


Cindy Mason, Clerk
Columbia County, Georgia

IN THE SUPERIOR COURT OF COLUMBIA COUNTY
STATE OF GEORGIA
DOMESTIC RELATIONS DIVISION

HALEY CROWE)
Plaintiff,)
vs.)
WAYLAND WILLIS,)
Defendant.)
_____)

Civil Action File No.:
2025EDR0053

**DEFENDANT'S MOTION FOR WRITTEN FINDINGS OF FACT AND CONCLUSIONS
OF LAW & CLARIFICATION REGARDING GUARDIAN AD LITEM AUTHORITY**

COMES NOW the Defendant, Wayland Braxton Willis, appearing pro se, and respectfully moves this Honorable Court for limited and procedural relief in order to complete the factual and legal record and to clarify the scope of authority governing decisions that affect the father-child relationship in this matter. In support thereof, Defendant shows the Court as follows:

I. INTRODUCTION AND PURPOSE OF THIS MOTION

This Motion is brought for a limited and specific purpose. The Defendant respectfully requests that the Court complete the factual and legal record by issuing written Findings of Fact and Conclusions of Law as required by Georgia law where a child's regular contact with a parent has been interrupted, and that the Court clarify the scope and limits of authority governing decisions that affect the father-child relationship in this case.

This matter has involved extended temporary measures, reliance on historical allegations, and significant procedural complexity affecting the child's ongoing relationship with Defendant. The Defendant submits this Motion not to relitigate prior allegations or revisit matters already before the Court, but to ensure that adjudicated facts are clearly distinguished from unadjudicated assertions, and that the Court's reasoning and intent are clearly articulated so that all parties may act in accordance with written judicial authority.

Clarification and completion of the record are necessary to ensure proportionality, transparency, and consistency in decisions affecting the parent-child relationship, and to provide a clear framework for future compliance and review.

II. LEGAL AUTHORITY REQUIRING WRITTEN FINDINGS

Georgia law requires the entry of written findings of fact and conclusions of law when properly requested by a party in an action tried without a jury. O.C.G.A. § 9-11-52(a). This requirement exists to ensure that the factual basis for judicial decisions is clearly articulated and capable of meaningful review.

In matters affecting custody, visitation, and the parent-child relationship, Georgia law imposes an additional obligation. O.C.G.A. § 19-9-3(a)(8) requires the Court to set forth specific findings explaining the factual basis for its decision and why the resulting order serves the best interests of the child. This requirement is particularly significant where a child's regular contact with a parent has been interrupted or restricted.

Georgia appellate courts have repeatedly emphasized that the absence of written findings following a timely request—especially in cases involving the suspension or substantial limitation of a parent-child relationship—constitutes reversible error. Written findings are essential to distinguish adjudicated facts from allegations, to demonstrate proportionality in the relief imposed, and to preserve the integrity of the judicial process.

III. NECESSITY OF FINDINGS

Prior to January 9, 2025, the child's daily life included regular, hands-on care by Defendant as a stable and integral component of the child's routine. From infancy forward, Defendant was consistently and substantially involved in the child's upbringing, including providing daily care and supervision; managing meals, schedules, and routines; participating in early childhood education decisions; maintaining communication with caregivers and teachers; and attending to the child's day-to-day needs.

Defendant's role in the child's life was not limited to discrete periods of contact, but reflected an ongoing parental presence embedded in the child's normal home and family environment. The child's extended family on Defendant's side likewise constituted a consistent and supportive presence in the child's life until the interruption of contact in January 2025.

Beginning January 9, 2025, the child's relationship with Defendant was abruptly disrupted following the filing of a third petition by Mother. For a period thereafter, Defendant was not permitted to have contact with the child. Following the appointment of the Guardian ad Litem and the involvement of counsel, contact between the child and Defendant resumed only in a constrained and supervised form, limited in frequency and scope as compared to the child's prior lived experience.

In mid-October 2025, the child's already limited contact with Defendant was again interrupted following verbal direction communicated by the appointed Guardian ad Litem. This interruption was later formalized by written order entered on November 24, 2025. The written order did not include findings identifying the specific evidence relied upon, whether any allegations were adjudicated as fact, whether Defendant was found to pose an immediate danger to the child, or the conditions, if any, required for restoration of regular contact between the child and Defendant.

