How Other States Do It

Guardian ad litem oversight models from five states - and what Georgia parents, lawyers, and lawmakers can learn from them.

A guardian ad litem (GAL) investigates a child's life and recommends custody, parenting time, and services to the court. Judges rely heavily on that work. So a simple question matters far beyond any one case:

Who watches the watcher?

Who decides who is qualified? Who sets the training? Where does a complaint go if a parent believes the investigation was incomplete or biased? Who collects data on cost, timeliness, and outcomes - and who can remove someone from the list?

States answer those questions very differently. This paper describes five working models - Minnesota, Florida, Connecticut, Ohio, and Washington - in plain language, compares them side by side, and then sets them next to Georgia's current approach. It does not argue that any one model should be copied whole. It offers a menu of structures that have already been tried, so the conversation in Georgia can start from evidence rather than from scratch.

> **About this paper.** Published by the Georgia GAL Accountability Project, a grassroots project for parents and families. It is general information, not legal advice, and it describes no individual's case. Laws and rules change - check the cited statute or rule for the current text before relying on it.

Oversight is a structure, not a personality

When oversight depends only on the judge who appointed the GAL, three problems tend to follow - in any state, under judges of any quality.

1

The reviewer is also the appointer

A parent who believes a GAL missed witnesses, relied on one side, or billed unfairly must usually ask the same judge who chose that GAL - and who may rely on that GAL again next week - to find fault.

2

Nothing travels

A concern raised in one courtroom rarely reaches another. Without a list, a registry, or a complaint file that follows the person, the same problem can recur case after case with no pattern ever becoming visible.

3

No one can answer basic questions

How many GALs serve in the state? What do they charge on average? How long do investigations take? How many complaints are filed, and with what result? Without data collection, those questions have no answer - and reform has no baseline.

4

Standards stay invisible

If training, duties, and ethics expectations are not published in one place, parents cannot tell the difference between normal practice and a genuine departure from it.

The five models that follow attack those problems in different combinations. Some created an independent body. Some kept control in the courts but wrote one statewide rule. Some focused on the complaint route. None is presented here as perfect - several of the source documents themselves identify gaps that remain.

A note on scope. States use GALs in two overlapping worlds: dependency cases (abuse and neglect, usually in juvenile court) and private custody cases (divorce and parenting disputes, usually in family or superior court). Florida's and Minnesota's programs grew mainly from dependency. Connecticut's, Ohio's, and Washington's rules reach family-court custody work directly. The structures - a board, an office, a committee, a registry - transfer between the two worlds even when the original program did not.

Five models at a glance

State	Core structure	List / qualification	Complaint route	Data / reporting
Minnesota	Independent State GAL Board (2010), modeled on the public defense board	Board sets program standards, qualifications, training and certification	Program managers supervise GALs across 10 judicial districts; board sets policy	Board approves budget and reports to the Legislature by Jan. 15 each year
Florida	Statewide GAL Office, independent in its duties, housed for administration in the Justice Administrative Commission	State office develops and updates the training program; background screening before certification	Oversight and technical assistance to circuit offices; multidisciplinary teams include an attorney for each child	State office develops statewide performance measures and tracks case data across 20 circuits
Connecticut	Judicial Branch oversight plus a Standing Committee on GALs and Attorneys for the Minor Child	Approved list; court gives parties a written list of 15 eligible people; mandatory training and code of conduct (2014 reforms)	Formal complaint to the Standing Committee - not only to the trial judge - on an approved form	Fee disclosure, periodic court review of GAL work and fees under the 2014 reforms
Ohio	One statewide rule (Rules of Superintendence 48 series) enforced by each local court	Each court keeps a public approved list, reviews it at least annually; 12 hours pre-service and annual continuing education	Each court must have a process for written comments and complaints, kept in the GAL's file and forwarded to the administrative judge	Courts keep training proof, complaint records, and annual certifications on file
Washington	County registries under statewide GAL Rules	Registry in each county; GAL must maintain qualifications in every county where listed	Each court must adopt grievance rules: investigation, response, sanctions up to registry removal	Removal from one county registry is reported to the state court administrator and circulated to superior courts statewide

Sources for each row are given in the state sections that follow and in the source list on the last page.

Minnesota: take the program out of the appointing court

The idea. In 2010 Minnesota created a State Guardian ad Litem Board under Minn. Stat. section 480.35 to run a statewide, independent GAL program. The board has seven members - four appointed by the Governor and three by the Supreme Court, at least one of whom must have former GAL experience.

