

Utah State University

DigitalCommons@USU

---

Undergraduate Honors Capstone Projects

Honors Program

---

5-2016

## Qualities That Influence Guardian Ad Litem Effectiveness

Ilana Kornfeld

*Utah State University*

Follow this and additional works at: <https://digitalcommons.usu.edu/honors>



Part of the [Social Work Commons](#)

---

### Recommended Citation

Kornfeld, Ilana, "Qualities That Influence Guardian Ad Litem Effectiveness" (2016). *Undergraduate Honors Capstone Projects*. 602.

<https://digitalcommons.usu.edu/honors/602>

This Thesis is brought to you for free and open access by the Honors Program at DigitalCommons@USU. It has been accepted for inclusion in Undergraduate Honors Capstone Projects by an authorized administrator of DigitalCommons@USU. For more information, please contact [digitalcommons@usu.edu](mailto:digitalcommons@usu.edu).



**QUALITIES THAT INFLUENCE GUARDIAN AD LITEM EFFECTIVENESS**

by

**Ilana Kornfeld**

**Thesis submitted in partial fulfillment  
of the requirements for the degree**

of

**DEPARTMENTAL HONORS**

in

**Social Work  
in the Department of Sociology, Social Work, and Anthropology**

**Approved:**

**Thesis/Project Advisor**  
(Jennifer Roark, MSW., Ph.D.)

**Departmental Honors Advisor**  
(Terry Peak, MSW., Ph.D. )

---

**Director of Honors Program**  
Dr. Kristine Miller

**UTAH STATE UNIVERSITY**  
Logan, UT

**Spring 2016**

© 2016 Ilana Kornfeld

All Rights Reserved

## **Abstract**

The use of Guardians ad Litem (GALs) in child abuse and neglect cases has become increasingly common throughout the world. It has, in fact, become standard procedure in child welfare proceedings in the United States. GALs are charged with presenting children's best interests in court and ensuring that each child has a voice in the process. Ideally, GALs are consistently effective in doing so. However, GALs have extremely high caseloads that potentially limit the time they can spend with their children. In addition, little research has been done on what qualities make an effective GAL. Knowing what qualities increase GAL effectiveness is of paramount importance because these attorneys are charged with representing disadvantaged children who otherwise may not get a voice in their fate. This pilot study involved conducting semi-structured interviews with youths aged 15-18 who are currently in foster care in Utah, or who have recently aged out, or who have been reunified with their parents in the past two years since living in foster care. These interviews were directed at their experience with GALs in court in order to gauge what makes or would make the court process the least stressful and most conducive to achieving the child's best interests.

## Acknowledgements

This project could not have been done without a grant from Undergraduate Research and Career Opportunities (URCO) and I am immensely grateful for their faith in this research. Utah State University (USU) Honors also generously matched their funds which boosted this research's scope and potential. USU Honors has been a great support to me and resource throughout the duration of, not only this project, by my undergraduate career.

I would also like to thank my advisor, Dr. Jennifer Roark, for being a source of both knowledge and encouragement. Without her continuous guidance, I would never have even contemplated doing this research.

My parents, William Kornfeld and Patti Kahn, have supported me throughout all the ups and downs that accompany college and writing a thesis. They have always taught me to look at issues from all sides and the importance of keeping an open mind. My mother, a professional editor, has kindly agreed to proofread this thesis.

Lastly, Clarice Ambler, my friend and confidant, generously took the time to help with transcribing the interviews. However, her greatest contribution to this project lies in providing a shoulder to cry on and in her amazing show of friendship throughout my undergraduate years. I could not have done it without her.

## Current Literature

### What is a Guardian ad Litem?

In the state of Utah, a guardian ad litem (GAL) is an attorney assigned by the court to represent the best interests of the child in abuse and neglect cases (UT Code 78A-6-902). While the concept of a GAL spans both state and international borders, the definition varies depending on the location. Additionally, GALs may utilize the help of Court-Appointed Special Advocates (CASA volunteers) or be volunteers themselves (Hartz, 1993). In Utah, the role of a CASA volunteer is to assist the GALs, who have high caseloads that oftentimes number in the hundreds for each individual GAL ("Faces of the Office of Guardian ad Litem").

