

Good morning. I am offering this testimony on behalf of Guardians *ad litem* in child protection cases. I myself have been working as a GAL since 2018, when I retired from the Attorney General's office. I also worked as a GAL in New York state, over twenty years ago.

Maine law requires that a GAL be appointed in child protection cases, 22 M.R.S. sec. 4005. This is because the other parties, the parents and the state, are sometimes caught up in their own concerns, and the needs of the children, which should be paramount in a child protection case, are pushed to the side. Of course, persons of good will can disagree about what the child's best interests are -- are they safer at home or in a foster home, should visits be supervised or unsupervised. Even if the parties do not agree, it is important that the Court is continually reminded that the children have other and different needs from the parents, and that one can't assume the state is meeting them.

The GAL is supposed to conduct her own investigation, apart from DHHS, and form a relationship with a child who is not in her own home and may have worries and fears that are difficult to address. This means regular trips to a foster home that may be next door, or several counties away. It means talking to people that might have been missed by the DHHS caseworker, trying to provide a non-judgmental and encouraging ear to frustrated parents, and prodding DHHS to provide services. This at a time when DHHS is (in my opinion) less effective than it has ever been in my experience. Caseworkers come and go as in a revolving door, and the ones who stay are carrying impossible caseloads. One of the districts in which I practice has been unable to provide professional visit supervision, so DHHS strongarms family members which often creates more problems because of existing family dynamics.

There is an old saying about how sometimes one is the statue, and sometimes the pigeon. The GAL is often both, being praised by one party and denigrated by the other, for taking a position on behalf of a child client. I have in my time, believe it or not, opposed DHHS positions in child protection cases, even though as an ex-AAG I am assumed to be in lockstep with my former colleagues. Most of the parents I meet believe that I work for DHHS and that I get a bounty for every child placed in foster care. Although there are often laudatory remarks made about GAL's and how important we are, in practice one is more likely to feel like a target.

In short, the work that a GAL does is just as demanding as the work done by defense counsel, if not moreso. It would be unfair to grant defense counsel what amounts to a 50% raise, and yet not extend the same pay to GAL's. If this disrespectful treatment is carried out, I predict that the number of GAL's willing to take cases will have the same drastic reduction as has already been seen in defense counsel.

I am asking that you strike Section 2 of LD 206 from the supplemental budget until there can be a public hearing.

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