


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 TO DEFINE AND LIMIT GUARDIAN AD LITEM
AUTHORITY AND FOR WRITTEN FINDINGS**

COMES NOW Defendant, Wayland Braxton Willis, pro se, and files this Motion to Define and Limit Guardian ad Litem Authority and for Written Findings.

This motion seeks clarification of the scope, source, and limits of authority exercised by the Guardian ad Litem (“GAL”) in this case, where actions, recommendations, and directives affecting Defendant’s parental rights have occurred in the absence of written findings of fact or conclusions of law identifying adjudicated or substantiated bases for such authority.

This motion follows Defendant’s Motion to Prohibit Continued Reliance on Unadjudicated and Unsubstantiated Allegations, which placed squarely at issue the operative status of allegations repeatedly invoked in this matter. Where authority continues to be exercised affecting parental rights, the Court must identify the lawful source of that authority and the findings, if any, supporting it.

A Guardian ad Litem is an agent of the Court whose authority is strictly derivative of:

1. the appointment order entered by the Court, and
2. governing statutes, rules, and case law.

A GAL does not possess independent judicial authority. A GAL may not modify custody, visitation, or parental rights, impose conditions, suspend contact, or substitute recommendations for judicial determinations absent express authorization grounded in adjudicated facts and written findings adopted by the Court. Any expansion of GAL authority beyond the appointment order must be explicit, supported by adjudication, and reduced to writing.

In this case, the GAL has exercised authority with binding or practical effect on Defendant's parental rights, including actions and recommendations that have functioned to restrict, condition, delay, or control parenting time and contact. These exercises of authority have not been accompanied by written findings of fact or conclusions of law identifying adjudicated or substantiated allegations supporting such measures, nor has the Court issued an order expressly expanding the GAL's authority to include such control.

The existence of such authority is therefore unclear on the face of the record. To date, no written order of this Court:

- identifies adjudicated facts supporting expanded GAL authority,
- adopts findings justifying delegation of decision-making affecting parental rights, or
- defines the scope within which the GAL may exercise authority with binding or practical effect.

Where authority affecting parental rights is exercised without written findings or express delegation, the Court must clarify whether such authority was lawfully conferred or whether it exceeded permissible limits. Silence does not supply authority. Authority must be articulated.

Given the continued exercise of authority affecting Defendant's parental rights, the Court must now:

1. Define the scope of the GAL's authority in this case as conferred by the appointment order and governing law;
2. Identify any written findings of fact or conclusions of law that expanded or justified that authority; or

3. State that no such findings exist and that the GAL's authority is limited to the scope expressly granted.

Absent such clarification, continued reliance on GAL actions or recommendations affecting parental rights lacks an identifiable legal foundation.

WHEREFORE, Defendant respectfully requests that the Court enter an Order:

1. Defining the scope and limits of the Guardian ad Litem's authority in this case;
2. Identifying any written findings of fact or conclusions of law that authorized or expanded that authority;
3. Clarifying that absent express findings and written order, the GAL may not exercise authority affecting custody, visitation, parenting time, or parental rights beyond the limits of the appointment order; and
4. Granting such other and further relief as the Court deems just and appropriate.

Respectfully submitted, this **20th** day of **January, 2026**.



Wayland Braxton Willis

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing Defendant's Motion To Define And Limit Guardian Ad Litem Authority And For Written Findings, upon the following parties by electronic service through PeachCourt eService:

Adam B. Land, Esq.

Counsel for Plaintiff
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Renee Bell

Guardian ad Litem
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Submitted this **16th** day of **January, 2026**.



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