In her research on the roles of GALs in child abuse and neglect proceedings, Rebecca Hartz identifies four models of GALs implemented by the states (1993). The first is an attorney with the possibility of a volunteer being appointed as well. The second requires both an attorney and a volunteer. In the third model, either an attorney or a volunteer can be appointed. In the final model, a volunteer is appointed as a GAL. Research suggests that the most effective model is that which involves both an attorney and a volunteer (Hartz, 1993). As previously mentioned, Utah is a state that implements this model with both CASAs and GALs (<http://utahcasa.org>).

## History of GALs

At the turn of the 20th century, the United States juvenile justice system adopted the concept of *parens patriae* (Sankaran, 2009). Black's Law Dictionary defines *parens patriae* as "the right held by the court to take a reasonable decision on the part of the person who is unable to make one for himself" (2009). However, the use of GALs in child welfare proceedings did not become widespread until the passing of the Child Abuse Prevention and Treatment Act of 1974 (CAPTA). While CAPTA mandated that states had to appoint a GAL to children involved in the welfare system, it did not specify details as to who could serve as a GAL-- hence the differing requirements among the states (Hartz, 1993, 328).

In Utah, GALs were firmly established in the courts after *J.W.F. v. Schoolcraft*. Before *J.W.F. v. Schoolcraft*, the concept of GALs, although mandated by CAPTA, was a vague one. *J.W.F.* involved a custody dispute between an unmarried mother and father of a child. The court ruled that "It is the Guardian ad Litem's duty to stand in the shoes of the child and to weigh the factors as the child would weigh them if his judgment were mature and he was not of tender years." (*J.W.F. v. Schoolcraft*, 1988).

It should be noted that GALs are not solely appointed in the United States, but in other countries as well (Bilson and White, 2005). GALs were internationally established after the United Nations Convention on the Rights of the Child (UNCRC) in 1989 (Bilson and White, 2005). Article 12 of the UNCRC requires that any child who can form his own opinions has a right to have such opinions noted (U.N. Convention, 1989). The child's view should be taken into consideration among other factors, thus requiring that an opportunity be provided for the child to assert his wishes. All but three United Nations

members have ratified the UNCRC. These are South Sudan, Somalia, and, in fact, the United States (although the U.S., as already stated, utilizes GALs). The UNCRC encouraged several countries to implement formal representation of children in the welfare system, hence the assignment of GALs (Bilson and White, 2005).

### **Children in Court**

Court is often a stressful experience for adults. Children, who may not fully understand court proceedings, are probably more vulnerable than adults to feeling stressed and overwhelmed ("The Child in Court," 1999). In one study, Weisz, Wingrove, Beal, and Faith-Slaker (2011), the effects of court on children were called into question. While court may seem to be a very stressful experience, attending court actually seemed to lead to children feeling less stressed. In fact, the more involved children were in the process (such as being questioned by the judge), the more positively they felt (Weisz, et al., 2010). It can therefore be hypothesized that GALs, acting in a way as children's liaisons to the legal world, can facilitate more active participation, making for a better experience.

Taking the time for GALs to explain court proceedings is undoubtedly important. GALs are charged with advocating for the best interests of the child. It is vital, then, that they establish trust with the children they represent. If a child is confused and overwhelmed by the daunting court process and his GAL does not take the time to ensure he understands it, then the child may not open up and let his wishes be known. Eltringham and Aldridge (2000) studied how much children actually comprehend in court as compared to how much the GAL estimates that they understand. This study, although done in the U.K., is relevant to U.S. proceedings. The U.S. and the



U.K. are similar in their implementation of GALs. Children were given questionnaires assessing their knowledge of court proceedings. GALs were also given a questionnaire to assess their own competence on the issues. They were then asked to estimate the percentage of children who would understand the relevant topics. GALs tended to overestimate children's knowledge of court proceedings (Eltringham and Aldridge, 2000). If a GAL assumes that her child client knows the court process, it could logically lead to less time being spent explaining the system, especially when the GAL is already so busy (Eltringham and Aldridge, 2000).

