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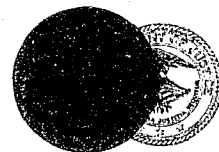
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JUVENILE JUSTICE BULLETIN

NO. JRS

Verne L. Speirs, Administrator

MAY 23 1988

CASA: Court Appointed Special Advocate for Children... A Child's Voice In Court

ACQUISITIONS

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) views the CASA program as an essential delinquency prevention effort. Research shows that neglected and abused foster children—often shuffled from placement to placement—are likely to become delinquent and later become adult criminals and child abusers themselves.

An estimated 300,000 children nationwide live in foster care each year. The majority of them are in foster care because they have been neglected, abused, or abandoned, or have parents who are physically or emotionally handicapped. The CASA program, in which OJJDP has invested approximately \$1.6 million, is designed to help eliminate future delinquency and adult criminality by helping children in foster care find a safe, permanent home.

In 1978, a nationwide study was conducted for OJJDP to evaluate volunteer programs in juvenile courts. The CASA program in Seattle, Washington, was termed one of the most successful and innovative. Working with the Permanent Planning for Neglected and Abused Children project of the National Council of Juvenile and Family Court Judges, OJJDP recognized the need to support their efforts to bring CASA into courtrooms nationwide. An initial award was made to the National CASA Association through the National Council of Juvenile and Family Court Judges. Due to the CASA program's continued success, the Association subsequently received a 3-year cooperative agreement for program expansion.

The CASA program works because volunteers make it work. This *Bulletin* explains how court appointed special advocates, citizen volunteers, work to provide the system with fresh insight and needed manpower. Appreciated by judges, prosecutors, and social workers, the CASA program is working to change the lives of children.

Verne L. Speirs
Administrator
Office of Juvenile Justice
and Delinquency Prevention



Danny is an 8-year-old boy who was physically abused by his stepfather. A CASA volunteer, after carefully researching Danny's background, the facts in the case, and considering the child's own hopes and feelings, testified before the court that it would be in Danny's best interest to live, not in a foster home, but with his Aunt Marilyn. The CASA volunteer convinced the court to place Danny with his aunt, and was also able to obtain foster care payments from the State to help her take care of him. Danny had a safe, secure, and permanent home.

In Spanish "casa" means home. In today's juvenile justice system, CASA denotes a Court Appointed Special Advocate—a trained volunteer who advises the court about the best interests of a child, like Danny, whose home placement is being decided by the court—usually as a result of abuse or neglect. The CASA program tries to ensure that a child's right to a safe, permanent home is acted on by the court in a sensitive and expedient manner.

The CASA conducts an independent investigation of the case and submits a formal report advising the court about the best placement for the child. During the course of the investigation, the CASA will have spoken with many people—the child, parents and family members, neighbors, doctors, teachers, and others—and will have reviewed all pertinent records and documents.

History of the CASA program

In seeking to provide immediate protection to children suffering from parental abuse and neglect, courts have not always been able to address the children's long-term interests. In 1976, more than half a million children in the United States were in foster care, often unable to be reunited with their own families or adopted by new ones. Foster care—designed as a temporary shelter—had become a de facto permanent placement. The courts were not always able to ascertain just what placement *would* be best for the child's long-term welfare.

Judge David W. Soukup, then Presiding Judge of King County Superior Court in Seattle, Washington, began to look for ways to make sure the child's best interests *could* be consistently presented to the court. Traditionally, the child's advocate in court is the "guardian ad litem"—an attorney appointed by the court to represent a minor during litigation. Few court-appointed attorneys, however, had the time or the training to carry on the comprehensive investigation that would elicit the information the court needed.

"An effective CASA program can assure the court that a child is prospering in the ordered placement, and that no child will be lost in the system," Judge Forest Eastman, President, National Council of Juvenile and Family Court Judges.

Judge Soukup decided to recruit and train community volunteers—ordinary citizens—who would be asked to make a long-term commitment to each child for whom they would serve as guardian ad litem. Judge Soukup's concept became an active program on January 1, 1977. In its first year, the program provided 110 trained guardians ad litem for 498 children in 376 dependency cases.

