

GAL Reimbursement for Extraordinary Advocate Expenses

This issue seeks \$331,262 in recurring general revenue funding to reimburse Guardian ad Litem (GAL) volunteers for extraordinary travel expenses related to best interests advocacy. Florida law requires the appointment of a GAL as early as possible in a dependency case – a person responsible for getting to know the child and his or her family, giving that child a voice in court, and representing the child’s best interests within the child-welfare system. Due to increased numbers of children in out-of-home care, Gals must travel longer distances to do their work. Some GAL volunteers, particularly those who are retired on fixed incomes, have indicated that the costs of travel could cause them to decline cases, thereby reducing the overall number of GAL volunteers and thus the number of children represented. The general revenue funds requested here will allow the GAL Program to reimburse volunteers for extraordinary travel costs in cases where the best interests of the child justify it.

The number of children in out-of-home care has increased 11 percent since 2015. According to the Department of Children and Families, (DCF), as of May 31, 2017, there were 24,279 children in out-of-home care statewide – up from 21,698 on May 31, 2015. Given that Florida has approximately 5,000 foster care homes, it is a constant struggle to find appropriate placements for children near the families from whom they were removed. DCF statistics indicate that 19% of children were placed out of their home circuits as of June 2017¹. Children of increasingly young ages are being placed in group homes rather than with foster families. This unprecedented situation makes it difficult and costly for GALs to visit children frequently and to stay on cases when a child is moved out of circuit.

Having a consistent advocate is invaluable to children. A hallmark of GAL advocacy is that one advocate who represents one child or sibling group is a steady presence when so much else is changing for them: placements, caseworkers, friends, schools, judges. As the independent voice for the child, the GAL must see the child regularly to effectively represent best interests and articulate expressed wishes. Having a consistent advocate is invaluable to these children, who often feel very alone in an overwhelming and overwhelmed child welfare system.

Having a consistent advocate is vital to the court system. A GAL visits a child on a regular basis in different environments to make informed best interests recommendations. When a GAL stays on a case from beginning to end, he or she has historical information that is crucial to decisions the judges will make about the child’s best interests. This institutional knowledge keeps critical information about the child and family from being lost. As children are being placed farther from their home counties, keeping the same volunteer on a case until completion has become a challenge for the GAL Program.

Florida’s 10,000 Guardian ad Litem volunteers drive an estimated 3 million miles per year to represent abused and neglected children.² A June 2017 survey of more than 10,000 GAL volunteers yielded 1,344 responses to questions about their driving patterns as a GAL volunteer. Survey results showed the average volunteer drives 64 miles per month, or 768 miles per year. That represents a cost avoidance of more than \$2 million in travel reimbursements if the state were paying its employees for the same

¹ http://centerforchildwelfare.fmhi.usf.edu/qa/cwkeyindicator/KI_Monthly_Report_June_2017.pdf, p.39

² Estimated mileage based on January – July 2017 miles driven as recorded in Optima (the GAL data system), by 50 percent of active volunteers.

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mileage. Of the volunteers who responded, 34 percent drive more than 1,000 miles a year to represent and visit dependent children.

The cost of travel prevents some advocates from taking or staying on certain cases. The Guardian ad Litem Program does not reimburse GAL volunteers for mileage or any other cost incurred in the normal course of volunteering. However, when children in out-of-home care are placed at long distances from their home circuits, GALs can incur significant expenses for routine visits to the child's placement, to provide educational advocacy at the child's school or in the performance of many other tasks critical to best interests advocacy.

Florida's most vulnerable children deserve consistent advocacy and advocates. The courts require thoughtful recommendations based on first-hand knowledge of the child's best interests. With this funding, the GAL Program will reimburse, on a case-by-case basis, those travel expenses that are deemed extraordinary or related to hardship. These expenses may include, but not be limited to, travel for visits when a child is placed a significant distance from his or her home, maintaining relationships with siblings or other family members, ensuring the quality of placements, and achieving normalcy for a child.

Cost projections. Cost projections for this issue are detailed in the footnote which follows.³

³ The cost of this issue was projected by using the number of miles driven by volunteers between January – July 2017. These data are reported by 50 percent of GAL volunteers in the GAL data system Optima. The reported mileage for these 7 months is 1,142,733 miles. This number is divided by 7 and multiplied by 12 to project a 12-month total mileage. The 12-month total reported by half of the active volunteers (1,958,970 miles) is doubled to account for the mileage of volunteers who did not record their mileage in the data system. The result (3,917,940) is then reduced (multiplied by 19 percent) to account for the mileage driven in serving the 19 percent of dependent children placed out-of-circuit. The result of this calculation (744,409) is multiplied by \$0.445/mile standard State of Florida mileage reimbursement rate. This yields an estimated cost of \$331,262