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## Cooperation with Charges, their Family and the School in the Opinions of Court-appointed Guardians

**Abstract:** The study undertakes the problem of court-appointed family guardianship which is used more and more to help maladjusted youth who come from families that have difficulties in raising them. Court appointed family guardians are obligated to cooperate with the community while monitoring the youngsters. The article shows the results of pilot studies on the cooperation of court-appointed family guardians with the family and the school of the charges. It discusses the tasks most frequently performed by court-appointed guardians when working with charges and cooperation with their family and school in light of their own opinion. Moreover, it presents their opinions concerning the most common difficulties in performing tasks but also opinions on the conditions that need to be fulfilled for these tasks to be effective.

**Key words:** court-appointed family guardian, maladjusted youth, cooperation with family, cooperation with school.

### Introduction

Today, many studies are more and more often exploring the issue of court appointed family guardianship within the area of theoretical and practical interests of educators seeking the most effective methods of prevention and social rehabilitation of youth manifesting a variety of behavioral disorders. A large part of young people at risk of social maladjustment, coming from a high-risk group

(brought up in families affected by a variety of problems that result in educational failure or dysfunction) are more and more being enveloped by court-appointed guardianship. Court appointed family guardians have a responsible job, which additionally includes very difficult tasks in the field of the broadly understood education of the younger generation. As pointed out by Zofia Ostrihanska, family guardians perform their tasks mainly by “granting help to their charges in organizing learning, work and leisure time in a family environment, assessing the environmental situation of minors and juveniles, over whom surveillance has been appointed” (Ostrihanska, Greczuszkin 2000, p. 12).

Court appointed family guardians are obligated not only to exercise direct supervision over their charges but also to perform a number of tasks related to cooperating with the family and the school of their charges. These tasks require a lot of work because the guardians face many difficulties due to the formal requirements of their activity as well as – and perhaps above all – the social barriers and resistance of the family or school environment.

This paper shows the results of pilot studies on the cooperation of court-appointed family guardians with the family and the school of the charges entrusted to their curatorial care. It shows the opinions of court-appointed guardians concerning the most common difficulties encountered when completing tasks and opinions on the conditions of the effectiveness of their actions. These opinions can be valuable pointers in creating conditions for the effective work of court-appointed family guardians at the same time making it possible to optimize processes of social rehabilitation.

## The role and tasks of court-appointed family guardians

Many authors dealing with this issue see an autonomous body in the court-appointed guardian, independently executing the ruling of court-appointed family guardianship in the scope of the broad power granted to them. Some also point out that as a result “of many changes to the executive criminal law as well as the Act on proceedings in juvenile cases, some of the tasks carried out by court-appointed guardians have transformed immensely. The changes have occurred primarily within the most basic tasks of court appointed guardianship – supervision and oversight of the court appointed guardian” (Jedynak, Stasiak 2014, p. 17).

According to the Ordinance of the Minister of Justice dated 12 June 2014 on the detailed method of exercising powers and duties of probation officers (Journal of Laws 2003, No. 989, item 1064), the following include the tasks of a family guardian:

- carrying out responsibilities by contacting the charge covered by the guardianship;

- instructing the charge about their rights and obligations arising from the court decision and discussing the methods and terms of their implementation;
- planning preventive-corrective and welfare-educational interactions in respect of the charge;
- cooperation with the family of the charge in relation to the interactions undertaken;
- providing the charge with help in organizing learning, work and leisure time, and in solving life problems;
- controlling the behavior of the charge at their place of residence, where they are staying, when learning and working;
- cooperation with organizations, institutions, associations, and other entities whose aim is to help the charge (§ 3, item 1).

As pointed out by Irena Mudrecka, “the chief task of the court appointed guardian and the purpose of their activities is to ensure the proper functioning of the family by helping the charge in overcoming those difficulties that led to disturbances in behavior, and the parents in the situation of limited parental rights” (Mudrecka 1997, p. 21). This means that the court-appointed guardian, when carrying out their tasks, cannot be limited only to “surveillance” of the charge, and their role cannot be reduced to collecting and delivering to the court the best possible information about the charges’ behavior. The expected result of the court-appointed guardian’s activity is primarily the re-education of the charge, leading to a change in their behavior. In principle, the result of the court-appointed guardian’s work is also to change the living environment of the charge, which can be achieved only if there is effective cooperation of the court appointed guardian and the charge, as well as the family, school, and other institutions in the local community (which in fact belongs to the specific tasks).

Recognizing the above condition the effectiveness of court-appointed family guardians as particularly important, it was decided to find out empirically what are the opinions of the court-appointed guardians on cooperation with charges and their immediate educational environment: the family and the school.

## **Characteristics of research and of the surveyed court appointed guardian**

The study presented in this paper was a survey conducted among court-appointed family guardians from the Opole province. Their goal was to find answers to the questions: *What tasks are undertaken by the surveyed court-appointed guardians as part of the guardianship supervision of the charges?*, *What is the frequency of the specific tasks?* An important goal was also to learn the opinions of court-appointed guardians on cooperation with the parents and school of the charges in the context of the evaluation of factors that facilitate or hinder the implementation of their tasks.

It was a pilot study, which used a questionnaire consisting of 9 questions grouped in three categories concerning: working with charges, cooperation with their family, and co-operation with the school. Questions related to the type and frequency of the tasks undertaken by the court-appointed guardians as part of supervision of the charges (cafeteria-style checklist), and an overall assessment of cooperation with the family and school of the charges, and also the factors facilitating or hindering the execution of these tasks (open questions).