In the fall of 1977, the Children in Placement Committee of the National Council of Juvenile and Family Court Judges (NCJFCJ) was developing guidelines to assist the juvenile justice system in protecting the child's right to a safe and permanent family. When the Seattle program came to its attention, the Committee voted to incorporate the Seattle volunteer concept as one of its models. The Committee coined the umbrella term "Court Appointed Special Advocate"—CASA—denoting any volunteer following a clearly defined role as a

friend of the court in dependency matters.

In 1978, a nationwide study was conducted for the Office of Juvenile Justice and Delinquency Prevention to evaluate volunteer programs in juvenile courts. The Seattle program was termed one of the most successful and innovative.

As reports of Seattle's success spread, new CASA programs sprang up in Rhode Island, California, Arizona, Arkansas, Florida, Connecticut, New York, and

elsewhere. With Florida taking the lead, States began to pass legislation authorizing such programs.

Currently, there are more than 245 CASA (or volunteer guardian ad litem) programs in 43 States. Five States—Delaware, Florida, North Carolina, Rhode Island, and South Carolina—have statewide programs that operate in the majority of jurisdictions and are mandated by State law. The programs often are known by different names—CASA, Guardian Ad Litem programs, Pro-Kids, Child Advocates, and Foster Child Advocate Services.

How the CASA program helps

The child: Before CASA, it was not unusual for dependent children to get "lost" in the red tape of court hearings. Although their future depended on the juvenile court judge's placement decision, these children had no trained representative to thoroughly research their cases and speak for them in court. The

courtroom was filled with professionals—social workers and attorneys—but no one had the time to find out what was really *best* for each child. As agents of the State, social workers considered the child's interests, but only in the larger context of what was best for the family unit. Attorneys were often present to advocate individual interests—the wishes of the persons who retained them. Judges often had to make a decision on where children would live, perhaps the rest of their lives, without sufficient information about the person that decision affected most directly—the child. Today, CASA volunteers are appointed by juvenile court judges to represent the best interest of the child in court.

Because they deal with only one or two children at a time, CASA volunteers have the time to thoroughly research each child's case. Their work pays off. CASAs provide the system with fresh insight and needed manpower. The information they gather helps form a more complete picture of that child's life for the judge. The CASA volunteer makes a recommendation—based on the facts—of what home placement the CASA thinks would be best. CASA

The social worker: CASA volunteers assist social service agencies by gathering information that can help a caseworker develop an effective case plan for a child. Since volunteers are trained to recognize the value and availability of community services that can help children and families, they often provide the caseworker with substantive information about what resources can help a child. The CASA volunteer also has the time to gather facts and information about each child's case—time overworked caseworkers, who sometimes carry 60 to 90 cases simultaneously, do not have to give.

The judge: CASA was started by a juvenile court judge as a means to bring more information about the child into the courtroom. In the past, many judges found that they were making placement decisions on incomplete and/or insufficient information. CASA volunteers are assigned to cases by a judge; an important aspect of a CASA's job is factfinding for the court.

The attorney: CASA volunteers provide a vital link between the attorney and the child. Since CASA volunteers have the

Types of cases in which CASAs are appointed

CASA programs operate in dependency cases in which children have allegedly been abused, neglected, or abandoned by their families. The primary circumstances bringing a child to the attention of the court are defined as:

- *Neglect*—The failure of a parent or custodian to provide basic necessities of life such as food, shelter, clothing, education, and medical treatment.
- *Physical abuse*—Usually in the form of an assault by those responsible for the child's welfare.
- *Sexual abuse*—Including failure of the responsible adult to protect the child from sexual abuse by another person.
- *Abandonment*—Leaving a child without adequate care, supervision, support, or parental contact for extended or excessive periods of time.
- *Unwilling or unable*—In which a parent or custodian is unwilling or cannot care for a child due to the adult's own mental retardation, mental illness, or physical disability.
- *Psychological abuse*—Failure to provide the psychological nurturing necessary for a child's growth and development.

