should be placed in a separate line item of the appropriate section of the state budget, and the funds should be used solely for that purpose. In the event of a generalized reduction of funds to the state budget or the agency housing the GAL Program, the portion of such reduction allocated to the GAL Program should not exceed the percentage of the overall reduction.

⁷National Court Appointed Special Advocate Association, Annual Local Program Survey 2003.

⁸Personal communication, Jane Volland, N.C. GAL Program.

⁹The total proposed amount is \$3,284,785, which includes \$3,105,785 in state funds and \$179,000 in federal funds for legal representation.

Recommendation # 5: Counties should provide the GAL Program with office space, utilities, telephone, and Internet connections; these offices should be separate from the local Department of Social Services offices.

C. Allocation of Funds to Counties

The Study Committee was charged with addressing the allocation of funds to counties. All financial management takes place at the state office level, and the Study Committee has received no recommendations for modification. Funds allocated to counties are based on actual personnel and operational costs, rather than a formula related to case load.

The Committee has received information regarding salary discrepancies among coordinators. This has contributed to morale problems.

Recommendation # 6: The GAL Program Director should continue to be responsible for financial management and allocation of funds to counties. The Director should work with the Budget and Control Board's Office of Human Resources to establish guidelines for salaries. The GAL Program should operate in all counties, excluding Richland, to ensure that all children are served.

D. Agency Location

The Study Committee gave special emphasis to the issue of an appropriate placement for the GAL Program within state government. Criteria for agency location were established as follows:

- Independence is a primary concern. The location and management of the GAL Program should preclude any conflicts of interest with other services provided to the children.
- The GAL Program should be located in an organization that wants it and can be supportive of its mission.
- Relocation of the GAL Program should have clear advantages that would outweigh the cost of actually transferring the Program, including reconfiguring office space and computer systems.
- Continuity of leadership should be considered. While the Program has suffered from financial instability and morale problems in recent years, it now has a Director who is widely seen as a stabilizing force. A potential move must be balanced against the likelihood that it would result in appointment of a new director at this critical time.

The following options were examined, with advantages and disadvantages identified:

Independent Organization: A separate organization, governed by a commission, would provide the highest level of independence. However, additional administrative costs would be incurred for Human Resources, procurement, and information technology. These administrative costs are now absorbed in agency overhead and would add an estimated \$226,607¹⁰ to the Program's cost if it were operated separately. This expense, along with the trend in recent years toward consolidation and streamlining in state government, renders this option infeasible.

Court Administration: Court Administration has been considered as a location because the GAL is appointed by and provides information to the family court. Before ruling in a child protection case, the judge receives separate recommendations from the parties and from the GAL. Locating the Program within Court Administration, which supervises the judges, may appear to give the GAL undue influence. Although the majority of the twelve statewide GAL programs are housed within court administrative offices, some states have moved away from this structure.¹¹ Advantages and disadvantages of court based GAL Programs are discussed in a guide prepared by the National Court Appointed Special Advocate Association in collaboration with the National Council of Juvenile and Family Court Judges.¹²

University of South Carolina: The Program was initially established at USC through happenstance, and there is no obvious rationale for it to transfer back there. The Program's founder, Cass Elias, was employed by TRIO Programs of USC, which agreed to administer it until statewide status was reached. Prior to the Program's move to the Worker's Compensation Fund in 1992, Ms. Elias explored other options within USC and found none. No divisions within USC are seeking the program.

The Children's Law Office of the School of Law has been considered. The Children's Law Office must remain impartial to fulfill its mission of providing assistance, training, and resources to many different types of professionals involved in child protection cases. The Children's Law Office also trains child protection workers and receives substantial funding through a contract with the Department of Social Services, which is a party in all child abuse and neglect cases. Thus, operation of the GAL Program would place the Children's Law Office in a conflict of interest with other groups which use its services.

¹⁰Estimate provided by Office of the Governor.

¹¹The GAL programs in Florida and Iowa are no longer administered by the court system.

¹²National CASA Association, *Judges' Guide to CASA/GAL Program Development* (2004).

Attorney General's Office: Proposals were introduced during the 2004 legislative session to move the GAL Program to the Attorney General's Office, and this option was considered by the committee. On occasion, the Attorney General's office prosecutes a criminal child abuse matter which has a parallel child protection action requiring the appointment of a GAL. Again, there is the issue of conflict of interest. The Attorney General is the Chief Prosecutor for the state, and would make payments to attorneys for GALs under Recommendation # 8. This could lead to motions for dismissal of the GAL by other parties as well as the general perception that GALs are biased.

Department of Administration: The Governor's Office has recommended that the GAL Program be moved to the Department of Administration that would be established through S.80. The Department of Administration would house most of the programs currently located in the Office of Executive Programs and Policy of the Governor's Office, in addition to the Division of General Services and other offices currently administered by the State Budget and Control Board. If placed within the Department of Administration, the GAL Program is expected to continue operating in much the same way that it does now.

Restructuring Options: Finding an ideal placement for the GAL Program would require major restructuring of governmental agencies. Location of the GAL Program must allow it to function independently and present no conflicts of interests. Optimum locations would be:

- A children's services agency that would combine services for children now provided through a variety of agencies. However, the GAL Program would need to function as a distinct unit.
- An advocacy agency that would combine programs with similar functions, although services may be provided in different contexts. Examples of programs with similar functions include the Ombudsman and Victims Assistance offices.

Until a more ideal location can be developed through restructuring, it would not be advantageous to move the GAL Program at this critical time. Since the proviso was enacted establishing this Study Committee, the GAL Program has stabilized through additional funding, its return to an independent organizational structure, and appointment of a new director.

Recommendation # 7: Ideally, the GAL Program would be administered through creation of a Children's Services Agency which would include all services for children. This would require major restructuring of current service agencies. Given current realities, the Study Committee recommends that the GAL Program continue to be administered through the Office of Executive Programs and Policy (whether under the Office of the Governor or the Department of Administration).

E. Legal Representation

The Study Committee also addressed the issue of attorney representation for volunteer GALs. State statute¹³ requires the appointment of legal counsel in addition to a GAL for the child. Volunteers serve in serious cases involving physical abuse, sexual abuse, and neglect of children. Often these children have been placed in emergency protective custody, and parents' rights may be terminated by the court. Representation is essential to the non-attorney GAL who is required to advocate for the child, which includes the filing of motions and presentation of witnesses. Volunteers appointed as GALs do the legwork, and attorneys can efficiently use their time to focus on legal issues.

Representation is provided in two ways in South Carolina, with two different funding sources:

The GAL Program administers \$ 176,196 provided in federal funds transmitted through the Department of Social Services. These funds are used to contract with attorneys in 8 counties. Under this system, a single attorney or firm represents the GALs in all cases. This type of system is advantageous in that attorneys develop expertise in the area, volunteers become comfortable with the attorney, and, because in most areas cases are scheduled together, there is more efficient use of attorney time.

In the other 37 counties in which the state program operates, attorneys are taken from the civil appointment list pursuant to Rule 608, South Carolina Rules Of Appellate Court. Appointed attorneys may file for reimbursement at established rates through the Office of Indigent Defense, \$40 - \$60 per hour up to \$1750 per case, unless the judge specifically authorizes a higher fee. This fund is typically depleted before year's end, after which attorneys receive no compensation. In FY04, the Office of Indigent Defense dispersed \$301,190 for payments in GAL cases, although this includes attorneys appointed for parents as well as children.¹⁴ It is generally agreed that this system does not provide the best representation and there is growing concern regarding the burden on private attorneys. Problems with notice and lack of preparation often lead to continuances which prolong cases. The South Carolina Bar has formed a Task Force to study the effects of Rule 608 and propose alternatives to this appointment system.

Recommendation # 8: The GAL Program should administer federal and state appropriated funds for legal representation of volunteer GALs. The GAL Program should establish contracts in all counties to obtain consistent and more cost effective

¹³S.C. Code Ann. §20-7-110(1) (Supp. 2004)

¹⁴OID is unable to provide a breakdown of payments only for attorneys appointed on behalf of children.

representation for volunteers . (The allocation proposed as Recommendation # 4 includes \$496,000 for this purpose.)