The study involved 40 people, among whom 23 were women (57.5% of the respondents) and 17 men (42.5% of the respondents). In the study group, there were both social court-appointed guardians – 27 people, and professional court-appointed guardians (13 people), which means that the majority (67.5% of the group) were surveyed about the status of the social court appointed family guardian, and the others (32.5%) were professional court-appointed guardians. The seniority of the subjects was on average over 6 years. It should be noted, however, that the boundaries of seniority as a court appointed family guardian varies between 2 months and 17 years, while one-quarter were people with experience lasting more than a decade. Half of the respondents were court appointed guardians working from one year to 5 years, and only two served as a court-appointed guardian for less than a year. The seniority of the job may be important for the results of this study because it ties in with experience, which in the preventive-educational as well as correctional activities carried out certainly plays a significant role.

Detailed data on seniority is illustrated in diagram 1., considering that it is desirable to show the in-depth analysis of the results obtained in the study.

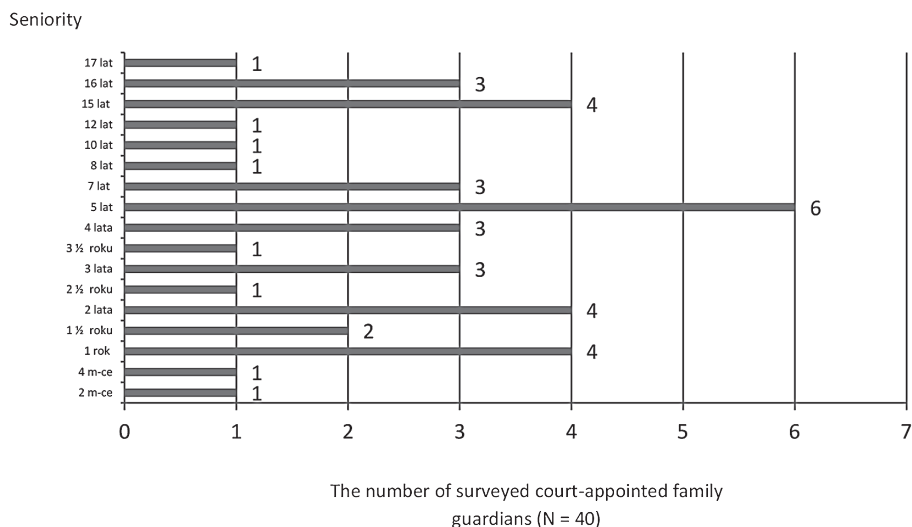


Fig. 1. Seniority of the surveyed court appointed family guardians (in numbers)  
Source: own study.

The characteristics of the respondents, given the nature of the tasks performed by the guardians, also paid more attention to the number of charges over which they exercised oversight. It turned out that an accurate determination of the average number of charges is difficult due to the fact that the professional family guardians are responsible for both the charges, over which they exercise supervision, and to some extent they are also responsible for this part of the charges, who are under the direct supervision of social family guardians. Some of the subjects of professional court-appointed guardian indicated the total number of charges (which ranged from 69 to 172 people), without specifying the number under direct supervision. Therefore, determining the average number of charges on the basis of the results obtained would be inaccurate. So, the data presented below concern only social court appointed family guardians (27 people).

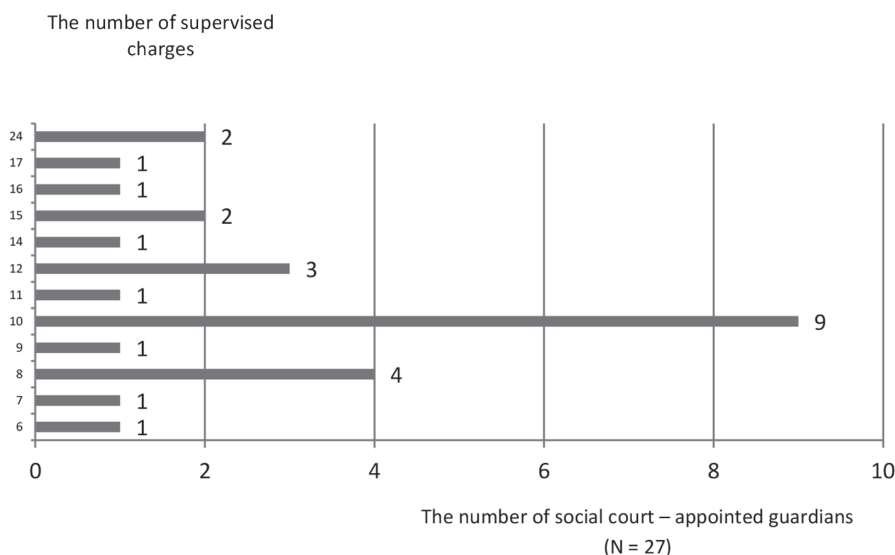


Fig. 2. The number of charges supervised by the surveyed court appointed family guardians (in numbers)

Source: own study.

It turned out that social court-appointed family guardians include in their supervision an average number of eleven charges. It is worth noting that the study group consisted of the most court-appointed guardians exercising custodial care of ten people (one-third of the respondents), while nobody worked with fewer than six charges but some performed their tasks for double the number of young people (up to 24 people). These data seem to be significant due to the fact that the greater the number of charges they must directly care for, the greater the risk of difficulties in the implementation of the tasks undertaken for young people, even in view of limited time. The situation of professional court-appointed family guardians, who in addition to exercising direct supervision are also obligated to

carry out the tasks arising from the activities of social court-appointed guardians, is even more complex.

The above characteristics of the study group, taking into account the most significant variables for the implementation of actions taken, made it possible to analyze in detail the results obtained in this study. Although the study included a small group of court-appointed guardians (this is referred to as a “transitional attempt”, covering from 30 to 100 people), then in further analyses, it was decided to perform percentage comparisons, which should provide a clear and readable presentation of the results, although it does not make room for generalizations (Walasek-Jarosz 2010, p. 177–199).

