Sponsor Testimony Before Senate Judiciary Committee
June 26, 2024

Representative A. Miller:

Chairman Manning, Vice Chairman Reynolds, Ranking Member Hicks-Hudson, and members of the Senate Judiciary Committee I also want to thank Representative Pavliga for her leadership on this bill.

As Representative Pavliga explained, we have a gap in the law that has two important problems we need to address.

First, we are not doing enough to protect these volunteers and court appointed men and women doing work that is hard, yet the court absolutely relies upon.

Second, without additional protections it will be more difficult to find people to serve in these roles.

A typical example is a guardian ad litem is assigned by a judge in a divorce case.

Their charge is to determine what is in the best interest of the child of the divorcing parents.

The parents often have lawyers; the children do not. That is why they are so important to our courts.

The advocate investigates the child, the parents, the family often making a custody recommendation to the court.

This is hard work and often puts the GAL in the middle of a difficult, adversarial divorce.

And, often one parent is not happy with the recommendation.

We've heard stories where these parents will stalk and threaten the advocate at home and at work.

These advocates will live in fear – and why – because they followed the court's order to make a fair decision for a child.

The law does not tolerate this behavior by a party towards a judge, lawyer, or bailiff.   It should not do so with court appointed advocates.

This bill would make it a first-degree misdemeanor for someone to abuse, threaten, or harass a guardian ad litem or a court appointed special advocate in carrying out their court mandated duties.

We provide protections to other officers of the court – lawyers, judges, bailiffs – and for good reason.   We need them for our courts to function. Children and adults who cannot make decisions on their own need them.

We need to protect them.

We'd be happy to answer any questions.