IV. Conclusion

Since 1984, volunteers have provided countless hours of service to South Carolina's abused and neglected children through the GAL Program. This Program was initially funded entirely by state appropriations, and has been effective in providing a voice for these children. However, in recent years drastic financial reductions and organizational changes have led to staff turnover and morale problems. Consequently, fewer children are being served. Adequate funding must be provided for operating costs and for staff who make the work of the volunteers possible. The Study Committee has endorsed a cost-effective budget plan that would enable all children to be served, standardize salaries, and provide legal representation for volunteers. The Study Committee urges the General Assembly to implement this recommendation.

Attachment 1 Summary of Recommendations

1. That the organizational structure of the GAL Program promote independence and integrity of its functions. If housed within another agency, the GAL Program must be administered separately from any other program, particularly one with potential conflicts of interests. The Program should be operated in such a manner as to protect the autonomy of the volunteer GALs to advocate independent recommendations which advance the best interests of children.
2. The Program should be known as the South Carolina Volunteer Guardian ad Litem Program. This will distinguish volunteer guardians from lay GALs who are appointed for a fee in private custody and visitation disputes.
3. An Advisory Council should be established to offer guidance regarding volunteer GAL services and to promote stability of the GAL Program. Suggested membership includes: a volunteer GAL selected by the Program Director; a family court judge appointed by the Chief Justice; a member of the Senate appointed by the President; a member of the House of Representatives appointed by the Speaker; an appointee of the Governor; the Director of the Children's Law Office or his designee; and the Director of the S.C. Bar or his designee. Advisory Council members should serve without compensation.
4. The General Assembly should appropriate a minimum of \$3,105,785 from the general fund for the GAL Program for FY 2005/06. This amount would minimally fund all services including the cost of legal representation for volunteers. State funds appropriated for the GAL Program should be placed in a separate line item of the appropriate section of the state budget, and the funds should be used solely for that purpose. In the event of a generalized reduction of funds to the state budget or the agency housing the GAL Program, the portion of such reduction allocated to the GAL Program should not exceed the percentage of the overall reduction.
5. Counties should provide the GAL Program with office space, utilities, telephone, and Internet connections; these offices should be separate from the local Department of Social Services offices.
6. The GAL Program Director should continue to be responsible for financial management and allocation of funds to counties. The Director should work with the Budget and Control Board's Office of Human Resources to establish guidelines for salaries. The GAL Program should operate in all counties, excluding Richland, to ensure that all children are served.

7. Ideally, the GAL Program would be administered through creation of a Children's Services Agency which would include all services for children. This would require major restructuring of current service agencies. Given current realities, the Study Committee recommends that the GAL Program continue to be administered through the Office of Executive Programs and Policy (whether under the Office of the Governor or the Department of Administration).
8. The GAL Program should administer federal and state appropriated funds for legal representation of volunteer GALs. The GAL Program should establish contracts in all counties to obtain consistent and more cost effective representation for volunteers . (The allocation proposed as Recommendation # 4 includes \$496,000 for this purpose.)

**Attachment 2
Proviso**

**General Appropriations Bill
House Bill 4295
Ratified May 19, 2004**

Part 1B section 56DD D21 – Governor's Office

56DD.41. (GOV: OEPP - Guardian Ad Litem Program) Both the program and the funds appropriated to the Governor's Office, Division of Children's Services, Guardian ad Litem Program must be administered separately from other programs within the Division of Children's Services and must be expended for the exclusive use of the Guardian ad Litem Program.

For FY 2004-05, the Department of Revenue is directed to reduce the rate of interest paid on eligible refunds by two percentage points. The revenue resulting from this reduction must be used exclusively for operations of the Guardian ad Litem program.

Part 1B section 72 X90 – General Provisions

71.87. (GP: Guardian Ad Litem Program Joint Study Committee) A Joint Study Committee on Guardian ad Litem is established to study the organization, funding and placement of the Guardian ad Litem Program within the structure of state government. The joint study committee shall be composed of two members appointed by the Governor, one of whom the Governor shall appoint as chairman, two members of the Senate appointed by the President Pro Tempore of the Senate, two members of the House of Representatives appointed by the Speaker of the House, and two members, one of whom must represent Family Court, appointed by the Chief Justice of the South Carolina Supreme Court.

The study of the Guardian ad Litem Program shall include, but is not limited to, an in-depth review of the program to determine:

- 1) the most effective organizational structure to ensure that the program serves the best interest of children who require a Guardian ad Litem;
- 2) the level of funding necessary to adequately operate the program to ensure that all children are served;
- 3) the allocation of funds to counties; and
- 4) the appropriate agency in which the Guardian ad Litem Program should be located.

The committee must be staffed by personnel of the Senate and the House of Representatives.

Findings and recommendations shall be reported to the General Assembly by January 3, 2005. Upon submission of the report, the committee shall be dissolved.

**Attachment 3
Joint Study Committee**

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STATE OF SOUTH CAROLINA

GOVERNOR'S OFFICE OF EXECUTIVE POLICY AND PROGRAMS



AGENCY ACCOUNTABILITY REPORT

FISCAL YEAR 2003-2004

SELECTED EXERTS
FULL REPORT AVAILABLE AT
WWW.SCSTATEHOUSE.NET/REPORTS/AARR2004/D17.DOC

Section I: Executive Summary

The Office of Executive Policy and Programs (OEPP) provides administrative and financial services for the Governor's Office, including the Executive Control of State (ECOS) and the Governor's Mansion and Grounds, as well as a wide variety of essential constituent services to the residents of South Carolina. Whether providing assistance to abused and neglected children, children with emotional and behavioral problems, victims of crime, people with disabilities, veterans, or others, OEPP consistently strives to meet and exceed the needs of every one of its customers. To provide these services, OEPP works in close collaboration and with the strong commitment of other public officials and organizations, including the Governor and ECOS staff, the legislature, cabinet and other agencies, state boards and commissions, and public, private and non-profit organizations.

Mission Statement

The mission of OEPP is to serve the people of South Carolina by providing critical educational, social, health, and human services programs in support of Governor Mark Sanford's goals, including promoting open and accountable government, efficiency, and a commitment to servant leadership.

Vision

OEPP will become state government's leader in customer satisfaction, public trust, and confidence. We will achieve this by creating an innovative learning organization driven by our values and modeled through our interactions with others.

Values

OEPP's organizational values are included in its strategic plan. Key values identified as important to the organization are integrity, fairness, innovation, leadership, and accountability. (1.1, Category 2)

Key Strategic Goals for Present and Future Years

OEPP's Strategic Plan was completed during 2002. It includes goals with supporting strategies in the areas of Leadership, Customer Satisfaction, Information and Analysis, Human Resources, and Process Management (2.1). Supporting Office Action Plans and related key measures have been developed by each office, including specific office goals. Each office has reported on the status and achievement of these goals and will continue to develop new goals on an ongoing basis as a means to promoting continuous improvement. The results of specific office goals are detailed in the "Major Achievements" section, Tables 4.2, Category 2 and Category 7. Other shared goals include raising staff qualifications, increasing cross-training within offices, and becoming more aware of and responsive to customer needs.

Barriers and Opportunities

Primary barriers continue to include reductions in state appropriations which require an increased focus on service efficiency. Opportunities lie in increasing effectiveness, efficiency, and increased customer services. The physical relocation of a variety of offices, including Correspondence, Constituent Services, and Continuum of Care, provides an opportunity for greater cross-over and coverage, thus resulting in increased efficiency in service delivery.

Major Achievements

During FY'03-'04, OEPP made several notable achievements:

An extensive cost survey and staff needs assessment for each county and circuit Guardian ad Litem (GAL) office was completed in an effort to better determine the true cost of the program while the GAL program was jointly managed with the Foster Care Review Board (FCRB). Inconsistencies in funding and structure of staff positions in various counties were identified. The structure of the GAL program was then re-organized to provide more effective supervision and accountability of statewide staff, unnecessary positions were eliminated and job duties were re-distributed to bring more focus to the support of volunteers in the program.

A grant was secured to assess the structure and needs of the information technology system of the GAL program, and an in-depth survey of all GAL county and circuit offices was conducted in advance of preparing a work-plan for best deploying the funds received. This grant will provide funds for new computers and printers that will allow GAL to participate in the latest data tracking edition of COMET. COMET is a database from the national affiliate organization CASA that could not interface with GAL's old computers. Being able to use this improved edition of COMET will give GAL better tracking capabilities for enhanced accountability.

