MISSOURI HOUSE OF REPRESENTATIVES

WITNESS APPEARANCE FORM

BILL NUMBER: **HB 1315**	DATE: **3/24/2021**
COMMITTEE: **Judiciary**	

TESTIFYING: ☑ IN SUPPORT OF ☐ IN OPPOSITION TO ☐ FOR INFORMATIONAL PURPOSES

WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **EDWARD HARLOW**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:

EMAIL: **edharlow@hotmail.com**	ATTENDANCE: **Written**	SUBMIT DATE: **3/24/2021 12:13 AM**

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

Family court was a gold mine for my former wife and a hellish nightmare for me and my children. I never wanted the divorce that was foisted upon me. My children were taken away from me on spurious allegations. Although the GAL in my divorce case was favorable to me I don't think she ever met my kids, she never provided me a billing statement for time spent on my case and never made me aware of their legal standards (obligations).

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WITNESS NAME

REGISTERED LOBBYIST:

WITNESS NAME: **JEFF MILLER**		PHONE NUMBER: **636-448-4982**	
REPRESENTING: **AMERICANS FOR EQUAL SHARED PARENTING**		TITLE:	
ADDRESS: **P.O. BOX 1**			
CITY: **ST. CHARLES**		STATE: **MO**	ZIP: **63302**
EMAIL:	ATTENDANCE:	SUBMIT DATE: **3/24/2021 12:00 AM**	

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MISSOURI HOUSE OF REPRESENTATIVES

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WITNESS NAME

REGISTERED LOBBYIST:

WITNESS NAME: **JEREMY ROBERTS**		PHONE NUMBER: **606-634-7204**	
REPRESENTING: **AMERICANS FOR EQUAL SHARED PARENTING**		TITLE:	
ADDRESS: **P.O. BOX 1**			
CITY: **ST. CHARLES**		STATE: **MO**	ZIP: **63302**
EMAIL:	ATTENDANCE:	SUBMIT DATE: **3/24/2021 12:00 AM**	

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **LINDA REUTZEL**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:

EMAIL: **lsr1@charter.net**	ATTENDANCE: **Written**	SUBMIT DATE: **3/24/2021 4:15 PM**

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We must bring accountability and due process to Family Court procedures. Reigning in the power that GAL's have over citizens going through divorce and custody disagreements at their most vulnerable is very necessary. Many parent and children organizations have pushed for these types of changes (National Parents Organization, The Fathers Rights Movement, Protecting American Families, AFESP). plus many States are working on this. Thank you Representative Hicks and Committee for having this hearing and bringing this issue the scrutiny it deserves.

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **MATT BLEDSOE**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:

EMAIL: **mattcbledsoe@gmail.com**	ATTENDANCE: **Written**	SUBMIT DATE: **3/24/2021 1:27 PM**

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My divorce occurred in St. Louis County from 2010-2011. I had parented my then 4yr old daughter daily prior to this. After attorney Mr Brian Dunlop was assigned as the GAL, I was restricted without explanation to seeing my daughter only twice a month until the divorce was finalized. My attorney made multiple attempts to contact Mr Dunlop regarding this, yet never received a response. I ultimately received joint legal and joint physical custody with two day visitations roughly 3 of 4 weekends each month. I received an email from my ex-wife, a court clerk for the City of Winchester, in July of 2019, which cited 5 professionals she claimed said I should not have visitation, one of those being the same Mr Dunlop, and refused me access to my daughter. I immediately filed a Motion for Family Access which has been neutered despite no evidence. While preparing my Motion, I pulled my previous paperwork and discovered, only then, that just after Mr Dunlop was assigned as GAL, his address changed to the same address as my ex-wife's attorney, Mr James Whitney, attorney and judge for St. Louis County. Only then did I realize what had happened. His address today is still the same as my ex-wife's attorney. My case is STILL languishing and my daughter now alienated almost two years later.