The high caseloads of GALs are a barrier to establishing this rapport. In 2015, the average caseload of the GALs in Utah was estimated at 131, although some attorneys have had as many as 300 children to represent at a time (Utah Office of the Guardian ad Litem and CASA, 2015). With the duty of representing so many children at once, GALs cannot feasibly spend a lot of time explaining the court process to each individual child.

### **Defining "Best Interests"**

Although GALs are frequently implemented in child welfare court systems around the world, the role of representing a "child's best interests" remains a relatively vague concept. In *Reflections of a Guardian Ad Litem on the Participation of Looked-after Children in Public Law Proceedings* (2010), Cathy Donnelly attempted to piece together the meaning of representing a "child's best interests." Ultimately, children will have requests and desires that are not in their best interests. A GAL must find a way to balance the child's views with what various adults (e.g., social workers, therapists, or the GAL himself/herself) believe that the child needs. A vital assessment that needs to be taken into consideration when representing a child is that of competence. Donnelly

(1993) asserts that younger children will generally have a lesser understanding of what is going on than older children, and therefore may be practically unable to understand what is in their own best interests. In addition, since children with disabilities may not be able to comprehend their situation, a child who is deemed competent by his GAL will have his views taken into greater consideration than a child who does not understand what is happening (Donnelly, 2010).

### **Possible Influential Factors in GALs Establishing a Relationship with Children**

Race is a factor that could possibly assist or deter in the establishment of a relationship between GALs and children. While no research has been done to assess the effects of race and ethnicity on the relationship between GALs and the children they represent, studies have been conducted as to the effect of race and ethnicity on psychotherapeutic relationships. Walling, Suvak, Howard, Taft, and Murphy (2012) found that a difference in race between the therapist and the client did not affect their rapport as compared to those who had therapists of the same race. Still, it is possible that those engaged in the racially charged legal system will experience distrust of attorneys of a different race, especially when children have a relatively limited amount of interaction with their GALs.

For gender, however, there does seem to be an association between an effective therapeutic relationship and the gender of the client and therapist. According to Johnson and Caldwell (2011), clients reported greater satisfaction when paired with a therapist of their own gender. This could very well be applicable to the relationship between GALs and the children that they represent. More research definitely needs to be done to determine if such a phenomenon exists. Additionally, it could be argued that the

relationship of a forensic interviewer with a child during a sexual abuse investigation more closely parallels that of a GAL and her child client than does a therapeutic relationship. Forensic interviewers often meet with children only once (Cronch et al, 2006). Cronch et al. researched factors that make interviews more or less effective. She discovered that gender, especially in regards to girls, significantly impacted how much children disclosed. Girls were more likely to go into details about their experiences with female interviewers (Cronch et al., 2006). Cronch et al. (2006) also found a stronger likelihood of disclosure over the course of six interviews instead of one, thus highlighting the importance of taking the time to get to know a child in order to establish trust. While forensic interviewing is not the same as having a GAL represent a child in court, it is similar in that both GALs and forensic interviewers aren't therapists and, instead, talk to children with specific interests and reasons in mind. Therefore, factors that contribute to forensic interviewing effectiveness should be noted.

The lack of research done on GALs--and the qualities that make them effective or not--is disappointing. It is possible to deduce potentially helpful factors as well as unhelpful ones. However, more research is clearly needed in this area. The current study, with the use of qualitative interviewing, attempts to fill the research gap and investigates the perceptions of GALs from the perspective of the youth.

### **Hypothesis**

Going into this study with relatively little research to refer to for guidance, we formed our hypothesis based on the knowledge of what qualities influence most relationships. We hypothesized that children would feel most comfortable with GALs of the same gender and race, GALs that spent more time with them, and GALs that are

perceived as having the same goals. Additionally, we hypothesized that youths who had a CASA volunteer would feel more involved and pleased with the process.