Accountability Report

OEPP uses its annual accountability as a living and ever changing document that helps drive performance expectations and continuous improvement. As part of the accountability process, each office/program area is asked to provide goals for each fiscal year. These goals must be clearly linked to OEPP's Strategic Plan and must reflect the Governor's goals. Offices report on the status of attaining their goals on a quarterly basis. If the action taken is improving processes, it is incorporated into standard procedures. If not, the office/program area reassesses its goals and either adapts these goals to deal with problems that may be affecting their success or formulates new goals.

Section II: Business Overview

OEPP houses 13 major program areas, each distinctively different and created to serve the residents of South Carolina in key areas of interest and need as statutorily mandated by Section 1-30-110 or otherwise identified or required. Due to the diversity of each program area, the agency is subdivided into a separate office for each set of related programs. Additionally, the Office of Administrative Services, including Finance, Human Resources, Procurement, and Information Technology, forms the basis for administrative support for each program area and for ECOS staff.

Table II.A - Key Customers/Stakeholders and Key Services Provided

All of the offices below have two common customers that are not enumerated under each section. They are the Governor and the General Assembly. In addition, all offices share these common stakeholders: the managers and employees, the suppliers, the Governor, legislators, and the greater community.

Office	Key Services	Customers/Stakeholders
Guardian Ad Litem (GAL)	supervises volunteer advocates who serve as monitors and protectors of maltreated children for family court judges	abused and neglected children; family court judges

Table II.B – Major Program Areas

Program Number and Title	Major Program Area Purpose	FY 02-03 Budget Expenditures		FY 03-04 Budget Expenditures		Key Cross References for Financial Results*
Guardian ad Litem	To recruit, train, and supervise volunteers who are court appointed to represent and advocate for the best interests of children in the child welfare system and family court proceedings involving allegations of abuse and neglect. A secondary mission of the South Carolina Guardian ad Litem Program is to increase public awareness about the impact of child abuse and neglect on the community while illustrating the value of volunteer service to the State of South Carolina.	State:	304,583.81	State:	286,153.85	Figure 7.3-1
		Federal:	34,013.00	Federal:	770,239.20	Tables 7.2-3a and b
		Other:	2,406,343.82	Other:	1,255,186.78	Figure 7.2-2
		Total:	2,744,940.63	Total:	2,311,579.83	
		% of Total Budget:	6%	% of Total Budget:	4%	

* % of Total Budget refers to the % of the total budget for OEPP as opposed to the total budget for that program area.
 NOTE: The Continuum of Care is not listed as its budget is part of the DSS budget.

1.3 How do senior leaders maintain fiscal, legal, and regulatory accountability?

To ensure fiscal, legal and regulatory accountability, the Director of Administrative Services reviews and approves all budget expenditures for each program area. Requests are then approved by the Deputy Chief of Staff for Administration to ensure consistency with the Governor’s goals and values. Examples of how senior leaders in various program areas maintain fiscal, legal, and regulatory accountability are as follows:

Table 1.3 - Fiscal, Legal, and Regulatory Accountability

OFFICE	FISCAL, LEGAL, AND REGULATORY ACCOUNTABILITY
Guardian ad Litem	Senior leaders monitor existing monies to reserve and regulate expenditures, while supervising county and circuit offices to ensure their compliance with guidelines and mandates.

Table 1.8 – Senior Leaders and Community Support

OFFICE (by senior leaders within each Office)	COMMUNITY SUPPORT (Indicated by membership in professional associations or service on boards or commissions)
Guardian ad Litem	Community Mediation Center Board of Directors; Prevent Child Abuse South Carolina Board of Directors; Bench/Bar Joint Task Force; SC DSS Children and Family Services Review Stakeholders Advisory Committee; Children’s Justice Task Force; SC Bar Family Court Task Force; SC Bar Children’s Committee; DSS/FCRB/GAL Community Meeting; SCDSS Certification Training faculty

2. Strategic Planning

2.1 What is your strategic planning process, including key participants, and how does it account for: (a) customer needs and expectations; (b) financial, regulatory, societal, and other potential risks; (c) human resource capabilities and needs; (d) operational capabilities and needs; (e) suppliers/contractor/partner capabilities and needs?

2.4 What are your key action plans/initiatives?

Table 2.4 – Strategic Planning

Program Number and Title	Supported Agency Strategic Planning Goal/Objective	Related FY 03-04 Key Agency Action Plan/Initiative(s)	Key Cross References for Performance Measures*
Guardian ad Litem	Leadership – Provide organizational direction and high expectations for volunteer guardians ad litem	To provide training and supervision to all community volunteers who serve as court-appointed guardians ad litem for children in abuse and neglect proceedings within the Family Court.	Tables 7.2-3 and 7.5-3

Each Office tracks its progress toward fulfilling the above detailed action plans through the corresponding performance measures detailed in Table 4.2. Results for these measures are reported in Section 7.

4. Information and Analysis

As indicated in 1.4, the following measures are regularly reviewed by senior leaders:

TABLE 4.2 – Key Performance Measures

OFFICE	KEY PERFORMANCE MEASURES	FREQUENCY OF REVIEW
Guardian ad Litem	Total number of children served Total number of volunteers Total Number of new cases Total Number of cases closed Number of cases not staffed due to lack of volunteers	Annually Annually Annually Annually Annually

5. Human Resources

5.1 How do you and your managers/supervisors encourage and motivate employees to develop and utilize their full potential?

TABLE 5.2 – Training

Guardian ad Litem	Childrens' Law Office conference; Management seminars; certification for Adoption Specialist
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IFoster Care Review Board and Guardian ad Litem offices use staff training surveys to determine training needs, such as software skills and supervisory skills, as well as employing the Designing a Curriculum (DACUM) process to determine staff training needs and the fit of the employees job descriptions with their training needs, holding focus groups in each regional office with case managers to determine what case management skills need improving, and using a management assessment process for all supervisors to create a formal management training curriculum.

Table 6.5-1 Managing Suppliers

Office	Methods to Interact With Suppliers	Supplier Management
Guardian ad Litem	<ul style="list-style-type: none"> Meetings, letters, and surveys with judges Meetings with DSS legal division GAL staff regularly participate in interagency meetings 	<ul style="list-style-type: none"> Staffing with DSS, schools, foster care review boards, and others

7. Results

7.1 What are your performance levels and trends for the key measures of customer satisfaction?

Highlighted in the tables below are examples of OEPP's customer satisfaction results as related to the performance measures for the respective program areas as delineated in Table 4.2.

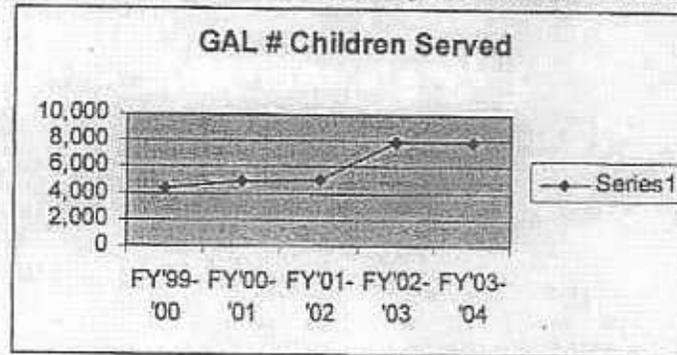
Table 7.2-3a Guardian Ad Litem Program Measures

Measure	FY '99-'00	FY '00-'01	FY '01-'02	FY'02-'03	FY'03-'04
Total number of children served	4,415	4,877	5,120	7,909	7,836
Total number of volunteers	1,011	1,273	1,338	1,684	1,527
Total number of new cases	1,644	1,701	1,886	1,689	1,602
Total number of closed cases	1,399	1,394	3,300	1,659	1,696*

Note: The number of cases GAL closes depends in large part on how quickly DSS and the judicial system are able to get cases heard.

As detailed in Table 7.2-3a, Figure 7.2-2a shows a consistent increase in the number of children served by the Guardian ad Litem program for the past five fiscal years. This trend is a positive result of the program's continued outreach efforts.

Figure 7.2-2a - # Children Served by the Guardian ad Litem Program



In addition, while FY '03-'04 shows a slight decrease in the number of cases not staffed due to lack of volunteers, the Guardian ad Litem program continues to face difficulties in the retention of volunteers as indicated by Table 7.2-3b.

