



# FivePoints



## Guardian ad Litem Non-Attorney Compensation Analysis

*Florida Guardian ad Litem Program*

December 29, 2014



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## 1. EXECUTIVE SUMMARY

The Florida Guardian ad Litem Program (GAL) requested a compensation analysis for salaries paid to GAL staff to determine what action, if any, would improve the efficiency and effectiveness of the GAL Program in serving some of Florida's most vulnerable children. After completing the study of attorney salaries, it was apparent some salaries paid to non-attorneys by the GAL Program were also lower, with fewer benefits, and out of line with comparable Florida State Personnel System (SPS) positions. The Program wanted an objective review, and recommendations, to assist them in making decisions about future actions, which will help improve outcomes for children served by the Program.

The review disclosed the following:

- GAL supervisory staff do not receive the benefit of paid insurance like similar positions in the State Personnel System (SPS).
- Overall turnover in the GAL Program has remained at about 20% for the past three years. Specifically for SFY 2014,
  - Child Advocate Coordinator I (CAC I) was 22% - they comprise about 40% of all staff
  - Child Advocate Coordinator II (CAC II) was 11% - they comprise about 8% of all staff
  - Secretary and Administrative Assistant were 23% and 26%, respectively – they comprise about 13% of all staff
- The difference in average salary between a CAC I and CAC II is just over \$300 per month, or 12%. The CAC II position supervises CAC I's. There is not a position for experienced CAC I's to move into prior to assuming supervisory duties. Note that this career ladder position **does** exist for attorneys within GAL (Program Attorneys can move into Senior Attorney), and at the Department of Children and Families (DCF) for Child Protective Investigators (the Senior Child Protective Investigator position).
- GAL minimum salaries for CAC's are significantly below the salaries of positions at the Department of Children and Families who work with the same population. These differences are exacerbated when compared to actual current salaries.
- Salaries for management staff (above the supervisory level) are not commensurate with the level of responsibility for the position when compared to positions at the Department of Children and Families and to positions being supervised. Salaries for clerical staff are lower than those in the SPS and at DCF.
- A survey of GAL staff indicated almost 30% are seeking other employment due to salary issues and opportunities for advancement. Informal interviews confirm this is primarily in the CAC positions.
- Caseloads for CAC's vary significantly across the state, not only in number of volunteers being supervised, but in the number of cases a CAC may be directly managing on their own (i.e. when there are no volunteers available). Most CACs interviewed felt current caseloads were too high.



Because of the above findings, we make the following recommendations:

- Work with the Justice Administrative Commission (JAC) to re-class the GAL supervisory positions so they are eligible to receive paid insurance benefits. Request additional funds as necessary.
- Request funds to increase the minimum salaries for CAC I and CAC II positions to get them closer to the minimum salary used by the Florida Department of Children and Families for similar positions working with the same population.
- Create a Senior CAC position for experienced CAC I's to be promoted to at a rate of about 5% above a CAC I; request funds as necessary.
- Review all GAL Program salary levels and set minimums indexed to the position duties and responsibilities, and to the staff being supervised by the position. Use this process annually to ensure salary levels remain comparable to other state agencies, and request funds as necessary.
- Set a maximum volunteer caseload for CAC's and request funds for additional positions if necessary to meet those caseloads. Continue work to increase the number of volunteers so CAC's do not carry direct caseloads.
- Consider pursuing a loan forgiveness program similar to that used for the Nursing Student Loan Forgiveness Program, see 1009.66, Florida Statutes



## 2. THE GUARDIAN AD LITEM PROGRAM

### 2.1. Statutory Requirements

Chapter 39.822, F.S., requires the appointment of a guardian ad litem “at the earliest possible time to represent the child in any child abuse, abandonment, or neglect judicial proceeding, whether civil or criminal.” This means a GAL must be appointed for any child entering the dependency system whether they are removed from the home or placed under in-home supervision (i.e. “100% representation”).

Further, Chapter 39.8296, F.S., (which first became law in 2003) best describes the Legislative intent and vision for the program:

- (1) LEGISLATIVE FINDINGS AND INTENT.—
  - (a) The Legislature finds that for the past 20 years, the Guardian Ad Litem Program has been the only mechanism for best interest representation for children in Florida who are involved in dependency proceedings.
  - (b) The Legislature also finds that while the Guardian Ad Litem Program has been supervised by court administration within the circuit courts since the program’s inception, there is a perceived conflict of interest created by the supervision of program staff by the judges before whom they appear.
  - (c) The Legislature further finds that the Governor’s Blue Ribbon Task Force concluded that “if there is any program that costs the least and benefits the most, this one is it,” and the guardian ad litem volunteer is an “indispensable intermediary between the child and the court, between the child and DCF.”
  - (d) It is therefore the intent of the Legislature to place the Guardian Ad Litem Program in an appropriate place and provide a statewide infrastructure to increase functioning and standardization among the local programs currently operating in the 20 judicial circuits.

### 2.2. The Program Today – A Model of Efficiency

The sole mission of the Guardian ad Litem Program is to advocate for the best interests of Florida’s dependent children - “Advocating for the child’s best interest is the Program’s only interest”. The goal of this advocacy is to achieve the safest and most positive outcomes for these children. The Program represents thousands of children with the help of volunteers. As of June 2014, the Guardian ad Litem Program advocated on behalf of over 23,500 children.

The Program’s core values clearly support the mission:

1. Commitment to Children - The children for whom we advocate are our most important priority.



2. Communication Built on Trust - The Program has a culture of open communication, active listening, teamwork, and regard for the views of others. This includes being honest and straightforward with the children we represent in keeping with their level of age and maturity.
3. Circuit Empowerment - Within the framework of the Program Standards, each Circuit has the authority and responsibility to make and implement the best decisions to meet the children's needs. This empowerment is passed on to volunteers, staff and attorneys.
4. Collaboration - The Program develops relationships that promote the well-being of the whole child.
5. Courtesy - The Program values all who engage in this challenging work and ensures they are treated with respect and dignity.