## **Methods**

### **Study Design**

In order to assess qualities that aid in or detract from Guardian ad Litem effectiveness, we conducted semi-structured interviews involving eight youths aged 15-17 currently placed in foster care in Logan, Utah and Ogden, Utah. These eight youth involved three females, three males, and one youth who was transgender identifying as female. The three males were all white, one female was African American, and the rest were Hispanic. While GALs are used for children of all ages, teenagers are better able to verbalize their thoughts and feelings, and are more likely to have insight into their situation. Youths were recruited through the Utah Division of Child and Family Services (DCFS). Caseworkers gave consent for teenagers that they worked with to participate. Once consent was obtained, the youths were contacted directly in order to schedule an interview. Interviews took place in the youth's chosen location, including foster homes, cafes, or bookstores.

Before interviews began, participants were given two assent forms to sign; the first gave permission to be part of the study and the second gave permission to be audio recorded. Interviews involved questions about basic demographic information, the youth's prior experience in court, comfort disclosing personal and non-personal information to the designated GAL, time spent with the GAL, satisfaction with the GAL, and, in cases involving a CASA volunteer, experience interacting with the CASA

volunteer. Interviews were recorded and then transcribed, with no identifying information included in the transcription. Participating youth were compensated with a \$15 Walmart gift card at the conclusion of their interview.

Once the transcriptions were completed, they were assessed for themes. This was accomplished by first looking at the standard questions asked in every interview. For example, every interview included questions about demographics of both the GAL and the child, prior juvenile court involvement, overall satisfaction with their GALs, and trust of their GAL. Answers to these questions were noted and compiled. When unexpected topics arose more than once they were added as a theme, and all the interviews were assessed in regards to the particular topic.

## **Results**

Following analysis, seven themes arose. These were: overall satisfaction with the GAL, comfort based on gender, comfort based on race, trust of the GAL, satisfaction with time spent with the GAL, and feelings toward other court personnel.

### **Satisfaction**

Of the eight youths who participated in this study, only one expressed dissatisfaction with his GAL. Interestingly, this youth had worked with two GALs and did say that he felt satisfied with one but not the other. The rest of the teenagers not only expressed satisfaction, but great respect and gratitude for their GALs.

### **Gender**

Initially, upon questioning youth on how they felt gender affected their relationship with their GALs, they initially shrugged their shoulders or said that they were not sure. They were essentially asked to imagine a hypothetical situation in which their GAL was a different gender. After further questioning, all but one youth reported that they believe gender may have affected their initial relationship with their GALs. Of those seven youths, one said that she still felt that gender affected her relationship. The rest felt that whatever barrier gender may have provided was no longer present. It should be noted that two youths, one who was female and one who was transgender but identified as female, and who had female GALs thought that they may have had an easier time getting to know their GAL had their GAL been male. Both youths believed this was due to previous positive experiences with males.

### **Race**

Race was perhaps the most difficult question for the youths to answer. All youths, upon initial questioning, responded somewhat defensively with phrases like “I don’t see race,” or “Race doesn’t matter to me.” This is understandable, considering the charged nature of the question. It is also important to note that, as I am a white female, it may have been awkward to identify discomfort when talking about white GALs (all youths reported having white GALs except for one who believed hers to be half white and half African American).

After being asked to consider the effect of their GAL’s race on their relationship, three youths reported that race may have affected their initial relationship. They followed up these comments, once again, with comments like “But I’d be fine with anything” and made it clear that race was not a barrier to their current relationship with their GAL.

Interestingly, these three youth were from the three different races represented in this sample: white, African American, and Hispanic.

### **Trust**

All eight youths reported that they trusted their GAL. Two said that they would trust their GALs with anything, be it personal or related to court. The rest said that, while they trust their GALs, they would rather turn to friends or a therapist to discuss personal issues.

