

Chairman LaRe, Vice Chairman Sweringen, Ranking Member Leland, Joint Sponsors Representative Miller and Representative Pavliga, and members of the Criminal Justice Committee, thank you for the opportunity to provide testimony in support of House Bill 226.

My name is Bill Sieloff, and I am an attorney and the Legal Director/Administrative Magistrate for The Franklin County Domestic Relations and Juvenile Court. Prior to my current role, I was a magistrate for this same court hearing a variety of cases, including those involving custody of children. And prior to that I was an attorney practicing in this area and served as a *guardian ad litem* on hundreds of cases.

One of my duties at the Court is to oversee the lists of attorneys who are eligible to be appointed as *guardians ad litem* for youths in abuse, neglect or dependency cases, delinquency cases, or child custody cases. This list is composed of licensed attorneys in the state of Ohio who have undergone the training requirements as set forth by the Supreme Court of Ohio. Under recent changes to Supreme Court rules, GALs must undergo 12 hours of training provided by the Supreme Court of Ohio, and must receive 6 additional hours of training every two years. Once attorneys have completed their training and have applied and been accepted to the Court's appointment list, they may begin receiving appointments on these cases, where they are charged with providing a recommendation to the court as to the best interests for the child/children. Supreme Court of Ohio rules specify the duties of the Guardian ad Litem. An overview of those duties are as follows:

GALs are expected to meet with the child or children on a regular basis, whether at their home, in an out-of-home placement, or at school. They are required to meet with the parents and listen to issues and events that led the family to the court. Whenever possible, these meetings occur in the parent's home, as many times the GAL must determine if the home is safe and suitable for the child or children. The GAL is also required to view the interaction between the parent and the child/children, which many times will also occur in the parent's home. Additionally, the GAL is required to review sensitive information related to mental health or physical health of parties and children, speak with professionals that have involvement with the family such as teachers and counselors, and speak with other family members, friends, neighbors, or others that have information about the family.

With this nature of involvement, it is no surprise that I receive complaints regarding GALs on a regular basis. Oftentimes, these complaints are not based on the work the GAL did or did not do in the case, but how they distilled the information gathered into a recommendation...a recommendation that, by its nature, can seem biased when it "chooses" one parent over another as legal custodian or school placement parent. Or a recommendation that may request supervised parenting time or limited parenting time for one or both parents. Or in abuse, neglect, and dependency cases, a recommendation requesting removal of the children from the home or continued placement in foster or kinship care. These are the hard choices we ask a GAL to make.

Because of the highly emotional nature of this work, it is not a surprise that parents become defensive about their past action or life choices, their parenting styles, their children, or how they are presented to the court. Claims of bias, requests to have GALs removed from the case, and verbal threats against a GALs law license are common. Less common, but occurring regularly are complaints to the Supreme Court, complaints to me, and lawsuits filed in other courts that require a GAL to expend time and money to defend. I have not seen or heard of one lawsuit against a GAL end successfully for the filing party. In some cases, I have seen a parent designated as a vexatious litigator for continually abusing the legal process. Finally, we see a number of cases where threats to personal safety of the GAL, the GAL's families, or their home are made. At times these threats are veiled or walk up to "the line" of behavior that could be considered criminal in nature. Other times they clearly cross that line, as you will hear about today. Regardless, these behaviors lead to GALs requesting removal from the case, or even removal from appointment lists. I have provided some examples of common issues that GALs encounter. The court has lost a number of well-respected and well-qualified GALs because of the behaviors outlined above and those provided in these examples. The role of a *guardian ad litem* is crucial to juvenile and domestic courts, and their involvement in a number of case types is mandated by statute. If a person's behavior does approach or cross "the line," it is imperative that there are legal remedies to protect the GAL as they fulfill their duties. The court, and our society, functions better and fulfills its role in our communities when we have well qualified and exemplary lawyers assisting in these cases in order to achieve the best possible outcomes and, in many cases, protect the children we serve. Thank you.