Cooperation of court-appointed family guardians with charges and their families and schools in light of the research results

The preventive-educational and correctional effectiveness of court-appointed family guardians in relation to youth is only possible when they work not only with the young people themselves but also carry out tasks in relation to those responsible for their upbringing. This, in turn, requires the involvement of both the parents (guardians) as well as schools (teachers and educators) in these activities. The results obtained in the study make it possible to analyze the tasks arising from oversight of maladjusted youth or at risk of social maladjustment, and cooperation with the families of these young people, and schools.

## **Working with charges in the opinions of court-appointed family guardians**

The court appointed family guardian who implements the court-ordered oversight as one of the educational measures – in accordance with the Act on proceedings in juvenile cases – aims “to counteract demoralization and juvenile delinquency and create conditions for returning to normal life of the minors, who came into conflict with the law or rules of social intercourse, as well as striving to strengthen the welfare-educational function and sense of responsibility of families for the education of minors into members of society who are conscious of their obligations” (Journal of Laws 2014, item 382). This means it is about changing the behavior of youth covered by the court-appointed guardianship, which is emphasized by Andrzej Węgliński, claiming that “the termination of the antagonistic-destructive behavior of a charge will require strengthening their will to assume responsibility for their own development” (Węgliński 2008, p. 174). Thus the charge, who becomes the subject of educational interactions of a court-appointed guardian must actively participate in the process of his transformation, which is possible thanks to his genuine cooperation with the court-appointed guardian in the undertaken actions. This cooperation is not always satisfactory, as evidenced by some of the results of this study.

The court appointed guardian takes direct oversight of the charge and implements it through tasks, which mainly include: meetings and talks with the charge, controlling their behavior, disciplining the charge.

Table 1. Implementation of tasks within oversight of the charge in the opinion of the surveyed court-appointed guardians

Tasks part of oversight of the charge	The frequency of executing tasks as assessed by the respondents										Total			
	very often		often		sometimes		rarely		very rarely				never	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Meetings and discussions with the charge	12	30.0	27	67.5	1	2.5	0	0.0	0	0.0	0	0.0	40	100.0
Controlling the behavior of the charge	12	30.0	25	62.5	3	7.5	0	0.0	0	0.0	0	0.0	40	100.0
Disciplining the charge	6	15.0	24	60.0	10	25.0	0	0.0	0	0.0	0	0.0	40	100.0

Source: own study.

The surveyed court appointed guardian always undertake the tasks mentioned, as evidenced by the above results (Table. 1.). Within these tasks, talking with young people is at the forefront, which is carried out by the respondents *often* (67.5%) or *very often* (30.0%). Meetings are generally held at the charge's home but also at the court-appointed guardian's offices. It must be emphasized that there were no respondents who did not take up the above tasks.

An important task carried out within the framework of oversight is also controlling the behavior of the charge, which means, for instance, checking their behavior, like the fulfillment of obligations and agreements (directly or indirectly, e.g. by contacting the school or family). This is performed by all of the respondents, the majority do this *often* (62.5%) or *very often* (30.0%).

Controlling the behavior of the charge by court-appointed guardians aims to assess the compatibility of their behavior with the accepted obligations but also, in a situation when the charge does not duly fulfill their tasks and responsibilities, the need to take disciplinary action is indicated. Based on the obtained results it can be assumed that the charges create some situations where more disciplinary actions must be taken by the court-appointed guardian, e.g. a disciplining talk, interventions involving the use of additional educational measures (including the strengthening of oversight by activities carried out in the probation center or other institutions in the local environment).

The obtained results indicate that the majority of respondents (60.0%) *often* discipline their charges, and some (15.0%) *very often*. It should also be noted that

a quarter of the respondents (25.0%) discipline their charges only *occasionally* because their charges are actively involved in the social rehabilitation process and complete the provisions under the court appointed guardianship without creating the need to take more stringent forms of work, such as “disciplining”.

Among the methods used in the work of a court-appointed guardian, *case work* takes up a special place, which includes: helping charges to satisfy their needs, to solve their various problems, to encourage beneficial and pro-social activities. Many authors emphasize that in case work, it is especially important that the execution of tasks is based on the principle of acceptance and respect for the rights of the person under guardianship, including their right to self-determination with regard to them being aware that they must be active and competently participate in solving the difficulties of the charge (Bałandynowicz 2004; Monist-Czerwińska 2008, p. 239).

Table 2. Execution of tasks within the framework of work using the *case work* method in the opinions of the respondents

The tasks within the framework of case work	The frequency of executing tasks as assessed by the respondents												Total	
	very often		often		sometimes		rarely		very rarely		never			
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Support in satisfying the needs of the charge	1	2.5	15	37.5	21	52.5	1	2.5	1	2.5	1	2.5	40	100.0
Help in overcoming the problems of the charge	8	20.0	24	60.0	6	15.0	1	2.5	0	0.0	1	2.5	40	100.0
Help in resolving conflicts with the environment	3	7.5	20	50.0	14	35.0	3	7.5	0	0.0	0	0.0	40	100.0
Inspiring the charge to change behavior	14	35.0	23	57.5	3	7.5	0	0.0	0	0.0	0	0.0	40	100.0
Encouraging participation in therapy sessions	10	25.0	13	32.5	14	35.0	3	7.5	0	0.0	0	0.0	40	100.0
Organization of the charge's free time	0	0.0	5	12.5	17	42.5	13	32.5	5	12.5	0	0.0	40	100.0
Material support of the charge	0	0.0	2	5.0	9	22.5	9	22.5	14	35.0	6	15.0	40	100.0
Emotional and spiritual support of the charge	9	22.5	19	47.5	5	12.5	7	17.5	0	0.0	0	0.0	40	100.0

Source: own study.



