

  
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 JUDICIAL INTERVENTION, PROCEDURAL  
ACCOUNTABILITY, AND TERMINATION OR LIMITATION OF GUARDIAN AD  
LITEM AUTHORITY**

COMES NOW, Defendant Wayland Braxton Willis, *pro se*, respectfully moves this Court for immediate judicial intervention and relief due to sustained procedural failures associated with the Guardian ad Litem’s involvement in this case. Despite numerous properly submitted motions seeking adjudication, clarification, enforcement, and findings of fact, no substantive rulings have been made. As a result, temporary and informal restrictions on Defendant’s parenting time have remained in effect for months without adjudication, without findings, and without lawful authority. This posture has caused ongoing prejudice to the minor child and to Defendant’s constitutionally protected parent-child relationship.

This Motion consolidates Defendant’s pending requests for relief and serves as a merits-based demand for adjudication at the trial court level. It is, in effect, Defendant’s final attempt to obtain relief in this Court before pursuing appellate remedies. If necessary, this filing will function as a record-preserving notice for appellate review. All factual assertions herein are supported by objective evidence of record, and no speculative allegations of motive are included.

Defendant requests immediate judicial action to address the ongoing procedural irregularities, to clearly define and correct the scope of the Guardian ad Litem's authority, and to prevent continued harm to the minor child's relationship with Defendant.

Since November 2025, Defendant has filed no fewer than nineteen (19) motions and requests seeking adjudication, clarification, enforcement, and findings of fact regarding parenting time, communication, custody-related restrictions, and the Guardian ad Litem's role. These filings include motions to enforce existing orders, to vacate or clarify improperly imposed restrictions, to compel required findings of fact, and to address continued noncompliance and stagnation. Each filing was properly submitted, accepted by the Clerk, and placed on the docket. None has been withdrawn or denied; critically, none has been addressed by any substantive court order.

Despite the number, substance, and urgency of Defendant's filings, the Court has issued no rulings resolving the matters raised. No hearings have been scheduled on these motions. No findings of fact have been entered, and no clarification has been provided regarding the operative status of Defendant's parenting time, communication with the child, or the authority being exercised by the Guardian ad Litem.

Defendant's specific requests for adjudication and written findings - made pursuant to O.C.G.A. § 9-11-52(a) and O.C.G.A. § 19-9-3(a)(8) - remain pending without response. As a result, severe restrictions affecting Defendant's parenting time have persisted without any judicial determination, without any articulated factual basis, and without defined legal parameters.

Through continued inaction, temporary and informal measures affecting Defendant's parenting time and communication have calcified into ongoing restrictions.

Although such measures were never supported by written findings or a final order establishing their necessity, they have now operated as *de facto* determinations. The absence of timely judicial review has allowed provisional conditions to harden into indefinite barriers—this despite Defendant’s repeated, procedurally proper efforts to obtain a court ruling.

The continued absence of adjudication or clarification has effectively transformed silence into a material condition affecting the parties’ rights and the child’s welfare. Where restrictions on parenting time and communication persist with no court order or findings, the Court’s silence cannot be considered neutral; it functions as an ongoing tacit approval of the status quo. Each additional day of inaction compounds the procedural irregularities and deprives the parties—particularly the minor child—of the safeguards inherent in adjudicated decision-making. Accordingly, judicial intervention is now required to either affirm, modify, or vacate the operative conditions by entering a proper order with supporting findings. In short, the time for continued delay is over.

The lack of judicial adjudication in this case has coincided with the Guardian ad Litem exercising authority beyond that conferred by any court order or rule. Although appointed to investigate and make recommendations *to assist the Court*, a Guardian ad Litem does not possess independent power to suspend or alter parenting time or parent-child communication absent a written court order. Nevertheless, in this case parenting time and communication ceased following informal directives attributed to the Guardian ad Litem, rather than by any court order issued after notice and a hearing. In the absence of subsequent judicial clarification or findings, these informal directives were allowed to function as operative restrictions, even though they lacked any lawful force.