Exhibit 1 Galloway

From: [Law Office](#)
To: [Sieloff, William L.](#)
Subject: Fwd: Gal list
Date: Thursday, May 27, 2021 2:15:13 PM

Bill,

Here is a very recent example from my Associate, Haley. This happened during a home visit a few months ago. I went to the next visit with her in order to make sure she was safe.

From: Haley McDaniel <hmgallowaylaw@gmail.com>
Date: May 27, 2021 at 8:58:24 AM EDT
To: Law Office <bgallowaylawoffice@gmail.com>
Subject: Re: Gal list

So first, I was appointed to review Mom's medical/psych records. The only way I was going to get to do that was if she signed releases, and she does not have the ability to print and do them electronically. She also doesn't have a car so she said coming to my office she couldn't do. So I had to go to her home, as well as to do a visit. I had already reviewed police reports of her walking up and down Cleveland Avenue wearing a police tactical vest, and carrying a 2x4, and she has had a very long history of mental instability, so I was already nervous.

So when I first got to the apartment complex, she wouldn't answer the door to the main complex. I then had to get the apartment manager to let me into the complex. I knocked on her door for about 5 minutes before she let me in. I heard her moving a bunch of boards before she opened the door. When I walked in, I noticed a handful of long 2x4 boards on the floor by the door, and a firearm holster sitting on the desk (no actual firearm was in the holster).

She was emotionally up and down the whole 20 minutes I was there. Happy and nice one second and extremely upset and agitated the next. She started balling her fists up and rocking back and forth like she was very angry. So I told her I wouldn't take up anymore of her time, and started walking towards the door, which she had locked twice. She started raising her voice asking me when she was going to get to see her kid again, and I didn't feel safe turning my back towards her so I was trying to unlock the door with my hand behind my back. She started telling me that she needed to look for something and rummaging through her stuff and talking to herself.

I walked out and shut the door, and she started yelling and I could hear her throwing stuff around. I went towards the exit of the building and couldn't exit because the door was locked, and I didn't know how to unlock it from the inside. She then came out of her apartment yelling and screaming at me and walking towards me. I still couldn't get out and not going to lie I started to panic a bit..... Luckily, when she realized I couldn't get out, it was like a switch flipped and she said "oh, honey you have to press the small exit button at the top left of the door to exit" in an extremely nice and kind tone. I exited the building and heard her start yelling again.

Exhibit 2 Brooks



Rebecca Brooks <rebecca@painterandassociates.com>

Re: Motion to Withdraw as GAL

7 messages

Ian [REDACTED]
To: Rebecca Brooks <rebecca@painterandassociates.com>
Cc: Cynthia Roy <attorney@cynthiamroy.com>

Mon, Feb 15, 2021 at 3:42 PM

Rebecca, I never told you I had any safes or guns; that was a lie under oath?... Why would you say that? Mr. Folmar Sr.

On Mon, Feb 15, 2021, 2:51 PM Rebecca Brooks <rebecca@painterandassociates.com> wrote:

Please find the motion I filed today to withdraw as GAL on the [REDACTED] case.

Thank-you
Becky Brooks

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UPDATE - Painter & Associates remains open for business to assist our clients. We will be scheduling all meetings via telephone conference or by videoconference until further notice. Please contact Ashley Gee at 614.319.3306 or ashley@painterandassociates.com to schedule an appointment. Thank you.

