



Regulations Relating to the Court-Appointed Special Advocate Program



**The Department of Criminal Justice Services
Juvenile Services Section
202 North Ninth Street
Richmond, VA 23219
804-786-6428**

Virginia Administrative Code

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CHAPTER 160 REGULATIONS RELATING TO THE COURT-APPOINTED SPECIAL ADVOCATE PROGRAM (CASA)

Part I General Definitions

6VAC20-160-10. Definitions.

The following words and terms when used in this chapter shall apply unless the context clearly indicates otherwise:

"Advisory council" means a locally appointed body with a specific purpose to advise the governing board of a local CASA program.

"CASA" means court-appointed special advocate.

"CASA program" means any locally operated court-appointed special advocate program which utilizes court-appointed volunteers to assist in judicial proceedings involving allegations that a child is abused, neglected, in need of services, or in need of supervision and for whom a Juvenile and Domestic Relations District Court judge determines such services are appropriate.

"Case" means a child for whom a Juvenile and Domestic Relations District Court judge has entered an order of appointment for a CASA volunteer.

"DCJS" means the Department of Criminal Justice Services.

"Director" means the director or coordinator of a local CASA program responsible for the day-to-day operations of the local CASA program.

"Governing board" means the oversight body responsible for the local CASA program. This may be a city council, county board of supervisors or the board of directors of a nonprofit organization.

"Staff advocate" means an employee of the CASA program who serves, in lieu of a CASA volunteer, as the assigned advocate for a case.

"Volunteer" means a court-appointed special advocate.

Part II
Program Administration

6VAC20-160-20. CASA program governance.

- A. A CASA program shall have a governing board responsible for overseeing the program's operations.
- B. A governing board may choose to establish an advisory council to support the CASA program operations. The governing board shall articulate in writing a clearly defined purpose for the advisory council, criteria for selection of members, a defined relationship between the council and the CASA program staff and a clear process for reporting to the governing board.
- C. If the governing board is not a city council or county board of supervisors, the composition of a local CASA governing board and any established advisory council should include representatives of each geographic area served by the program. Members should represent diverse cultures, professional disciplines, public and private sectors, and have knowledge of or an interest in matters including, but not limited to, the courts, child welfare and juvenile justice.
- D. All new governing board members and advisory council members shall receive an orientation within six months of their selection. The orientation shall include education about Virginia's CASA programs' mission, goals and objectives with emphasis on governing board member and advisory council roles, fiduciary responsibilities and fundraising.

6VAC20-160-30. Recordkeeping and monitoring.

- A. CASA programs shall maintain records of the activities of the CASA program by using an automated data system prescribed by DCJS.
- B. CASA programs shall provide annual and other reports on the operation of the CASA program to DCJS in a format prescribed by DCJS according to a timeline established by DCJS.

6VAC20-160-40. Program and personnel policies.

- A. CASA programs shall be in compliance with Standards for National CASA Association (NCASAA) Member Programs.

B. CASA programs shall ensure that an attorney is available for CASA directors and governing boards to provide legal consultation in matters pertaining to administration of the programs.

C. CASA program employees shall not concurrently supervise children in need of services, children in need of supervision, or juvenile offender cases, either for the courts or any child serving agencies.

D. CASA programs shall write policies on the following and make those written policies available to the respective courts:

1. The maximum caseload to which a volunteer may be assigned at any one time. If that number is larger than two children or two sibling groups, a rationale must be submitted to and approved by DCJS.
2. Assignment of CASA staff as an advocate. In the event a CASA supervisor or staff member is required to serve as an advocate, that staff member will serve no more than two children or two sibling groups. If that number is larger than two children or two sibling groups, a rationale must be submitted to and approved by DCJS.
3. The maximum number of volunteers to be supervised by each staff person. The staff-to-volunteer ratio calculated and reported each quarter shall not exceed one full-time equivalent staff to 30 volunteers who are assigned to active cases. This ratio is reduced according to the number of hours the volunteer supervisor may be assigned to administrative or other responsibilities. A request shall be submitted to DCJS for approval should that ratio exceed 1:30.
4. The review, investigation and handling of any complaints that may be received concerning CASA volunteers, including procedures for the removal of CASA volunteers should dismissal become necessary.
5. The specific factors to be used by the CASA program to accept and prioritize cases for assignment to CASA volunteers.
6. The confidentiality of the records and information to which CASA volunteers will have access, and training volunteers on the importance of confidentiality.
7. The objectives, standards, and conduct for CASA volunteers and the procedures that the CASA program will use to evaluate the performance of its volunteers in order to ensure that volunteers are meeting CASA's objectives and standards of conduct.
8. The CASA volunteers' responsibility to report incidents of suspected child abuse and neglect.

9. Concerning CASA investigations, CASA's role and responsibility in assisting the guardian ad litem, and monitoring court order compliance.

10. Compliance with federal laws, including Equal Opportunity Employment, Drug-Free Workplace, Smoke-Free Workplace, and political activity statements.