The presented study shows (Tab. 2) that the most frequently performed tasks in this regard may include inspiring young people to change behavior to those that are prosocial and desirable, which the respondents do *often* (57.5%) or *very often* (35.0%). Another important task is helping the charge in solving their problems. The surveyed court-appointed guardians provide such assistance *often* (60.0%) and *very often* (20.0%). They also help their charges to resolve conflicts with the environment, arising from difficulties of the youth in exercising social roles (child, pupil, friend, a member of the school community and the local environment). Help in overcoming difficult situations and conflict involves, among other things, explaining the existing problems and searching together for the most constructive ways out of the crisis or oppression. Every second respondent (50%) does this *often*, and every third respondent does it at least *sometimes* (35.0%).

A special task carried out by the court-appointed guardians as part of case work is providing them with emotional and spiritual support. Youth who is under the supervision of court-appointed guardians are charges who have come into conflict with norms, most often due to the lack of a positive dependency relationship with their relatives (mainly parents), who felt/feel a lack of acceptance from their relatives and generally have lowered self-esteem and a very low sense of their own value. Therefore, for the effectiveness of social rehabilitation, it is so important to increase their self-esteem and rebuild their self-confidence. Spiritual and emotional support is primarily about maintaining the belief in the possibility of changing one's life, including by strengthening faith in oneself and in achieving success after a band of life failures. In light of the presented research results nearly half of court-appointed guardians (47.5%) *often* provide their charges with support, and nearly one in four does it *very often*. Others do it *occasionally* (12.5%) or *rarely* (17.5%). But there was no such respondent who *rarely* provided emotional and spiritual support or *never* does this.

The tasks that the court-appointed guardians perform only *occasionally* (42.5%) or *rarely* (32.5%) is the organization of free time of the charges. This is probably related to the specifics of the activity of court-appointed guardians and the fact that the complexity of their duties and relatively little time for case work do not allow them to be more active in this regard.

One must also note those tasks which are part of court-appointed guardians' duties but are executed very rarely or not at all. These include primarily providing material support to charges, namely assistance in obtaining it from the relevant institutions. In total, half of the respondents performs such tasks *very rarely* (35.0%) or *never* (15.0%) undertakes them. Presumably, this relates to both the difficulties in cooperation of court-appointed guardians with financial institutions, as well as the huge number of other tasks. Other respondents, however, provide (help in obtaining) material support: *rarely* or *sometimes* (22.5%), and some even *often* (5.0%).

The surveyed court-appointed guardians mostly assess their cooperation with charges as positive, *good* – 24 people (60.0%) or *very good* – 7 people (17.5%). Only one respondent expressed the opinion that this cooperation is *unsatisfactory*. Not everyone made an overall assessment of their cooperation with charges, which probably stems from the fact that it is difficult to make generalizations in this regard, because the level and quality of cooperation affect a variety of factors and can vary not only depending on the ward, but also on the type of the problem causing the charge to be appointed a guardian, as well as due to the currently experienced problems by the young people.

Respondents were also asked to identify factors hindering or facilitating their cooperation with charges. The vast majority mentioned here most frequently the factors related to the charge themselves but also concerning educational environments (family, school or other institution). Among the conditions for the execution of tasks under their oversight, the respondents see certain factors that are linked to the conditions of their work.

To facilitate the execution of the tasks arising from working with youth, primarily the traits and dispositions of charges were identified. The basic condition for the effectiveness of activities of a court-appointed guardian is *trust of the charges* to the guardian and their *commitment* in pursuing a change in their situation. In the opinion of every fourth (25.0%) court-appointed guardian, the factors that especially facilitate the execution of tasks are: *willingness to cooperate* with the court-appointed guardian in an effort to change their situation, their *understanding* and *commitment* expressed, among others, by *applying the guardian's recommendations*. Respondents often listed in detail the dispositions of young people that help them to achieve mutual success, for example: *openness, sincerity, ability to establish contacts*, as well as *a positive attitude* both towards the court-appointed guardian as well as to themselves and the possibilities of improving their lives.

According to many respondents (32.5%), a significant impact on facilitating work with young people is their family situation, and in particular *the good functioning of the family*, which also means *good cooperation with the parents* (20% of the respondents highlighted this). According to the respondents, the *family's understanding of the charge's problem* and their *active support* are also important.

Other environmental factors mentioned by the respondents, facilitating the execution of tasks for the charge were *good cooperation with the school* and the *proper functioning of other institutions*, which can in any way contribute to improving the situation of young people under supervision, including specialist clinics and social welfare institutions.

Some of the respondents expressed the opinion that *the possibility to work on any days and any hours* makes it easier to work with charges, as well as having their own transport *in order to get to the charge*.

The difficulties in executing guardianship duties for young people under supervision were demonstrated by court-appointed guardians as analogous factors to

those that facilitate it, while obviously, they are their negative reflections. Among the factors perceived by court-appointed guardians as obstacles the most important are those, which are directly related to young people themselves; the majority of the respondents (75%) indicated them.

Nearly one-third of respondents mentioned mainly: *negative attitude of the charge to the court-appointed guardian and an unwillingness to work* (30.0%). Many court-appointed guardians also indicated *certain traits and behaviors of the charge which are an obstacle to establishing relationships and communication*, including, for example: *the lack of positive thinking, the lack of self-criticism, the rigidity of thinking, being closed up inside oneself, social withdrawal, learned helplessness*. Some court-appointed guardians, among the factors hindering cooperation with charges, also mentioned *rebellion, resistance, malice and arrogant attitude* of young people covered by guardianship, as well as *alcoholism and addictions* – so the symptoms of social maladjustment, which as behavioral disorders are to be minimized or reduced through guardianship.

