

Washington State Judicial Branch

2023-25 Biennial Budget

Implement Title 26 Guardian ad Litem Training Program

Agency: Administrative Office of the Courts

Decision Package Code/Title: S3 – Implement Title 26 GAL Training Pgm

Agency Recommendation Summary Text:

The Administrative Office of the Courts (AOC) requests 2.0 FTEs and \$962,100 in ongoing state funding to create a Title 26 Guardian ad Litem Training Program. Dedicated AOC staff would facilitate the mandatory initial Title 26 GAL training across the state several times per year, assist courts in developing local rules requiring ongoing GAL training, facilitate continuing education for existing GALs and ensure the curriculum is updated following each legislative session.

Across the state there is an urgent need for more, well-trained Title 26 Guardians ad Litem (GALs). The Administrative Office of the Courts is statutorily required to develop the Title 26 (domestic relations) GAL training curriculum under RCW 2.56.030(15). However, Washington does not have a statewide training program for delivery of the curriculum and must rely on local entities and jurisdictions to organize trainings in order to have qualified GALs. (General Fund-State)

Fiscal Summary:

	FY 2024	FY 2025	Biennial	FY 2026	FY 2027	Biennial
Staffing						
FTEs	2.00	2.00	2.00	2.00	2.00	2.00
Operating Expenditures						
Fund 001-1	\$486,100	\$476,000	\$962,100	\$476,000	\$476,000	\$952,000
Total Expenditures						
	\$486,100	\$476,000	\$962,100	\$476,000	\$476,000	\$952,000

Package Description:

Across the state there is an urgent need for more, well-trained Title 26 Guardians ad Litem (GALs). The Administrative Office of the Courts is statutorily required to develop the Title 26 (domestic relations) GAL training curriculum under RCW 2.56.030(15). However, Washington does not have a statewide training program for delivery of the curriculum and must rely on local entities and jurisdictions to organize trainings in order to have qualified GALs. This is a substantial undertaking, requiring significant resources and time. AOC most recently updated the Title 26 GAL curriculum in 2018 through a grant provided by the National Council of Juvenile and Family Court Judges. After completion of the pilot programs and approval of the curriculum by the State Court Administrator in 2018, just two trainings have been held in the state, both by Kitsap Legal Services; each training has had an extensive waitlist.

Superior Courts desperately need Title 26 GALs across the state as they depend upon these individuals to provide information to the court in the most difficult domestic relations cases involving vulnerable parties and the safety and well-being of children. By statute, “The court may appoint a guardian ad litem to represent the interests of a minor or dependent child when the court believes the appointment of a guardian ad litem is necessary to protect the best interests of the child in any proceeding under this chapter.” RCW 26.12.175(1)(a). All Guardians ad Litem appointed by statute must comply with training requirements established under RCW 2.56.030(15). The training curriculum includes

modules regarding child development, child sexual abuse, child physical abuse, child neglect, domestic violence, clinical and forensic investigative and interviewing techniques, family reconciliation and mediation services, and relevant statutory and legal requirements.

In addition to needing access to the initial Title 26 training for prospective GALs, most jurisdictions do not have the infrastructure or resources to facilitate ongoing education for existing GALs, particularly in smaller and more rural jurisdictions. As a result, many GALs across the state do not receive information regarding important advances in research relating to topics such as trauma, domestic violence and race equity.

Funding will support two full-time staff members who would facilitate the mandatory initial Title 26 GAL training across the state several times per year, assist courts in developing local rules requiring ongoing GAL training, facilitate continuing education for existing GALs and ensure the curriculum is updated following each legislative session.

Fully describe and quantify expected impacts on state residents and specific populations served:

Vulnerable children, individuals and families accessing the courts will be directly impacted by the availability of more consistent, updated and widely-available title 26 GAL trainings. GALs provide information directly to the court in the most high-conflict domestic relations cases, often regarding the existence of child abuse, neglect, sexual assault and domestic violence. Every community across the state will benefit from ensuring Title 26 GALs are available and have the best training possible. Communities with fewer resources are less likely to host their own Title 26 GAL trainings, so GAL candidates must travel across the state at their own expense if and when a training is available in another jurisdiction. Statewide trainings will allow rural communities better access to both the initial GAL training programs as well as ongoing education. This will directly impact the accessibility and quality of GALs available in smaller or more rural communities. Access to updated research/information and presentation by statewide experts regarding race equity, domestic violence, child development and other relevant areas will assist GALs statewide in providing better services to vulnerable populations and the court.

Explain what alternatives were explored by the agency and why they were rejected as solutions:

AOC is currently statutorily responsible for updating the Title 26 GAL curriculum, but has no other responsibility for the implementation of trainings utilizing the curriculum. Very few courts or local entities have expressed an ability to host trainings on an ongoing basis due to resource scarcity and the time commitments required.