Rebecca L. Brooks
Painter and Associates
5123 Norwich Street
Suite 200
Hilliard, Ohio 43026
Phone: 614-319-3306
Fax: 614-594-7170

From the law offices of Painter & Associates, LLC. IRS CIRCULAR 230 DISCLOSURE: In order to ensure compliance with requirements imposed by the U.S. Internal Revenue Service, we inform you that any federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and it cannot be used, by any taxpayer for the purpose of (i) avoiding penalties that may be imposed under the U.S. Internal Revenue Code or (ii) promoting, marketing, or recommending to another person, any transaction or other matter addressed herein. _____

CONFIDENTIALITY NOTICE: This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

Mon, Feb 15, 2021 at 3:48 PM

Ian [REDACTED]
To: Rebecca Brooks <rebecca@painterandassociates.com>
Cc: Cynthia Roy <attorney@cynthiamroy.com>

Please subpoena my phone text records from BOOST MOBILE (216) 400 - 2854, from the time/ date I opened this case to current to prove Ive never threatened Angela [REDACTED].. Angela only submitted a portion/ specific part to mislead GAL & Family Court.
[Quoted text hidden]

Ian [REDACTED]
To: Rebecca Brooks <rebecca@painterandassociates.com>

Tue, Feb 16, 2021 at 6:28 AM

Tell it to the Judge liar ass...

On Mon, Feb 15, 2021, 6:37 PM Rebecca Brooks <rebecca@painterandassociates.com> wrote:

First, I have never been under oath in this case. Second, I NEVER said you had a safe or guns. I said you texted pictures of guns to Ms. [REDACTED] and that during my home visit I did NOT see a safe or guns. I added I did not ask about them because it was not an issue until you sent the pictures.

Additionally, I do not send subpoenas on your behalf. You or your attorney have to do that. Finally, due to the fact that I have asked to withdraw as GAL on this case I will not be doing any work until the court decides on my motion.

Sent from my iPhone

On Feb 15, 2021, at 3:49 PM, Ian Folmar <folmarian444@gmail.com> wrote:

[Quoted text hidden]

Ian [REDACTED]
To: Rebecca Brooks <rebecca@painterandassociates.com>

Tue, Feb 16, 2021 at 6:31 AM

I can respond any fuckn way I muthafuckn please you liar... Tell it to the judge.
[Quoted text hidden]

Ian [REDACTED]
To: Rebecca Brooks <rebecca@painterandassociates.com>

Tue, Feb 16, 2021 at 6:47 AM

ATTN.: GAL REQUEST REFUND OF ALL MY MONEY... REBECCAS GOOFY ASS CAME TO MY HEARING BOASTING ABOUT HAVING N OWNING GUNS? " ANGELA GAVE HER PARTIAL TEXT MSGS N PHOTOS AFTER CONTACTING ME. INSTEAD OF REBECCA REQUESTING THE " FULL CONVERSATION, REBECCA BASED HER INVESTIGATION ON INCOMPLETE EVIDENCE SUBMITTED BY ANGELA? THERE WAS A WHOLE CONVERSATION INWHICH ANGELA INITIATED... BUT REBECCA IS ONLY INTERESTED IN GUN PHOTOS? ANGELA N HER BOYFRIEND BOTH HAVE CASES PENDING VS THEM IN SMALL CLAIMS N CRIMINAL COURT FOR ATTACKING ME AT WALMART. REBECCA STATED I THREATEN HER ALSO IN THE PAST W/O MERIT. REBECCA IS A " FUCKN LIAR ", SMALL CLAIM COURT CASE IS BEING SOUGHT FOR DEFAMATION; CHARGES WILL ALSO BE FILED AT C.P.D. VS HER CRIMINAL,

UNETHICAL ACTIONS. REQUEST GALS SUPERVISORS LISTEN TO THE AUDIO N COURT TRANSCRIPTS OF MY LAST HEARING AS PROOF ALSO I HAVE WITNESSES. REMOVE THE LIAR FROM MY CASE, AND PROVIDE ME WITH SOMEONE WHO DOESN'T FEEL THREATENED BY BLACK MEN BEFORE MY MEXT HEARING.