Table 7.2-3b Guardian ad Litem Case Review Compliance

Measure	FY '99-'00	FY '00-'01	FY '01-'02	FY '02-'03	FY '03-'04
# cases not staffed due to not having enough volunteers	556	536	582	588	498

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	<i>Low</i>	<i>High</i>	<i>Average (rounded)</i>
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Recruiting new volunteers	5	30	7
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Returning messages / phone calls	1	25	11
Organizing / assigning cases	0	20	9
Supervising cases	5	50	21
Other	2	25	2.5

2. Does the current organizational structure (size and configuration of county/state staff) enable you to effectively perform you job?

- To a degree, it works well!
- I would like to be able to call on a state program attorney. I would like assistance from state program personnel for public relations and training. We need additional staff because our case numbers increased with the closure of local factories and businesses (starting in 2000).
- We are utilizing volunteers when possible; one staff member vacant; one assigned to other duties part-time. We need more staff in office (currently 189 cases, 3 staff). Also, need public relations assistance for recruiting. We need more volunteers and don't have time to recruit like we should.
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- Assistance with public relations; assistance with training; assistance with funding for extras for the program
- Yes, if all positions are filled including the administrative assistant
- No; a resounding no. When I first accepted this job, I believed that I was going to be working in an office with an administrative assistant, a case manager, and myself as coordinator. I had that for approximately one month, and then, I lost both the case manager and administrative assistant. Thankfully, I have a friend that came in and volunteered his time to help us function. My circuit coordinator asked her administrative assistant to come to our county to help us get organized. She graciously came; and, on her first day, was so overwhelmed by the disorganization and incomplete files, she cried. She came over once a week for two months to help us get things together. Keep in mind, our county had not been accepting cases since the last coordinator left in January (we have just started accepting cases November 1). After three months of volunteering, a volunteer joined the office as a part-time office assistant. A job was posted on the Internet for a case manager position, but then, it seemingly vanished. Our county is considered one of the larger counties in the state, and yet, we have 1.5 people working in the office. Thankfully, the part-time office assistant appreciates what we are here to do, and so, he volunteers to stay late when I am overwhelmed. He has now been trained to become a volunteer, so he can take a case to further appreciate what a guardian does.

I would have left this job had I not received the support of my circuit coordinator and program supervisor. Since Louise Cooper has taken the role of director, I am further inspired. She has made an incredible effort to learn about the problems in this county, and I think that with her help, we will be able to straighten things out.

- Cases are so much more complex as years pass. The program needs money so that adequate staff at every level can be in place, and money is needed to offer a salary that will attract and keep highly qualified people. We need a state training person to help because we're all so overloaded with the daily job. We need a state volunteer recruiter for the same reasons. I need an additional full-time employee. State office needs additional staff and money to pay them. We do not need more "layers" of personnel.
- No. NCASA and state standards are 1 staff: 30 volunteers – but this does not take into account that smaller counties are 1 (usually part-time) staff for everything – recruit/train/supervise/PR/community/answer phones. I would propose:
 - 1 FT Coordinator in each county
 - 1 20-25 hour Admin/Case Manager per 30 volunteers in Circuit – in addition to managing volunteers in the larger counties in the Circuit, could assist with Circuit wide mailings, newsletters, training
 - 4 Regional Supervisor – Human Resources for staff/EPMS/Regional PR/assist with cases & training (volunteer & staff)/statistics & reporting
 - Staff Attorney
 - Training Coordinator – develop & update training materials/assist with staff & volunteer trainings/disseminate new information re: child abuse/advocacy
 - Public Relations Coordinator – Statewide level PR/Corporate Sponsor/Fund Raising for statewide things (conference, training materials, appreciation, billboards).
 - State Office Admin Support – Admin Assistant & Business Manager
 - State Director
- No. Circuit coordinators should have a county coordinator to run the county programs that are not the largest county that they are responsible for. You cannot effectively run a county outside of where your office is located, sometimes up to an hour away. The director of this program should not be an appointed position.

- No. (1) statewide PSA's (recruiting); (2) standardized training in all counties; (3) two statewide attorneys. Regional & state office staff that would support this structure.
- No. Need local IT staff for technical problems and difficulties.
- No. Circuit coordinators have a tendency to have very little contact with their counties, therefore I feel this position is no longer needed. I feel we should have regional administrators supervising each circuit working with each county coordinator. I also feel more staff is needed on our state level. We are in desperate need for assistance with training and public relations. Each county has a different level of need and this person would work with each county on an individual basis assisting them where needed.

3. Do you have adequate funding for public relations, recruitment, and program development? Yes: 0 No: 19

4. Do you have adequate funding for rent, utilities, supplies, travel, equipment, janitorial services? Yes: 4 No: 12

If you answered "no" to #3 or #4, please explain how much is necessary and for what kind of expenses.

- Approximately \$500 for newspaper ads would enable us to attain more volunteers
- There's no money appropriated for public relations, recruitment or program development. The only source we have would be to write a grant requesting money for a new project. We are responsible for janitorial services and some supplies are limited.
- I would like money to pay for newspaper ads. I can't get attention at local fair displays because I am unable to offer little gifts. I feel the program would benefit if I could offer PowerPoint presentations at public relations meetings and in training. I would like to be able to easily provide meals for guardians at in-services. I would like to offer them an occasional small thank-you gift. I would like the program to offer cell phone coverage for the county director, so I can be more accessible to guardians when I am unable to be in the office. I am very unhappy that the program is no longer allowed to take guardians to see their children who are placed out of the county. Courtesy visits just don't do the job.
- Have only had "free" ads and given speeches, etc. Hand out flyers. No travel reimbursement for over a year. I still have to attend staffings and go out with volunteers when they need help.
- Staff is stretched so thin that extra time for recruiting and public relations is costly. We have to assist volunteers, sometimes, with visitation and don't have the funds for much travel. We have never had money for janitorial services.
- 0% for public relations is unacceptable. Don't know how much needed.
- We have to buy bathroom supplies, cleaning supplies, and office supplies out of pocket. Frequently, we have to haul them from Columbia. We have to carry broken computers up to Columbia for repair, which costs the state travel and lost wages. We need a new fax machine. Our computers are out-of-date.
- I'm not sure what the funding limits are, but in conversations with others in the program, it is barely enough to cover essentials.

- Our rent, etc. is fine, but I believe we should reimburse gas mileage for GALs who are forced to go out of county to visit children. A copy machine, which could be bulk fed as opposed to a staff member spending hours making copies of court orders, etc. page by page.
- We have no funding for public relation training or program development. While we do have adequate office space, much money could be saved by using full county office space. I'm the janitor! There is no service.
- As far as "I" know, I have funding. I do not pay these bills. But I can't get updated public relations material that is correct and reflects staff and operation properly.
- At a state level, brochures and collateral material could be printed more cost effectively. An awareness advertising campaign would also be more cost effective at a state level, but charged back to the counties based on size. Press releases, at the county level, don't cost anything and can be very effective.
- No. Since I do not have enough office staff, I do not have time to pursue any public relations, recruitment or program development. This is particularly daunting and frustrating because the program in this county has a bad reputation. I have heard about it from attorneys, social workers, and even guardians. I know what I want to do. Over weekends, I have created lists of groups to contact to speak in front of and letters I'd like to write to organizations, but I do not have the time between working and maintaining my sanity. The legal community has seen positive change by receiving court reports well before hearings. I have slowly been able to show my guardians that things are different, simply by attempting to have someone in the office, Monday through Friday, during business hours. I cannot ask Matthew to stay longer than he does. With the case maintenance that must be done and now that we are accepting new cases, I cannot afford to leave to pursue new volunteers or attempt to grow the program.

The Anderson office is located in an old building above a law firm close to the courthouse. We pay \$200.00 in rent and are not charged for utilities. I have not had a problem getting supplies, and I have always carpooled when traveling. We have a terrible copier, as I understand most do, that does not collate. A huge amount of time is wasted standing at that copier, copying one sheet at a time and collating by hand. As for janitorial services – I brought a vacuum from my home into the office and attempt to clean after five on Fridays. I have no idea how much money is necessary to take care of this, but we certainly do not have it now.