In the past GAL trainings have been provided only by a few local bar associations in the state. Local organizations were responsible for obtaining trainers and ensuring trainers utilized the proper curriculum which was approved by AOC. This led to inconsistent trainings, both geographically and topically across the state. Standardizing statewide training will ensure all Title 26 GALs in Washington obtain timely, quality training and that candidates are not geographically disadvantaged. AOC would ensure trainings were held around the state and were accessible to any potential candidates who wished to participate. This would not prevent local jurisdictions from hosting their own trainings tailored to the specific needs of their communities in addition to the statewide trainings.

What are the consequences of not funding this request?

Currently there are not enough Title 26 GALs to fill the need in superior court cases, and ongoing training for existing GALs is inconsistent across the state. Without statewide training, courts will continue to have insufficient resources needed to appoint Title 26 GALs in family law and domestic relations matters where abuse, neglect, substance abuse, domestic violence or sexual assault have been alleged. This will have a great impact on the facts and information made available to the court and, ultimately, on outcomes for vulnerable litigants and their children in the state.

Is this an expansion or alteration of a current program or service?

This would be a new AOC training program, but is also a natural expansion from AOC's curriculum development responsibilities under RCW 2.56.030(15)

Decision Package expenditure, FTE and revenue assumptions:

Staffing Assumptions

Beginning July 1, 2023 and ongoing, AOC requires salary, benefits, and associated standard costs for 1.0 FTE Court Education Professional and 1.0 FTE Senior Court Program Analyst to facilitate statewide trainings, assist courts to develop local rules, facilitate continuing education, and update curriculum.

Other Non-Standard Costs

Training Costs

Speakers. Contracts will be needed for speakers at four regional, five-day trainings each year estimated at \$58,000 for honoraria, speaker training materials, and travel costs. (Object C).

Trainings and Annual Title 26 GAL Conference. Facilities and related costs for four regional trainings each year and an annual conference \$75,000. (Object E)

AOC Staff Travel to Trainings and Annual Conference. Mileage, per diem, and accommodation for AOC staff participation estimated at \$14,800 annually. (Object G)

Equipment. One-time, \$500 purchase of audio/visual accessibility equipment dedicated to the trainings. (Object J)

Pro tem costs. Payment of pro tem costs for judicial officers’ participation in the trainings. (Object N)

Expenditures by Object	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
A Salaries and Wages	184,000	184,000	184,000	184,000	184,000	184,000
B Employee Benefits	58,600	58,600	58,600	58,600	58,600	58,600
C Personal Service Contract	58,000	58,000	58,000	58,000	58,000	58,000
E Goods and Services	82,600	82,600	82,600	82,600	82,600	82,600
G Travel	19,800	19,800	19,800	19,800	19,800	19,800
J Capital Outlays	13,300	3,200	3,200	3,200	3,200	3,200
N Grants, Benefits, and Client Services	9,800	9,800	9,800	9,800	9,800	9,800
T Intra-Agency Reimbursements	60,000	60,000	60,000	60,000	60,000	60,000
Total Objects	486,100	476,000	476,000	476,000	476,000	476,000

Staffing

Job Class	Salary	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
COURT EDUCATION PROFESSIONAL	82,900	1.00	1.00	1.00	1.00	1.00	1.00
SENIOR COURT PROGRAM ANALYST	101,100	1.00	1.00	1.00	1.00	1.00	1.00
Total FTEs		2.00	2.00	2.00	2.00	2.00	2.00

Explanation of standard costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 31.89% of salaries.

Goods and Services are the agency average of \$3,800 per direct program FTE.

Travel is the agency average of \$2,500 per direct program FTE.

One-time IT Equipment is \$4,800 for the first fiscal year per direct program FTE. Ongoing Equipment is the agency average of \$1,600 per direct program FTE.

Agency Indirect is calculated at a rate of 24.73% of direct program salaries and benefits.

How does the package relate to the Judicial Branch principal policy objectives?

GALs are often appointed in cases involving vulnerable unrepresented litigants when the court requires additional information regarding limiting factors (domestic violence, physical/sexual abuse, substance abuse, etc.). Ensuring their availability to the court and to the litigants promotes fair and effective administration of justice. GALs also provide relevant reports and testimony to the court, allowing judicial officers to conduct trials and hearings in an efficient manner and contributing to effective court management overall.

Are there impacts to other governmental entities?

Superior Courts and judges desperately need Title 26 GALs across the state as they depend upon these individuals to provide information to the court in the most difficult domestic relations cases involving vulnerable parties and the safety and well-being of children. By statute, “The court may appoint a guardian *ad litem* to represent the interests of a minor or dependent child when the court believes the appointment of a guardian ad litem is necessary to protect the best interests of the child in any proceeding under this chapter.”

Stakeholder response:

There will likely be significant support from the legal aid community for this proposal. The Superior Court Judges Association supports this package.

Are there legal or administrative mandates that require this package to be funded?

RCW 2.56.030(15) requires the AOC to develop the Title 26 GAL curriculum. There are no requirements or funding for the AOC to deliver the curriculum statewide.

Does current law need to be changed to successfully implement this package?

No

Are there impacts to state facilities?

No

Are there other supporting materials that strengthen the case for this request?

No

Are there information technology impacts?

No

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