On Tue, Feb 16, 2021, 6:28 AM Ian [REDACTED] wrote:

[Quoted text hidden]

Ian [REDACTED]
To: Rebecca Brooks <rebecca@painterandassociates.com>

Tue, Feb 16, 2021 at 6:57 AM

Attn.: CYNTHIA, PLEASE APPOINT ME ANOTHER GAL REP THAT DOESNT FEEL THREATENED BY BLACK MALES. AT MY LAST HEARING I WAS DENIED N MY VISITATION STOPPED CAUSE REBECCA N ANGELA SUBMITTED FALSE INFO TO COURT THAT THEY. CANNOT SUBSTANTIATE OR PROVE. ATTORNEY HOGAN 1.) " PARTIAL TEXT MSG N PHOTOS " THAT ANGELA GAVE REBECCA? 2.) REBECCA TOLD THE COURT THAT I TOLD HER, " I OWN SAFES N GUNS? " I NEVER SAID THAT... I DEMAND PROOF IF IT CAUSED THE JUDGE TO BE MISLEAD, AND TIME WITH MY CHILD STOPPED? EMERGENCY

[Quoted text hidden]

Rebecca Brooks <rebecca@painterandassociates.com>
To: Nathan Painter <nathan@painterandassociates.com>, Amanda Waltz <amanda@painterandassociates.com>

Tue, Feb 16, 2021 at 8:44 AM

Look at all of these from him.

Sent from my iPhone

Begin forwarded message:

From: Ian [REDACTED]
Date: February 16, 2021 at 6:57:55 AM EST
To: Rebecca Brooks <rebecca@painterandassociates.com>
Subject: Re: Motion to Withdraw as GAL

[Quoted text hidden]

Exhibit 3 Webber

ORIGINALS #21

IN THE COURT OF COMMON PLEAS OF FRANKLIN COUNTY, OHIO
DIVISION OF DOMESTIC RELATIONS
JUVENILE BRANCH

ENTRY

In re:



:
: Case No. 09JU-11-15553
: Judge Mason
: Magistrate Gibson

MOTION OF GUARDIAN AD LITEM TO WITHDRAW

Now comes the Guardian ad Litem, Marci L. Webber, and respectfully requests that the Court vacate its Order re-appointing her as Guardian ad Litem and appoint another Guardian to represent the best interests of the child.

Respectfully submitted,

BRISCOE AND WEBBER CO., L.P.A.
Guardian ad Litem
400 South Fifth Street
Suite #102
Columbus, Ohio 43215
(614) 224-4149

FILED
COMMON PLEAS COURT
FRANKLIN CO., OHIO
2011 JAN 19 AM 9:51
CLERK OF COURTS

Marci L. Webber

#0068056

MEMORANDUM IN SUPPORT

Father filed a motion with this Court on November 10, 2010. On January 5, 2011, this Court *sua sponte* re-appointed the Guardian to conduct an investigation and report as to the best interests of the child. The Court also re-set the matter to be heard on March 10, 2011, a date on which the Guardian is scheduled to be out of state. On January 13, 2011, the Guardian sent out a letter and


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request for a continuance (attached as Exhibit A). On January 14, 2011, the Guardian received an e-mail from Father, which is attached as Exhibit B. Based on the content of that e-mail, the Guardian does not feel that she can be effective in assisting the Court. Accordingly, it is respectfully requested that the Court vacate its January 5 Order reappointing this Guardian and appoint a different Guardian to represent the child's best interests.

Respectfully submitted,

BRISCOE AND WEBBER CO., L.P.A.

Guardian ad Litem
400 South Fifth Street
Suite #102
Columbus, Ohio 43215
(614) 224-4149

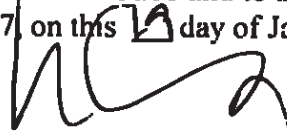


Marci L. Webber

#0068056

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **Motion** has been requested to be delivered by regular U.S. mail, postage prepaid, via the Franklin County Clerk of Courts, to Tashanna Fambro, Mother *pro se*, 2562 Brentnell Avenue, Columbus OH 43208 and to Bryan A. Jenkins, Father *pro se*, 1871 Holburn Avenue, Columbus OH 43207, on this 14 day of January, 2011.