Why it was created. The change was modeled on Minnesota's public defense board. As the Legislative Reference Library summary puts it, the aim was to address the conflict created when GALs advocate for a child's best interests but are appointed and paid through the same court system before which they appear.

What the board actually does

- Establishes program standards, administrative policies, and procedures for GAL work statewide.
- Approves and recommends the program budget to the Legislature, and sets how funding is distributed.
- Appoints a program administrator who hires, supervises, and disciplines program staff and GALs, working through program managers in the state's ten judicial districts.
- Sets minimum qualifications and minimum annual training and continuing-education requirements.
- Reports to the Legislature every year, by January 15.

What Georgia could learn. Independence is the point. Standards, supervision, and discipline sit with a body that did not appoint the GAL in your case and does not need that GAL's report next week. The annual legislative report also means the program must describe itself - caseloads, coverage, shortfalls - in public, every year.

> **Honest limit.** An independent board costs money and staff. Minnesota's own board presentations have said openly that funding has at times left the program unable to meet all of its mandates to hire, train, and appoint. A structure on paper still needs a budget behind it.

Florida: a statewide office that standardizes the work

The idea. Florida's Statewide Guardian ad Litem Office, created in Fla. Stat. section 39.8296, provides oversight and technical assistance to local GAL offices in all 20 judicial circuits. It sits within the Justice Administrative Commission for administrative purposes, but the statute states it is not subject to that commission's control, supervision, or direction in performing its duties.

Why. The Legislature expressly found a perceived conflict of interest in program staff being supervised by the circuit courts before which they appear, and said it wanted statewide infrastructure to increase functioning and standardization among local offices.

What the state office is charged with

- Developing statewide performance measures and standards, in consultation with local offices.
- Developing and regularly updating a GAL training program, with a curriculum committee that includes judges, circuit program directors, active GALs, a children's mental-health professional, and a child advocacy representative.
- Identifying how to collect, report, and track reliable, consistent case data statewide.
- Oversight and training for attorneys ad litem as well, and - within available resources - ensuring each child has an attorney and is served by a multidisciplinary team that can include volunteers, pro bono attorneys, social workers, and mentors.
- Background screening before a volunteer is certified, including criminal-history and reference checks.

What Georgia could learn. Standardization is a form of fairness. When training, performance measures, and data definitions are set once, statewide, a family's experience depends less on which county - or which courtroom - their case happened to land in.

Connecticut: a named place to complain, and a code to point to

The idea. Connecticut kept GALs inside its Judicial Branch system, but its 2014 reforms (Public Act 14-3) added the pieces parents most often say are missing: a mandatory code of conduct, fee disclosure, periodic court review, and a formal complaint process that runs to a standing committee rather than only to the judge in the case.

Key pieces

- **Choice from a real list.** The court provides the parties with a written list of 15 eligible individuals who could serve, drawn from the Judicial Branch approved list. Parties are not simply handed one name.
- **A published code of conduct.** GALs and attorneys for the minor child must maintain independence and objectivity, meet training requirements, and follow the ethics standards of their own profession as well as the code.
- **A standing complaint body.** Complaints about a GAL or attorney for the minor child go to the Standing Committee on Guardians Ad Litem and Attorneys for the Minor Child, on an approved form, signed under penalty of false statement. A probable-cause panel of committee members reviews them and can request supporting material.
- **Money in the open.** The 2014 reforms added mandatory fee disclosure and periodic court review - so cost is a disclosed, reviewed part of the appointment, not a surprise at the end.

What Georgia could learn. A complaint route is only real if a parent can find it, name the standard that was breached, and send it somewhere other than the courtroom where the case is still pending. Connecticut's model shows that route can be built without creating a whole new agency.

> **Honest limit.** Connecticut's own Office of the Child Advocate has continued to find gaps in related areas - for example, in its March 2025 review of probate guardianship matters it found no specific training requirement and no formal quality-assurance framework for some panel attorneys. Publishing a code is a start; auditing against it is the harder, ongoing work.

Ohio: one statewide rule, enforced court by court

The idea. Ohio did not create a board or a state office. Instead, its Supreme Court wrote detailed GAL requirements into the Rules of Superintendence (the Rule 48 series), applying to domestic relations and juvenile cases in every court of common pleas, and required each local court to build the machinery the rule describes.