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **SCOTT SMITH**		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:	SUBMIT DATE: **3/24/2021 12:00 AM**	

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **ALISSE CAMAZINE**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:

EMAIL: **acamazine@pcblawfirm.com**	ATTENDANCE: **Written**	SUBMIT DATE: **3/24/2021 3:31 PM**

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

In most custody cases, guardians will make a recommendation that one parent does not like. This bill allows a parent to discharge a guardian whenever they dont like what they see. Then a new guardian will have to come into the case. And the discharges can go on and on. Under the law now there must be a guardian in many cases. You cant proceed to trial without one. And if the guardian finds abuse, can they then be discharged by a parent who abuses? This bill allows a parent to make decisions that they shouldnt be allowed to make. Further, guardians often times help assist with the settlement of the cases. In very contested divorces, guardians are needed through out the case. Allowing a parent to discharge a guardian because they dont like what they say is not reasonable. Often times clients in these contested cases send dozens and dozens of emails each week. Why should a guardian have to respond within 96 hours. And why would the state mandate that a guardian see a child within 21 days if the child is too young to be seen. Should a 5 year old be exposed to this? The guardians spent significant hours on custody cases. This bill minimizes the assistance that they give to us as divorce attorneys in cases.

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCAT**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:

EMAIL: **arniedienoff@yahoo.com**	ATTENDANCE: **Written**	SUBMIT DATE: **3/24/2021 12:55 PM**

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I am in Opposition to this Bill. 21-Days is very difficult to accomplish and is a hinderance with the Back -Log of Family Court Cases.

MISSOURI HOUSE OF REPRESENTATIVES

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **BETH LEWANDOWSKI**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:

EMAIL: **lewandowski.beth@gmail.com**	ATTENDANCE: **Written**	SUBMIT DATE: **3/23/2021 1:06 PM**

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

I am a family law attorney and Guardian ad Litem. The changes proposed by HB 1315 will make the role of the GAL more difficult and will increase contentiousness of family law proceedings. 452.423.1 would make the GAL appointment limited in duration. After a report is filed, the GAL can be discharged. This is inconsistent with the language in 452.423.3 which then requires the GAL to be at hearings and trials. It is also inconsistent with the GAL standards which suggest that a GAL attend all proceedings and that the GAL consider all of the evidence. This is a major provision in the Bill which could produce outcomes that don't follow evidence, cause confusion and are not in alignment with duties outlined by the Supreme Court of Missouri in our GAL standards. THIS BILL would NOT SERVE FAMILIES, only bitter litigants.

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **CARLA HOLSTE**		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:	SUBMIT DATE: **3/24/2021 12:00 AM**	

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MISSOURI HOUSE OF REPRESENTATIVES

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **CARY J. MOGERMAN**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:

EMAIL: **cjm@carmodymacdonald.com**	ATTENDANCE: **Written**	SUBMIT DATE: **3/23/2021 2:27 PM**

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Good afternoon. I've read this bill, and it seems to me to be based upon a fundamental misunderstanding about the role of the neutral Guardian ad Litem. The GAL performs a critical function for the Court----not the parents. The GAL is a neutral who assists the Court in evaluating and oftentimes resolving complex custody cases involving challenging family dynamics. In my opinion, the bill fundamentally shifts the responsibility of the GAL to the parents and removes the very protection--judicial immunity---which allows them to perform their jobs well for the Court---whose duty is to decide matters in the best interests of the child---no matter where the facts take them. My law practice has been limited to family law for many years now, and I know that one or the other, or sometimes both, parents sometimes find fault with the input or recommendations of the GAL. To allow the unhappy parent to discharge the GAL at their option will eliminate the neutrality of the GAL as well as the benefit of having the neutral GAL. It will also result in the loss of the most qualified, experienced attorneys who are accepting court appointments to be guardians ad litem. The field will be left to the highly inexperienced and the best interests of children will be an afterthought, after first working to stay in the good graces of the parents. I strongly oppose this misbegotten bill and all of the upheaval it will create if passed--it will turn a very well-developed area of jurisprudence on its head, to the great detriment of children in divorce. Thank you for considering my views. Sincerely, Cary J. Mogerman

