

CROOK HUDIBURG LAW, PLLC

400 N. Walker Ave, Suite 120, Oklahoma City, OK 73102 | (405) 666-5668

Casey@crookhudiburglaw.com | info@crookhudiburglaw.com | James@crookhudiburglaw.com

GAL Parent Packet

GUARDIAN AD LITEM/ GAL'S ROLE

The GAL is a third-party attorney that does not represent **anyone** in the case, but rather represents the “best interest” of your child/ren. The GAL is appointed by the court to investigate all matters that may impact the best interests of your child. The GAL’s investigation will primarily depend on the issues at hand, or rather the allegations within the case. The GAL will provide oral and written reports to the Judge assigned in your case regarding the investigation and recommendations for your child. All reports will be fact based with a focus on the best interest of the child.

COMMUNICATION METHODS

E-MAIL: E-mail is our primary form of communication. We suggest creating a new account to use solely for this case, so nothing is missing. **Please include your attorney and your attorney’s designated assistant on all e-mails sent** and check your e-mail often. With a few exceptions, we will reply within two business days.

Attorney E-mail Addresses:

James Crook: James@crookhudiburglaw.com

Casey Crook Hudiburg: casey@crookhudiburglaw.com

Assistant E-mail Address: info@crookhudiburglaw.com

PHONE: Our office number is 405-666-5668. If a matter is urgent, a phone call is the best way to get a quick response. If the requested attorney is unavailable, we will pass the message on as soon as possible.

Guardian ad Litem Investigation Overview

1. Intake & Retainer – Provided Intake forms will need to be filled out & returned to our office by the time of your first appointment. Contact our office to set this appointment up. Your portion of the retainer is also required by this time. Work will not begin on your case until this is paid.

2. Intake Appointment - The GAL will meet with both parties separately. Current spouses may be included. Significant others may be asked to set up a separate meeting with the GAL. Do not bring your child(ren) to your first appointment with me.

3. The GAL will meet with the child/children, alone. Neither party will be in the room during this time. Our office has a play/kid's room. The number of times the GAL will need to meet with the children can vary.

4. Home Visit – During the investigation, we will reach out to each party to schedule a home visit. If the facts of the case require, the home visit may be a pop-in with no notice.

5. Collateral Phone Calls – You may include witnesses on your intake form, as well as medical providers, counselors, teachers, visitation supervisors, etc. Professionals will be reached out to directly by our office. Personal witnesses can be sent the provided Parent Reference Questionnaire by either party.

6. Interim Recs – An interim recommendation may be provided by the GAL. This may include requested counseling sessions, additional or limited visitations, supervised visitations, or any temporary modifications the GAL deems appropriate for the children's best interest.

7. Trial Report – Includes the overall outline of the GAL's investigation and a recommendation for the custody and well-being of the child/children. A GAL's report cannot be shared directly with either party. Due to the time required for drafting a trial report, there is a "trial retainer" requirement listed in the GAL Appointment Order.

Your Responsibilities

- **Signed Releases for the Parties:** If you see a counselor, therapist, psychiatrist, or any personnel who assists in your mental health and well-being, please sign a release with their office, should the Guardian ad Litem need to contact them. We do NOT provide our own release form.
- **Collaterals/Witnesses:** Reach out to the witnesses you have listed on the intake form and send them the provided Parent Reference Questionnaire. They should send in their responses themselves, noting the associated case/family. Have them call our office, if they would like to provide a testimony beyond their questionair responses. This is to avoid our office having to track witnesses down, only for that individual to decline to participate. Details of the phone calls are not shared with either party.
- **Billing:** We ask that you please stay on top of the billing in your case. If your case requires additional investigative work or a Trial is needed, we may request a replenishment of your retainer. Please speak with our office about our *Affirm* option. This is a third-party system that pays us the full amount directly and allows *you* to make smaller payments to them.
- **Providing Evidence:** To facilitate the investigation, evidence should be submitted as it becomes available. Any documents, pictures, videos, recordings, or similar materials you believe are relevant for the GAL, should be submitted to our office. Suggested Documents for Submission: Child Protective Services/DHS Documents, School Grades/Attendance, Relevant Communications, Relevant Recordings, Timeline or Journal of Events.

Billing

Please be advised, no services shall be performed until the retainer is paid in full as outlined in the Order Appointing Guardian Ad Litem. Your ordered portion of the initial retainer is due upon the recipet of this letter. You may pay the retainer and any monies there after by mail, in person, or online through the Lawpay link provided. Be advised there is a credit card processing fee included with Lawpay.

Any fees beyond the initial retainer should be paid according to the percentages listed in the Order Appointing Guardian Ad Litem. Invoices are run monthly and for the previous month (so a May invoice would reflect work done in April). Invoices are sent out via the email provided on your intake form about once a month. Fees are due within ten (10) days of receiving the invoice.