What the rule requires

- **Defined duties.** The rule lists minimum responsibilities: represent the child's best interest, maintain independence, objectivity, and fairness - including the appearance of fairness - avoid ex parte communications on the merits, interview and investigate, and file a report with stated content.
- **Training with teeth.** Pre-service education (12 hours in the current framework, part of it live) and annual continuing education. A GAL who falls short does not qualify for new appointments.
- **A public, reviewed list.** Each court maintains its list of approved GALs, checks background and qualifications, reviews the list at least annually, and requires an annual certification that no disqualifying circumstance exists.
- **A complaint file, not a conversation.** Each court must designate a person to receive written comments and complaints, provide a copy to the GAL concerned, forward matters to the administrative judge as appropriate, act promptly, and keep a written record of the nature and disposition of each complaint in the GAL's file.

What Georgia could learn. This is the lowest-cost model in this paper: no new agency, just a single detailed rule plus a duty on each court to keep a list, a file, and a record. Its weakness is the mirror of its strength - enforcement still lives with local courts, and there is no statewide audit of reports. But even local enforcement leaves a paper trail that can be counted and reviewed.

Washington: registries, grievance rules, and consequences that travel

The idea. Washington keeps a registry of qualified GALs in each county, but statewide Guardian ad Litem Rules (GALR 7) require every court to adopt written procedures for filing, investigating, and adjudicating grievances - procedures that must be clear enough for non-lawyers to use.

Key pieces

- **A complaint committee.** Local grievance rules provide for a review committee, typically including a judge and appointees, to assess whether a complaint has merit and to require a written response from the GAL - in some local rules within ten business days, with failure to respond resulting in suspension from registries.
- **A range of sanctions.** Outcomes can include referral to training, removal from a particular case, or suspension or removal from the registry itself.
- **Deadlines.** The statewide framework sets outer time standards for resolving grievances - described in court guidance as 25 days while a case is pending and 60 days after it concludes.
- **Statewide notice of removal.** When a GAL is removed from one county's registry after a grievance, that court notifies the Office of the Administrator for the Courts, which circulates the information to superior courts across the state. A removal in one county cannot be quietly outrun by applying in the next.

What Georgia could learn. Two things: deadlines, and travel. A grievance process without a timeline can outlast the childhood it was meant to protect. And a consequence that stays in one courtroom teaches the system nothing; a consequence that follows the registry listing changes behavior everywhere.

Honest limit. Washington's remedies are institutional, not compensatory: removal, training, and registry consequences can change who serves in future cases, but they do not undo a recommendation already made or compensate a family. That gap is worth naming in any state designing a system - complaint reform and case-level remedies (examination, challenge, appeal) have to work together.

Georgia today: strong duties on paper, oversight case by case

Georgia is not without rules. In Superior Court custody cases, Uniform Superior Court Rule 24.9 sets qualifications and training expectations, defines the GAL's role as an officer of the court investigating the child's best interests, provides that the GAL is subject to examination by the parties and the court, states that the GAL's recommendations are not a substitute for the court's own judgment, and allows a party to move to disqualify a GAL for good cause shown under Rule 24.9(8)(h).

In juvenile dependency cases, training is approved through the Office of the Child Advocate (OCA), which publishes guidance on who may serve. If a GAL is an attorney, an ethics complaint can also be made to the State Bar of Georgia, as OCA's guidance notes.

Set against the five models, the gaps are structural

- **No statewide body for custody GALs.** There is no Georgia equivalent of Minnesota's board, Florida's statewide office, or Connecticut's standing committee for Superior Court custody appointments - no single place that sets standards, holds a list, receives complaints, and reports on the system.
- **No published statewide list to choose from.** Approval is handled court by court. Georgia has no equivalent of Connecticut's written list of 15 eligible names given to the parties.
- **The complaint route runs through the case.** The main case-level remedy is a motion to the appointing judge. There is no separate, published grievance procedure with timelines, a complaint file that follows the GAL, or statewide notice of a removal - the pieces Ohio and Washington require even in their court-based models.
- **No system data.** No Georgia body is charged with publishing how many custody GALs serve, what they charge, how long investigations take, or how complaints are resolved. Parents comparing experiences - and lawmakers considering reform - are working without a baseline.