The Florida Guardian ad Litem Program provides a powerful and effective voice on behalf of Florida's abused, abandoned and neglected children and is a recognized and respected partnership of community advocates and professional staff. To the maximum extent possible, this vision is realized through volunteers who advocate as Guardians ad Litem for the children they serve.

The Guardian ad Litem Program has focused on steadily increasing the return on investment of funds appropriated by the Florida Legislature by increasing the use of volunteers to comply with the statutory requirement of 100% representation. In 2006, the Florida Legislature appropriated \$7 million in new funding which resulted in an increase in the volunteer base to 5,413. At the time, this was the largest number of volunteers in its 26-year history.

Even with the additional funding, in 2007, the volunteers represented only 55% of the children served. Unfortunately, the 2008 Legislature reduced the Program's budget by 4%, and then by another 3.2%, resulting in staff reductions and a corresponding reduction in the number of children served.

Funding began to stabilize in 2013 when the Program received an increase toward the goal of 100% representation, and then another significant increase for 2014-15. Currently, the GAL volunteers advocate for almost 75% of the children served. The goals and objectives laid out in the Program's Long Range Program Plan (LRPP) clearly state the movement toward 100% representation.

<u>Baseline</u>	FY2013/14	FY2014/15	FY2015/16	FY2016/17	FY2017/18
21,847	22,991	25,137	27,302	29,467	31,630

Average percent of children represented.

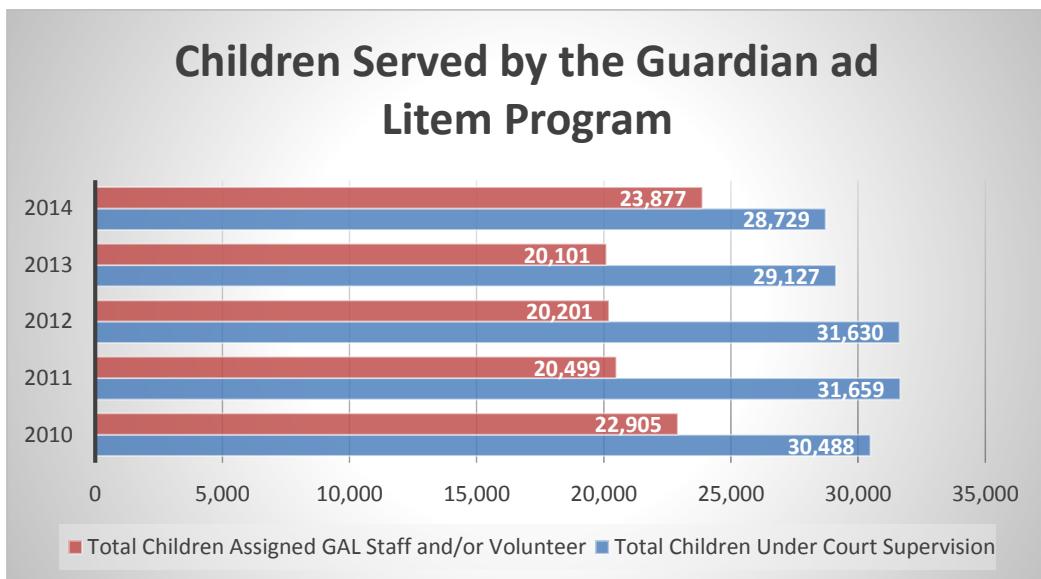
<u>Baseline</u>	FY2013/14	FY2014/15	FY2015/16	FY2016/17	FY2017/18
69%	73%	79%	87%	93%	100%



If the GAL Program continues to receive the funding required to achieve its LRPP goals, then the chart below will equalize between the number of children served, and number of children under court supervision.

The chart below illustrates history, showing the total number of children served by the Guardian ad Litem Program since 2010, compared to the number of children under court supervision for those years. Note that during the years with budget cuts, the number of children served decreased. However, as of 2013 and 2014, those numbers are again rising.

### **Children Served by the Guardian ad Litem Program**



### **Award Winning Team**

Florida's Guardian ad Litem Program has an award winning history! In 2014, the GAL Program received a Davis Productivity Award for saving the state money and achieving excellent results due to the Program's impact on permanency placements for at risk children. In 2012 and 2013, the Program received a Davis Productivity Eagle Award for "streamlining efficiencies to focus on commitment to children," emphasizing their ability to use their resources in the most cost efficient and effective manner possible. The advocacy team is comprised of over 500 Program staff members; over 10,000 volunteer advocates and many non-profit organizations who diligently pursue the goals in a proven public / private partnership model. It takes proactive collaboration and teamwork among child welfare agencies, legal organizations and community partners to realize the benefits for dependent children and families.

Florida's GAL Program was also a recipient of a 2012 Angels in Adoption Award given by the Congressional Coalition on Adoption Institute. The award recognizes national excellence in



finding forever families for children in the foster care system. U.S. Senator Marco Rubio selected the Florida GAL Program for this prestigious award.

To reach beyond just efficiency, the Program has spent the last several years moving toward increased accountability, transparency and professionalism. The Program has also instituted measures, which are articulated in a concise and obvious way to stakeholders.

One of these activities is publication of program standards in January 2014. “I am for the Child” is the theme for the updated standards, which put into writing the evolved expectations of Program staff and volunteers. The Gold Standard for GAL is to provide standards to inspire and empower volunteers and staff to say, “I am for the Child.” This philosophy reflects the fact Program staff have listened to the children and young adults in foster care and used their input in developing the standards, which reflect a high level of empowerment, and lay the foundation for guardians and staff to make an even greater difference in the lives of children. The Program standards exist to ensure excellence in *best interest advocacy*, while enabling local creativity and innovation to expand representation and meet the needs of the children served.

