**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 Virginia 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.

“Guardian ad litem” means “guardian for the suit.” A guardian ad litem in Virginia is an attorney appointed by a judge to assist the court in determining the circumstances of a matter before the court. It is the responsibility of the guardian ad litem to provide independent recommendations to the court about the client’s best interests, which can be different from advocating for what the client wants, and to bring balance to the decision-making process. The guardian ad litem may conduct interviews and investigations, make reports to the court, and participate in court hearings or mediation sessions.

“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.

**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, and nonprofit governance.

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~~ the local CASA programs’ mission, goals, and objectives with emphasis on governing board member and advisory council roles, fiduciary responsibilities, and fundraising. This training shall include information on the responsibilities of governing board members’ primary duties known as the “duty of care,” “duty of loyalty,” and duty of obedience.”

**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.

C. CASA programs shall develop policies on the maintenance of complete case records gathered about each child served by the CASA program according to guidelines established by DCJS.

D. CASA programs shall develop record retention policies.

E. CASA programs shall develop policies that require CASA volunteers to return all documents and information gathered during case assignment to the local CASA program office upon case closure.

F. CASA programs shall develop policies that require CASA volunteers to destroy all forms of electronic communication and files gathered during the case.

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

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

~~B.~~ A. CASA programs shall ~~ensure that~~ identify 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.~~ B. CASA programs shall ~~write~~ develop written policies on the following and make those written policies available to the respective courts. Policies should be reviewed and updated as needed, but at a minimum, every four years.

1. The maximum caseload to which a volunteer may be assigned at any one time is two children or two sibling groups. If that number is ~~larger than~~ ~~two children or two sibling groups~~ to be exceeded, a rationale must be submitted to and approved by DCJS prior to assignment of any additional case.

2. Assignment of CASA staff as an advocate. In the event a CASA supervisor or staff member is required to serve as ~~an~~ a staff 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~~ to be exceeded, a rationale must be submitted to and approved by DCJS prior to assignment of any additional case.

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~~ 25 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~~ 25 .

4. The review, investigation and handling of any complaints that may be received concerning CASA volunteers, including procedures for the removal of CASA volunteers from specific cases and dismissal from the program 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 annually 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~~ In CASA investigations, CASA’s role and responsibility in assisting the guardian ad litem, and monitoring ~~court order~~ compliance with court orders.

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

10. The CASA volunteer’s responsibility to visit the child a minimum of once a month unless an exception is granted according to the CASA program’s exception policy.

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~~](https://law.lis.virginia.gov/vacode/16.1-274/)~~of the Code of Virginia~~ shall develop human resources and personnel policies to include, at a minimum, the following:

 1. Human resources practices, job descriptions, background checks for employees, compensation, onboarding, training, and performance reviews.

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

 3. Grievance policy and handling of complaints pertaining to CASA staff.

 4. Social media and texting policies.

 5. Whistleblower policy.

 6. Crisis communication policy.

G. CASA programs shall develop financial management policies to include, at a minimum, the following:

1. Financial management operational policies and procedures to ensure accounting controls including descriptive chart of accounts, prompt and accurate recording of revenues and expenses, maintenance of a filing system containing account records and receipts, safeguarding and verification of assets, control over expenditures, separation of duties, and internal control policies.

2. The CASA program shall use a financial management system that demonstrates and ensures the tracking of funds.

H. CASA programs shall file CASA reports pursuant to the provisions of § 16.1-274 of the Code of Virginia*.*

I. CASA volunteers shall file a CASA report in accordance with the provisions of § 9.1-153 of the Code of Virginia, prior to every hearing according to the rules of the local court, after appointment to a case by a Juvenile and Domestic Relations District Court Judge.

**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 that would create a conflict of interest.

**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.~~

A. Pursuant to § 9.1-153 of the Code of Virginia, the duties of a CASA volunteer shall include:

1. Investigating the case to which he is assigned to provide independent factual information to the court.

2. Submitting to the court of a written report of his investigation in compliance with the provisions of § [16.1-274](https://law.lis.virginia.gov/vacode/title16.1/chapter11/section16.1-274/). The report may, upon request of the court, include recommendations as to the child’s welfare.