As stated before, the family of the charge is of great importance for the quality of the work of a court-appointed guardian. Among other things, *distrust towards the family and the lack of support from the parents* in the charge's effort to pursue goals and tasks carried out to change their attitude and behavior were indicated by the respondents as obstacles in this regard. Every tenth respondent stated *the total lack of cooperation of the family with the child*, which is a particular obstacle for the implementation of guardianship tasks.

The obstacles experienced by court-appointed guardians in terms of working with charges also come from schools and other institutions, and they concern, in the opinion of the respondents, primarily *the malfunctioning of institutions and the total lack of cooperation with other institutions*. Other obstacles that were mentioned include: *distant place of residence of the charge, difficult contact or limited availability of therapy centers at the place of residence*.

It should also be noted that the surveyed court-appointed guardians, as the source of difficulties of working with a charge, perceive certain circumstances directly related to their work, and they are: *a small amount of time to devote to the charge, overload with non-supervision matters and own supervision or the inability to enforce certain behaviors related to regulations, e.g. drug treatment*.

In an attempt to summarize the research results in the scope of assessing work with the charges by court-appointed guardians, it can be said that the general assessment in this regard does not arouse concern. Court-appointed guardians, in most cases, *often or very often* execute their most important tasks towards their entrusted charges, and they assess cooperation with them relatively well. They see a lot of difficulties in cooperating with charges but they also see those elements that make it more efficient. This creates the possibility to strengthen these factors and thereby causes that one can look at the issue with optimism.

## Cooperation with the charge's family in the opinions of court-appointed family guardians

The tasks of the court appointed family guardian also include tasks undertaken under oversight through cooperation with the family of the minor under court appointed supervision, such as: meetings with the family of the charge, control of parental rights over the charge or control of the execution of tasks assigned to the family as part of the educational measure. The respondents expressed their opinions on the frequency of taking the above-mentioned tasks. It turned out that the respondents undertake these tasks generally often or very often (Tab. 3).

Table 3. Implementation of tasks within oversight of the charge's family in the opinion of the surveyed court-appointed guardians

Tasks part of oversight of the charge's family	The frequency of executing tasks as assessed by the respondents												Total	
	very often		often		sometimes		rarely		very rarely		never			
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Meetings with the charge's family	20	50.0	20	50.0	0	0.0	0	0.0	0	0.0	0	0.0	40	100.0
Control of exercising parental care of the charge	16	40.0	18	45.0	5	12.5	0	0.0	0	0.0	1	2.5	40	100.0
Supervision of compliance with the tasks assigned to the family	11	27.5	26	65.0	2	5.0	1	2.5	0	0.0	0	0.0	40	100.0

Source: own study.

The data in Table 3 show that the tasks implemented under the supervision of the charge's family are primarily *meeting with the family of the charge* and *control of exercising parental care of the charge*. Respondents meet with the family *very often* (50.0%) or *often* (50.0%). Such visits make it possible to monitor the behavior of the members of the supervised families on an ongoing basis, and thus (at least it should be expected) a relatively good orientation in terms of their execution of duties assigned by the court, which was also the next task indicated by them. It should be noted, however, that *control of executing tasks assigned to the family* as a task undertaken by the respondents is executed – according to their opinion – *often* (65.0%). Almost every third respondent executes them *very often* (27.5%), while only a few *sometimes* or *rarely* (5.0% and 2.5%). This may cause some concern because the supervision of the family is a key area of activity of court-appointed family guardians.

Among the important tasks of court-appointed guardians, the respondents also mentioned *control of exercising parental care of the charge*, which was indicated *often* (45.0%) or *very often* (40.0%).

The meetings of court-appointed family guardians with the family are not only to supervise them, but they are also an opportunity to provide them assistance and support, which includes giving advice.

Table 4. Implementation of tasks within welfare-educational counseling in the opinion of the surveyed court-appointed guardians

Tasks within welfare-educational counseling	The frequency of executing tasks as assessed by the respondents												Total	
	very often		often		sometimes		rarely		very rarely		never			
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Providing advice on childcare	11	27.5	23	57.5	2	5.0	2	5.0	1	2.5	1	2.5	40	100.0
Showing ways of solving problems	12	30.0	23	57.5	5	12.5	0	0.0	0	0.0	0	0.0	40	100.0
Advising on methods and techniques of education	10	25.0	17	42.5	11	27.5	2	5.0	0	0.0	0	0.0	40	100.0

Source: own study.

According to the opinions of the respondents (Tab. 4), support mainly concerns *providing advice on childcare*, *showing methods of solving problems* and *giving advice to parents on educational methods and techniques*. The first two tasks are carried out by the respondents *often* (57.5%), while the latter – also *often* (42.5%). Many of the court-appointed guardians execute this task also *very often*, and only a few do this *rarely* or *very rarely*.

It should also be noted that support for families under guardianship also applies – as indicated by the respondents – *the provision of material support, psycho-pedagogical support or information support* (which in this case means that court-appointed guardians inform the parents about the possibilities of obtaining support in the scope of solving their problems). The data in this area are presented in Table 5.

According to the opinions of the respondents, the most common support provided is *informing about the possibilities of obtaining assistance*, as more than half (52.5%) does this *often*, and nearly half (42.5%) *very often*. The fact that respondents most rarely provide the family material support (nearly 1/3 of the respondents, i.e. 32.5% does it *very rarely*, and even fewer – 12.5% *never*) is connected with the fact that court-appointed guardians do not actually have material resources for directly supporting the family, and do not have formal powers in this

area. It is expected that providing this kind of support (material or psycho-pedagogical) is, in fact, directing the family to specific institutions or cooperating with them in the scope of supporting the family.