From the outset of the Guardian ad Litem's appointment, a pattern of deviation and omission emerged that undermined procedural integrity and neutrality. In the early stages of the case, the Guardian ad Litem permitted departures from the court-ordered parenting schedule to accommodate Plaintiff's preferences rather than enforcing the operative custody arrangement, as reflected in her communications to the parties. When Defendant raised concerns or sought clarification regarding these deviations, he was instructed to acquiesce despite the absence of any judicial authorization for such changes.

As the case progressed, the Guardian ad Litem's handling of drug-testing results further eroded procedural fairness. Defendant underwent multiple drug tests between April and November 2025, all of which yielded negative results, including: an April 2025 hair-follicle test and urine screen (both negative); a June 2025 urine screen (negative); an October 2025 five-panel hair-follicle test (negative); and a November 2025 confirmatory testing sequence consisting of a seventeen-panel hair-follicle test and a PEth alcohol biomarker test (both negative after medical review). Despite the exculpatory nature of these results, none of the negative findings were ever reported to the Court by the Guardian ad Litem or by Plaintiff's counsel. The Court remained unaware of Defendant's consistent compliance until Defendant himself filed motions attaching the laboratory documentation.

By contrast, the first time the Guardian ad Litem affirmatively submitted any drug-test result to the Court was when she filed, under seal, a preliminary hair-test report that purported to show a positive result. That report was later shown to be erroneous: it contained anomalous values inconsistent with Defendant's prior testing history and noted a chain-of-custody discrepancy identified by the testing laboratory's Medical

Review Officer. Only later that same day did the Guardian ad Litem submit the confirmatory retest results showing that the initial report was erroneous (all substances negative). Separately, and consistent with his prior conduct throughout the proceedings, Defendant forwarded the preliminary results to the Guardian ad Litem upon receipt in late October; however, neither those results nor Defendant's surrounding written requests for clarification were acknowledged for several days, until the Guardian ad Litem's October 29 response, which coincided with the informal suspension of Defendant's parenting time and preceded the subsequent escalation of restrictions.

On November 19, 2025—after Defendant's parenting time had already been suspended informally through the Guardian ad Litem's verbal directive and before any court hearing or order—the Guardian ad Litem informed the parties that Defendant's visitation was being placed "on hold," thereby formalizing in writing what had already been occurring in practice.

The following day, November 20, 2025, the Guardian ad Litem communicated directly with the Court to request an emergency halt of visitation and to schedule a status conference on the matter. These actions were taken without notice to Defendant and without affording him an opportunity to be heard.

On November 24, 2025, the Court entered an Order Immediately Suspending Visitation, prepared by counsel at the Guardian ad Litem's urging, which imposed an indefinite suspension of Defendant's parenting time. Notably, the Order contained no findings of fact identifying any imminent danger to the child, no articulation of necessity, and no guidance as to what Defendant could do to restore contact. There is no court order at all that ever expressly suspended the minor child's telephone or video communication with Defendant; nevertheless,

after mid-October 2025, all regular forms of parent-child contact were cut off in practice as a matter of enforceable right.

The Guardian ad Litem herself conveyed inconsistent positions regarding basic communication. At times she indicated that Plaintiff might permit limited phone contact, while at other times she asserted that all parent-child communication was encompassed by the visitation "hold." These inconsistencies were never reconciled by any written clarification or adjudication. As a result, Defendant was left in an untenable position: he had no visitation, no defined right to communicate with his child, no clear conditions for reinstatement of contact, and no response to multiple pending motions seeking judicial intervention—all without any adjudicated findings supporting such extraordinary restrictions.

As the effects of the GAL's deviations and omissions escalated, Defendant diligently sought clarification and tried to follow every instruction. In November and December 2025, he sent multiple emails and texts to the Guardian ad Litem and to counsel, providing updates on completed drug tests, alerting them to laboratory scheduling difficulties, and confirming his ongoing efforts to comply with all requirements. He repeatedly asked *in writing* whether and when his parenting time and communication could resume under the existing orders, given his negative test results and compliance.