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **CRYSTAL LYNN BLACKETER**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:

EMAIL: **crystal@blacketerlawfirm.com**	ATTENDANCE: **Written**	SUBMIT DATE: **3/23/2021 1:41 PM**

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I have been a Guardian Ad Litem since 2008. Family court cases are highly emotional. One or both of the parents always ends up unhappy with the outcome. I have had several high conflict cases as a GAL. I have sat through 6+ days of trial testimony and then submitted a 20+ page written report with my recommendation as the GAL. My report has included support of each of the 8 factors required by the Court to consider in making a custody determination. I have cited specific testimony and exhibits admitted into evidence in my written report. However, one or both of the parties still argued that I failed to do my job as the GAL. I provide parents copies of my accounting upon request. I try to be as transparent as possible. Yet, it is never enough for some parents. Removing legal immunity for GAL's is going to cause attorneys to stop accepting GAL appointments. Ultimately, children are going to suffer because there will not be enough GAL's willing to serve. I agree changes need to be made, but HB1315 is wrong for Missouri. Thank for your time.

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WITNESS NAME

BUSINESS/ORGANIZATION:

WITNESS NAME: **DAVID BETZ**		PHONE NUMBER: **314-801-8488**	
BUSINESS/ORGANIZATION NAME: **THE BETZ LAW FIRM**		TITLE: **GUARDIAN AD LITEM**	
ADDRESS: **120 E. LOCKWOOD AVE.**			
CITY: **ST. LOUIS**		STATE: **MO**	ZIP: **63119**
EMAIL: **david@betzlawfirm.com**	ATTENDANCE: **Written**	SUBMIT DATE: **3/23/2021 3:06 PM**	

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As an active Guardian ad Litem in the St. Louis region, I applaud any attention to our vitally important area of practice; however this bill gives me serious pause, and if enacted as drafted, would force me to consider greatly reducing if not eliminating my work as a GAL. It has taken years to establish a reputation among judges and my peers sufficient that I might get a Guardian appointment, and it is only by their collective consent that I can even remain as a GAL on their case as they already have an unequivocal right to disqualify me within 12 days of the appointment. There is no more peer reviewed category of attorney than a Guardian ad Litem. Quality work gets one appointed; a poor reputation creates self policing, as those who don't do good work, don't get appointed.We need to be held to a professional standard, and as mentioned above, we already are. Our peers are already quite effective gatekeepers. To be forced to respond to ALL requests for information within 96 hours without regard to the relevance of the source, if they are a party to the case, represented by counsel or not, would deprive us of the ability to exercise independent judgment on behalf of our client.Guardian's are removed for cause for reasons unrelated to the quality of their work. The threat of the loss of immunity would serve to be a sword of damocles hanging over our head; causing us to practice defensively, making us afraid to make tough choices. I do this work (although I earn more money representing parents) because I have a heart for it, because I think on occasion I actually get right, make good calls and truly help kids. If the cost of doing this work gets too high, I am afraid we will lose many good attorneys. Please reconsider this bill. Please contact me if you would like more input from an active Guardian ad Litem.

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WITNESS NAME

REGISTERED LOBBYIST:

WITNESS NAME: **DAVID KLARICH**		PHONE NUMBER: **314-560-1616**	
REPRESENTING: **MISSOURI CIRCUIT JUDGES' ASSOCIATION**		TITLE: **MANAGER MEMBER**	
ADDRESS: **438 GATEFORD DRIVE**			
CITY: **BALLWIN**		STATE: **MO**	ZIP: **63021**
EMAIL: **dklarich@sbcglobal.net**	ATTENDANCE: **Written**	SUBMIT DATE: **3/24/2021 5:17 AM**	

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MISSOURI HOUSE OF REPRESENTATIVES