E. CASA programs shall employ staff capable of managing effective and efficient program operations. The following job descriptions provide for essential CASA program management:

1. Director. The director is responsible for accomplishing organizational goals and all managerial functions. This staff position requires a degree or equivalent experience in child welfare, public administration, counseling, human services, juvenile justice or law. The person should have an understanding of and experience with community organization and volunteer program management. Generally the duties and responsibilities of the director are as follows:

- a. Conduct or oversee the recruitment, screening, training, supervision and evaluation of the program volunteers and staff;
- b. Develop and maintain procedures for case recordkeeping; supervise staff and volunteers in completing recordkeeping tasks;
- c. Serve as a liaison to the court, the local governing board, and if applicable, advisory council, to local agencies serving children, to DCJS, to the Virginia CASA Network, and to the National CASA Association;
- d. Plan for and manage program growth, development and evaluation, including special projects, budgets, annual workplans, and analysis of trends in program services;
- e. Represent the program to networks of service providers and community coalitions dealing with child welfare issues; and
- f. Supervise program operations including financial management, risk management, and resource development.

2. Program/Volunteer Coordinator. Depending on program size, it may be necessary to designate a staff person having knowledge of, or willingness to learn about, court matters, child welfare and juvenile justice issues who will focus on volunteer recruitment, screening, training, case assignment, and supervision. Generally, the duties and responsibilities of the program/volunteer coordinator are as follows:

- a. Develop and distribute volunteer recruitment materials, and conduct presentations on the CASA program for the purpose of recruiting volunteers and increasing community awareness;
- b. Screen volunteer applications and conduct interviews to determine the suitability of the applicant for the CASA program;
- c. Arrange training for CASA volunteers;
- d. Recommend trained volunteers for acceptance into the CASA program;
- e. Assign cases and supervise volunteers;
- f. Plan and implement volunteer recognition events;
- g. Evaluate effectiveness of volunteer recruitment, training, and case assignment; and
- h. Conduct annual written evaluations of each CASA volunteer.

F. CASA programs are responsible for disseminating CASA reports according to § 16.1-274 of the Code of Virginia.

Part III Volunteer Administration

6VAC20-160-50. Case assignment.

- A. The CASA director shall be responsible for all decisions pertaining to the assignment or removal of specific volunteers to specific cases.
- B. A CASA volunteer shall not be assigned to a case involving any professional connection or close personal relationship with the child client or family.

6VAC20-160-60. CASA volunteer duties and responsibilities.

- A. Volunteers shall follow specific policies regarding the nature of assistance:
 - 1. Provided to the guardian ad litem;
 - 2. Relating to their investigative role;
 - 3. Relating to monitoring compliance with court orders; and
 - 4. Relating to the submission to the court of written reports.

B. The CASA volunteer's investigation involves fact-finding via interviews, professional reports, observation of family and social interactions, and observation of the child's environment.

C. The CASA volunteer's investigation involves the observation of the child's circumstances. CASA volunteers may conduct interviews of children; however, CASA volunteers are specifically prohibited from questioning or inquiring of the child information regarding a precipitating incident or allegation involving child abuse and neglect.

D. The CASA volunteer should encourage interdisciplinary coordination and cooperation, whenever possible, in an effort to develop a plan of action in conjunction with other local agencies and professionals.

6VAC20-160-70. Confidentiality.

A. All CASA volunteers shall follow specific policies regarding the following:

1. Reporting suspected child abuse and neglect, and the procedure for making such reports;
2. Confidentiality of records and information; and
3. Contacting, interviewing and responding to persons involved in the case.

B. To the extent permitted by state and federal confidentiality laws, CASA volunteers should share information gathered with other involved professionals whenever possible and practicable.

6VAC20-160-80. Code of ethics.

A. CASA volunteers should conduct themselves in a professional manner, adhering to a code of ethics that is consistent with ethical principles established by local, state or national guidelines.

B. CASA volunteers should not become inappropriately involved in the case by providing direct service delivery to any parties that could (i) lead to conflict of interest or liability or (ii) cause a child or family to become dependent on the CASA volunteer for services that should be provided by other agencies or organizations.

Part IV

Qualifications of Volunteers

6VAC20-160-90. Qualifications.

A. CASA volunteers shall be at least 21 years of age.

B. CASA volunteers shall have the ability to communicate effectively, both orally and in writing, to prepare court reports and to provide testimony.

C. CASA volunteers shall possess mature judgment, a high degree of responsibility and sufficient time to assist in advocating for the best interests of the child.

D. CASA volunteers shall be able to relate to persons of different cultures, ethnic backgrounds and socioeconomic status.

6VAC20-160-100. Screening.

A. Prior to being sworn in, CASA volunteers shall successfully complete screening procedures, which, at a minimum, shall include a written application and personal interview.