### 2.3. Roles of the GAL Staff and Volunteers

The efficiencies recognized by the Davis Productivity Award resulted from a decade of evolving the model so volunteer advocates (the Guardian ad Litem / GALs) receive support from a team of GAL Program professionals. The following excerpt from the Program Standards (updated 2014) best defines the Team member roles: “each GAL (volunteer) works within a team of an assigned Child Advocacy Coordinator and a Child’s Best Interest Attorney to advocate for the best interests of the children represented by the Program. The Program’s team model capitalizes upon the expertise of each team member working with the child. Each has a unique perspective and different professional background that complement the others and enhance the quality of the advocacy for the child. “

The following definitions from the Program Standards are important to understand the team member roles:

- **Guardian ad Litem (GAL):** The representative advocating for the best interests of the child. This term refers to a *volunteer* Guardian ad Litem (also known as a Volunteer Child Advocate), or if a volunteer is not available, this is a paid staff member (Child Advocacy Coordinator / CAC).
- **Child’s Best Interest Attorney (CBI):** The attorney who protects a child’s best interest in either the circuit dependency or appellate courts. There is no attorney-client relationship between the child and GAL Best Interest Attorney, however; representing the best interest of the child is the sole purpose of their advocacy.



- **Child Advocacy Coordinator (CAC):** The Program staff who advises, supervises, coaches, empowers and mentors volunteer GALs, monitors the child's dependency case, and serves as the GAL when no volunteer is available.

The Volunteer's role as specified in statute (Chapter 39.829, F.S.):

"Powers and duties of guardian advocate.—It is the duty of the guardian advocate to oversee the care, health, and medical treatment of the child; to advise the court regarding any change in the status of the child; and to respond to any medical crisis of the child, including providing consent to any needed medical treatment. The guardian advocate shall report to the department if the natural parents abandon the child or if the natural parents reclaim custody of the child."

The Guardian ad Litem team carries out the following activities:

- Investigation: Carries out an objective, systematic examination of the situation, including relevant history, environment, relationships, and needs of the child. The GAL interviews family, friends, neighbors, members of the child's school, and professionals treating the child.
- Facilitation: Identifies resources and services for the child and facilitates a collaborative relationship among all parties, helping to create a situation to meet the child's needs.
- Advocacy: Conveys the best interests of the child to the court and relevant agencies.
- Monitor: Keeps track of the implementation of court orders and case plans developed by the Department of Children and Families and community based care agencies.

Below are some of the specific responsibilities required of a GAL Child Advocacy Coordinator to be the 'child's best interest' advocate. They are varied and complex and require years of experience to master. As such, retention of experienced staff is critical to the success of the program in representing the 'child's best interest'.. Below are excerpts from the current position description (emphasis added):

## **DISTINGUISHING CHARACTERISTICS OF WORK**

This is responsible professional work with a judicial circuit Guardian ad Litem (GAL) Program, coordinating the advocacy of the best interests of abused, neglected and abandoned children. The case coordinator may personally conduct the following tasks or may supervise a group of volunteers who: gather information relating to the case and give recommendations and written reports to the court on the best interests of dependent children. The case coordinator may oversee the work of volunteers, or personally: attend court hearings, depositions, case plan conferences, dependency mediations, staffings, and meetings with the Department of Children and Families, community based care lead agencies and other state, local and private social service agencies. The case coordinator assigns tasks to volunteers to expedite case work and promote timely permanency objectives. Extensive



contact is made with the Department of Children and Families, local law enforcement agencies, the Office of the State Attorney, schools, teachers, doctors, attorneys, psychologists, psychiatrists, social workers, and a variety of other social service agencies and professionals. The case coordinator must exercise discretion in dealing with confidential and extremely sensitive issues before the court. Work is performed under stressful conditions and involves contact with individuals involved in emotional and traumatic situations.

### **KNOWLEDGE, SKILLS, AND ABILITIES**

Knowledge of Florida Statutes relating to child protection. Knowledge of the principles and dynamics of child development. Knowledge of the issues and dynamics of child abuse and neglect, domestic violence, and the effects of dissolution of marriage on children.

Knowledge of social services available to children. Knowledge of the operations of the Florida State Courts System and the Guardian ad Litem program. Ability to communicate effectively with people from culturally and economically diverse backgrounds, and people involved in emotionally distressing situations. Ability to *supervise* and coordinate case work activities of volunteers. Ability to encourage and motivate volunteers. Ability to maintain proper documentation on case activity and to assist in the preparation of detailed court reports recommending a course of action for children. Ability to communicate effectively and deal tactfully with individuals involved in litigation and stressful situations.

### **EDUCATION AND TRAINING GUIDELINES**

Bachelor's degree from an accredited four year college or university with a major in sociology, social work, psychology, child development, education, communications, or a related social science, and one year of experience in a program of social service, counseling, teaching, or supervising volunteers.

Clearly the CAC position is one that requires a broad base of knowledge as it relates to the child welfare system. The only other positions requiring such a broad base of knowledge working with the same population are Child Protective Investigators (CPI's) at the Department of Children and Families and the Dependency Case Managers at the Community Based Care Lead Agencies (CBC's). As displayed in section 3.5, the CAC salaries are well below that of the CPI's. We did not prepare a comparison to CBC case managers as the benefit structure is quite different from government making an "apples to apples" comparison difficult.

In addition to the education and training guidelines, the GAL program is working with the Florida Certification Board (FCB) to develop a child welfare certification that will be required of all CAC's and operational managers. The FCB is the organization that establishes, administers, and monitors certification programs in addictions, mental health, behavioral health, child welfare, and prevention. The current child welfare certifications offered are Certified Child Welfare Case Manager (CWCM), Certified Child Welfare Protective Investigator (CWPI), and Certified Child Welfare Licensing Counselor. The new certification will be specific to the GAL CAC role and will utilize curriculum from both the CWPI and CWCM, as well as new curriculum that may be required. It is anticipated that the curriculum will be fully implemented no later than June 2015.



In addition to the certification, GAL program leadership are reviewing the CAC title. While CAC's certainly "coordinate", their position is more that of a manager or supervisor over the volunteers.