- Already discussed public relations and recruitment – need an annual volunteer conference at no expense to volunteers. I need a decent copier. We make upwards of 2,000 copies per month but lose many man hours because we have to copy page by page. I, personally, pay for janitorial service, supplies, and the vacuum cleaner. We also need to be able to use approved state vendors for at least some supplies, and we need to be able to engage help locally with computer problems.
- For public relations, recruitment and program development: We need money for small tokens of appreciation (pens/coffee cups/portfolios/bags in addition to volunteer appreciation dinners and milestone markers (5 years – 20th cases). We need quality PR materials (brochures, plant stakes, posters) and the ability to purchase things for events like our Light of Hope in April and refreshments for training.
- For rent, utilities, supplies: each office should have a separate fax line. If janitorial services are not included in the rent, we should be able to purchase a vacuum cleaner. We should be able to get new file cabinets, tables, chairs, fax machines and phones

instead of scavenging the salvage. We should be reimbursed for our travel, especially when other agencies have organized to save on theirs (Foster Care Review Boards alternate counties, hearings are held in other counties). Each circuit should have a copier that collates, sorts, and groups.

- No janitorial services, travel if limited, no money for public relations campaigns & recruitment efforts. The amount would differ depending on which service.
- Lights turned off January 2004. Post office boxes locked annually. Vicinity or county travel reimbursement needed. Circuit coordinators do not know expenses in their circuits. Therefore, I am only guessing at a figure of \$2000 maximum annually.
- I don't know - no access to my budget.
- I cannot give a figure on how much funding is needed for these areas. I can only state all of these areas are very critical/essential to the success of this program.

5. At what level should financial management occur:

State: 18 Circuit: 0 County: 0__

6a. Check below the method currently used for obtaining GAL lawyers:

Contract through state office: 7
Rotation system of lawyers appointed from list: 3
Other: 11
- 1 attorney currently paid by Friends - will end 12/31/04
- Contract through county office?
- Permanent appointment
- I, personally, recruited an attorney who was willing to represent the GALs.
- We have 2 lawyers who rotate weekly.
- Regular attorney - not sure if contract or not.
- An attorney volunteered to represent us.
- Contract with Friends group in addition to contract through state office.
- One attorney takes all GAL cases without a contract.
- Pro bono system from Nelson, Mullins, Riley & Scarborough.
- Attorney who has agreed solely to represent GAL office.
- Three that we can use as well.

** Contract through state office, but he hasn't been paid since the end of last year.

6b. Check below the method for paying GAL lawyers:

Contract through state office: 6
Selected lawyers who invoice OID: 11
Other: 0

7. Does this method of representation adequately meet the needs of the children and volunteers? Yes: 8 No: 9

If no, how should this issue be resolved?

- Money set aside for expert witnesses.
- On complex cases statewide attorney to assist circuits and staff.

- He's not paid. It's hard to ask a lawyer to work for you when he isn't paid or his pay isn't current.
- Our case load has increased so much that one attorney is stretched.
- Should have access to family law / court
- Contract attorneys are desperately needed. It is hard to get an attorney to file motions/rules when there is no compensation for expenses incurred.
- State office contracts for each county.

Comments:

The current method for obtaining attorneys for the Guardians is varied. We have one attorney that handles everything except the TPRs. For our TPR cases we have a rotation system of lawyers appointed from a list.

The concept of having one attorney or firm that handles our cases is wonderful. We have an attorney who works on our behalf with the two other members of her firm jumping in when she needs help. It means that there is someone I can call with general questions or very specific case related ones.

It is difficult because they are not well funded and have no contract so they are unable to devote the time necessary to adequately represent the Guardians and their children. They were also never given files from the former attorney that represented us. He was the husband of the former case manager and was allegedly terminated because of nepotism. State office is now handling this.

The rotation system is problematic for two reasons. First, we are sometimes assigned attorneys that specialize in things like tax or real estate law. They cannot aggressively or effectively represent the Guardian in the courtroom. The other problem is that there is no opportunity for a vested relationship to develop. Since these attorneys do not work with us on a consistent basis they sometimes fail to see the urgency the situation may demand.

All of these attorneys are paid by OID.

- All GAL attorneys should be contracted at a rate slightly better than OID pays in order to attract a higher quality of attorneys and to encourage them to be willing to devote more time of their practice to these cases.
- We need an attorney under contract.
- It would be better if we could guarantee a certain amount of money to this individual. The OID frequently runs out of money.
- The shortage of OID funds presents a problem in providing consistent and quality representation.
- Need funding to pay for lawyer for every county program – not just a few.

8. Please list your top three choices for location of state program:

- (a) Governor's Office 1st choice -3;
- (b) Children's Law Office 1st choice -3;
- (c) University of South Carolina 1st choice -2;
- (d) Court Administration 1st choice -1; 2nd choice -2; 3rd choice -1;
- (e) State Office 1st choice -1;

- (f) Law School 1st choice - 1;
- (g) Attorney General's Office 2nd choice - 2;
- (h) Children's Services 2nd choice - 1;
- (i) College of Social Work 2nd choice - 1;
- (j) Human Services - 3rd choice - 1;
- (k) State Office of Victim Assistance 3rd choice - 1
- (l) Independent - 3rd choice - 1;

Comments:

- Anywhere that is not political.
- Governor's office is workable with some changes, such as Director not appointed position, etc.
- I'm too new to know which option would be most efficient.
- Not AG.

9. **What criteria should be used to determine the location of the state office? Rate in order of importance with #1 being the most important.**

Average rankings:

- 1 - maintaining a statewide program
- 2 - mission/philosophy won't change with elections
- 3 - avoidance of a conflict of interest
- 4 - access to expertise and information
- 5 - environment which provides independence
- 6 - a minimum of bureaucracy
- 7 - organization with a similar mission
- Other - funding

10. **What advantages or disadvantages would there be to an oversight board or commission at the state level?**

- This would be productive in that the commission would have a good "feel" for the program around the state.
- One advantage that the commission will ensure funding at all levels to meet the demands before us.
- Boards often end up being political entities.
- Not sure - too busy trying to keep county on track
- Disadvantage would be training and retraining as board changed in order for them to understand program.
- Disadvantage - more bureaucracy; advantage - understanding need for adequate funding
- Unknown
- Not sure
- Maintaining program integrity and continuity of mission and direction, political connections
- Not sure

- An oversight board would give people a place to air feelings, good and bad, about the way the program is run.
- Keep us honest and protected from cuts.
- There could be advantages, at a state level, to help promote and strengthen the professional image of the program and improve interagency relations.
- I do not see any advantages to an oversight board. Our budget is already stretched so thin that there is little waste due to pure necessity. Decisions, such as employment changes and equipment updates, already go through too many levels of approval. We need more employees at the county level to recruit, train and manage volunteers and not more bureaucracy at the top slowing our responses to local situations.
- This would, I think, add another level of bureaucracy.
- Composed of volunteers, members of the Judiciary and former foster children and the purpose being to have input in the direction of the program and to report to the Governor and Legislature
 - Advantages: ability to maintain a strong focus statewide; more PR; make sure the Program was working effectively for the children; ensure the Legislature understands the importance of this kind of work in our communities; strive for consistent statewide standards not only for the Program but also at DSS and the Judiciary.
 - Disadvantages: cost of maintaining the Board; would have to ensure that the board represented all parts of the state (smaller counties, diverse backgrounds) and was staffed by people who are committed to this work instead of political appointees.
- I don't see any advantages to another tier.
- Advantages: Assist with funding; accountability for all staff; establish and enforce concrete policy.
Disadvantages: Control of program.
- This is a difficult question to answer when not sure what the infrastructure will be on the state level. I feel the director should be answerable but I'm not sure if it should be a board.

11. **What advantages or disadvantages would there be to an oversight board or commission at the county or circuit level:**

- We are already over seen by circuit, regional, and state. The last thing we need is someone else to answer to. Not to mention the court.
- Would be a mess! No advantage!
- Disadvantage – same as above (training and retraining as board changed in order for them to understand program). Not sure of advantage
- At the state level, the legislature is aware of the impact this program provides for children.
- Same as above (Boards often end up being political entities.)