Three youths reported that they trusted their GALs immediately, while the other five said that it took some time. When asked what helped build that trust, these youths felt that consistent visits with their GALs were key. Two of these youths reported several times throughout their interviews that they understood how busy their GAL was and that the fact that their GALs told them this made them more appreciative. Therefore, they did not lose trust if visits were more spread out. Youths also cited times when their GALs represented their personal wishes to the court, even if those wishes may not have been what the GAL thought they needed. This also helped to build trust.

### **Time**

All youths reported initially that they felt they got enough time with their GALs. However, after further questioning, four youths said that, in an ideal world, it might be nice to spend more time with their GALs because their GALs were "fun to be around" and might be able to provide advice about their personal goals as well as give them a reprieve from some of the issues that arise in foster care.

As stated above, the youths were aware that their GALs were busy. Half of the youths had an assigned CASA volunteer. They expressed awareness that their CASA

volunteers were there to help their GALs due to high caseloads. Interestingly enough, out of the four youths who said they would not mind additional time with their GALs, three of them had CASA volunteers. This could be due to the fact that CASA visits often replaced GAL visits.

### **Other Court Personnel**

All the youths reported liking and trusting their judges. Interestingly, seven of the eight youths had experiences in juvenile court before child welfare court. Two of the youths used words like “straightforward” and “to the point” to describe juvenile court. They reported learning to like these aspects of the court, although they initially felt intimidated. Their views of the judges presiding over their child welfare cases seemed very much tied to their juvenile court experience since judges presiding over any sort of juvenile proceeding are the same in each district. Thus, most of the youths had the same judge for each type of court.

The four youths who had CASA volunteers also reported liking their CASA volunteers. Nevertheless, two youths seemed unsure about how their CASA volunteer was helping them, saying things like “It’s fun, but we just talk about sports,” and “He just comes over and we play a game.”

One of the most interesting findings in this study, however, was actually unexpected. Six youths mentioned their caseworkers in the interview. One mentioned the caseworker in a positive light, another verbalized once hating his caseworker but now feeling more positive toward her, and the other four explicitly stated that they felt frustrated with their caseworkers, often using words like “unreliable,” “untrustworthy,” and “unprepared.” All of these youths compared their GALs to their caseworkers, stating



that they felt that their GAL outperformed their caseworker by being more prepared and seeming to be more invested in their interests and requests.

### **Implications**

Because this research is a pilot study, no affirmative conclusions can be drawn from the results. However, the positive views that the interviewed youth seem to have of their GALs are promising. Ideally, trust allows children to be more open and honest with their GALs, which could assist the GAL in representing their best interests.

Once more research is done, the results could potentially dictate policy. Perhaps increased funding needs to go towards hiring more GALs so that GALs can spend more time with the youth that they represent. Additionally, with an increase in GALs, more consideration could go towards the assignment of a specific GAL to a certain child. For example, a youth may feel uncomfortable with a male GAL and be given the option of a female GAL instead.

Lastly, not all of the youth interviewed for this study had a CASA volunteer. It would be interesting to note, after more interviews, what youths feel about their CASA's role. It seemed that, of the youths who did have CASA volunteers assigned to them, there was some question as to what the CASA was doing for them. They described their CASAs as "fun" but were not sure if they were really of any help. If this is a trend that arises after a representative sample, perhaps future CASA trainings could incorporate the importance of describing what it means to be a CASA and the volunteer's relation to the GAL and the court.

## **Limitations**

Foster youth are the experts on their own experiences. However, it is possible that their perception of their experiences does not align with reality. For instance, a youth may perceive his or her position in a negative light but look back on what was initially thought of as bad and realize that his or her best interests were, in fact, being served. The same is true of the reverse. A youth may think his or her GAL is currently effective or ineffective, only to come to the conclusion several years later that the GAL did not do a good job. Thus, the term "effectiveness" must be considered within the context of teenagers' current experiences. Additionally, this is a pilot study. The sample is relatively small and not of a size that could be considered representative. While the results are promising, no firm conclusions can be drawn without an increased sample size. Lastly, GALs represent children of all ages. While a three-year-old may not be able to accurately report his or her experiences, the effectiveness of GALs with younger children is equally important to note, albeit being more difficult to study.