## 2.4. Relevant History of the Program

In 1974, concerned about the alarming number of reported incidents of child abuse and neglect, the United States Congress passed the Child Abuse Prevention and Treatment Act (CAPTA) which was the first comprehensive federal legislation dealing with these issues. Among other things, CAPTA provided funds to states to appoint Guardians ad Litem to represent abused and neglected children. CAPTA supplied the impetus for the Florida Legislature to become the nation's leader in providing GAL representation statewide. Because of the federal law and the efforts of dedicated child advocates, in 1975, the Florida Legislature passed legislation authorizing – but not requiring – courts to appoint a GAL in cases alleging child abuse.

In the late 1970's, Florida law changed from merely authorizing the court to appoint a GAL in child abuse and neglect proceedings, to requiring them to do so. Because sufficient funding for GALs was not provided, some counties attempted to meet the need by using private attorneys, private foundations and other government agencies. In addition, there was an attempt to provide these services through the offices of Florida's public defenders. Because of concerns with all of these models, many state and local officials continued to explore alternatives for providing GAL services, including the use of lay volunteers.

Based upon the success of these early volunteer models, representatives from around the state came to Tallahassee in 1980 to lobby the Florida Legislature for funds for a volunteer Guardian ad Litem program. That year, the Legislature provided \$200,000 to the Office of State Courts Administrator (OSCA) to develop and evaluate a pilot program using lay volunteers to serve as GALs. In doing so, Florida became the first state to use general revenue funds to develop a statewide volunteer GAL Program. The Program had been partially implemented in ten judicial circuits within the first year. The program was organized under the judicial branch, with statewide oversight of the programs delegated to OSCA. The local GAL Programs operated independently, each under the local jurisdiction of the circuit court. At the end of the first year, the programs had trained 407 volunteers, and had represented 1,026 children in abuse and neglect proceedings. An independent evaluation of this pilot project conducted in 1981 concluded the volunteer model was likely to be the most feasible, least expensive and most effective means of providing representation to abused and neglected children. Based upon this evaluation, OSCA recommended, and the Florida Legislature funded, continued implementation of the lay volunteer model and the Legislature appropriated funds for eventual expansion of the program to the remaining judicial circuits.

By January 1990, all of Florida's judicial circuits had implemented a volunteer GAL Program, including the Orange County Bar Association's program that uses pro bono attorneys. Between 1990 and 2004, the Program experienced tremendous growth, as well as many challenges.



One of the areas in which the program evolved was with the addition of program attorneys and staff advocates. As the Department of Children and Families and parents were provided attorneys to represent them in court, it became apparent the Program also needed attorneys to assist volunteers and staff in the representation of children. The program attorneys represent the best interests, and protect the legal interests of children in all phases of court proceedings from trial through the appellate process. The increase in program attorneys has enabled the Program to participate more meaningfully in decision-making throughout the child's case.

Around the same time the program attorneys were being added to the GAL Program, there was a recognition that when a volunteer was not available, a staff advocate should be appointed to represent the best interest of the child. These staff advocates work in conjunction with the program attorneys to advocate effectively for the child.

In May 2002, Governor Jeb Bush established a Blue Ribbon Panel on Child Protection to review the performance of the State's child protection system in Miami-Dade County, and examine the case of Rilya Wilson, who was discovered missing from state care. Following public testimony, the panel submitted its report to the Governor with recommendations for improving oversight and accountability of child welfare services within the Department of Children and Families (DCF). Among other things, the panel recommended the Florida Legislature set among its highest priorities the full funding of the Guardian ad Litem Program such that every child under supervision of DCF could have a GAL. As the Panel concluded, "if there is any program that costs the least and benefits the most, this one is it." In addition, the Panel found the Guardian ad Litem to be "an indispensable intermediary between the child and the court, between the child and DCF."

Based upon the Panel's recommendation, the Governor established a working group to recommend a plan of action for realizing the full potential of the GAL Program. In 2004, the Legislature transferred the GAL Program to the Justice Administrative Commission (JAC) and provided for the appointment of a full-time executive director to oversee the Program statewide. On January 1, 2004, the GAL Program was transferred from the state court system and a statewide office was established to oversee the 21 local GAL Programs.



## 3. FINDINGS

### 3.1. Background

Since 2004 when the Guardian ad Litem Program was moved from the Office of the State Courts Administrator (OSCA) under the Chief Justice of the Florida Supreme Court, to the Justice Administrative Commission (JAC), the pay scale has not been revised – now, for over a decade.

The JAC was created in 1965 and it provides administrative services on behalf of 49 judicial related entities. Currently, the JAC administratively serves 20 Offices of State Attorney, 20 Offices of Public Defender, three Offices of Capital Collateral Regional Counsel, five Offices of Criminal Conflict and Civil Regional Counsel, and the Statewide Guardian ad Litem Program. JAC services provided are primarily in the areas of accounting, budget, financial services, and human resources.

Comparing salaries in state government is complicated because of the different pay plans and titles. According to the FY 2012-2013 State Personnel System (SPS) Annual Workforce Report completed by the Florida Department of Management Services, there are six primary state government employers and six corresponding pay plans:

1. State Personnel System (SPS) accounts for 62.8% of state employees, with titles including all positions in career service, Select Exempt (SES), and Senior Management Service (SMS).
2. State University System (SUS) has 26.6% of the state workforce with positions in the general faculty and other categories.
3. Justice Administration System (JAS) has 6.3% of state employees, whose titles include State Attorneys, Public Defenders, State Attorneys with paid insurance, Public Defenders with paid insurance, Capital Collateral Regional Counsel and the Justice Administration Commission.
4. State Court System (SCS) has 2% of state employees, with positions in the Courts
5. Florida Legislature with only 1% of state employees in the Legislative Pay Plan.
6. Florida Lottery with only .3% of the state's employees, with non-managerial and managerial title categories.

Unlike the State Personnel System (SPS), there are no positions in the JAC pay plan which are Select Exempt Service (SES), however, there are certain positions where the employees insurance is paid by the state, similar to SES positions in the SPS pay plan.