3. Monitoring the case to which he is assigned to ensure compliance with the court’s orders.

4. Assisting the guardian ad litem appointed to represent the child in providing effective representation of the child's needs and best interests.

5. Reporting a suspected abused or neglected child pursuant to the provisions of § [63.2-1509](https://law.lis.virginia.gov/vacode/title63.2/chapter15/section63.2-1509/) of the Code of Virginia.

B. The CASA volunteer’s investigation involves fact-finding via interviews, interviews with professionals involved with the child, review of records and professional reports received, 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~~ shall ~~conduct interviews of children~~ meet with the child face-to-face; 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~~ may attend and participate in interdisciplinary ~~coordination and cooperation~~ meetings as identified in Section C of §[9.1-153](https://law.lis.virginia.gov/vacode/title9.1/chapter1/section9.1-153/) of the Code ofVirginia, for coordination and cooperation ~~whenever possible, in an effort to develop a plan of action in conjunction with other local agencies and professionals~~. The CASA volunteer may share information orally related to the child during these meetings, provided the information is not shared further, pursuant to the provisions of § 9.1-156(B) of the Code of Virginia. The CASA volunteer may share information on other parties if the parties provide the CASA program with a signed release of information.

**6VAC20-160-70. Confidentiality.**

A. All CASA volunteers shall follow the specific policies in 6VAC20-160-60 and 6VAC20-160-40(B) 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.~~

B. CASA volunteers must share documents and information on the child with the guardian ad litem appointed to the case.

C. CASA volunteers must share information with the guardian ad litem regarding parents, guardians or interested persons in the case but may not give copies of documents to the guardian ad litem.

D. CASA volunteers may share information related to the child, but not documents at interdisciplinary team meetings identified in § [9.1-153](https://law.lis.virginia.gov/vacode/title9.1/chapter1/section9.1-153/)(C) in the Code of Virginia. If a signed release of information from other interested persons has been obtained by the CASA program, the CASA volunteer may share information, but not documents at interdisciplinary team meetings.

E. To access any documents or seek information on any other interested person involved in the case other than the child, CASA volunteers shall obtain a signed release of information.

F. CASA volunteers shall only share information with the court and the guardian ad litem, unless the interested persons involved in the case sign a release of information.

**6VAC20-160-80. ~~Code of ethics~~ Professional conduct.**

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~~ shall not ~~become inappropriately involved in the case by providing direct~~ provide ~~service~~ services ~~delivery~~ to any parties involved in the case ~~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.

**6VAC20-160-90. Qualifications.**

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

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

C. CASA volunteers ~~shall~~ must 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~~ must be able to relate to children and families who have various life experiences, ~~persons of different~~ cultures, ethnic backgrounds and socioeconomic ~~status~~ statuses.

**6VAC20-160-100. Screening and Application Process for Volunteers.**

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~~ Volunteer applicants must complete the following steps prior to acceptance as volunteers:

1. Volunteer applicants shall successfully complete screening procedures which shall include a written application and personal interview.

~~B.~~ 2. Pursuant to § [9.1-153](https://law.lis.virginia.gov/vacode/9.1-153/) of the Code of Virginia, the ~~director~~ program shall obtain~~, with the approval of the court,~~ a copy of each volunteer applicant's criminal history record or certification that no conviction data is maintained on him, in accordance with § [19.2-389](https://law.lis.virginia.gov/vacode/19.2-389/) of the Code of Virginia; a copy of information from the central registry, maintained pursuant to § [63.2-1515](https://law.lis.virginia.gov/vacode/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 unless the state refuses to provide such information. The program shall obtain information from the national sex offender registry and criminal records from the jurisdictions in which the volunteer applicant currently resides and works. ~~An~~ A volunteer applicant shall be rejected if he refuses to ~~sign a release of information~~ authorize consent for appropriate ~~law-enforcement~~ background checks.

