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I.J.R. 35. Guardian Ad Litem Programs (C.P.A.)

Idaho Juvenile Rule 35. Guardian Ad Litem Programs (C.P.A.)

(a) The purpose of Guardian ad Litem programs in Idaho shall be to provide court-appointed volunteer advocacy to abused, neglected, abandoned and/or homeless children.

(b) Each GAL program shall have a governing body responsible for overseeing compliance with all applicable laws and regulations, adoption of program policies, the defining of program services, and the guidance of program development.

(c) The GAL programs shall communicate, collaborate, and share information with fellow programs in the state.

(d) The GAL Program follows written policies for inclusiveness, recruitment, selection, training, retention, effective performance and evaluation of its paid personnel.

(e) Each GAL Program shall develop and follow written policies for its volunteers regarding recruitment; application, selection and screening; training; supervision; volunteer roles and responsibilities; and dismissal.

(1) Each GAL Program shall require that volunteers complete at least 30 hours of required pre-service training and 12 hours of required in-service training per year

(2) Pre-service training shall include the following topics:

(A) Roles and responsibilities of a GAL volunteer;

(B) Court process;

(C) Dynamics of families including mental health, substance abuse, domestic violence, and poverty;

(D) Relevant state laws, regulations and policies;

(E) Relevant federal laws, regulations and policies, including the Adoption and Safe Families Act

(ASFA), the Child Abuse Prevention and Treatment Act (CAPTA), the Indian Child Welfare Act (ICWA), and the Multi Ethnic Placement Act (MEPA):

(F) Confidentiality and record keeping practices;

(G) Child development;

(H) Child abuse and neglect;

(I) Permanency planning;

(J) Community agencies and resources available to meet the needs of children and families;

(K) Communication and information gathering;

(L) Effective advocacy;

(M) Cultural competency

(N) Special needs of the children served

(O) Volunteer safety

(P) Educational advocacy

(f) Each GAL program shall manage its operations in accordance with generally accepted financial and risk management practices and applicable federal, state and local statutory requirements.

(g) Each GAL program shall purchase liability protection for governing body, organization, program staff and volunteers to the extent that such individuals are not otherwise immune from liability under Idaho law.

(h) Each GAL program shall maintain management information and data necessary to plan and evaluate its services.

(i) Each GAL Program shall maintain complete, accurate and current case records and follow local policies for acceptance and assignment of GAL cases.

(j) The GAL program shall maintain all information regarding a case confidential and shall not disclose the same except to the court or to other parties to the case and to the Department of Health and Welfare, whether or not a party. This duty of confidentiality is not extinguished by the dismissal of the case. Each GAL program shall follow written policies and procedures regarding access to, use of, and release of information about the children it serves to ensure that children's confidentiality is maintained

at all times.

(k) Each GAL program shall complete the following national fingerprint based criminal records checks which shall include a complete check of the Idaho Sex Offender Registry maintained by the Idaho State Police and of the Child Abuse Registry maintained by the Idaho Department of Health & Welfare.

(1) GAL volunteers shall obtain a national fingerprint based criminal records check prior to being assigned a case, at least every four years thereafter and at any time requested by the Program Director;

(2) Program Staff shall obtain a national fingerprint based criminal records check at the time of hire and at anytime thereafter at the discretion of the Program Director; and,

(3) Members of the Board of Directors of the Program shall obtain a national fingerprint based criminal records check upon appointment to the Board and at anytime thereafter at the request of the Board of Directors or the Program Director.

(Revised Rule 35 - adopted August 21, 2006; amended April 26, 2007, effective July 1, 2007; amended April 27, 2012, effective July 1, 2012; amended April 11, 2023, effective July 1, 2023.)

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