## **Potential Directions for Future Research**

In order to truly gauge the effectiveness of GALs in Utah child welfare proceedings, a larger sample size is needed. A longitudinal study also has the potential to be incredibly useful as it would assess the outcomes of these youth to see if having a GAL that they find either effective or ineffective is correlated with success in adulthood.

One theme that requires further pursuit is the implementation of a CASA volunteer. Considering the small sample size, it is hard to know if it was simply random that three of the four youths who verbalized that they would like more time might had a

CASA. If a possible correlation does exist between having a CASA and wanting more time, this would be beneficial for GALs to know.

### **Conclusion**

Foster youth are undoubtedly a vulnerable population. As they are in state custody, it can be easy for them to get "lost" in the system. Teenagers are notorious for feeling unheard, even in a stable home. Teenagers who live in foster care undoubtedly feel all of the angst and helplessness that their non-foster peers experience. However, in their case, the feeling that they lack a voice may be all too real.

Guardians ad Litem are assigned by the court to give youth in child welfare proceedings a voice in the process. It is imperative that these youth feel a connection to their GAL and trust that their GAL is representing their best interests. All youths in this study reported positive experiences with their GALs, with the exception of one youth who liked one GAL but not another. Among all the horror stories that circle about what it is like to grow up in foster care, there may be an ounce of hope. Youth in Utah Foster Care have a voice. What they want, what they need, and what is ultimately best for them is taken into consideration by a court-appointed attorney whose sole purpose is to represent them.

### **Reflective Writing**

The idea for this research project came to me in my junior year. I took a Research Methods class and was assigned to think of a hypothetical research project. I racked my brain, all the while thinking that research wasn't for me. Ironically, I settled on what I felt was a "simpler" project. Up until that point, I assumed research had to be complicated, involving multiple factors and themes. Asking children their views of their GALs didn't seem like a "real" study.

Yet, as I continued the class, I soon learned that I had not settled for a lesser project. I had simply chosen something that I found to be interesting and engaging, even if it wasn't complicated and hard to understand. As a CASA volunteer, I am fascinated by the foster care experience, particularly in relation to GALs. When my professor approached me to ask if I wanted to apply for an URCO to do this project, I was surprised and flattered. As I started to do more research and contemplate doing an actual study, I realized how excited I was to speak with foster youth about their experiences and conduct research that had never been done before.

Applying for the URCO, however, turned out to be one of the easiest parts of this research. What followed showed me the frustrations I often hear in regard to bureaucracy. Because this project involves foster youth, we needed to submit a proposal to the USU Institutional Review Board (IRB). The IRB is there to protect research participants. There is an undeniably disturbing research history in the United States. From the Tuskegee Study on syphilis to the Stanford Prison experiment, it is understandable that there needs to be protocols in place.

We initially received feedback to “revise and resubmit” from the USU IRB. We followed their instructions and resubmitted our proposal. We also found out that the Division of Human Services (DHS) has their own IRB and submitted our proposal with USU’s revisions. We received a “revise and resubmit” from DHS. Many of their comments actually involved adding things that we removed from our proposal because of USU’s feedback. Eventually, USU agreed to defer to DHS’s decision. Our goal was to have IRB approval by fall of 2015. We first submitted to the IRB in the summer of 2015. We finally received approval to do the research mid-spring. Because of this, we were unable to do as many interviews as we wanted to do and the research felt rushed and stressful.

With that said, I did enjoy talking with the youth about their experiences. I wish we could have followed our original timeline so that I could have taken my time doing the research. As an active CASA volunteer, I was surprised at how the youth talked about their CASAs. It definitely made me reflect on my time as a CASA. Did the children I represent see me just as someone “fun” who came over? Or, did they see me as someone who met with them to advocate for their needs.