### 3.2. Scope

As noted, the first report related only to attorney salaries. This report focuses on other positions including:

- Senior Secretary, Administrative Assistant I and II – 87.50 positions, comprising 13% of the workforce
- Child Advocacy Coordinator I and II – 339.50 positions, comprising 49% of the workforce
- Recruiters – 30 positions, comprising 4% of the workforce
- Management positions of Assistant Circuit Director, Circuit Director, Program Director, and Regional Director – 43 positions, comprising 6% of the workforce

The attorney positions previously reviewed comprise 25% of the workforce, thus, 97% of the GAL Program positions were reviewed in the prior report. This provides the Program with a solid foundation for implementing changes, as appropriate, and for creating a more consistent approach to compensation in the future.

Below is a brief description of job duties and requirements for the positions reviewed.

<b>Position</b>	<b>Degree Required</b>	<b>Years Exp Req</b>	<b>Duties</b>
Sr Secretary	HS	3	This is responsible work performing a variety of secretarial, administrative support, and clerical duties
AA 1	Bachelor's	1	This is responsible work performing a variety of administrative and fiscal related duties
AA 2	Bachelor's	2	This is responsible work performing a variety of administrative and fiscal related duties
CAC 1	B.S. Social Sciences	1	This is responsible professional work with a judicial circuit Guardian ad Litem (GAL) Program, coordinating the advocacy of the best interests of abused, neglected and abandoned children. The case coordinator may personally conduct the following tasks or may supervise a group of volunteers who: gather information relating to the case and give recommendations and written reports to the court on the best interests of dependent children.



Position	Degree Required	Years Exp Req	Duties
CAC 2	B.S. Social Sciences	2	This is responsible professional work with a judicial circuit Guardian ad Litem (GAL) Program coordinating the advocacy of the best interests of abused, neglected and abandoned children, children involved in a dissolution of marriage, and children who are victims of or witnesses to criminal acts. The Case Coordinator II may provide supervision to and coordinate case work activities of case coordinators, support staff and volunteers.
Recruiter	Bachelor's Communications, Marketing or Related	2	This is professional work providing the highest level of volunteer recruiting and community outreach services to a circuit Guardian ad Litem (GAL) Program.
Assistant Circuit Director	B.S. Social Sciences	3	This is responsible professional and supervisory work assisting the Guardian ad Litem Program Director in promoting the program and directing the case work activities of professional and support staff and volunteer guardians ad litem in one or more sections of a judicial circuit Guardian ad Litem (GAL) program representing abused and neglected children, children involved in a dissolution of marriage, or children who are victims or witnesses to criminal acts. The Assistant Program Director supervises volunteer guardians ad litem by assigning cases and preparing and conducting pre-service and in-service training on GAL issues, policy, procedures, and community resources.
Circuit Director	B.S. Social Sciences or Law	5	This is a highly independent, responsible professional managerial role, requiring leadership in promoting and directing a judicial circuit Guardian Ad Litem program. The Circuit Director is responsible for hiring, training, supervising, and evaluating staff and volunteers and for resolving issues concerning policy, program goals and program services.
Program Director	B.S. Social Sciences	5	This is responsible professional and supervisory work promoting the program and directing the case work activities of professional and support staff and volunteer guardians ad litem in a circuit court Guardian ad Litem (GAL) program representing abused and neglected children, children involved in a dissolution of marriage, or children who are victims or witnesses to criminal acts.



Position	Degree Required	Years Exp Req	Duties
Region Director	B.S. Business Admin, Management or Social Science	3	This is an independent, responsible, and professional managerial role requiring advanced leadership in directing employees and improving the Guardian ad Litem Program in a specific region to achieve its primary mission: advocating for the best interests of children in the dependency system.

As noted previously, in addition to the education requirements, with the implementation of certification requirements, CAC's will be required to obtain their child welfare professional certification within one year of hire.

### 3.3. Retention

"Turnover rate goals in the private sector are three to five percent, while turnover norms in the public sector are 10 to 12%. Studies regularly define the consequences of high turnover: loss of institutional knowledge; additional duties for those remaining; rising backlogs and reduced productivity; and high replacement costs for selection, onboarding, training and development of new employees." <sup>1</sup>

"Business analysts have attempted to determine the actual cost of staff turnover, and the estimates range from 50 to 400% of annual salary when the turnover is in senior leadership and highly technical positions." <sup>2</sup>

A review of GAL turnover disclosed the following rates:

- Child Advocacy Coordinators (CAC's) who left in SFY 13-14 spent 39 months on average on the job.
- Of the 285 CAC I's currently employed (there are 84 vacancies), 36% have been employed for less than one year and 48% have been employed less than two years.
- Turnover data for state fiscal year for Recruiter is as follows:
  - 57% for SFY 2013-2014
  - 25% for SFY 2012-2013
  - 40% for SFY 2011-2012

<sup>1</sup> Florida TaxWatch, When it Costs More to Pay Less, March 2014

<sup>2</sup> Florida TaxWatch, When it Costs More to Pay Less, March 2014



- Turnover data for Administrative Assistant positions is somewhat better, but still not where it should be:
  - 26% for SFY 2013-2014
  - 25% for SFY 2012-2013
  - 21% for SFY 2011-2012
- Child Advocate Coordinator I (CAC I) positions, which are one of the most important positions directly supervising the Guardian ad Litem volunteers and interacting with at risk children:
  - 22% for SFY 2013-2014
  - 18% for SFY 2012-2013
  - 21% for SFY 2011-2012

If we use the TaxWatch estimate of 50% of salary as the cost of turnover, then losing 51 people in the CAC I positions cost an estimated **\$773,160** during SFY 2013-2014 (51 separations x 50% of \$30,320 (\$15,160)).