Marci L. Webber

#0068056

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COMMON PLEAS COURT
FRANKLIN COUNTY, OHIO
2011 JAN 19 AM 9:51
CLERK OF COURTS

Briscoe & Webber

A Legal Professional Association



Colleen H. Briscoe
Marci L. Webber

One Americana
400 South Fifth Street, Suite 102
Columbus, Ohio 43215

Phone: (614) 224-4149
Fax: (614) 224-0738

January 13, 2011

Bryan A. Jenkins
1871 Holburn Ave.
Columbus, OH 43207

Tashanna Fambro
2562 Brentnell Ave.
Columbus, OH 43208

FILED
COMMON PLEAS COURT
FRANKLIN CO., OHIO
2011 JAN 19 AM 9:51
CLERK OF COURTS

Re: *In the matter of:* [REDACTED]

Dear Mr. Jenkins and Ms. Fambro:

I recently received the Entry re-appointing me as Guardian ad Litem in your case and enclose a copy of that Order for your records.

Please note, I am out of town on March 11, 2011 and will have to request a continuance of that date. The sooner the continuance is requested, the sooner we can get back onto the court's docket. Please call my office or e-mail me (mwebber@briscoeandwebber.com) with your approval of a continuance. If I do not receive your approval, it will cause the continuance to be delayed and I will have to mark "no response" above your signature line. Thank you in advance for your cooperation in this matter.

I am enclosing my intake update form that I would ask you to fill out to the best of your ability. Once you have completed it, please contact my legal assistant, Jennifer, who will set you an appointment to come to my office. **Your deposit (\$400 from each party) is due on February 7, 2011.** Because my schedule can fill up relatively quickly, I would ask that you contact my office as soon as possible to schedule your initial appointment.

It is also important that you understand my role in your case and how I typically work on cases to which I have been appointed. As I am sure your counsel has told you, as the Guardian, I



January 13, 2011

Page 2

work for neither party, but am charged by the Court to do a thorough investigation and report to the Court what custody/parenting time arrangement is in the best interests of the minor child. In doing my investigation, I first meet with each parent alone in my office to hear his/her "side of the story." At that time, I would also collect names and telephone numbers of teachers, physicians, child care providers, and any other witnesses with relevant information. At the initial meeting I also schedule a home visit at each party's home and, generally, at that time in the appropriate cases, I meet the child at each of the parents' homes.

Please complete the enclosed intake form and contact my assistant as soon as possible regarding your deposit and scheduling your initial meeting. Please also let me how you wish to be noted on my request for a continuance. I look forward to working with you and any counsel on this case.

Very truly yours,



Marci L. Webber

MLW:jhm

Enc.

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COMMON PLEAS COURT
FRANKLIN CO., OHIO
2011 JAN 19 AM 9:52
CLERK OF COURTS

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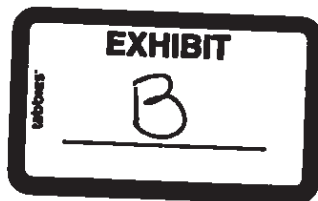
Marci Webber

From: TonyJenkins [jenkins162@gmail.com]
Sent: Friday, January 14, 2011 6:44 PM
To: Marci Webber
Subject: re

It would be wise of you to withdraw from this case. Any lawyer would know and realize you are not wanted on my part. I fucken hate you. At no time did you ever act without bias. I would never trust you. I will not sign your bogus continuance. We will hear from either Gibson or Mason why your ass should never defend my son asshole. You must be really desperatc to take this case. Withdraw bitch, or I will make sure public officials will know Marcie Webber cares nothing about her profession. My fucken name should be addressed as Tony Jenkins and you knew that dumb ass.

--
Tony Jenkins
Columbus City Schools
1871 Holburn Avenue
Columbus, Ohio 43207
cell #614-806-5452

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FRANKLIN CO., OHIO
2011 JAN 19 AM 9:52
CLERK OF COURTS



1/18/2011

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