I was also fascinated by the negative views of caseworkers that were conveyed. Coming from a social work background, I have often heard about burnout, especially in regards to DCFS. I wonder if children have negative perceptions of their caseworkers because they are burnt out. Another possibility is that caseworkers often have to be the bearers of bad news. They are the ones who have to tell children that they can’t go visit their parents or spend a night at a friend’s house. Instead of burnout causing dissatisfaction with caseworkers, perhaps it is the other way around: caseworkers get

burnt out after delivering constant bad news and feeling like they receive no appreciation or reward in the end. Either way, it was fascinating to hear how youth felt about their caseworkers especially when followed up by comments that their GALs fulfilled needs that their caseworkers did not.

Personally, this research forced me to do a lot of thinking. It reminded me why I ever had the goal of pursuing an MSW/JD: I love working with foster kids. As a society, I think we fear teenagers. Everyone was once a teenager. Yet, when we look back on our teenage selves we see a meaner, rougher version of ourselves that we are glad we left behind. When I was first assigned to work with a teenager as a CASA, I was admittedly nervous. I assumed the things that most people assume about teenagers. I thought she would be hard to work with and moody. In fact, I remember working as her CASA as one of the most fulfilling experiences of my life. I recently found out that she is graduating high school and going on to college. I don't know if I helped her get to that point, or even if her GAL did, but it does give me hope and an amazing amount of satisfaction.

Sometimes, when we talk about foster kids, we get caught up in the numbers and percentages. It's so easy to forget that there are thousands of individuals who have hopes and dreams.

One question that I started to ask youth was about what they wanted to do in the future. Their answers made me very sad. It was not because they have no goals, but because they have wonderful hopes and dreams. Statistics simply isn't on their side. Still, that does not mean there is absolutely no hope. One youth said she wanted to become a doctor and another said she wanted to become a forensic pathologist. They all had such unique personalities. I remember talking to one boy who said he "just wanted to get by."

It took all the effort I could muster to not encourage him to pursue more. He was incredibly intelligent and witty. Staying in the role of a researcher proved incredibly challenging for me.

I also experienced some guilt over my privileged upbringing. I have two wonderful parents who are still married. So many kids are not so lucky. This year, I applied to law schools and MSW programs and got some really great offers. I also experienced rejection. While I was nursing my ego over the rejections, I realized that I am lucky to even be considering applying to these schools. I cannot deny that I have resources that brought me this far. I wish every child were so lucky.

I am excited for the future of this research. My advisor wants to continue interviewing youth until we reach a representative sample. Her goal, and mine, is to get published. My hope is that whatever does come as a result can affect policy. Working as a CASA for Cache County, I have heard about turn over in the GAL department. I think there may only be one working for the entire first district (Cache County). Not only is this stressful for her, but this could impact the kids that she represents. I've seen her "in action" and she is phenomenal. We most often associate lawyers with words like impatient and rude. She was kind and understanding as she listened to people's concerns. I don't think anyone would have thought she was an attorney if they were simply listening in on the conversation. As amazing as she is, I don't think she can possibly do as thorough of a job as she wants to, considering her caseload. The world we live in is sad: we would rather pay to increase prisons than to increase funding to help foster kids. Surely, people don't see it that way but, in general, the public likes to be tough on crime. They don't think of who suffers as a result.

As a social work major, it is now impossible for me to view American society in a positive light. Ironically, social work operates from a strength's based perspective, meaning we believe every individual or community has strengths and start by looking at what resources they do have. Still, I am saddened by the priorities that Americans have. Maybe I am young and naïve, but I'd like to open people's eyes to what they aren't seeing. I'd like to remind people about foster kids and their needs. I want to wake them up to the fact that they have the power to improve lives. This is what research does. Research allows us to present the facts to educate the academic community and the public. If you had asked me about the purpose of research four years ago, I would have shrugged my shoulders.

My last thought is this: change is inevitable. There are many things that are outside our control. Perhaps with knowledge, however, we can find the change that we can control. We can choose to direct that change towards making lives better. This is why I majored in social work. As depressing as it is, there is hope. There are people, like GALs, who have wonderfully empowering missions. Giving a voice to a child; does it get better than that?