Recruiting is expensive and requires extensive screening and validation due to requirements such as verifying experience, education, character, certifications, and background checks. As a state, we are obligated to be fiscally prudent and socially sensitive, but especially when dealing with our vulnerable children. The only conclusion to reach is to recruit and hire only the best and most committed public interest employees who will dedicate themselves to resolve these children's cases in that child's best interest.

### **3.4. Comparison to State Personnel System Positions**

Because we are looking at a broad array of positions, it makes sense to approach them slightly differently. First, it is important to provide some information on the State Personnel System classification system. All SPS positions are part of a broad Job Family such as Community and Social Services or Business and Finance. Within those job families are further divisions called Occupational Groups such as Counseling and Social Work (within Community and Social Services) and Finance (within Business and Finance). The final distinction is the Occupation and then the unique Class Title (similar to job title). Each class title is assigned one of about 150 pay grades having minimum and maximum salaries. Agencies are not required to hire at the minimum; they may develop their own "appointment rates" that still fall within the noted pay grades.

For the clerical positions (Senior Secretary, Administrative Assistant I and II), we reviewed the SPS classifications and determined that positions in the Office and Administrative Support job family and occupational group were the most comparable to the GAL positions. Specifically, we reviewed job requirements, focusing on experience required for the position and determined the following to be the most comparable:

- GAL Senior Secretary position requiring three years experience is most comparable to the SPS Secretary Specialist position (class code 0105)



- GAL Administrative Assistant I position is most comparable to the SPS Administrative Assistant I position (class code 0709)
- GAL Administrative Assistant II position is most comparable to the SPS Administrative Assistant II position (class code 0712)



Below is the comparison of the actual current average salaries for those positions:

Positions:	GAL		SPS		Difference	
	Current Monthly Actual	Current Annual Actual	Current Monthly Actual	Current Annual Actual	Current Monthly Actual	Current Annual Actual
Sr Secretary	\$1,916.84	\$23,002.05	\$2,030.67	\$24,368.00	\$113.83	\$1,365.95
AA 1	\$2,290.09	\$27,481.13	\$2,625.33	\$31,504.00	\$335.24	\$4,022.87
AA 2	\$2,610.05	\$31,320.63	\$2,959.50	\$35,514.00	\$349.45	\$4,193.37

GAL clerical position salaries range from 5 to 15% lower than comparable SPS positions.

For the non-clerical positions, it was more difficult to find comparable positions as it relates to the job functions. The GAL staff have a unique function in state government that is difficult to compare to other state positions. As such, we again reviewed the classification system to narrow the comparable positions. These are all in the Community and Social Services job family and Counseling and Social Work occupational group. For purposes of this general comparison, we looked just at those positions that might be comparable to the CAC I and II and Recruiter positions. Since the remaining positions are organizationally supervising these key staff, salary levels for those positions will be reviewed only in that context (i.e. as opposed to finding comparable SPS positions). Again, we reviewed job requirements, focusing on experience required for the position. We eliminated positions with less than 10 staff and focused only on those requiring a college degree. The following chart shows the remaining comparable positions and current average salaries. Note these are all career service positions.

Class Code	Class Title	Pay Grade	Years Exp Req	Current Annual Avg
5868	HUMAN SERVICES ANALYST	017	2	\$31,840
5940	HUMAN SERVICES COUNSELOR III	017	2	\$32,183
6091	ECONOMIC SELF-SUFFICIENCY SPECIALIST II	017	2	\$32,891
5754	CARES ASSESSOR	019	2	\$33,418
5871	HUMAN SERVICES PROGRAM ANALYST	018	2	\$33,941
5941	HUMAN SERVICES COUNSELOR III-F/C	018	2	\$34,677
8373	<b>SENIOR CHILD PROTECTIVE INVESTIGATOR</b>	020	2	\$43,235
8374	<b>CHILD PROTECTIVE FIELD SUPPORT CONSULTANT</b>	021	2	\$47,916
5936	HUMAN SERVICES COUNSELOR II	016	1	\$30,549
5934	HUMAN SERVICES COUNSELOR I	014	0	\$27,878
6090	ECONOMIC SELF-SUFFICIENCY SPECIALIST I	016	0	\$28,632
5975	VOCATIONAL REHABILITATION TECHNICIAN	014	0	\$28,995
6057	PUBLIC ASSISTANCE SPECIALIST	016	0	\$30,008
5990	<b>FAMILY SERVICES COUNSELOR</b>	019	0	\$34,990
5961	<b>ABUSE REGISTRY COUNSELOR</b>	019	0	\$35,109
8371	<b>CHILD PROTECTIVE INVESTIGATOR</b>	019	0	\$40,448



The GAL CAC I position requires a bachelor's degree and one year experience. The current actual average salary is \$31,051. The GAL CAC II and Recruiter positions require a bachelor's degree and two years experience. The current actual average salaries are \$34,898 and \$31,605, respectively. When compared to the above SPS positions, we note the following:

- There is only one position requiring a bachelor's degree and one year experience – Human Services Counselor II - a position at the Department of Health in the county health departments. At a current annual average of \$30,549, the average is slightly below the CAC I.
- There are seven positions requiring a bachelor's degree and no experience, with average salaries ranging from \$27,878 to \$40,448. The average of the seven is \$32,177, slightly above the CAC I.
- There are eight positions requiring a bachelor's degree and two years experience, with average salaries ranging from \$31,840 to \$47,916. The average of the eight is \$36,263, about 4% higher than the CAC II and 15% higher than the Recruiter.
- Positions in **bold** are those at the Department of Children and Families who work with the child welfare population. Those positions will be discussed more in the next section.

The above are provided just for context. It is more relevant to review the salary comparisons with the most comparable positions, which would be those at the Department of Children and Families (see section 3.5). What this does tell us is there is a wide range of salaries within the SPS Community and Social Services job family. In addition, while the salary levels for the CAC I position appear generally in line with other state positions, salaries for CAC II and Recruiter positions lag behind other SPS positions.