- I see this as a disadvantage. Feel the state level would be sufficient. More than this could be micro-managed.
- Too much paperwork and bureaucracy
- Not sure
- I can see them being very instrumental in helping us obtain extra funding for the needs of the program on the circuit level.
- Should be state level; county level would mean too many bosses to appease.
- I don't see the need for a board at the county / circuit level.
- I do not believe that a county or circuit oversight board or commission would improve the functionality and effectiveness of the program. The program has needed a strong statewide director, and now, we have one! I believe the county coordinators should have the authority to deal with situations quickly as they arise. A local oversight board would only serve to slow this down and decrease our efficiency. The county coordinators should answer to the circuit coordinators, who should answer to the program supervisor, and she to the statewide director. Any additional layers of bureaucracy are not needed and would be counterproductive.
- Same as above (This would, I think, add another level of bureaucracy.)
- Advantages: ability to promote the program at the lowest level; give coordinators more resources and contacts;
Disadvantages: It's hard to get volunteers to take cases, where would Board members come from? What would be their purpose if they can't control the money or hire/fire the Coordinator?
- I don't see any advantages to another tier.
- Disadvantage: superfluous.
- I feel we should have REGIONAL BOARDS with members coming from each county to make up those boards. I feel this would be more beneficial for the counties that are unable to develop county boards. One of the advantages of having this board would be fund raising, developing relations with surrounding counties .

12. If you were given the power to grant three changes in the GAL Program, what would they be? (in order of importance)

- a. Adequate funding
b. Better public awareness
c. More security – each fiscal year brings stress
- a. Location other than our current location
b. Stable funding
c. Increased funding
- a. Adequate staff
b. Public relations staff for recruiting and to help train
c. Not connected to political elections

- a. Security that the program will exist with proper funding
b. That the GAL program is heard on a regular basis.
c. Refrain from appointing a new director to ensure continuity. Our current director has the expertise and knowledge to meet the demands.
- a. Independent agency
b. Adequate funding for full-time staff
c. Funding to keep pace with caseload increase
- a. Adequate funding (up salaries for staff)
b. Return to training director and public relations personnel.
c. Adequate staff
- a. Stable funding (adequate)
b. Each county having direct supervision to regional level.
c. Look at programs where staff only is authorized 30 – 35 hours and actual work and overtime.
- a. Adequate funding
b. Adequate funding
c. Adequate funding
- a. Statewide media public relations
b. Benefits for part-time workers
c. Traveling training team
- a. More funding
b. More public awareness of what we do
- a. Pay raises for all county coordinators
b. Go from TGE to permanent employees (vested)
- a. Present a unified voice, more cooperation among counties
b. Continuity in policies and procedures of all related agencies
c. Support from the governor to enhance the efforts of the volunteers to serve and protect disadvantaged children
- a. More funding, especially for skilled employees. It is clear that this county was poorly run, and I shutter to think of the children whose need were minimized or forgotten. The reality is that no matter how lofty the ideal of this program is, if we do not offer decent salaries and benefits, we will not be able to employ people with skills and compassion.

Everyday, I come to work, and at some point, I face the reality that (administrative assistant) may leave at anytime because he is actively searching for a job that offers a better salary and benefits. He is a graduate from Clemson University and is clearly overqualified for his role as administrative assistant. He is now handling Foster Care Review Board and does preliminary reviews of court reports but is not adequately compensated. If he does choose to leave his present position, I will be forced to stop accepting new cases because there will be absolutely no way that I will be able to run this office on my own. I am overwhelmed as it is.

b. We need each county to be staffed with an adequate number of people to handle the number of cases and volunteers. If each county were properly staffed with people

focused on the mission, there would be opportunity for the coordinators across the state to recruit and build their programs.

c. Better equipment to run the office with (especially the copier) would allow us to flex our professionalism. It would be great to have good looking letters to send to everyone but also to copy flyers to take to local restaurants, stores, churches etc...

These suggestions may seem focused on a small scale, but the reality is that this program is like a ladder; it must be strong and able to offer support from the bottom to the top for paid staff, volunteers and, ultimately, the children we are trying to give voice to.

- a. No more politically appointed directors.
b. Funding, so we can do the job as it deserves to be done so all children are served and served well.
c. Respect from governor's office

- a. Be able to financially hire and retain quality people at a staffing level for the actual jobs we do – 1 Coordinator can't supervise 15 volunteers and everything else in the county.
b. Maintain consistent, competent leadership – no more "serving at the request of the Governor"
c. Secure funding source that allows the Program to get and retain quality volunteers – PR materials that reflect the importance and seriousness of the work that is done, varied and continuing training opportunities to help volunteers increase their knowledge, satisfaction and professionalism, appreciation and recognition that volunteers are doing this because they care and also that they are doing this beyond their regular jobs.

- a. adequately funded
b. stability for program
c. recognition of importance – more visibility

- a. money (steady and residual flow of funding)
b. standardization of training, recruitment, and management
c. staff

- a. understanding of the need for our program

- a. sufficient funding to maintain the program autonomously
b. more support staff from state level
c. better communications with Court Administration, i.e., the need to have more time for hearing cases

13. What recommendations would you make to reduce the number of cases which are declined?

- Have statewide recruitment at state level that includes a statewide public relations campaign.
- More volunteers; public relations, recruitment, training however we can
- Increase staff in certain areas – full-time staff in certain areas in order to recruit and train more volunteers.

- To be able to provide more public awareness, so that the community is aware of who we are, and what services we are providing at all levels.
- Need more recruitment and assistance with training. Our current caseload is one-third more than five years ago, even with cases turned back.
- Public relations assistance; training assistance; and funds for volunteer appreciation functions / gifts (small)
- The ability to attract more volunteers
- More funding = more recruitment, better publicity, better retention, more support personnel for GALs
- More public relations would generate more volunteers, thus, reducing turn-down rate.
- A greater effort at recruitment statewide with greater community awareness; the staff to consistently train those recruits
- Training materials increased; ads ran every month; public relations help
- Evaluate staffing issues that contribute to the training and recruitment of volunteers.
- Give me opportunities and means to recruit volunteers. Without volunteers, we have no program.
- Help with recruitment and training
- Coordinators turn back cases because they don't have enough volunteers, but many coordinators take cases themselves because they don't have volunteers. This takes up time that could be spent recruiting and training.
- Funding to hire help with recruitment.
- Public relations – recruiting and retention focus on quality vs. quantity volunteers. This is a numbers game and rarely about the children.
- Someone to do public relations and recruitment.
- In order to reduce the number of cases declined, we would need more volunteers to handle the caseload, and then this would result in needing more staff to manage the volunteers.

14. What cost saving measures could be implemented?

- I can only speak for my circuit, and I feel any methods that could be implemented are already in place.
- None; come visit us, and I'll show you.
- Don't think there is any way to cut costs anymore in this office, unless we are given public space.
- We are already at our minimum cost just having very little to work with in our communities.

- Not having to buy on state contract
- We have cut to bone already. No more cuts!
- We are operating on a shoe-string now. I'm not sure how you could cut cost, except cutting back on Columbia meetings and doing regional meetings with state staff coming to regional area.
- Investigate paperless systems for transmission of orders and other documents. 95% of my GALs have email. With a scanner, we could share info quickly, save money on postage, be environmentally friendly, and get rid of inadequate copy machines that require manpower to sheet-feed all documents page by page.
- Free rent in some sort of government building; explore new technologies to increase efficiency and save money in salaries
- None that I see. Everyone operating on poverty level now.
- Pursuing free office space within county buildings is a good idea, but one that needs state support to achieve.
- Thanks to our landlord, we only pay \$200 a month for office space without windows and down the hall from two attorneys that smoke. The office is critically understaffed. The employees and not the employer provide many amenities. We carpool when attending functions in other counties. We recycle old folders and binders. Our furniture and equipment is outdated and, in some cases, held together with duct tape and luck. Perhaps paper and postage expenses could be decreased through the increased use of email, but this is difficult when dealing with legal documents. There seems to be no room on the county level to decrease costs any further.
- We're already cut to the bare bones.
- I feel that I personally finance part of the Program directly (at least 25% of my salary) in the travel I don't claim, supplies I purchase myself, refreshments for trainings, tokens for volunteers, books and training materials on child abuse and advocacy – things that should be supplied by the state – so my cost saving measure would be to adequately fund and staff the Program. People that are respected, recognized and appreciated do their work more effectively.
- Make every county provide free office space.
- Video conferences for state office staff meetings; maybe 4 times a year meetings in Columbia.
- I don't know that we can implement any cost saving measures. I feel we are operating on bare bones as it is.

