APPENDIX D
Office of the Child's Representative
FORMAL COMPLAINT PROCEDURE AND FORM

Complaint Procedure

Please review the following OCR formal complaint procedure concerning the state-paid services of a Guardian *ad Litem* or Child's Legal Representative before submitting a formal complaint.

Formal complaints should be submitted using the attached paper form or you may complete an online form at www.coloradochildrep.org/feedback. Complaints regarding closed cases must be filed within one year of the date the court terminated its jurisdiction in the case. All formal complaints must be written and include the following information:

- Name, address and telephone number of person submitting complaint
- Type of case and case number
- The Court, County, Judicial District, and name of the Judge or Magistrate handling the case
- Name of Guardian *ad Litem* or Child's Legal Representative who is the subject of the complaint
- Explanation of the complaint against the Guardian *ad Litem* or Child's Legal Representative
- Signature of person submitting complaint (or electronic signature/certification on online form)

The purpose of the OCR's complaint process is to evaluate an attorney's qualifications and performance under his/her contract with the OCR or as an employee of the OCR. Attorneys under contract with the OCR are attorneys licensed to practice law in Colorado and are also regulated through the Office of Attorney Regulation Counsel. If you believe an attorney has violated the Colorado Rules of Professional Conduct, you may also file a complaint with the Colorado Supreme Court Office of Attorney Regulation Counsel. Information about this office is available at http://www.coloradosupremecourt.com/LearnMore.htm, and the office's number is (303) 457-5800. The OCR will also report violations of the Colorado Rules of Professional Conduct that it becomes aware of during its investigation of a complaint to the Colorado Supreme Court Office of Attorney Regulation Counsel.

Please note: Individual assessments, decisions or recommendations made by a GAL or Child's Representative in specific cases will not be reviewed. The actions of a GAL or Child's Representative advocating for children will be reviewed by OCR only for compliance with applicable statutory requirements, Supreme Court Directives and standards established by the OCR. If the complaint involves such issues, the OCR will assign the complaint to the staff attorney assigned to the judicial district for investigation.

The OCR will contact the GAL or Child's Representative and provide him or her with a copy of the complaint and request a response on the matter. Pending a response to the complaint, the OCR will gather additional information concerning the case as needed.

The OCR will determine whether a formal meeting with the complainant and the GAL or Child's Representative is necessary or whether a decision based on the information presented can be made. Decisions regarding resolution of complaints are staffed with the OCR's Executive Director. **Failure of the Guardian *ad Litem* to meet with the child in the child's placement in a timely manner or to conduct an independent investigation into the child's circumstances will result in a founded complaint against the Guardian *ad Litem*.** The OCR will issue a written resolution of the complaint to the complainant and the attorney who is the subject of the complaint.

At the conclusion of the complaint process, the OCR will determine what actions, if any, will remedy the complaint if the allegations are founded. Founded complaints may result in the removal of the GAL or Child's Representative from the case in accordance with applicable Chief Justice directives as well as termination of the GAL's or Child's Representative's contract with the OCR. All founded complaints will result in a review of the contract attorney's cases to determine if the issue identified is an anomaly or a pattern of conduct.

Copies of all complaints, responses and their resolution will be maintained at the OCR.

Please note that the OCR formal complaint process does not affect OCR's ability and discretion to terminate an attorney contract at will.

Complete, sign, and mail the attached paper form to the address below:

Office of the Child's Representative
Ralph L. Carr Judicial Center
Attention: Executive Director Linda Weinerman
1300 Broadway, Ste. 320
Denver, CO 80203

Office of the Child's Representative

FORMAL COMPLAINT FORM

Fill out this form and mail it to:
Office of the Child's Representative
Attn: Linda Weinerman
1300 Broadway, Ste. 320
Denver, CO 80203

This form should be used to file a complaint against a Guardian ad Litem *or Child's Representative. Please print, fill out, and sign the form, then send it to the Office of the Child's Representative (OCR) at the address provided above.* ***Please be sure to include your current address and phone number so OCR can contact you if necessary.***

➔ Begin by filling out the information in the two boxes below, and then proceed to Page 2 to describe the complaint in detail.

About You:

FIRST NAME | MIDDLE NAME | LAST NAME

STREET ADDRESS | CITY | STATE | ZIP CODE

DAYTIME PHONE NUMBER | EMAIL ADDRESS

About the case:

TYPE OF CASE (ex: Dissolution, Dependency and Neglect, Delinquency, Paternity, Probate, Mental Health)

CASE NUMBER

COUNTY | JUDICIAL DISTRICT

NAME OF JUDGE OR MAGISTRATE HANDLING THE CASE

NAME OF GUARDIAN *AD LITEM* (GAL) OR CHILD'S REPRESENTATIVE AGAINST WHOM YOUR COMPLAINT IS MADE

Please describe in detail the nature of your complaint against the Guardian *ad Litem* or Child's Representative named on Page 1. Include the times and dates of events where appropriate, and attach extra pages if necessary. When finished, ***be sure to sign and date the form*** before mailing it to the OCR for processing as described on the previous page.

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Signature: _____ **Date:** _____