A significant difference between the GAL and the SPS does exist when looking at benefits for supervisory and management staff. Such staff are classified as Select Exempt Service (SES) in the SPS (as opposed to Career Service) which means they receive the benefit of almost 100% paid insurance benefits. The GAL does not provide this benefit for any of their staff (though this benefit does exist for some staff in the JAC play plan).

According to the State of Florida web site [www.myflorida.com/MyBenefits/Calculator](http://www.myflorida.com/MyBenefits/Calculator), the following are examples of the amount of annual insurance premiums a state employee making an average salary of \$50,000 must pay:

Pay Plan / Coverage	PPO	Standard HMO
Career Service, Individual Coverage	\$600	\$600
Career Service, Family Coverage	\$2,160	\$2,160
SES/SMS, Individual Coverage	\$100.08	\$100.08
SES/SMS, Family Coverage	\$360	\$360

For an employee with family coverage, this benefit could be worth almost \$2,000 per year.



### **3.5. Comparison to Department of Children and Families Positions**

The GAL Program is responsible for the exact same children as the Florida Department of Children and Families (DCF) – all those involved in the dependency system. Thus, comparison to DCF positions is probably more appropriate than to any other SPS positions because it is the same population and requires the same in-depth knowledge of Florida's complex dependency system. We reviewed three general functions at the Department of Children and Families – all within the Family Safety and Preservation budget entity:

- Abuse Hotline – employs about 200 front-line staff who receive reports of alleged abuse or neglect (of children and adults) and determine whether to request an investigation. There are fewer front-line staff than the GAL (285) and they are focused on a smaller subject area, but do have responsibility for the same vulnerable population. They are centralized while the GAL is not.
- Child Protective Investigations – more than 1,000 front line staff around the state who investigate reports of abuse and / or neglect and remove children from homes when warranted. From a subject matter perspective, these are the DCF staff most closely aligned with GAL staff, however, the significant responsibility of removing children from their homes sets them apart from GAL staff. Note these staff are required to obtain the certification discussed in section 2.3.
- Adult Protective Investigations – 283 currently filled positions who investigate allegations of abuse or neglect related to adults. While these staff do not work with children, they certainly serve a vulnerable population and have similar numbers, and geographical presence, to the GAL staff.

For all of the above, we reviewed appointment (minimum) rates (where available) and current averages for front-line, experienced, specialist and supervisor positions (manager and clerical are discussed later).

<b>Appointment or Minimum Salaries</b>	<b>Hotline</b>	<b>Child PI</b>	<b>Adult PI</b>	<b>GAL</b>
Front Line	\$30,989.00	\$39,600.08	\$33,783.62	\$30,319.94
Experienced		\$41,500.16		
Specialist		\$46,900.10		
Supervisor	\$41,000.18	\$49,200.06	\$43,202.38	\$33,076.40

<b>Current Actual Average</b>	<b>Hotline</b>	<b>Child PI</b>	<b>Adult PI</b>	<b>GAL</b>



Salaries				
Front Line	\$35,109.00	\$40,447.78	\$36,427.97	\$31,051.33
Experienced		\$43,234.82		
Specialist		\$47,916.27		\$31,604.81
Supervisor	\$43,266.98	\$50,527.04	\$46,989.22	\$34,897.69

Note while we refer to the CAC I positions as front-line, in reality, these staff actually supervise and manage large numbers of volunteers (see section 2.3 for discussion of CAC duties) and could be appropriately compared to supervisory positions.

Without looking at numbers, we would expect GAL salary levels to be more than Hotline and less than Child Protective Investigators: more than Hotline due to the breadth of knowledge, supervisory / management role (over volunteers), and certification requirements the GAL will soon have, and less than CPI's due to the significant responsibility that comes with the CPI position. If we estimate an appropriate rate of halfway between those two for CAC I, it is actually very close to the appointment rate for Adult PI's - \$33,783.62. While this rate would be lower than the actual current average of the DCF positions, it is still almost 9% higher than the current GAL average. Indexing the GAL appointment rate to a DCF appointment rate has the added benefit of being able to periodically review the DCF rates for any changes. DCF is a large organization with a sophisticated human resource department. Why not rely on work already done?

While there is no GAL position for experienced staff like there is for Child PI, note the experienced CPI position is about 5% more than the front-line position. If this were applied to the minimum CAC I rate suggested above, an appropriate appointment rate would be \$35,472.80.

By any measure, the CAC II position is far below both appointment and actual rates for all DCF positions. For this reason, it may be more appropriate to look at ratios of staff to supervisor salaries at DCF:

- Hotline appointment rate ratio is 76%, actual rate ratio is 81%
- Child PI appointment rate and actual rate ratio is 80%
- Adult PI appointment rate and actual rate ratio is 78%

If we use a rate of 80% and applied to the \$33,783.62 suggested CAC I minimum, we get \$42,229.53 – about 20% more than the current GAL actual for the CAC II.

The Specialist position noted in the table above under GAL is for the Recruiter position. This position requires the same years experience as the CAC II but does not have supervisory responsibilities. For this reason, an appropriate appointment rate might be at the same level as suggested for an experienced CAC I – \$35,472.80 – about 7% higher than the current actual.

The following management positions within the GAL were also reviewed:



Positions	Monthly Minimum	Current Monthly Actual	Annual Minimum	Current Annual Actual
Assistant Circuit Director	\$3,009.61	\$3,361.51	\$36,115.29	\$40,338.15
Circuit Director	\$3,964.08	\$4,814.06	\$47,568.96	\$57,768.66
Program Director	\$3,599.45	\$4,394.25	\$43,193.37	\$52,731.05
Region Director	\$4,588.90	\$5,532.92	\$55,066.76	\$66,394.98

It becomes more difficult to compare to DCF positions when looking at management. The most relevant position within Family Safety is the Program Administrator (PA) who supervises the CPI Supervisors – about 60 positions in DCF Family Safety at a current average salary of \$62,334.56. Only the GAL Region Director is at a level higher than this. Note the Child PI Supervisor position is about 76% of the PA salary so the general ratios hold at this level.