The “Current Balance Due” shown on your invoice reflects your intial retainer. When the balance shows \$0, the invoice is still being paid through your retainer. If a different amount is shown, your retainer has been depleted and needs to be replenished. Timely replenishment is required in order to retain our law firm for your case. When your case is complete, you may request a full refund of your portion for any amount remaining in your trust account

- **PLEASE NOTE:** Our invoices do not automatically split between the parties. Both parties receive the same invoice. Assuming both parties are current on their payments,

the amount reflected on the “Current Balance Due” will not be your total amount, rather a portion of that amount (depending on how the fees are allocated and ordered by the Judge). If you are ever unsure of your portion, please reach out to our office. We can provide a separate breakdown.

We accept cash, cashier’s check, debit, and credit cards. Online payments can be made directly through the Lawpay. A 2% surcharge will be applied to all credit card transactions. The following link can be used:

<https://secure.lawpay.com/pages/crookhudiburglawpllc/trust>

Document Sharing

- ❑ **Dropbox**: Dropbox is a common tool used for storing documentation and exhibits. It allows you to upload materials for your case, and also organize it into individually named folders that help your legal team find it quickly, saving you time and money.
- ❑ **Google Drive**: We prefer to use Dropbox over Google Drive. However, if you must use Google Drive, send an email to your legal team each time you upload. Google Drive does not send out notifications. As with Dropbox, please organize it into folders.
- ❑ **In Person Drop Off**: If you cannot electronically send a document, please contact our office first for specific drop-off information (labeling instructions, etc.). We only accept drop-offs during normal business hours and prefer copies, not original documents.

For Videos/Screen Recordings that you are not able to download to any other device or app, please speak with our office.

Pertinent information the GAL needs to know or be updated about

- ❑ If/when the child receives any disciplinary action from their school, daycare, church, or any other institution.
- ❑ Changes in behaviors/emotional outbursts, fits of anger or violence, etc.
- ❑ Progress/breakthroughs in school or counseling
- ❑ Documentation and/or comments made by the child relating to any sexual or physical abuse prior to the case, or at *any* point during the case.
- ❑ Any medical diagnoses for the child and the history of said diagnosis with documentation
 - ADHD, anxiety, depression, anger management, gastrointestinal issues, ENT related issues, ODD, PTSD, OCD, etc.
- ❑ Major disagreements between the parties or ongoing fights that affect the child.

The Guardian ad Litem cannot investigate an issue or concern if they are not aware of a problem.

Please keep in touch with your GAL throughout the case, even if it is a biweekly or monthly email update.

Information or issues the GAL cannot assist in

- Matters pertaining to child support
- Reallocating GAL's fees. Our fees are ruled upon by the Judge. The GAL cannot change the Order. These questions need to be directed to your attorney.
- Providing legal advice. Please refer to your attorney for the following:
 - Filing of an Emergency to remove the child from the other parties' home
 - Modification of Custody. We cannot *order* changes to custody and visitation. The filing of a Motion and a court hearing, ruled upon by the judge, must occur.

Frequently Asked Questions

- Will the GAL meet with my child(ren)?
 - Yes. After meeting each parent, the GAL will meet with the child(ren) involved in the case. If there is more than one child, the GAL will meet with each child separately. Child meetings are scheduled to be 30 minutes long. Additional appointments may be scheduled as necessary. The GAL may meet with the child(ren) in your home, at school, or other suitable locations. If the child(ren) request to speak with the GAL, the GAL shall be notified.
- What should I tell my child(ren) about the GAL?
 - This depends on the age of the child(ren) and whether the child(ren) is aware of the court proceedings.
 - For young children it is reasonable to tell the child(ren) that the GAL knows both parents and would like to meet with the child(ren) to see how they are doing.
 - For older children, it is reasonable to tell the child(ren) that the GAL is a person, asked by the court, to meet with the child(ren) and they can talk privately to the GAL about how things are going for that child.
 - Parents shall not discuss or talk to the minor child(ren) regarding their feelings, impressions, desires or any other matter regarding the court case.
- My child is 12 or older, does that mean they get to pick where they will live?
 - No. Under Oklahoma law, a child never makes the decision about visitation or custody. However, the Judge will always be interested to know how things are going for the child(ren) and if there is a preference. For children 12 or older, the Judge is required to consider a child's preference but ultimately the Judge decides custody and visitation based on the best interest of the child(ren).
- Can the GAL change court orders?
 - No. The GAL makes recommendations, but the GAL cannot order either parent to do anything, only the Judge has that authority. It is up to parents and their attorneys to decide how to handle a GAL recommendation.
- How can I keep my costs down?

- Be concise in your conversations with the GAL. You are charged for every communication with the GAL. Multiple phone calls a week will cost more than one update email a week. Be organized in your thoughts and communication.
- Make certain that what you are trying to convey or forward to the GAL is relevant. Any documentation or information provided to the GAL will be reviewed and that time billed for.
- Be proactive in getting the GAL documentation. It is often cheaper and easier for a parent to get the child(ren)'s records from medical providers or school officials.

CROOK HUIDBURG LAW, PLLC

400 N. Walker Ave, Suite 120 Oklahoma City, Oklahoma, 73102 | (405) 666-5668

Casey@crookhudiburglaw.com | info@crookhudiburglaw.com | James@crookhudiburglaw.com