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WITNESS NAME

BUSINESS/ORGANIZATION:

WITNESS NAME: **SARAH PLEBAN**	PHONE NUMBER: **314-647-6677**	
BUSINESS/ORGANIZATION NAME: **SARAH S PLEBAN ATTORNEY AT LAW**	TITLE:	
ADDRESS: **5301 CARDINAL RIDGE CIRCLE**		
CITY: **ST LOUIS**	STATE: **MO**	ZIP: **63105**
EMAIL: **sarahpleban@hotmail.com**	ATTENDANCE: **Written**	SUBMIT DATE: **3/23/2021 1:01 PM**

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

I am a Guardian Ad Litem who practices in St. Louis County and City. This is a bill which would adversely affect children which I hope is contrary to your intent. Before you enact this kind of legislation, please seek the input of lawyers who actually practice in this area. I see this bill as very harmful to children. Here are a few specific troubling items in your proposed bill:1. You mandates that a meeting with the child and parents shall take place in a private setting within 21 days of appointment. What if the child is a newborn? Do you think that child should be exposed to outsider's germs? What if the child is in the hospital? What if a child and/or parent lives out of state? Where do you propose funds are going to come from to send a GAL out of state? What if a parent or child is incarcerated? How exactly would an interview take place in a private setting?2. The idea that a GAL shall respond to all requests within 96 hours can be unreasonable, burdensome, and impractical. That must mean that a GAL may not take a vacation although judges and lawyers for parents may do so. Some parents send excessive communication. A parent who sends 100 emails a month should not expect 100 responses period, let alone each within 96 hours. Who will be paying for that kind of communication? Is the bill intended to drive up the costs of GALs? I would think not. There are also communications which do not deserve a reply. 3. The entire content of a GALs file is confidential. It may not be released without a court order. Therefore giving out an itemized accounting would violate the ethics of the GAL. You reference this in Section 484.355(6).4. There is law that a GAL may be removed for cause and no other legislation is required. 5. The proposed legislation under Section 452.423 are the most troubling. It appears the goal is to deprive children of the only person representing their best interest. It appears to allow parents, who are frequently not concerned with their children in this process but their own selfish interest, to sidestep actual protection for their children. If a court or parents determine that a GAL is necessary, that child must be protected for the entirety of the case, not until some likely superficial report is written. A report given to the parents and the court is not evidence. Your legislation does not provide a way that any recommendations would actually make it to a trial. 6. Perhaps the most misguided is 452.423.2, wherein you seek to blur the role of the Children's Division and GALs. It is Children's Division that is tasked with substantiating claims of abuse or neglect. Again, a written report by a GAL does not make it to trial. Even if a GAL believes that an abuse/neglect allegation is not true, it does not mean that the child does not need a GAL. A parent alleging false claims is damaging and somebody needs to look out for the interests of the child. Subsection 3 goes on to say that the GAL shall be the legal representative of the child at "the hearing". What hearing? If the GAL has already been discharged, why would you make a provision for the GAL at a hearing? Why do you want to limit the voice and protection of the children? They are the victims of the adults. As you state in Section 484.355(2), "The guardian ad litem shall be guided by the best interests of the child and shall exercise judgment on behalf of the child in all matters". Why would you put that in

some statute and at the same time weaken the protection of the children? You must not further any legislation which does not protect children. Thank you for your consideration. Sarah Pleban

MISSOURI HOUSE OF REPRESENTATIVES

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **SIMONE HABERSTOCK**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:

EMAIL: **simone@haberstocklaw.com**	ATTENDANCE: **Written**	SUBMIT DATE: **3/24/2021 8:41 AM**