On December 19, 2025, Defendant notified the Guardian ad Litem that the laboratory previously used for hair testing had advised against further testing at that facility (in light of the multiple recent negative results). He urgently requested the Guardian's assistance in identifying an alternative testing option and sought guidance, noting that the Christmas holiday and the child's seventh birthday were days away. In response,

the Guardian ad Litem abruptly stated that a new court order would be required for any further testing - offering no help on how to obtain such an order in time, declining to suggest any alternative lab or procedure, and refusing to engage the Court through the expedited means she had herself utilized just a month prior. This marked a sharp departure from the Guardian's earlier approach, where she had taken charge of testing logistics, communicated directly with the court, and coordinated interim solutions. After December 19, 2025, those mechanisms ceased: the Guardian ad Litem effectively washed her hands of the situation, leaving Defendant with no avenue (short of formal motion practice) to resolve the impasse. All the while, Defendant continued to comply with every known directive and continued to seek help, and still there were no adjudicated findings supporting the ongoing restriction of contact.

By January 2026, Defendant and his child had endured a prolonged period of complete separation. On January 2, 2026, as the new year began with still no visitation or communication restored, Defendant sent a final written plea directly to the Guardian ad Litem, seeking immediate status information, clarification, and assistance. This communication received no response at all.

At this juncture, the Guardian ad Litem's involvement had devolved into one of obstruction and absence: after engineering the suspension of contact, she offered no roadmap to reunification. The record now reflects that the Guardian ad Litem alternated between contradictory positions and ultimately abandoned her previously active role once Defendant's exoneration (through clean tests and compliance) became apparent. Defendant has thus been left without any lawful guidance on whether, when, or how he might resume a relationship

with his child—despite his full compliance and multiple pending motions begging for court attention.

The prolonged lack of adjudication or clarification in this case has resulted in an outcome far more severe than any temporary, child-focused adjustment to parenting time. Defendant's contact with his child was not reduced, modified, supervised, or structured pursuant to a reasoned judicial determination. Instead, it was effectively eliminated. For an extended period, Defendant has been deprived of all regular parenting time and meaningful parent-child communication without any court finding that such a complete severance was necessary, appropriate, or in the child's best interests.

This result did not follow from an adjudicated assessment of risk or from the application of graduated safeguards designed to protect the child while preserving the parent-child relationship. Rather, contact ceased through informal and unreviewed mechanisms, in the absence of findings, guidance, or defined legal parameters. Defendant was never informed—by order or otherwise—what specific conduct justified the total deprivation, what conditions were required for restoration of contact, or how long such an extreme measure was intended to last.

For the minor child, this lack of resolution has meant the abrupt loss of continuity, predictability, and stability in a previously foundational and active parent-child relationship. For Defendant, it has meant the effective nullification of parental rights without adjudication. The prejudice is not abstract: each day of unresolved status compounds the harm by normalizing a complete absence of contact that was never subjected to judicial scrutiny. Such an outcome, imposed without

findings or process, is inherently destabilizing and incompatible with the child's best interests.

Every additional day of procedural ambiguity further entrenches an improper status quo. When parenting time and communication are suspended or rendered undefined without written findings, standards, or enforceable parameters, the absence of adjudication itself becomes prejudicial. What were characterized as interim or emergency measures have, through inaction, assumed the effect of permanent outcomes.

Critically, the parent-child relationship in this case has come to be governed not by adjudicated orders of the Court, but by informal control and unilateral decision-making exercised outside any defined legal framework. In such a posture, parental rights do not merely become difficult to exercise; they become legally indeterminate. A parent cannot comply with conditions that are undefined, challenge restrictions that are informal, or seek restoration of rights that have been curtailed without findings.

The Court's immediate intervention is therefore required—not to assign fault, but to restore the rule of law to a situation presently governed by ambiguity and discretion. The interests of the child, the integrity of the Court's authority, and fundamental principles of due process demand prompt judicial resolution.

This matter has now progressed well beyond the stage where any further *ad hoc* or provisional measures can be countenanced. Extraordinary limitations on Defendant's parenting time and communication were initially imposed based on allegations characterized as urgent and severe; yet more than a year has elapsed without any evidentiary hearing, without any substantiated proof, and without any judicial finding that Defendant has harmed or endangered his child.