Table 5. Implementation of tasks within support of the charge's family in the opinion of the surveyed court-appointed guardians

Tasks part of support of the charge's family	The frequency of executing tasks as assessed by the respondents												Total	
	very often		often		sometimes		rarely		very rarely		never			
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Providing material support to the family	0	0.0	4	10.0	10	25.0	8	20.0	13	32.5	5	12.5	40	100.0
Psycho-pedagogical support	2	5.0	24	57.5	5	12.5	5	12.5	2	5.0	2	5.0	40	100.0
Informing about the possibilities of obtaining help	17	42.5	21	52.5	1	2.5	1	2.5	0	0.0	0	0.0	40	100.0

Source: own study.

Effective implementation of the tasks of court-appointed family guardians depends largely on the quality of their relationship with the supervised families and real cooperation with them, which is also highlighted in this study.

The respondents mostly positively assess cooperation with the family of charges. 28 people (70.0%) perceive it as *good*, 3 people (7.5%) assessed it as *very good* and the same number said it varied (*sometimes it's good and other times it's bad*). Only one of the respondents expressed the opinion that this cooperation is *unsatisfactory*. And this time, not all respondents performed an overall assessment of cooperation with the family of charges, which similarly to the assessment of the cooperation with young people themselves, should be linked to the fact that making generalizations in this area is very difficult, because the level and quality of cooperation depends on not only the court-appointed guardians but above all on the family, its situation, and the various problems that it experiences.

Respondents indicated the determinants (hindering or facilitating) of their cooperation of the family of the charges. As those that facilitate it, they most frequently mention those that relate to the family itself, and above all: *willingness of the family to cooperate* (6 people – 15.5%), *desire of the family to change the situation* or *willingness of the family to help the child* (3 people in each – 7.5%). Other factors in this area have also been mentioned: *good contact with the family*; *the family's understanding of the charge's situation*; *honesty*; *openness*; *involvement of the family in cooperation*. In addition, the court-appointed guardians pointed out that cooperation with the family is helped by certain parents' behavior, for

example: *providing detailed information, not concealing facts, the family admitting to mistakes*. Among the respondents, there were people (10.0%) who believe that a factor facilitating cooperation with the family is *good cooperation with other institutions, such as the District Family Assistance Center or the Social Welfare Center*, which is certainly important mainly in the area of organizing or providing the family with material support, which was previously highlighted. In addition, some respondents pointed out that a significant factor that gives the direction of their cooperation with the family is the court-appointed guardian, especially their *life experience and knowledge*.

Cooperation of a court-appointed family guardian with the family often runs into many difficulties, which the respondents were asked to indicate. Those that are linked to the family, the respondents included, in particular: *lack of willingness to change* (12.5%), *ignoring the suggestions and recommendations of the court-appointed guardian* (7.5%), *lack of interest in cooperation* (7.5%). They also mentioned: *a negative attitude towards the court-appointed guardian, the indifference of the parents, avoiding contacts, concealing or belittling facts, the reluctance of the parents to use the advice of specialists, lack of contact of the parents with the child, lack of goals and life perspectives*. In seeing the difficulties inherent to other institutions, the court-appointed guardians stressed that they mainly mean: *lack of financial resources for family support, the helplessness of institutions, lack of coordination of actions with other family support institutions*. Some pointed to the *long distance from the place of residence of the supervised family*, which causes limitations in the frequency of contacts of the court-appointed guardian with the family.

In an attempt to summarize the research results in terms of the assessment of court-appointed guardian of their cooperation with the family of charges, it can be said that the general assessment in this regard does not arouse concern. Court-appointed guardians in most cases *often* or *very often* execute their most important tasks, and cooperation with the family itself is assessed fairly well. In recognizing the many difficulties in cooperation with the family, however, they also note the factors that make it more efficient. The opinions of the respondents may be an inspiration to take action towards eliminating the impediments to cooperation, as well as provide a basis for strengthening or potentiating the factors facilitating this cooperation.

## **Cooperation with the charge's school in the opinions of court-appointed family guardians**

To make the activities of court-appointed family guardians really effective, they should execute their tasks in cooperation with the most important living environments of the charges, which – aside from the family – also includes school. This is a particularly important educational environment, which in addition to its basic



functions of teaching or welfare and education, also performs compensation and prevention tasks, and also undertakes measures to support the family (education of parents), as well as cooperation with institutions working for their pupils. Therefore, it is very important in the context of the considerations made in this report, to draw attention to the issue of cooperation of court-appointed family guardians with the school that is attended by their charges.

The respondents were asked to express their opinion on the frequency and quality of the tasks carried out together with the school. It turned out that the respondents often undertake tasks in the scope of prevention of youth behavioral disorders. The obtained results are presented in Table 6.

Table 6. Implementation of tasks within prevention of behavioral disorders in the opinion of the surveyed court-appointed guardians

Tasks in the scope of prevention of behavioral disorders	The frequency of executing tasks as assessed by the respondents										Total			
	very often		often		sometimes		rarely		very rarely				never	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Recognizing hazards in the school environment	8	20.0	17	42.5	8	20.0	7	17.5	0	0.0	0	0.0	40	100.0
Cooperation in the field of diagnosis of disorders	3	7.5	20	50.0	11	27.5	4	12.5	0	0.0	2	5.0	40	100.0
Implementation of prevention programs and strategies	2	5.0	6	15.0	9	22.5	11	27.5	10	25.0	2	5.0	40	100.0

Source: own study.