The periods during which the child has been separated from Defendant have only occurred in connection with allegations initiated by Mother. Those allegations resulted in multiple proceedings and investigations, none of which produced findings by any court or agency that Defendant abused, neglected, endangered, or otherwise posed any form of risk to the child.

Complete interruption of a child's relationship with a parent is an extraordinary measure and is disfavored where less restrictive alternatives exist. In the absence of articulated findings explaining the duration, scope, and necessity of the interruption imposed in this case, the record remains incomplete.

IV. FINDINGS REQUESTED

To complete the record and to ensure clarity regarding the basis for decisions affecting the parent-child relationship,

Defendant respectfully requests that the Court enter written findings addressing the following limited issues:

1. The nature and extent of Defendant's involvement in the child's life prior to January 9, 2025, including the child's routine and caregiving environment during that period;
2. Whether any investigation, proceeding, or protective order resulted in adjudicated factual findings sufficient to warrant interruption of the child's regular contact with Defendant;
3. The specific facts, if any, relied upon by the Court in connection with the interruption of the child's regular contact with Defendant;
4. Whether the Court found that Defendant posed an immediate or ongoing condition requiring interruption of the child's regular contact with Defendant, and the specific factual basis for such a finding;
5. Whether any evidence considered by the Court was preliminary, corrected, sealed, or otherwise subject to limitation, and the manner in which such evidence was weighed;
6. Why less restrictive alternatives to a complete interruption of the child's relationship with Defendant were deemed insufficient under the circumstances; and
7. The conditions, if any, required for restoration of regular contact between the child and Defendant.

These findings are requested solely to ensure that the record accurately reflects the factual and legal basis for orders affecting the parent-child relationship and to provide clarity for future compliance and review.

V. CLARIFICATION REGARDING GUARDIAN AD LITEM AUTHORITY

On March 18, 2025, the Court appointed a Guardian ad Litem in this matter pursuant to Uniform Superior Court Rule 24.9. Under that Rule, a Guardian ad Litem serves in an investigatory and advisory capacity to assist the Court by gathering information and making recommendations regarding the child's best interests.

Uniform Superior Court Rule 24.9 expressly provides that a Guardian ad Litem's recommendations are not binding upon the Court, and that authority to suspend, restrict, restore, or otherwise alter a child's contact with a parent rests exclusively with the Court through written order. The Guardian ad Litem does not possess independent authority to impose or implement conditions affecting the parent-child relationship absent such an order.

Given the procedural history of this case, the absence of sufficient communication, and extended duration of temporary measures affecting the child's relationship with Defendant, clarification of authority is necessary to ensure that all parties act consistently with judicial direction and to prevent future misunderstanding regarding the source and scope of decisions affecting the child's contact with Defendant.

Accordingly, Defendant respectfully requests that the Court clarify and direct that:

- a. Decisions affecting the continuation, restriction, suspension, or restoration of the child's regular contact with Defendant may be made only by the Court through written order;
- b. Recommendations or communications from the Guardian ad Litem do not constitute enforceable authority unless and until adopted by the Court;
- c. Any Guardian ad Litem recommendation affecting the child's regular contact with Defendant shall be reduced to writing and submitted to the Court for consideration prior to implementation; and
- d. Absent a written order supported by articulated findings to the contrary, the Court may direct that the child's regular contact with Defendant be restored pursuant to the last controlling order previously entered by the Court, or otherwise reestablished in a manner consistent with the child's best interests.

VI. PRAYER FOR RELIEF

WHEREFORE, Defendant respectfully requests that this Court:

1. Enter written Findings of Fact and Conclusions of Law addressing the matters set forth in Section IV of this Motion;
2. Clarify and direct the scope and limits of Guardian ad Litem authority as set forth in Section V of this Motion;
3. Provide such clarification and direction as the Court deems necessary to ensure consistency, transparency, and proportionality in decisions affecting the child's relationship with Defendant; and
4. Grant such other and further relief as the Court deems just and proper;

Respectfully submitted this **11th** day of **January, 2026**.



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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing Defendant's Motion for Written Findings of Fact and Conclusions of Law and Clarification Regarding Guardian ad Litem Authority upon the following parties by electronic service through PeachCourt eService:

Adam B. Land, Esq.
Counsel for Plaintiff
adam@tisdalelawfirm.com

Renee Bell
Guardian ad Litem
kidsgal@aol.com

This **11th** day of **January, 2026**.



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