

GAL Due Process Procedure

The Deputy Chief Administrative Judge for NYC Courts/Director, NYS Courts Access to Justice Program follows the procedure set forth in Part 36.3 (e) in determining whether or not to remove a GAL from the list of qualified Housing Court GALs. Part 36.3 (e) notes that GALs may be removed “...for unsatisfactory performance or any conduct incompatible with appointment from that list...” Any written complaint forwarded to the **NYC Civil Court-Housing Part GAL Program** triggers the due process procedure described in the abovementioned Rule.

Specifically, once a complaint is received, the Coordinator writes a letter to the GAL setting forth the allegations made against them and affording the GAL an opportunity to respond. The Deputy Chief Administrative Judge for NYC Courts/Director, NYS Courts Access to Justice Program then makes a final decision based on the GAL's written response, or lack thereof, and information gained as a result of the Coordinator's further investigation into the matter. If the allegations made against the GAL are founded, the GAL could be removed from the Program. GALs who do not respond to inquiries from the Administrative Office regarding allegations made against them are automatically removed from the list.

If a GAL is removed from the Program, it is up to the discretion of the Judge whether to remove the GAL from a case before them. However, once removed, the GAL must not receive any appointments going forward.