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

I am an attorney practicing in family law for 30 years. The bill has numerous mechanical issues that make it's application and use impratical and, at best, confusing. It conflicts with other statutes and procedures in each statutory section it attempts to change and, in some instances, has conflicting provisions within the bill itself. I have outlined the problems by section, as follows. Without signficant revisions or a complete rewriting, the proposed bill, if made law, would be difficult, if not impossible to implement in family court.Section 210.830.1This section applies to establishing paternity for a child. There is typically no emergency or urgency involved in such actions. Rather the parties wish to establish parenting or support arrangements. The requirement for the Guardian ad litem to meet with the child within 21 days is unnecessary and may be impossible. First, the Guardian ad litems can be appointed before service is made on the replying party (particularly when the Father is not already on the child's birth certificate). Often the Petitioner is a father who does not have custody of the child and, if mother does not have notice by service of process, access to the child may be limited. A paternity action is also filed to actually establish whether the Petitioner is the father, so it is also possible paternity (or the biological father of the child) has not been established. Therefore, the Guardian ad Litem's ability to determine the child's preferences and wishes is impossible until paternity is established. How would a child know their needs and interests if they don't know whether the person is their father or not? Should the GAL tell the child a person who believes they are the father has presented himself, and if so, what damage does the child incur if that person is not determined to be the father? 201.830.2There is no need for a deadline set with int a specific time as there is no urgency. Parents call GALs with both reasonable, and unreasonable requests, including repetitive requests. Requiring a response to every request, and particularly in a certain time period, may require the GAL to spend unreasonable amounts of time on a single case replying to unreasonable requests. This will come at the cost of other children and other cases which require attention, investigation, and responses from the GAL. Further, requiring responses to unreasonable requests and repetitive requests will increase the time billed, and therefore the costs incurred, which is potentially passed along to the parents. This requirement would require the GAL to respond to all requests - this includes requests requiring the disclosure of confidential information - since the provision mandates responding to ALL requests, without exception.The provision also requires that all recommendations are by motion- requiring a hearing on all issues. Therefore, actions that might benefit of the minor child could take weeks or months to obtain from the court. Often such recommendations do not involve signficant changes in custody - for example, a recommendation to change telephone communication with the children to a virtual visitation using Facetime, which occured frequently during the COVID crisis, would require a hearing. Judges and attorneys are aware of the requirements for other substantial changes that require a hearing pursuant to statute. The requirement of a hearing for all such recommendations will cause delay and the costs of litigation,

since each such action will require a hearing, will increase significantly for litigants.210.830.4 Motions to Disqualify the GAL are currently held on the record in the courtroom. It is important that such motions are heard on the record and publicly. There is no reason for an in camera hearing and, in fact, doing so would betray the transparency accorded to litigants in family court. 211.462.1The requirement for the GAL to meet with parents may be impractical and impossible to fulfill particularly in this area of the law. Often the attorneys of parents accused of harming their children cannot permit an interview with a GAL because the parent is also potentially facing criminal charges and does not wish to incriminate themselves. The provision as drafted provides no way for the GAL to meet this requirement when there are such barriers and, instead, creates liability for the GAL if they are unable to fulfill the requirement, a situation beyond their control.There is also the obvious problem of the GAL being required to meet and keep contact with children who are disabled or who are infants and too young to communicate or provide information to the GAL.211.462.3 (4) has the same problem regarding communication and confidentiality mentioned above.211.462.4 Some GALs are contracted at a flat rate, paid by the county, to provide services in protective custody and TPR cases. An itemized accounting is unnecessary ,because the parents do not pay for services, and impossible, because the GAL is paid a flat rate for numerous cases on the docket. This brings into question whether the county would be able to pay the GAL if they don't keep itemized accountings of their time. 211.462.5 Again no reason for in camera and all juvenile proceedings are confidential anyway. 452.423.1First, filing a recommendation before completion of the case and before all evidence is deduced is contrary to the Standards for GAL practice. The GAL is supposed to consider all information and evidence, including the information presented at trial. Filing a recommendation and then being discharge prevents the parents from confronting the GAL about the recommendation. In many ways this seems like a violation of due process rights. It also creates "behind the scenes" transactions which are filed on the record and that fail to have transparency. This would likely create trust issues for the litigants and possibly appellate challenges to the constitutionality of the law.452.423.2Appointments made with limited duration prevent the GAL from adequately representing the child at hearings and trials. If discharged, a GAL cannot appear for a hearing or trial- their job is terminated at discharge. This provision for discharge conflicts with the provisions changed in 452.423.3 which would require the GAL to appear at such proceedgins. The GAL cannot appear if they have been discharged.Also, GALs are appointed for reasons other than abuse and neglect. GALs are appointed for allegations of chemical dependency that are allegedly impacting the children; high conflict matters where parents, through their confilct, are harming their children; and even relocation issues. In many of these situations, the focus is on the parents themselves and, without a voice for the child, the child's needs and interests are overlooked. If GALs are discharged when there is no substantiated abuse or neglect, GALs cannot be used to help determine the child's needs and interests in such cases or give a voice and resource to children who are placed in the middle of difficult situations who need someone to advocate for their best interests.