B. Pursuant to § 9.1-153 of the Code of Virginia, the director shall obtain, with the approval of the court, a copy of each applicant's criminal history record or certification that no conviction data is maintained on him, in accordance with § 19.2-389 of the Code of Virginia; a copy of information from the central registry, maintained pursuant to § 63.2-1515 of the Code of Virginia, on any investigation of child abuse or neglect undertaken on him or certification that no such record is maintained on him. If the volunteer applicant has lived in another state within the past five years, the CASA program director shall also obtain a copy of his criminal history record and a copy of information from the central registry from that area. An applicant shall be rejected if he refuses to sign a release of information for appropriate law-enforcement checks.

C. The CASA program shall contact and obtain a response from three references provided by the CASA volunteer. References will speak to the character, judgment and suitability for the position of CASA volunteer.

D. Before the volunteer is sworn in, the director shall determine that the CASA volunteer is qualified under 6VAC20-160-90 and 6VAC20-160-120.

E. CASA volunteers shall successfully complete required training as set forth in 6VAC20-160-120.

6VAC20-160-110. [Redesignated]

Part V
Training Guidelines for Volunteers

6VAC20-160-120. Training.

A. To ensure that volunteers are fully prepared to perform their role as a CASA volunteer and to assume the accompanying responsibilities, each volunteer shall participate in a minimum of 30 hours of training prior to being accepted as a CASA volunteer and

assigned cases. Credit may be given towards the 30 hours of training for any previous training obtained by a volunteer prior to application to a local CASA program if that program uses the NCASAA Training Curriculum and documentation of completion of the training is provided.

B. The initial training curriculum for a CASA volunteer should, at a minimum, include:

1. The delineation of the roles and responsibilities of a CASA volunteer focusing on the rationale for family preservation/permanency planning, discussion of the basic principles of advocacy, distinction between the appropriate and inappropriate activities for a CASA volunteer, level of commitment required of a CASA volunteer involved in a case and the performance expectations, review of the case assignment process and procedures, differentiation between the role of the CASA volunteer and other child welfare system personnel, and a comprehensive list of resources available and when and how to utilize these resources;
2. The obligation of confidentiality in CASA-related matters, proper recordkeeping techniques, and the scope of state and federal statutes on the confidentiality of records;
3. The dynamics of cultural diversity and the development of cultural sensitivity by the CASA volunteer;
4. The nature of child abuse and neglect, the impact of drugs and alcohol on the incidence of abuse, identification of the family conditions and patterns which lead to and perpetuate abuse and neglect, and instruction on how local departments of social services respond to and assess reports of abuse and neglect;
5. The general principles and concepts of child and family development;
6. Concepts of separation and loss, the role of foster care and permanency planning in the context of state law with consideration of the state's position on family preservation, family reunification and alternative permanent plans for a child who cannot be returned to the home;
7. Basic communication and interview skills, with guidelines for dealing with sensitive issues and the interaction between the CASA volunteer and parties to a case, and practice in conducting interviews and writing reports;
8. The juvenile court process which should include an outline of the various types of court proceedings, what transpires at each proceeding, the CASA volunteer's role, who to contact when there is a question about the court process, a glossary of legal terminology, how to prepare for a hearing, and how to prepare a report for the court;

9. The development of advocacy skills, such as negotiation and conflict management, and how they may be used by the CASA volunteer to improve the conditions for a child; and

10. The development of a general understanding of the codes of ethics of other professionals with whom the CASA volunteer will be working.

C. The initial training program shall provide an opportunity for the volunteer to observe actual court proceedings similar to those in which he would be involved as a CASA volunteer. This observation is above and beyond the hours included in the initial training.

D. CASA volunteers in training should be provided an opportunity to visit community agencies and institutions relevant to their work as a volunteer.

E. The CASA program shall provide volunteers in training with the following written materials:

1. Copies of pertinent laws, regulations, and policies;
2. A statement of commitment form clearly stating the minimum expectations of the volunteer once trained; and
3. A training manual which is easy to update and revise.

F. Trainers and faculty for the initial training program and any ongoing training or continuing education shall be persons with substantial knowledge, training and experience in the subject matter which they present and should also be competent in the provision of technical training to lay persons.

G. CASA program staff and others responsible for the initial training program should be attentive to the participation and progress of each trainee and be able to objectively evaluate his abilities according to criteria developed by the CASA program for that purpose. CASA directors should use the Comprehensive Training Curriculum for CASA from the NCASAA and training curricula developed within the state as a reference in designing and developing their training program.

H. The CASA program shall make available a minimum of 12 hours of in-service training annually for volunteers who are accepted into the program. These in-service programs should be designed and presented to maintain and improve the volunteer's level of knowledge and skill. Special attention shall be given to informing volunteers of changes in the law, local court procedures, the practices of other agencies involved, CASA program policies and developments in the fields of child development, child abuse and child advocacy.

I. CASA volunteers shall complete 12 hours of continuing education annually as approved by the director. This continuing education may be in-service programs provided

directly by the CASA program, or in conjunction with another agency or agencies, or may be through an outside agency, through print or electronic media, or from other sources. All training not conducted or sponsored by the CASA program must be reviewed and approved by the CASA director for its suitability for the continuing education of CASA volunteers, and the amount of continuing education credit that is appropriate.