



Ending the cycle of violence for survivors and children through pro bono legal aid

**Testimony of Betsy Crumb, Volunteer Legal Advocates
Joint Public Hearing Before the Council of the District of Columbia
Committee on the Judiciary and Public Safety and Committee on Youth Affairs
November 13, 2025 at 9 AM**

Good morning, Chairpersons Parker and Pinto and Members of the Council.

Thank you for the opportunity to testify. My name is Betsy Crumb, and I am the Managing Attorney of the Child Advocacy Practice at Volunteer Legal Advocates, formerly the D.C. Volunteer Lawyers Project.

Volunteer Legal Advocates is a nonprofit founded in 2008 to provide comprehensive, pro bono legal assistance to survivors of domestic violence, sexual assault, stalking, and gender-based violence. Through our Child Advocacy Practice, we also represent at-risk children who have experienced abuse, neglect, domestic violence, and other unsafe circumstances.

We applaud the Council's ongoing efforts to address a broad range of issues affecting at-risk youth in our city, most recently through the proposed bills that comprise the C.A.R.E. for Youth Plan. The stated purpose of these bills is to improve outcomes for children involved in the juvenile justice or child welfare systems. We are here today to talk about a category of at-risk youth that is often overlooked in these conversations: vulnerable children in highly contested custody cases.

Specifically, I'd like to talk about the role of guardians ad litem (GALs) in custody cases and highlight how current statutory and policy limitations affect their ability to serve the best interests of children.

In the District of Columbia, GALs are appointed under D.C. Code § 16-914 in contested custody cases -to investigate and report on what is in the best interests of the child. Their responsibilities include conducting interviews with children, parents, teachers, medical providers, and other relevant parties; observing the child's home and school environments; reviewing records that are legally accessible to assess the child's welfare; and providing the court with an independent recommendation regarding custody and visitation arrangements. GALs serve as independent fact-finders for the court, helping judges make informed decisions in complex family disputes.

Custody GALs are different from GALs in abuse and neglect proceedings. GALs in neglect cases are integrated into the child protection system and have statutory authority to access CFSA records. Custody GALs, by contrast, operate solely in civil family law cases. They do not automatically have access to CFSA records, and they are not part of CFSA's statutory oversight framework. This distinction means that custody GALs have to rely on independent investigation methods without the benefit of CFSA's unique insights into child safety and welfare.

In 2024, Volunteer Legal Advocate attorneys and the volunteers they supervise the child advocacy practice represented 139 at-risk children. as GALs. More than ninety percent of those

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children had either witnessed domestic violence, experienced abuse themselves, or both. Many of their families have a history of CFSA involvement or include third-party caregivers.

Our clients range from newborns to seventeen-year-olds, most living in Wards 5, 7, and 8. The vast majority have endured trauma, instability, or exposure to violence. Nearly all of our cases involve allegations of abuse or neglect, and many intersect with CFSA's work.

However, current law makes it very difficult for custody GALs to access CFSA records. Under D.C. Code § 4-1303.06, information acquired by CFSA staff that identifies individual children reported as or found to be abused or neglected, or which identifies other members of their families or other persons, is considered confidential and is accessible only in certain narrowly defined circumstances. CFSA routinely cites this provision when our GALs seek information related to their child clients or members of their clients' families or when seeking to have social workers from CFSA testify regarding their findings.

This creates a significant barrier. Custody GALs are asked to make a comprehensive, child-centered recommendation, but they are legally barred from reviewing the very information that may be most critical to assessing a child's safety. When CFSA has an open investigation, or holds the only information about prior abuse or neglect, a custody GAL cannot access any information until the investigation is closed. As a result, GALs may be forced to delay their own investigation or to tell the court they cannot make a fully informed recommendation. The court, in turn, may have to decide custody based on incomplete information as it also does not have access to this information, potentially jeopardizing a child's welfare.

This tension reflects a broader systemic issue in D.C. family law: the court expects a full and independent best-interest analysis, but CFSA's statutory duty of confidentiality prevents sharing key safety information with the very professionals the court has appointed to protect the child's interests in child custody cases.

The Youth Records Transparency and Oversight Amendment Act offers a meaningful opportunity to address this gap. Its purpose of enhancing transparency and oversight of youth records is essential. I urge the Council to consider a narrow amendment to the Youth Records Transparency and Oversight Amendment act that would permit limited access to CFSA records for custody GALs. This could be accomplished by adding a provision to D.C. Code § 4-1303.06(A)(8) to permit release or disclosure of information for "an investigation by a guardian ad litem appointed pursuant to D.C. Code § 16-914."

This approach would maintain CFSA's essential confidentiality protections while ensuring that custody GALs, and ultimately the courts, have access to the information necessary to protect vulnerable children.

Custody GALs are vital to ensuring that the voices and best interests of D.C.'s children are heard. Without reasonable access to critical CFSA information, our ability to fulfill that mandate is limited, and children's safety can be compromised.

I respectfully urge the Council to strengthen B26-0401 by incorporating a provision that allows for limited, structured access to CFSA records for court-appointed GALs in custody cases. Thank you for your time and for your commitment to the children and families of the District. I would be happy to answer any questions.