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November 10, 2010

To: Qualified Guardians Ad Litem for Children
From: Lelia Baum Hopper, Director, Court Improvement Program
Subject: Continuing Education on Mental Health Issues Affecting Children and Adolescents

The Judicial Council of Virginia established a working group of attorneys and juvenile and domestic relations district court judges in April 2010 to review the educational requirements of the *Standards to Govern the Qualification of Guardians Ad Litem for Children*. Specifically, the Judicial Council asked the group to consider how best to assure that the bar is prepared to represent young people who may have a mental health impairment. When creating the working group, the Judicial Council acknowledged the efforts of the Commission on Mental Health Reform and its desire that attorneys qualified to represent children as guardians ad litem (GALs) be required to obtain a basic knowledge of potential mental health issues associated with children and adolescents that they might encounter in their representation.

A report from the working group was presented to the Judicial Council for consideration at its October 13, 2010 meeting. The Judicial Council approved the working group's recommendations as presented. One of the recommendations directs the Office of the Executive Secretary, which administers the GAL program on behalf of the Judicial Council and pursuant to Virginia Code § 16.1-266, to track the attendance of qualified GALs at continuing education programs addressing mental health issues associated with children and adolescents. This process will continue into 2012. A follow-up report must be presented to the Judicial Council on or after July 1, 2012. This action was taken in lieu of a requirement that qualified GALs submit a specified number of hours of continuing education related to mental health topics related to children and adolescents in order to maintain their qualification. As you know, the *Standards* currently require completion of six hours of approved continuing education biennially on any topic related to the representation of children as a GAL.

The Office of the Executive Secretary routinely approves programs for GAL continuing education credit that cover mental health-related topics. These include advanced seminars for GALs for children, local programs supported by the Court Improvement Program (CIP) through the Best Practice Court Program and programs of the Virginia State Bar Family Law Section and the Indigent Defense Commission. It is the intent of this office to view mental health topics on a broad basis in determining whether or not attorneys are taking advantage of continuing education opportunities that meet the goals of the Judicial Council's direction. CLE programs that cover topics such as *Attachment Disorders*, *Psychological Evaluations*, and *Psychotropic Medication*

Usage in Children and Adolescents are considered programs that offer topics on mental health issues.

With the direction of the Judicial Council in mind, **we encourage each of you to consider attending Virginia CLE's upcoming program "11th Annual Advanced Seminar for Guardians Ad Litem for Children."** This 6.0 hour CLE program will cover topics that include *Representation of Children Under the 2010 Psychiatric Inpatient Treatment of Minors Act* and *Implications of Mental Health Issues in Children and Adolescents*. The program will be offered live in Richmond, Virginia, on Tuesday, December 7, 2010 and then offered as a Video Replay each quarter in 2011. The registration fee for this program is \$99.00, and lunch will be included at the live program in December. As part of the registration fee, a copy of *Child Safety: A Guide for Judges and Attorneys*, published by the American Bar Association in the fall of 2009, will be provided to each attorney who attends this program. To register for this program, you may do so through Virginia CLE by going on-line to:

http://vacle.org/php-bin/ecom4/products.php?product_id=2804.

The goal of the *Standards* is to foster vigorous, effective and competent representation of children's best interests and welfare. This objective would not be met without your continued attendance at programs that focus on serving children and families. Thank you for your continuing support of the courts as a guardian ad litem and your diligent practice in representing vulnerable children and youth before the courts.

C: Karl R. Hade, Executive Secretary
Supreme Court of Virginia