None of that is a claim about any individual GAL or judge. It is a description of the structure: Georgia wrote duties for the person, but did not build the system around the person that other states built.

A menu for Georgia: borrow in pieces

No state in this paper needs to be copied whole. The pieces below are separable - each has been operated by at least one state above - and they are ordered roughly from least to most structural change.

- **Publish the standards in one place.** One public page: qualifications, training, duties, code of conduct, fee expectations, and the complaint route. (All five states.)
- **Give parties a list.** A written list of eligible GALs at appointment, as in Connecticut, so selection is visible and choice is real.
- **Require a complaint file.** Every appointing court designates who receives written complaints, keeps them in the GAL's file with a written disposition, and reviews them when the list is renewed. (Ohio.)
- **Add timelines and travel.** Deadlines for resolving grievances, and notice to a central point when someone is removed, so the consequence is known beyond one courtroom. (Washington.)
- **Disclose and review fees.** Fee disclosure at appointment and periodic review, as in Connecticut's 2014 reforms.
- **Collect and publish basic data.** Numbers appointed, average cost and duration, complaints filed and resolved - anonymized, annual, public. (Florida's performance measures; Minnesota's annual report.)
- **Create an independent intake point.** A standing committee, as in Connecticut - or, at the largest scale, a board or statewide office, as in Minnesota and Florida - so a complaint does not have to begin and end with the appointing judge.

Questions to discuss

- Should Georgia's system cover only dependency cases, only custody cases, or both - and who should pay for it?
- What should a GAL have to show, in training and experience, before the first appointment - and to keep serving?
- Where should a parent be able to complain while a case is still pending, without fearing it will be held against them in that case?
- What data would lawmakers need, annually, to know whether the system is working?

Readers can share views and experiences in the project's anonymous surveys, on the project website. The surveys ask for no name and no email address, and the project does not take accounts by email. In a survey answer, please leave out children's names, dates of birth, and case documents.

Sources

Minnesota: Minn. Stat. section 480.35 (State Guardian Ad Litem Board - structure, duties, annual report); Minnesota State Guardian ad Litem Board, mn.gov/guardian-ad-litem (program mission, district managers, qualifications and training); Minnesota Legislative Reference Library, State Guardian Ad Litem Board agency page (independent board established 2010, modeled on the Public Defense Board).

Florida: Fla. Stat. section 39.8296 (Statewide Guardian ad Litem Office - legislative findings on perceived conflict of interest, oversight, statewide performance measures, training program and curriculum committee, case data); Child Welfare Information Gateway, Representation of Children - Florida (certification, background screening, training).

Connecticut: Public Act 14-3 (2014 reforms - approved list, list of 15, code of conduct, fee disclosure, periodic review); Connecticut Judicial Branch, Code of Conduct for Counsel for the Minor Child and Guardian Ad Litem, and Instructions for the Complaint Against a Guardian Ad Litem or Attorney for Minor Child (Standing Committee complaint process); Connecticut Office of Legislative Research Report 2013-R-0098 (training and oversight); Connecticut Office of the Child Advocate, Report on Probate Court Guardianship Proceedings, March 2025 (remaining quality-assurance gaps).

Ohio: Rules of Superintendence for the Courts of Ohio, Rule 48 series (duties, pre-service and continuing education, court lists and annual review, written comments and complaints kept in the GAL's file and forwarded to the administrative judge); Supreme Court of Ohio, amendments to Rules 40-48.07 (adopted 2020, effective Jan. 1, 2021).

Washington: Washington Guardian ad Litem Rules, GALR 7 (court grievance procedures); RCW Title 26 registry provisions (qualifications, registry, statewide circulation of removals via the Administrator for the Courts); local superior court GAL grievance rules (complaint review committee, response deadlines, sanctions including registry suspension and removal).

Georgia: Uniform Superior Court Rule 24.9 (qualifications, role, examination, recommendations not a substitute for the court's judgment, disqualification for good cause at 24.9(8)(h)); Georgia Office of the Child Advocate, Frequently Asked Questions (dependency GAL training approved by OCA; attorney GAL ethics complaints to the State Bar of Georgia or report to the appointing judge; Superior Court training governed by Rule 24.9).

> **About the project.** The Georgia GAL Accountability Project is a grassroots project sharing research and parent education about guardian ad litem accountability in Georgia. This paper is general information only and is not legal advice. For advice about a specific case, consult a Georgia family law attorney.