There are organizational complexities that make comparisons less relevant (e.g. responsibility for more than one program area). However, if we continue the 80% hierarchical ratio, we would estimate the following salary levels:

- Assistant Circuit Director – supervises the CAC II's – functionally the circuit operations director - \$52,786.91
- Circuit Director – supervises Assistant Circuit Director - \$65,983.63
- Region Director - \$82,479.54
- Program Director – these are specialty positions, or subject matter experts, in the GAL program office so do not fall into the CAC supervisory line. However, based on discussions with GAL leadership, the appropriate salary level would be between the Assistant Circuit Director and Circuit Director, or \$59,385.27.

For consistency, we also reviewed clerical positions at DCF and noted the following:

- The current average salary for Secretary Specialist within Family Safety is \$23,883.27 – slightly lower than the SPS noted in section 3.3 but still higher than GAL positions.
- The current average salary for Administrative Assistant I within Family Safety is \$30,090.33 – slightly lower than the SPS noted in section 3.3 but still higher than GAL positions.
- There are only three Administrative Assistant II positions within Family Safety and as being SES which would not be comparable to the GAL positions.

### **3.6. Staff Survey and Interviews**

In June 2014, GAL staff at all levels were surveyed to gain perspective and confirm findings. Of the 595 staff surveyed in July 2014, 495 responses were received. The results of the survey are as follows:

- 57.95% have been with the GAL Program for less than five years
- 42.05% have been with the Program for five or more years
- 35.15% have been in their current positions for less than one year



- 19.95% have been in their current positions for one-two years
- 44.89% have been in their current positions for three plus years
- 44.65% of respondents have three plus years of child welfare experience
- 62.71% have Bachelors or Advanced College Degrees
- 60.1% are willing to have Certification Tests
- 12.59% of employees are now on public assistance, or have been while employed with the GAL Program
- 27.32% of GAL staff are currently looking for other employment

In addition, during the course of this study, over a dozen GAL staff were interviewed. Below are the consistent themes from these interviews:

- Staff are committed to the mission of the Guardian ad Litem Program and want to make a difference in the lives of children.
- There have been no Cost of Living Raises (COLAs) or merit raises in more than seven years.
- There is little to no incentive to accept CACII position since there is no additional pay and they would have to supervise their colleagues, while maintaining a volunteer supervisory role and case load.
- Morale is impacted by the low salary, especially when their DCF and CBC counterparts, with less experience, make more money.
- Coordinator is the ‘wrong’ position name; they are supervisors.
- There is no career progression.
- The GAL staff work 50+ hours a week; calls on nights, weekends and holidays.
- Volunteer supervision ratios are high, often at 30-45 per CACI

### 3.7. Recommendations

The recommendations are made with one goal in mind – to attract and retain the best advocates for children. The selected recommendations will do the most to retain the Program’s experienced staff, thereby reducing turnover and improving services for children. In addition, some of the recommendations will build on the current efficient model, providing even more capacity to get to 100% representation.

**Recommendation:** Work with the Justice Administrative Commission (JAC) to re-class those GAL positions doing supervisory work to receive paid insurance benefits. Request additional funds necessary for the cost.

**Rationale:** This recommendation is made based on the finding that GAL staff in supervisory positions do not receive paid benefits like similar positions in the SPS, which are classified as SES (Select Exempt Service). There is no evidence the positions require any less knowledge or skill than their SPS counterparts, thus, should receive comparable benefits. In addition, this is consistent with the recommendation made for attorneys in the prior study.



**Recommendation:** Establish an appointment rate of \$33,783.62 for CAC I positions for those who become certified. Keep the current CAC I minimum for those in training and / or who have not yet become certified. Since this rate is the same as the DCF Adult Protective Investigator appointment rate, review DCF's appointment rates annually for any changes. Request additional funds necessary for the cost.

**Rationale:** This recommendation is made based on the fact that CAC I's are lower paid than other SPS positions requiring the same knowledge, skills and abilities, especially in light of the fact that they will now be required to be certified. In addition, turnover for this position is high and survey results indicate that salary levels are of significant concern.

**Recommendation:** Create a position for experienced CAC I's who are not yet ready, or do not want, to supervise. Establish an appointment rate of 5% more than the CAC I level, or \$35,472.80. Request additional funds necessary for the cost.

**Rationale:** This recommendation is made based on the fact many CAC I's interviewed expressed they did not necessarily want to be promoted to a CAC II position but would like to be recognized for their experience instead of looking for different higher paying positions. This position exists for Protective Investigators and attorneys at the Department of Children and Families, as well as for attorneys within the GAL. This would significantly increase retention.

**Recommendation:** Establish higher appointment rates for other GAL positions indexed to the CAC I position at a staff to supervisor salary ratio of 80%. Request additional funds necessary for the cost.

**Rationale:** This recommendation is made for two reasons: First, if CAC I salaries are increased, the CAC II positions who supervise them will need to be increased, and then those who supervise above the CAC II positions will also need to be reviewed; second, the current levels for the CAC II and other management positions are significantly below comparable salary levels at DCF.

**Recommendation:** Continue work already underway to improve services such as developing and requiring the child welfare certification for CAC's, renaming the CAC position to better describe the "managing" function, recruiting additional volunteers so that CAC's do not have to carry caseload, and establishing a maximum number of volunteers per CAC and ensuring that there are enough CAC positions to meet the established caseload.

**Rationale:** This recommendation is made based primarily on discussions with leadership and staff. All of the items will create a more professional and effective workforce and will increase retention.

**Recommendation:** Consider other ways to improve the working environment for staff such as having satellite offices in larger geographic areas to decrease commuting, reimbursement for parking fees incurred while performing GAL duties, implementing a loan forgiveness program, and / or creating low cost recognition awards for individuals exhibiting the GAL core values.



**Rationale:** This recommendation is one that can be more low cost, and encompasses ideas resulting from the multiple interviews with GAL staff.



# FivePoints

*Non-Attorney Compensation Analysis*

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