

Cross Examination of a Guardian Ad Litem¹

1. You are a licensed lawyer?
2. You do not have a degree in social work?
3. In fact you do not have any social work experience?
4. You do not have a degree in psychology?
5. You do not have any experience as a psychologist?
6. You have not had any training to serve as a GAL?
7. You have not taken any special courses to serve as a GAL?
8. You filed your report three weeks ago?
9. Please review your report carefully and let me know if this is the report you filed in this case.
10. The report is accurate?
11. You included everything that was important in your report?
12. You included all material facts in the report?
13. You did not leave out any information you relied upon to reach your conclusions and/or recommendations?
14. Your report is complete?
15. There are no errors that you need to correct in this report?

¹ Jacqueline M. Valdespino prepared these questions for a seminar presented through the Dade County Bar, Put Something Back Program. These questions were based on a fictitious fact pattern developed for the seminar.

16. There are no omissions that you need to include in the report?
17. Is there anything that you need to add or delete from the report?
18. Are there any amendments to the report?
19. Prior to filing the report with the Court you spoke to the Mother about your findings?
20. You threatened the Father with a negative report if he did not settle at mediation?
21. You spent six hours meeting with the Mother?
22. You spent two hours meeting with the Father?
23. You spent more time meeting with the Mother than the Father?
24. The father provided you a list of 10 witnesses?
25. The mother provided you a list of 8 witnesses?
26. Even though the Father provided you with more witnesses, you spent more time speaking with the Mother's witnesses?
27. You did not speak to all of the witnesses provided by the Father?
28. The father made allegations that the Mother took the child to school late?
29. The Father listed the teacher as one of the witnesses?
30. You did not go to school?
31. You did not speak to the teachers?
32. You did not investigate all of the allegations raised int his case?

33. You did not investigate all of the allegations raised by the Father?
34. The Mother alleged that the Father never meet the child's medical needs?
35. You did not meet with the child's pediatrician?
36. You did not obtain the child's medical records?
37. Even though you did not independently verify the Mother's allegations you included them in your report?
38. Additionally, you never discussed these allegations with the Father?
39. You failed to allow him to respond and provide you with his version of the allegations?
40. Do you believe that it is necessary for a GAL to fully review all the pleadings filed in a case?
41. As a GAL you do not think it is possible to fully investigate the best interest of the child without knowing all the allegations, do you?
42. You did not review the Court file?
43. You only reviewed the pleadings and documents provided to you?
44. You never reviewed the child's school records?
45. You never met with the child's teachers?
46. You served as a GAL before?
47. You served as a GAL in 5 cases before?

48. In all 4 of the prior cases, you recommended that the court award the Mother custody?
49. You believe children should be in the primary care of their mother?
50. You met with the child on four different occasions?
51. The child in this case is 15?
52. He is in Honors English and Mathematics?
53. He is on two varsity teams at school?
54. The child is mature for his age?
55. In fact in your report you state that the child acts mature beyond his years?
56. You agree that the child is capable of knowing and expressing his opinion?
57. The child expressed a preference with respect to the custodial arrangement?
58. What was that preference?
59. You did not consider the child's preference in reaching your recommendations?
60. You did not include the child's preference in your report?
61. The Father told you that the Mother has told the child about the case?

62. In fact you saw a diary journal by the child where he writes that his mother told him?

63. The father told you that the mother tells the child that the father is evil?

64. In fact, one of the witnesses told you that he heard the mother say things to the child?

65. You agree with me that if true the mother's actions are improper?

66. You did not include in your report anything about the mother telling the child about the case?