The role of the CASA

Only the court can appoint a CASA and only the court can dismiss a CASA for failure to meet responsibilities. Ideally, the appointment is made when a child's interests are first threatened and a petition is presented to the court. The appointment generally takes place during or immediately after the first hearing, which may be a shelter care or custody hearing.

The role of the CASA as a guardian ad litem is to investigate, evaluate, and recommend to the court what is truly in

"The CASA program has demonstrated that volunteers can effectively and inexpensively investigate the needs of children and articulate those needs to the court," Bruce P. Clausen, Senior Assistant Attorney General, Washington State.

volunteers have been the safety net that has kept many children, children like Danny, from falling through the cracks of the child welfare system. They have aided permanency planning efforts, and helped thousands of children to live in safe, secure, and stable homes.

time to thoroughly research a child's case before it goes to court, they can provide important information to the court that will aid attorneys in doing their jobs. CASA volunteers also have received special training in child abuse and neglect—training most attorneys have not had. The CASA is able to bring that knowledge to the case, complementing the attorney's legal expertise.

the child's best interests, both from a temporary and a long-term standpoint. The CASA serves as:

- *Investigator*—determining all relevant facts through personal interviews and a review of records, documents, and clinical data.
- *Advocate*—presenting the relevant facts before the court at hearings, through written reports, and direct testimony.
- *Facilitator or negotiator*—ensuring that the court, social services, and legal counsel fulfill their obligations to the child.
- *Monitor of all court orders*—ensuring compliance by all parties and bringing to the court's attention any changes in circumstances that may require modification of the court order.

CASA volunteers are the eyes and ears of the court, making independent, objective recommendations regarding the child's best interests. Judges have come to count heavily on the CASA's independent assessment and recommendations. However, since the CASA is only one of the parties providing recommendations to the court, the court may or may not accept the CASA's recommendations. Each case is determined on the facts presented by all parties and how those facts relate to the case and State and Federal law.

Establishing a successful CASA program

Developers of successful CASA programs have taken care to integrate them into the existing justice system and the community. They have identified the following requisites for success:

- The support of a strong judge to serve as the program's advocate and mentor.
- A clear definition of the CASA role.
- The appointment of an efficient, effective program manager.
- The recruitment and training of a broad spectrum of volunteers.

"When CASA is involved in a case, you know the system is going to be working at peak efficiency," Patrick Murphy, Public Guardian of Cook County, Illinois.

A strong judge can provide the impetus for the program, enlist community support, and secure expert training for the volunteers. Often judges have been the prime movers—presenting proposals to the entire bench, meeting with related organizations, securing funding, hiring program managers, and participating in the training and recognition of volunteers.

Potential resistance from attorneys and social workers can be defused by clearly defining the CASA role in the proceedings and by working closely with these professional groups. A CASA is likely to come into frequent contact with both attorneys and social workers during the course of the case. Enlisting the trust and cooperation of all professionals in the juvenile justice system is an important aspect of the CASA program.

Selecting a program manager is a key decision that should be made as soon as the CASA program is authorized. Most CASA programs have hired program managers with social service backgrounds, but a few have chosen attorneys. The program manager recruits the volunteers, assigns a CASA to specific cases, supervises and consults with the CASA during the cases, develops and implements training programs, and forges cooperative relationships with key court personnel, child welfare agencies, and the community at large.

Becoming a CASA volunteer

Typical CASA recruitment literature states:

If you are a mature, responsible adult who can relate to families in stressful situations, and are willing to commit your time to ensure that

the existing process for the placement of children works better, you may become a CASA.

Successful programs report that applicants tend to screen themselves when they are provided with thorough, accurate information prior to their interviews. Interviewers look for applicants exhibiting:

- independent, objective thinking,
- dedication to completing a thorough investigation,
- ability to serve as an active CASA during the entire litigation of the case,
- impartiality,
- communication skills, and
- willingness and ability to learn.