~~C.~~ 3. The CASA program shall contact and obtain a response from three references provided by the ~~CASA~~ volunteer applicant. References will speak to the character, judgment and suitability for the position of ~~CASA~~ volunteer applicant.

~~D.~~ 4. Before the volunteer applicant is sworn in by the court to serve as an advocate, the director shall determine that the ~~CASA~~ volunteer applicant is qualified under [6VAC20-160-90](https://law.lis.virginia.gov/admincode/title6/agency20/chapter160/section90/) and [6VAC20-160-120](https://law.lis.virginia.gov/admincode/title6/agency20/chapter160/section120/).

~~E.~~ 5. ~~CASA~~ ~~volunteers~~ Volunteer applicants shall successfully complete required training as set forth in [6VAC20-160-120](https://law.lis.virginia.gov/admincode/title6/agency20/chapter160/section120/).

**~~6VAC20-160-110. [Redesignated]~~**

**6VAC20-160-120. Pre-Service 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 using a training curriculum approved by DCJS. 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~~ a training curriculum approved by DCJS and documentation of completion of the training is provided.

B. The ~~initial~~ pre-service 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~~ Defining the roles, responsibilities and competencies of CASA volunteers, distinguishing their role from other professionals in the system;

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~~ Understanding the juvenile court process, including the various court proceedings, legal terminology, hearing preparation, and CASA court report writing;

3. ~~The dynamics of cultural diversity and the development of cultural sensitivity by the CASA volunteer~~ Obligation of confidentiality in CASA-related matters, proper recordkeeping, and state and federal confidentiality statutes;

4. Developing awareness and understanding of differences and diversity and its dynamics, and the importance of sensitivity and inclusivity by the CASA volunteer;

~~4.~~ 5. Understanding ~~The nature of child abuse and neglect,~~ the impact of ~~drugs and alcohol~~ substance use, mental health conditions, domestic violence and poverty on child abuse and neglect reports, including local social service responses ~~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~~. 6. ~~The general~~ Exploring child and family development principles, recognizing trauma and resilience experiences ~~and concepts of child~~ ~~and family development~~;

~~6.~~ 7. Examining ~~Concepts~~ concepts of separation and loss, the role of foster care and permanency planning, family connections ~~in the context of state law with consideration of the state's position on family preservation~~, family reunification and alternative permanent plans under state law ~~for a child who cannot be returned to the home~~;

~~7.~~ 8. ~~Basic~~ Training in communication, ~~and~~ interview skills, addressing sensitive issues, and writing CASA court reports ~~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~~ Developing advocacy skills, such as negotiation and conflict management to improve a child’s circumstances.~~, 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~~ pre-service training program shall ~~provide~~ offer trainees an opportunity ~~for the volunteer~~ to observe ~~actual~~ court proceedings similar to those in which they will encounter while serving as ~~he would be involved as~~ a CASA volunteer. This observation is above and beyond the hours included in the ~~initial~~ pre-service 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.~~ D. The CASA program shall provide volunteers in training with the following ~~written~~ materials:

1. ~~Copies of pertinent~~ Pertinent laws, regulations, and policies;

2. A statement of commitment form and volunteer job description, statement of confidentiality, clearly stating the minimum expectations of the volunteer once trained; and

3. A training manual which is easy to access, update, and revise.

~~F.~~ E. Trainers ~~and faculty~~ for the ~~initial~~ pre-service 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.~~ F. 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 a DCJS approved training curriculum ~~the Comprehensive Training Curriculum for CASA from the NCASAA and training curricula developed within the state as a reference in designing and developing~~ for their training program. CASA program staff providing pre-service training should be trained as facilitators for their respective approved curriculums.

~~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.~~

**6VAC20-160-121. In-Service Training.**

A. 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.

B. CASA volunteers shall complete 12 hours of in-service training annually as approved by the director. Annual in-service hours are required to be completed beginning in the fiscal year after the volunteer completes pre-service training. These in-service hours may be training 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.