15. **Any additional comments:**

- We need to be with an organization that understands what we do. No hidden agendas, no politics.

- Data Resource Coordinator needs to be full-time and not have county duties – could certainly be used to assist with training. DRC needs time to develop new reports in order to improve data collection. Needs more time to train staff.
- Continue to keep the staff informed. Inform the legislature we faced once and maintain a committee, who will help us continue to thrive in meeting the needs of abused and neglected children.
- We will continue to do the very best job possible, no matter what the committee decides. I know we are all very tired and struggling to deal with ever increasing caseloads. It is difficult to keep good staff without pay raises or hope of one. For those of us who are committed to the program, we'll adjust to changes or eventually move on.
- I appreciate your time and efforts on behalf of the children we represent.
- I appreciate the fact that you, as a committee, are taking the time and effort to make this very important program work, even better for the children!
- With a program that serves a purpose as necessary and needed as the GAL program, we should have people "begging" to volunteer – not vice-versa. There is not enough public relations done to generate interest. Everyone should know what a GAL is and does. We need more public relations!
- I am a new coordinator but a veteran volunteer guardian, so my allegiance to this program is very strong on the basis that we can affect great change on behalf of the children in this state. Because the program is volunteer based, the cost per child is very reasonable. I am very disappointed in the disagreements that have occurred in the past that seem counterproductive to the mission. The governor's office is an appropriate location for a program such as this, but our actions in the past have made it necessary to reconsider the placement.
- I have an interest in abused and neglected children and became a county coordinator after a year of being a Guardian *ad Litem*. I, firmly, believe that without this program, children would get lost in bureaucracy, and their existence squandered. I have been amazed at the tragedy that a child can face and then overcome. I am so thankful for dedicated volunteers that become attached to these children because without them, the children would not have representation.

I have been thinking about this survey incessantly since I received it. I feel that I am in a unique situation because I have been the Anderson County Coordinator for six months. It is not long enough to understand all of the politics and intricacy that are involved in running a program of this nature and magnitude. It is, however, long enough to see how my office struggles, where we are strained and why.

Thank you for looking out for the Guardian *ad Litem* Program's best interests.

- There are advantages to staying where we are, but help with computer problems is not one of them. On-site computer service is not possible from the governor's office. Also, the director of the program should not serve "at the pleasure of the governor." This leads to a total lack of continuity and chaos, at times.
- Thanks for taking your time to help the abused and neglected children in South Carolina.
- The mission of our program is to represent abused and neglected children in family court. This is done through our volunteers, who are the heart of our program. These volunteers

often go un-thanked for a job well done. But yet they are out there giving it their all because it is beneficial to the child they represent. All you have to do is look at some of these children and what has happened to them and you can't help but get involved. If it were not for the volunteer advocating for these children some would fall through the cracks.

Sadly, our program does not have the funding to recognize these volunteers, which is very much needed. I could not help but notice that none of the questions on this survey were about the volunteers, who are the heart and soul of this program.

Attachment 6

Guardian ad Litem Detail Expenditures
FY 2003-04

	General Funds	Earmarked Funds	Federal Funds	TOTAL
Personal Services (71% of Expenditures)				
Classified Positions	56,402	318,928	206,362	581,692
Unclassified Positions	776	6,984		7,760
Temporary Positions	80,990	431,286	297,495	809,771
Total Personal Services	138,168	757,198	503,857	1,399,223
Other Operating Expenses (29% of Expenditures)				
<u>Contractual Services (14% of Budget)</u>				
Office Equipment Service	1	3	24	29
Printing/Binding/Advertising	49	264	274	587
Utilities	321	842	702	1,865
Freight/Express Delivery	42	54	65	161
Telephone & Telegraph	10,528	37,920	37,785	86,233
Legal Services	176	289		465
Temporary Services	1,784	5,729	6,054	13,568
Attorney Fees - Guardian ad Litem	65,025	106,977		172,002
Catered meals	14	88	57	159
<u>Supplies and Materials (2% of Budget)</u>				
Office Supplies	314	772	498	1,585
Copying Equipment	94	769	1,129	1,991
Data Processing Supplies	112	335	1,298	1,745
Household Laundry, Grounds Maintenance, Janitorial, Security Supplies	22	80	120	222
Printing	162	1,321	877	2,360
Postage	4,233	9,027	7,971	21,231
Purchasing Card Expenditures	672	2,976	1,979	5,628
<u>Fixed Charges (10% of Budget)</u>				
Rent - Office	133	1,081	113	1,326
Rent - Copying	3,067	6,636	7,725	17,427
Rent - Non-State Owned Real Property	19,996	62,718	60,524	143,237
Rent - State Owned Real Property	1,280	11,521		12,801
Rent - Other	198	1,410	981	2,589
Dues & Membership Fees	110	470	540	1,120
Insurance - State	1,472	8,241		9,713
<u>Travel (2% of Budget)</u>				
In-State Meals	57	576	281	914
In-State Lodging	31	652	503	1,186
In-State Automobile Mileage	1,819	13,820	10,182	25,821
In-State Registration Fees	80	1,373	430	1,882
Out-of-State Meals	2	1,035	10	1,047
Out-of-State Lodging		5,333		5,333
Out-of-State Air Transportation		824		824
Out-of-State Automobile Mileage	27	251	147	425
Out-of-State Other Transportation		260		260
Out-of-State Miscellaneous Travel Expenses		148		148
Out-of-State Registration Fees	48	2,282	258	2,587
Leased Cars - State Owned	293	2,580	5,184	8,057

Light, Power, Heat (1% of Budget)

Natural Gas	281	1,117	1,343	2,741
Electricity	1,501	10,087	7,234	18,822
<u>Total Other Operating</u>	<u>113,944</u>	<u>299,861</u>	<u>154,286</u>	<u>568,090</u>
<u>Total Guardian ad Litem</u>	<u>252,111</u>	<u>1,057,058</u>	<u>658,143</u>	<u>1,967,313</u>

FY 2001-02

	State	Attorney Comp	Contributions	SOVA	CASA	IV-E	TANF	SSBG	Revenue	VOCA	Total
Classified	\$97,863			\$202,710		\$91,903	\$214,099				\$606,575
Unclassified	\$9,468			\$19,945		\$8,970	\$21,416				\$58,799
Other Personal Ser	\$165,918			\$347,789		\$158,726	\$369,095				\$1,041,528
Operating	\$95,605	\$101,833	\$4,514	\$155,410	\$56,182	\$98,542	\$150,555				\$663,642
Employer Contributions	\$74,425			\$142,439		\$78,842	\$142,224				\$437,730
Total	\$443,280	\$101,833	\$4,514	\$868,293	\$56,182	\$437,783	\$897,389				\$2,808,274

FY 2002-03

	State	Attorney Comp	Contributions	SOVA	CASA	IV-E	TANF	SSBG	Revenue	VOCA	Total
Classified	\$66,195			\$238,286			\$357,430				\$661,911
Unclassified	\$4,581			\$16,481			\$24,737				\$46,809
Other Personal Ser	\$96,326			\$346,716			\$520,077				\$963,119
Operating	\$85,664	\$111,258	\$3,212	\$96,127	\$42,672	\$128,806	\$144,191				\$621,930
Employer Contributions	\$41,817			\$150,532			\$225,798				\$418,148
Total	\$304,583	\$111,258	\$3,212	\$848,152	\$42,672	\$128,806	\$1,272,234				\$2,710,917

FY 2003-04

	State	Attorney Comp	Contributions	SOVA	CASA	IV-E	TANF	SSBG	Revenue	VOCA	Total
Classified	\$56,402			\$203,031	\$17,712		\$98,185	\$206,362			\$561,693
Unclassified	\$776			\$2,793			\$4,160				\$7,759
Indirect Cost								\$51,076			\$51,076
Other Personal Ser	\$80,990			\$291,512			\$139,775	\$297,495			\$809,772
Operating	\$113,944	\$107,266	\$0	\$91,786	\$12,668	\$28,417	\$59,743	\$154,286			\$568,080
Employer Contributions	\$34,042			\$122,543	\$3,867		\$71,719	\$112,096			\$344,267
Total	\$286,154	\$107,266	\$0	\$711,845	\$34,247	\$28,417	\$373,612	\$821,316			\$2,362,667