In that time, the Court's record has grown to include ample evidence contradicting the allegations used to justify the emergency measures: multiple protective-order petitions initiated by Plaintiff have been dismissed, and multiple child-welfare investigations have been closed as unsubstantiated, producing no findings that Defendant abused, neglected, or endangered the child.

Plaintiff's own testimony and the procedural outcomes to date have failed to provide any factual support for continuing to deprive the child of Defendant's involvement. Despite this, Defendant's parenting time remains effectively at zero. Under these circumstances, continued procedural paralysis is untenable and unlawful. The Court must now either adjudicate the outstanding allegations on their merits - with proper evidence and specific findings as required by Georgia law - or vacate the extraordinary restrictions that were imposed in the absence of such proof. There is no lawful basis to maintain a complete obstruction of the parent-child relationship indefinitely without evidence, and no procedural justification for further delay when Defendant has repeatedly pressed for a resolution.

Accordingly, Defendant respectfully requests that the Court promptly adjudicate the operative custodial framework governing parenting time and communication, or, in the alternative, enter a clear temporary parenting schedule pending adjudication, without the imposition of new preconditions unsupported by findings.

In the absence of prompt substantiating evidence, Defendant's regular parenting time should resume under the last valid court order or agreement in effect prior to the unwarranted suspension (i.e., the status quo ante), without the imposition of new preconditions.

The record in this case demonstrates that the Guardian ad Litem's involvement has strayed outside the bounds of her proper role and, at critical junctures, has supplanted the Court's authority. Informal directives, unilateral communications, and material omissions by the Guardian have operated to suspend or restrict Defendant's parental rights without any written order or due process. Such actions exceed the intended investigative and advisory function of a Guardian ad Litem and infringe upon the Court's exclusive role as ultimate decision-maker.

Defendant respectfully requests that the Court take immediate corrective action to realign the Guardian ad Litem's role with what the law permits. At a minimum, the Guardian's authority should be expressly limited to investigation and recommendation only, with no further power to direct, dictate, or effectively impose restrictions absent a written court order. The Court should strongly consider terminating the Guardian ad Litem's appointment altogether if her continued involvement cannot be reconciled with the requirements of procedural integrity and the child's best interests.

Additionally, Defendant requests that the Court make appropriate findings on the record regarding the Guardian ad Litem's conduct to determine whether she has acted with bias or engaged in a material dereliction of her duties. If such a finding is made (or if the circumstances otherwise warrant), the Court should further consider relieving Defendant of any financial obligations for the Guardian ad Litem's fees attributable to her improper actions. In the interest of justice, the Court may impose appropriate limitations or reductions on the Guardian's fees and reallocate costs as necessary to account for the prejudice her conduct has caused irreversibly.

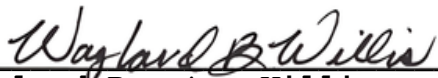
Defendant has previously raised—through multiple motions now pending—the issues of procedural noncompliance, unauthorized restrictions on parenting time, and the resulting harm to the child and to Defendant. Those motions squarely placed before the Court the question of remedial relief, including the possibility of fee reallocation and other sanctions permitted by law. The Court’s continued inaction does not extinguish the availability of such remedies.

Defendant submits this Motion, in part, to ensure the record is clear that the ongoing procedural failures and attendant harm have been timely and repeatedly brought to the Court’s attention. Any further accrual of prejudice will occur with full notice. Defendant maintains that he has preserved all rights and objections related to these issues.

Nothing in this Motion is intended to waive any right, claim, or argument that Defendant has previously asserted or could assert in this matter.

Defendant expressly reserves the right to seek any and all additional relief as may be appropriate. He prays that the Court grant the relief requested herein, or such other and further relief as the Court deems just and proper under the circumstances.

Respectfully submitted, this **9th** day of **February, 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 For Judicial Intervention, Procedural Accountability, And Termination Or Limitation Of Guardian Ad Litem Authority** together with all exhibits, upon the following parties by electronic service through PeachCourt eService:

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This **9th** day of **February, 2026**.



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