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TESTIFYING: ☐ IN SUPPORT OF ☑ IN OPPOSITION TO ☐ FOR INFORMATIONAL PURPOSES

WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **SUSAN JENSEN**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:

EMAIL: **sjensen0529@yahoo.com**	ATTENDANCE: **Written**	SUBMIT DATE: **3/24/2021 1:25 PM**

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I am a Greene County Family Court Commissioner and practiced Family Law for twenty years in Springfield prior to my appointment four years ago. I also chaired the Missouri Bar's Special Committee on Guardians ad Litem in 2019-2020. I am writing in strong opposition to HB 1315. The specifics of my opposition are best left to the contents of the Report our Special Committee made to the Bar on February 3, 2020, as this current legislation is very similar to legislation proposed in the last several sessions previous to, or during, our work in the Committee. I hope you have been provided that Report and I would be happy to facilitate that if you have not. My short general comments as to why I am opposed to this bill are that it will gut the usage of Guardians ad Litem in Missouri. I realize that the system is not perfect, as none is, and even more candidly admit there are parts of our system that need to be fixed. Again, these recommendations are contained in the Special Committee on Guardians ad Litem Report. The changes proposed in HB 1315, however, overall will cause attorneys to stop serving as Guardians ad litem. Just yesterday one of our most experienced and most frequently appointed Guardian ad Litem happened to bring this bill up to me before I knew of it being scheduled to be discussed today. He plainly stated that if the time requirements that are in the current bill are passed, along with the withdrawal of immunity, he will stop doing Guardian ad Litem work. In addition, there has been discussions with other attorneys who frequently serve as Guardians and he is not alone in this decision. The work is too difficult already and too poorly paid for them to subject themselves to additional requirements and a lawsuit. The unfortunate consequence of this mass exodus will be the complete lack of trained Guardians ad Litem for me to appoint. I will still be required to appoint Guardians in certain cases, and will want to appoint them in other cases, and will have no one trained. Finally, while I understand that in general the legislative branch of government has little faith that judges have the people's best interests at heart, let me assure you that I, and my brethren that I talk with frequently, do. We are very mindful of keeping the system fair and, ultimately serving the child's best interests. I do not appoint a guardian unless it is required by statute or after giving it great consideration because I realize the expense involved for litigants and the influence some guardians could have, or appear to have. I have recently chosen not to follow recommendations by guardians I appointed in several cases because I disagreed with their opinion. I, as the judge, am the decisionmaker, not the guardian. We judges know that. The attorneys know that. It is only the litigants who get confused because they have poor information or are simply scared of the possibilities in a most stressful situation. Finally, I would encourage there to be a continuing distinction between the problems posed with Guardians in Juvenile court versus Family Court versus Probate Court. Failing to acknowledge these will make for poor legislative decisions and long-term damaging results for Missouri citizens. I strongly encourage this bill not move forward. If you would like further information I would be happy to meet with anyone on the topic.