The volunteer's special expertise in such fields as child development, drug abuse, and retardation may be particularly useful to the court. Previous traumas (sexual abuse, disability of a family member, abandonment) also may contribute to the CASA's ability to deal sensitively with the child.

Training

Because each CASA program is unique to the needs of the jurisdiction it serves, and each volunteer's experience, expertise, and background vary, CASA training has taken many forms.

The initial preservice training, which takes from 10 to 45 hours, focuses on child abuse and its causes, the character of advocacy, juvenile justice legal procedures, foster care and placement, and the CASA role.

These and more specific topics related to the volunteer's responsibilities are treated in greater detail during inservice training. Experience has shown that volunteers working on cases benefit

particularly from simultaneous training. Consultation with both administrative and legal staff serves as further essential inservice training for all CASAs.

mation on becoming a member, write the National CASA Association, 909 NE. 43rd St., Suite 202, Seattle, WA 98105.

CASA Receives President's Volunteer Action Award

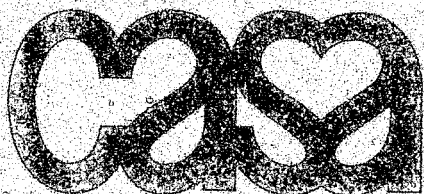
In 1985, CASA volunteers nationwide were recognized for their work with abused and neglected children when the National CASA Association received the President's Volunteer Action Award for outstanding American volunteer achievement.

CASA was selected from among 1,800 nominations received from local, regional, and national volunteer organizations. The award, presented each year to recipients in 10 categories, was presented to CASA by President Ronald Reagan in a special White House ceremony.

In the citation, President Reagan called the award recipients "organizations who have shown that the only limits on our ability to help others are our own imagination and determination."

The National CASA Association was recognized for its achievements, including its growth from one local program in 1976 to 131 programs nationwide in just 8 years. In 1987, there were more than 245 CASA programs speaking for America's children in 43 states.

The President's Volunteer Action Award is cosponsored by VOLUNTEER—The National Center, a private nonprofit organization, and ACTION—the Federal agency for volunteer service.



"CASA's most important feature is that it is a people-to-people program. It matches caring, well-trained volunteers with children who otherwise might have no voice in determining their own future," Judge Tom McDonald, District Court Judge, Louisville, Kentucky.

The National CASA Association

The National Court Appointed Special Advocate (CASA) Association was formed in 1982 to strengthen the integrity and professionalism of its members in their responsibilities as child advocates, and to unify and promote the national network of CASA programs.

The Association offers training for CASA program directors and volunteers; technical assistance to new and established CASA programs; current news on legislation, program development, and case law in a quarterly newsletter, *The Connection*; an annual national conference where volunteers and others from the child welfare system exchange ideas and information; start-up funds for individuals interested in launching CASA programs; and resource materials designed specifically for CASA program directors and volunteers.

The Association also promotes the CASA concept through ongoing public awareness efforts. Information kits, promotional items, and public service announcements are available to programs, courts, and communities.

The Office of Juvenile Justice and Delinquency Prevention of the U.S. Department of Justice provides funding for the National CASA Association. For infor-

For more information

The following organizations can provide more information, and help courts and communities interested in establishing a CASA program:

National CASA Association
909 NE. 43rd St., Suite 202
Seattle, WA 98105
Attn. Linda Selsor, Executive Director
Tel. 206-547-1059

Office of Juvenile Justice and
Delinquency Prevention
U.S. Department of Justice
633 Indiana Avenue NW.
Washington, DC 20531
Attn. Dr. J. Robert Lewis, Program
Manager
Tel. 202-724-7573

National Council of Juveniles and
Family Court Judges
P.O. Box 8970
Reno, NV 89507
Attn: Robert Praksti, Project Director,
Permanency Planning Project
Tel. 702-784-6737

The Assistant Attorney General, Office of Justice Programs, coordinates the activities of the following program Offices and Bureaus: the Bureau of Justice Statistics, National Institute of Justice, Bureau of Justice Assistance, Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime.