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‘Supposed To Care’: Absentee Child Advocates Bring Calls For Oversight

By Graham Ambrose

Trinitii Puente became a foster parent because she believes every child deserves to feel loved. It's a lesson from her grandmother, who grew up in an orphanage and once confessed that she hadn't felt loved until she was in her 70s.

Puente, a 49-year-old in Grayson County, has fostered a dozen children and adopted eight over more than a decade. Every child is unique, and so are their legal cases. Puente first attended her foster children's court hearings in 2018, when Kentucky passed a law affording more participation for foster parents in court. She was aghast as decisions were made that she thought reflected basic misunderstandings of the cases of two boys she was fostering.

In Puente's view, no one seemed to be advocating for the children themselves — not even their legal advocate known as a guardian ad litem, or GAL.

According to state law, GALs are lawyers who fairly and neutrally “advocate for the client's best interest” so a judge can make informed decisions about the child's welfare. But Puente said the GAL, a local attorney appointed by the judge, never met or spoke with her and the kids.

“He only knew what the social worker was reporting,” she said of the attorney, who has since died. “How can you advocate for the best interest of the child if you've never met them?”

Absentee GALs are a chronic issue across the state, according to interviews with foster parents, policymakers, advocates, biological parents, and guardians ad litem themselves. State law dictates that GALs are paid a flat rate that many say doesn't come close to compensating them for their time. Because their work is overseen by local judges, there is no single agency upholding standards.

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