These studies made it possible to conclude that court-appointed family guardians undertake cooperation with the school of their charges by executing various tasks, among others: *identification of hazards in the school environment, cooperation in the field of diagnosis of youth disorders, implementing prevention programs and strategies*. It turned out that the first of these tasks is executed by the majority of the respondents *often* (respectively – 42.5%), and one in five of them execute it *very often* or at least *sometimes* (20.0% in each). Half of the respondents (50.0%) co-participate in diagnosing disorders of charges *very often*, and nearly one-third (27.5%) is involved in this task *sometimes*. Some also participate in the implementation of prevention programs and strategies – *rarely* (27.5%) or *very rarely* (25.0%).

An important task carried out by court-appointed family guardians is exercising control in terms of fulfilling the obligation of school attendance by pupils.



The opinions of the respondents indicate that this task is usually accomplished by *controlling the academic performance of the charge*, which the respondents do *very often* (55%) or *often* (42.5%). Some of the respondents *develop individual educational programs* and although this takes place *very rarely* (30.0%) or *rarely* (25.5%), it is noting this, because these are actions that are an example of case work of a court-appointed guardian in close cooperation with the school, which lets us expect a high level of effectiveness, since these activities are characterized by multiple values of individual methods of educational activity.

Table 7. Implementation of tasks within controlling the charge at school in the opinion of the surveyed court-appointed guardians

Tasks within the scope of controlling the charge's behavior at school	The frequency of executing tasks as assessed by the respondents												Total	
	very often		often		sometimes		rarely		very rarely		never			
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Controlling the academic performance of the charge	22	55.0	17	42.5	0	0.0	1	2.5	0	0.0	0	0.0	40	100.0
Development of individual educational programs	6	15.0	1	2.5	9	22.5	10	25.0	12	30.0	2	5.0	40	100.0
Evaluation of changes in the behavior of the charge	14	35.0	14	35.0	6	15.0	4	10.0	1	2.5	1	2.5	40	100.0

Source: own study.

Cooperation of court-appointed family guardians with the school also relies on the support of teachers and educators who work every day with young people covered by court-appointed guardianship (Tab. 8.). Respondents expressed their opinions about the tasks in this field, and it turned out that cooperation with the school is carried out by *providing teachers with support and legal advice*, but this occurs only *sometimes* (37.5%) or *very rarely* (27.5%), although a quarter of the respondents executes this *often* (20.0%). Unfortunately, court-appointed guardians *very rarely* (40.0%) or *rarely* (25.0%) *participate in the meetings of educational teams*, but *sometimes* (35.0%) undertake *coordination of cooperation of the school with other institutions*. It is worth emphasizing the fact that court appointed family guardians cooperating with the school are “a kind of bridge” between the school and the local community (institutions supporting the school, family, and youth).

Table 8. Implementation of tasks within support of teachers and educators in the opinion of the surveyed court-appointed guardians

Tasks within the scope of supporting teachers and educators	The frequency of executing tasks as assessed by the respondents												Total	
	very often		often		sometimes		rarely		very rarely		never			
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Providing teachers support and legal advice	1	2.5	10	25.0	15	37.5	3	7.5	11	27.5	0	0.0	40	100.0
Participation in the meetings of educational teams	1	2.5	4	10.0	8	20.0	10	25.0	16	40.0	1	2.5	40	100.0
Coordination of cooperation with other institutions	0	0.0	4	10.0	14	35.0	11	27.5	10	25.0	1	2.5	40	100.0

Source: own study.

Respondents were also asked to identify factors hindering or facilitating their cooperation with charges. The vast majority of respondents included the following as the factors facilitating cooperation: *good work of the school counselor* (25.0%); *joint actions concerning the elimination of negative behavior in young people* (15.0%); *involvement of teachers in the matters of students and good exchange of information* (10.0% in each). In addition, the respondents pointed to the characteristics of teachers that facilitate cooperation, e.g.: *willingness to cooperate*, *the openness of teachers*, *their ease in contacts*, *positive attitude to the court-appointed guardian*, *the friendliness of the pedagogical staff*. However, court-appointed guardians also see many obstacles in cooperation, among them: *Lack of involvement of the school in matters of pupils*, *not recognizing the problems of pupils*, *not being aware of their life situation*, and also *a negative attitude of the teacher to the court-appointed guardian*, *lack of understanding of the work of a court-appointed guardian* and *lack of sufficient educational means*, *no willingness to cooperate in implementing and executing new methods of working with the pupil related to their educational failures and shifting the problems to other institutions*, *shedding responsibility for the pupil to the court and court-appointed guardian* or *lack of knowledge on the legal provisions*.

Respondents also noticed some factors affecting their cooperation with the school related to the performance of their own work, and they particularly stressed that these are the *hours in which you can contact the school (until midday, when the court appointed guardian is at work)* and *the workload of both the court-appointed guardians and teachers with other duties, which does not allow a closer contact with the school*. They also drew attention to *bureaucracy*.

To sum up the analysis of the research results in the area of cooperation of court-appointed family guardians with the school, it is worth noting that most respondents have a positive assessment of the cooperation with the school of the charges, in this 25 people (60.0%) see it as *good* or *very good* – 7 people (17.5 %). Only one of the respondents expressed the opinion that this cooperation is *unsatisfactory*. Not all respondents made an overall assessment of their cooperation with charges, which probably stems from the fact that it is difficult to make generalizations in this regard, because the level and quality of cooperation affect a variety of factors and can vary not only depending on the ward, but also on the type of the problem causing the charge to be appointed a guardian, as well as due to the currently experienced problems by the young people.