### Works Cited

- Bilson, A., & White, S. (2005). Representing children's views and best interests in court: An international comparison. *Child Abuse Review, 14*(4), 220-239.
- Cronch, L. E., Viljoen, J. L., & Hansen, D. J. (2006). Forensic interviewing in child sexual abuse cases: Current techniques and future directions. *Aggression and Violent Behavior, 11*(3), 195-207. doi:10.1016/j.avb.2005.07.009
- Donnelly, C. (2010). Reflections of a Guardian ad Litem on the Participation of Looked-after Children in Public Law Proceedings. *Child Care in Practice, 16*(2), 181-193.
- Eltringham, S., & Aldridge, J. (2000). The extent of children's knowledge of court as estimated by guardians ad litem. *Child Abuse Review, 9*(4), 275-286.
- Garner, B. A., & Black, H. C. (2009). *Black's Law dictionary*. St. Paul, MN: West.
- Heartz, R S. (1993). Guardians ad litem in child abuse and neglect proceedings: clarifying the roles to improve effectiveness. *Family Law Quarterly, 27*, 327-347.
- Johnson, A., & Caldwell, B. (2011) Race, Gender, and Therapist Confidence: Effects on Satisfaction With the Therapeutic Relationship in MFT. *The American Journal of Family Therapy., 39* (4), 307-324.
- J.W.F v. Schoolcraft, 763 P.2d 1217, 1222 (Utah Ct. App. 1988).
- Sankaran,V. (2009). Parens Patriae Run Amuck: The Child Welfare System's Disregard for the Constitutional Rights of Non-Offending Parents. *Temple Law Review, 82* (1), 55-87.
- The Child in Court: A Subject Review. (1999). *Pediatrics, 104*(5), 1145-1148.
- The Faces of the Office of Guardian ad Litem. (2014, January 1). Retrieved October 22, 2014, from <http://www.utcourts.gov/courts/juv/cip/summit/2014>.

- U.N. Convention on the Rights of the Child (1989). UN General Assembly Document A/RES/44/25.
- Utah Court Appointed Special Advocates | UtahCASA.org. (n.d.). Retrieved October 22, 2014. *Utah Office of Guardian ad Litem and CASA 2015 Annual Report* (Rep.). (2015). Utah State Courts.
- Utah Leg. Code ch. 6, § 78A-6-902. Appointment of Attorney Guardian ad litem. (2013).
- Walling, S. M., Suvak, M. K., Howard, J. M., Taft, C. T., & Murphy, C. M. (2012). Race/ethnicity as a predictor of change in working alliance during cognitive behavioral therapy for intimate partner violence perpetrators. *Psychotherapy, 49*(2), 180-189.
- Weisz, V., Wingrove, T., Beal, S., & Faith-Slaker, A. (2011). Children's participation in foster care hearings. *Child Abuse & Neglect, 35*(4), 267-272.

### **Author Bio**

Ilana Kornfeld finished her undergraduate career with a degree in Social Work, minors in English, Sociology, and Criminal justice, and a certificate in Law and Society. Despite her rigorous academic schedule, she has twice received the A-pin, one of the oldest awards the university offers. She received the URCO grant to write this thesis, which she hopes to one day publish. Aside from her academics, Ilana is involved on-campus activities. With the help of two other cohorts, Ilana co-founded the USU chapter of NAMI (National Alliance on Mental Illness). It's her hope this organization will grow and expand to help students on-campus deal with mental illness.

Her fervor for learning is matched by her desire to help others. During her time at USU, she served foster children as a Court Appointed Special Advocate (CASA), has guided freshman as an Honors Undergraduate Teaching fellow, and has mentored others as a writing tutor. During her senior year, she interned at the Behavioral Health Unit at Logan Regional Hospital. It was there she discovered a love for clinical work and a predilection for working with those with serious mental illness. Her future plans involve pursuing an MSW/JD so she can act as an advocate for children, as well those who struggle with mental illness.