

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 earlier of the two dates: the court terminated its jurisdiction in the case or the date the court ended the attorney's appointment. 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 county 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

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 https://coloradosupremecourt.com/Complaints/Complaints_Disc.asp, 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 and Supreme Court Directives. 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. Decisions regarding resolution of complaints are reviewed by the OCR's Executive Director. The OCR will determine whether the attorneys' advocacy is in compliance with applicable statutory requirements and Supreme Court Directives and will issue a written resolution of the complaint to the complainant and the attorney who is the subject of the complaint.

Should a complaining party wish to withdraw a complaint, s/he must inform the OCR. The OCR will deem a complaint withdrawn when a complainant has notified the OCR that s/he wishes to withdraw the complaint or when a complainant does not respond to the OCR after the OCR has made diligent efforts to contact the complainant. The OCR will notify the complainant of a withdrawn complaint by sending written communication, either by email or mail to the contact information provided by the complainant.

Upon concluding its investigation of a complaint, the OCR will determine whether to address identified issues or concerns through contracting action or by taking remedial action to improve the quality of the attorney's work. As removing an attorney from an existing case can disrupt continuity, delay the court process, extend the length of the case, and ultimately not be in the best interests of a child, only under the most exceptional circumstances and after serious consideration and consultation with the court will the OCR seek court removal of an attorney from a case.

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 Chris Henderson
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: Chris Henderson
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.***

➔ 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 (e.g., Dissolution, Dependency and Neglect, Delinquency, Paternity, Probate, Mental Health)	
CASE NUMBER	
COUNTY	
NAME OF JUDGE OR MAGISTRATE HANDLING THE CASE	
NAME OF GUARDIAN AD LITEM (GAL) OR CHILD'S REPRESENTATIVE AGAINST WHOM YOUR COMPLAINT IS MADE	