## Summary and conclusions

The actions of court-appointed family guardians are seen today as a responsible and also very difficult task carried out in the framework of the most broadly defined education of the young generation. They are also an important link in social rehabilitation, which takes place in an open system.

The research results presented in this paper showed the tasks that the surveyed court-appointed guardians execute when carrying out oversight on charges and determined the frequency of their execution. They also allowed to learn the opinions of court-appointed guardians on cooperation with the parents and school of the charges in the context of the evaluation of factors that facilitate or hinder the implementation of their tasks. The tasks of court-appointed family guardians include providing assistance to charges under court appointed guardianship in the organization of learning, work, and leisure time in a family environment. They are also obligated to assess the environmental situation of the young people and execute tasks and activities to improve this situation. Court-appointed guardians exercise direct supervision over their charges but also to perform a number of tasks in the scope of cooperating with the family and the school of their charges. These tasks – if they are implemented effectively – gradually become a bridge for young people leading to the start of a “new way of life”, which they may follow in accordance with the accepted principles and norms of social functioning.

This paper also shows selected results of studies concerning the important issue of cooperation of court-appointed family guardians with the family and the school of the charges entrusted to their curatorial care. The discussion is based primarily on the opinions of court-appointed guardians on ongoing tasks and their opinions on the determinants of the effectiveness of their actions (both the factors that facilitate cooperation with the charge, their family, and the school, as well as the most frequently encountered difficulties in the execution of tasks). The factors facilitating the fulfillment of tasks by court-appointed guardians include above all,

both from the charge's family and the school, the willingness to cooperate and actively participate in the executed activities. However, among the factors hindering it, mostly a negative attitude towards court-appointed guardians and their activities have been indicated. The research results of the pilot study presented, and especially the findings formulated above, lead to deepening this area at the stage of proper research, which will include a larger study sample. Furthermore, after analyzing the presented research results, there is another proposal suggested for proper research: it seems advisable to enrich them with the opinions of the respondents obtained on the basis of in-depth interviews with court-appointed guardians. All the more that the opinions of the surveyed court-appointed guardians can be valuable pointers in creating conditions for the effective work, at the same time making it possible to optimize processes of social rehabilitation.

This also raises conclusions and proposals to the practice of teaching, among which it is especially important to intensify efforts to change the approach of the family and teachers to the role and tasks of court-appointed family guardians, who are not their "enemies" but "allies" in the process of education and social rehabilitation of the charges, and so they should be seen.

It must always be remembered that court appointed family guardians, like social rehabilitation educators, which is emphasized by Robert Opora, "not only use their knowledge and acquired competence, but also affects the charge with the stigma of their own personality and style of functioning in order to help them change their lives" (Opora 2010, p. 9).

## Literature

- [1] Bałandynowicz A., 2004, *Sposoby postępowania resocjalizacyjnego wobec skazanych w warunkach kurateli*, [in:] *Resocjalizacja instytucjonalna. Perspektywy i zagrożenia*, (eds.) Kozaczuk F., Wydawnictwo Uniwersytetu Rzeszowskiego, Rzeszów.
- [2] Jedynak T., Stasiak K. (eds.), 2014, *Zarys metodyki pracy kuratora sądowego*, Wydawnictwo Prawnicze LexisNexis, Warsaw.
- [3] Kalinowski M., 1990, *Nadzór kuratora sądowego – formą wychowania resocjalizacyjnego*, [in:] *Resocjalizacja nieletnich. Doświadczenia i koncepcje*, (eds.) Pospiszyl K., Wydawnictwa Szkolne i Pedagogiczne, Warsaw.
- [4] Monist-Czerwińska M., 2008, *Aspekty wychowawcze w pracy społecznych kuratorów rodzinnych*, [in:] *Skuteczna resocjalizacja. Doświadczenia i propozycje*, (eds.) Bartkowiicz Z., Węgliński A., Wydawnictwo Uniwersytetu Marii Curie-Skłodowskiej, Lublin.
- [5] Mudrecka I., 1997, *Rodzinny kurator sądowy w percepcji nadzorowanych*, Wydawnictwo Uniwersytetu Opolskiego, Opole.
- [6] Opora R., 2010, *Resocjalizacja. Wychowanie i psychokorekcja nieletnich niedostosowanych społecznie*, Oficyna Wydawnicza „Impuls”, Kraków.
- [7] Ostrihanska Z., Greczuszkin A., 2000, *Praca z indywidualnym przypadkiem w nadzorze rodzinnego kuratora sądowego*, Wydawnictwo Norbertinum, Lublin.

- [8] Walasek-Jarosz B., 2010, *Tok realizacji badań oraz opracowanie wyników*, [in:] *Podstawy metodologii badań w pedagogice*, (eds.) Palka S., Gdańskie Wydawnictwo Psychologiczne, Gdańsk.
- [9] Węgliński A., 2008, *Tożsamość zawodowa kuratorów rodzinnych a skuteczność oddziaływań resocjalizacyjnych*, [in:] *Skuteczna resocjalizacja. Doświadczenia i propozycje*, (eds.) Bartkowicz Z., Węgliński A., Wydawnictwo Uniwersytetu Marii Curie-Skłodowskiej, Lublin.
- [10] Węgliński A., 2013, *Styl oddziaływań wychowawczych społecznych kuratorów sądowych w pracy z dozorowanymi z problemem alkoholowym*, [in:] *Profilaktyka i probacja w środowisku lokalnym*, (eds.) Urban B., Konopczyński M., Wydawnictwo Uniwersytetu Jagiellońskiego, Kraków.

### Legal acts

- [11] Ordinance of the Minister of Justice of 12 June 2003 on the detailed method of exercising powers and duties of probation officers (Journal of Laws 2014, item 989).

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