FY05 Projections

	State	Attorney Comp	Contributions	SOVA	CASA	IV-E	TANF	SSBG	Revenue	VOCA	Total
Classified	\$59,231			\$0	\$0				\$533,082		\$592,313
Unclassified	\$4,500			\$0					\$40,500		\$45,000
Other Personal Ser	\$75,880			\$0					\$682,920		\$758,800
Operating	\$0	\$179,030	\$12,144	\$222,585	\$50,000		\$12,617	\$78,684	\$300,389		\$640,061
Employer Contributions	\$33,377										\$333,766
Total	\$172,988	\$179,030	\$12,144	\$222,585	\$50,000	\$0	\$12,617	\$78,684	\$1,556,897	\$85,000	\$2,369,940

Attachment 7
Sample Newspaper Articles

"Guardian Program Threatened"

The Herald, Rock Hill
October 10, 2003

"\$600,000 Shifted to Aid Guardian Program"

Greenville News
October 8, 2003

"Lawmakers Seeking Funds for Guardian Project"

The State
December 30, 2003

"Supporters: Children Will Suffer Without State Program"

The Herald, Rock Hill
October 6, 2003

"Long-term Future of Family Court Representatives in Doubt"

The Herald, Rock Hill
November 19, 2003

"Money Woes Plague Guardian ad Litem"

The Herald, Rock Hill
March 22, 2004

**South Carolina Guardian ad Litem Program
Current Budget and Future Growth Budget:**

The indicated growth budget is proposed at the request of the Joint Legislative Committee to reflect projected needs for staff development and does not reflect the opinion of the Governor's Office in its current proposed budget.

Current:

Payroll: Salary and Fringe **Total:** **\$1,975,325.00**

Salary – State Staff and Circuit Coordinators	20 positions	695,646.00
Time Limited Coordinators	18 positions	366,999.00
Time Limited Administrative Staff	30 positions	493,787.00
		<u>1,556,432.00</u>

Fringe – FTE employees and time-limited employees @ 30+ hours	410,044.00
Time-limited employees @9.62% (no insurance)	<u>8,849.00</u>
Total Fringe Benefits	\$418,893.00

Total Operational Expenses **\$ 359,763.00**

Operating Expenses: first quarter expenses times 4

Telephone- for the state office and 33 remote locations	45,707.00
Averages \$1,344.00 yearly per office; averages \$112.00 per month	
Utilities	14,967.00
Freight Express Delivery	<u>1,291.00</u>
	\$61,965.00

Supplies:

Postage	14,054.00
Office Supplies	3,288.00
(Printing – 300 volunteer manuals)	<u>6,600.00</u>
	\$23,942.00

Fixed Charges:

Rent – State	9,642.00
Rent – Non-state	140,346.00
Copier Contracts	13,447.00
Insurance – workers comp	<u>79,955.00</u>
	\$243,390.00

Travel:

Mileage	29,390.00
Meals	576.00
Lodging	<u>500.00</u>
	\$30,466.00

Current Budget Total \$2,335,088.00

Excludes attorney compensation as shown below

Current Attorney Compensation:

Contract Attorneys – 9 attorneys serving 7 counties 176,196.00
(paid through IV-B and IV-E money)

Total GAL current expenditures with attorney compensation \$2,511,284.00

Attorney Fees – paid through the Indigent Fund 464,600.00

Total Attorney Compensation \$640,796.00

Total GAL expenditures with all attorney compensation \$2,995,450.00

Adequate access to a consistent attorney is one important way to produce better results for abused children in Family Court. As shown above, some of our larger counties have a contract attorney, or pair of attorneys, who represent the volunteers Guardians ad Litem. Designated for attorney fees, the money used for these contracts is drawn down through IV-E and IV-B funds. The use of these attorney compensation fees for specific contracts is a practice that began approximately four (4) years ago. In two counties the contract attorney has his contract fee supplemented by a local non-profit organization that raises money to support the county Guardian ad Litem Program.

Some counties have found local attorneys willing to represent the program as their regular attorney with no other compensation than whatever they may be able to receive through the Indigent Fund. While this provides a high level of representation in court, much the same as the contract attorneys, it can work a hardship on these generous individuals. It usually means they are not fully compensated, as the Indigent Fund depletes before the year ends. Also, because they are essentially volunteers, Guardians may have less access to their attorney; the amount of time they can donate has to be limited. Coordinators typically act as the conduit between the attorney and the Guardian except in very complex cases and at court.

Some counties are still using the rotation list for representation of volunteer Guardians ad Litem. We can have representation that is unfamiliar with Family Court and the issues of abuse and neglect. This is not in the best interest of the children who need strong advocates in a complex system.

The amount paid by the Indigent Fund to GAL attorneys in the last fiscal year is based on the number of hearings. In the following growth budget, the amount of money from the IV-E and IV-B sources, the amount supplemented by the local non-profits, and the amount paid by the Indigent Fund are combined to total what

would be needed to pay attorneys to represent volunteer Guardians at a rate that is fiscally responsible.

PROPOSED GROWTH BUDGET:

This proposal is submitted in response to the Committee's request for a budget that would allow for growth in the program to reach the stated goal: A well-trained, motivated volunteer advocate for every child who needs one in South Carolina.

It is not reflective of the monies needed to run the program as it now stands, and is a version of a budget designed for growth.

GROWTH BUDGET:

<u>Pavroll: salary and fringe</u>	<u>Total: \$2,250,022.00</u>
Salary – State Staff - 8 positions (includes Director, Staff Attorney, Business Manager, 4 Regional Supervisors, and a Data/Grant Technician – 3 new positions)	314,262.00
Circuits Coordinators – 15	484,784.00
County Coordinators – 20 (2 new positions)	407,039.00
Administrative Staff – 38 positions (8 new positions)	<u>571,900.00</u>
	1,777,985.00
Fringe – FTE and 30+ HR time-limited employees (28%)	455,674.00
Time-Limited Employees @ 9.62%	<u>16,363.00</u>
	\$472,037.00
<u>Total Operational Expense: same as current budget</u>	<u>\$359,763.00</u>
Attorney Compensation for the entire program Includes IV-E and IV-B money (179,000.00)	\$675,000.00
<u>Total proposed to fund program</u>	<u>\$3,284,785.00</u>
Includes request for state funding of 496,000.00 to pay attorney vouchers in-house.	
Without this amount the total budget comes to	3,284,785.00
	<u>- 496,000.00</u>
	2,788,785.00

Difference in the budget excluding attorney compensation is \$ 277,501.00

This budget includes \$496,000.00 added for projected attorney compensation, if it were made through the Gal Program at rate commensurate with the OID, but handled in-house. This means that the GAL Program would not be depleting the OID and attorneys who choose to serve as GAL attorneys would be assured of payment.

Several points need to be made:

- This new staff is still a lean staff.

With the new budget, some added staff positions would allow for the program to grow, with appropriate supervision of the additional volunteers we would have to take the cases now being turned back. Some of the additional staff would be used to make us more accountable to our mission of monthly contact with children and in-service training for volunteers and staff. Some would assist with public relations campaigns to find the needed volunteers. Some of our existing staff has been reassigned to promote more efficiency.

- The proposed growth budget still includes the amount now paid in monthly rent for our remote locations.

Reduction or elimination of rent through location to county office space could lower the budget figure by \$140,000.00.

Regional assistance to the counties, with no staff member responsible for an area that would require overnight travel, has been accomplished in two areas of the state. Regional oversight adds a flexible, available, experienced staff member to remote locations. It would improve accountability to state statute and program policy. The additional expense for the regional positions is shown in the growth budget in 2 new Regional Supervisor positions. The additional positions are the cheapest, most effective way to provide for the extra staff needed for growth.

- The South Carolina Guardian ad Litem Program is now assigning a Guardian ad Litem to approximately 89% of the cases in South Carolina, per our statistics. There is an on-going efforts to assure that this statistics is accurate.

Of the cases served by the program, 62% were assigned to volunteers and 38% were assigned to staff members. A significant focus must be placed on recruiting and training more volunteers and removing staff from cases.