



CASA/CJA Advisory Committee Guidance Policies for Court Appointed Special Advocate Programs

Virginia Department of Criminal Justice Services
Office of Program Administration
1100 Bank Street
Richmond Virginia 23219
804-786-6428

The following guidance documents were developed and approved by the Court Appointed Special Advocate/Children's Justice Act (CASA/CJA) Advisory Committee. The CASA/CJA Advisory Committee advises the Department of Criminal Justice Services and its Board on matters related to the CASA program. The Guidance Policies are not binding on local CASA programs but, rather, are intended as guidance on topics that are not articulated in the Code or regulations. Local programs are encouraged to consult with their attorneys if they have questions about interpretation or application of the Virginia Code.

I. Appropriate Roles and Activities for CASA Volunteers

The Code of Virginia states the following regarding the duties to Court Appointed Special Advocates who have been appointed to a case:

§ 9.1-153. Volunteer court-appointed special advocates; powers and duties; assignment; qualifications; training.

A. Services in each local court-appointed special advocate program shall be provided by volunteer court-appointed special advocates, hereinafter referred to as advocates. The advocate's duties 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. 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 any appointed guardian ad litem 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 § 63.1-248.3.*

CASA volunteer case activities should be linked to one of the five codified duties described above. If the activity is not directly related to performing one of these duties, the volunteer should not engage in the activity. Examples of inappropriate activities include:

- taking the child shopping;
- arranging for outings to events such as the circus or ballgames;
- giving gifts to the child or family (beyond what has been authorized by the CASA Program); and
- providing for basic needs of the family.

CASA volunteers are not assigned as mentors and should not function as such. If a child needs a mentor, this should be included in the recommendations section of the CASA report.

Further, CASA volunteers should not engage in providing direct services to children or families. The regulations state: *6VAC20-160-80(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.*

Examples of direct services include:

- providing supervised visitation;
- conducting home studies;
- providing tutorial services; and
- providing transportation to appointments.

In accordance with 6VAC20-160-40, each local CASA program shall have policies and procedures that direct the activities of CASA volunteers and provide for effective volunteer supervision to minimize potential risk management concerns. Programs are required to adhere to the sections of the Virginia Code, state regulations, and local program policies that govern CASA volunteer activities, responsibilities and roles.

Reviewed and Approved November 2, 2017

II. The Use of CASA Volunteers in Circuit Court

CASES ON APPEAL FROM THE JUVENILE & DOMESTIC RELATIONS DISTRICT COURT

When cases are appealed to the Circuit Court from the Juvenile and Domestic Relations District Court and CASA has been appointed in the Juvenile Court proceedings, CASA volunteers may be re-appointed by the Circuit Court. CASA programs cannot accept the case unless a formal appointment has been made with a new court order that is signed by the Circuit Court judge.

CASES THAT ORIGINATE IN CIRCUIT COURT

Unless it is a juvenile court case on appeal, a Circuit Court order of appointment is not valid because the Code does not give a Circuit Court judge authority to appoint CASA volunteers except on cases that have been appealed from the Juvenile and Domestic Relations District Court. Circuit court judges are granted all powers and authority of the juvenile and domestic relations district court in cases of appeal [§16.1-296(l)].

Reviewed and Approved November 2, 2017

III. Confidentiality and Information Sharing

1. CASA volunteers have access to records and information related to the child upon presentation of a valid court order of appointment. Va. Code §9.1-156(A).
2. CASA volunteers may share with the Guardian ad litem information gathered on the child. Va. Code § 9.1-153 (A)(4).
3. In order to have access to any records or information related to a child's parent or guardian or any other individual, the CASA volunteer must obtain an authorization for the release of information signed by that parent or guardian or other individual. Further, if the CASA volunteer intends to share that information outside of the official court report, the release of information form must specifically state with whom this information may be shared. Authorizations for the disclosure of health records and information, including mental health records, must comply with the provisions of 45 C.F.R. § 164.508, under the Health Insurance Portability and Accountability Act ("HIPAA").

CASA volunteers must encourage the parent or guardian to consult with counsel prior to signing releases of information.

4. CASA volunteers may attend and participate in collaborative meetings as defined in the *Code of Virginia* in § [9.1-153](#)(C). Further, in § [9.1-156](#)(B), the *Code of Virginia* states the following:

An advocate shall not disclose the contents of any document or record to which he becomes privy, which is otherwise confidential pursuant to the provisions of this Code, except (i) upon order of a court of competent jurisdiction or (ii) if the advocate has been assigned pursuant to subsection C of § [9.1-153](#) to attend and participate in family partnership meetings as defined by the Department of Social Services or in meetings of family assessment and planning teams established pursuant to § [2.2-5208](#), multidisciplinary child sexual abuse response teams established pursuant to § [15.2-1627.5](#), individualized education program teams established pursuant to Article 2 (§ [22.1-213](#) et seq.) of Chapter 13 of Title 22.1, or multidisciplinary teams established pursuant to §§ [63.2-1503](#) and [63.2-1505](#), the advocate may verbally disclose any information contained in such document or record related to the child to which he is assigned at such meetings, provided that such information shall not be disclosed further.

CASA volunteers may attend and participate in Family Partnership Meetings, Family Assessment and Planning Team (FAPT) meetings, Individualized Education Program (IEP) team meetings, or Multidisciplinary Child Sexual Abuse Response team meetings.

The following guidance is offered when CASA volunteers attend and participate in these specified meetings.

Applies to all meetings:

- CASA volunteers shall follow the guidance and policies provided by the entity convening the meeting.
- The *Code of Virginia* allows CASA volunteers to share information regarding the child only.
 - If a release of information is signed to permit the CASA volunteer to share information on a parent or guardian, then the CASA volunteer may share that information (see #5).
- Confidentiality must be maintained and CASA volunteers must not share information learned in one meeting at another meeting (i.e., information learned at a MDT is not shared at an IEP meeting).
- CASA volunteers may orally disclose information from direct observations and information learned through the course of CASA appointment.
- CASA volunteers may not share or distribute records.
- CASA volunteers should proactively share information that is in the best interest of the child at meetings.
 - CASA volunteers should consider sharing information that is additive, exceptional and necessary, taking care to remain within the duties outlined within the *Code of Virginia* for CASA volunteers.
- CASA volunteers should include the following information from meetings attended in CASA court reports:
 - Date of the meeting
 - Participants
 - Decisions made and outcomes of the meeting.

Family Partnership Meetings (FPM)

- CASA volunteers should become familiar with [10 Tips for CASA and GALs attending FPMs.](#)

Family Assessment and Planning Team (FAPT)

- When a child assigned to a CASA volunteer is referred to a FAPT, the CASA volunteer may attend and participate in the meeting.
- CASA volunteers should adhere to the confidentiality requirements for FAPT meetings found in the [Code of Virginia](#).

Multidisciplinary Child Sexual Abuse Response Teams (MDT)

- CASA programs should evaluate the purpose of CASA participation in MDTs. CASA volunteers are prohibited by regulation (6VAC20-160-60(C)) from inquiring about any precipitating incident of abuse or neglect. Therefore, CASA volunteers should not be involved in any aspect of the investigatory phase of a child abuse case.

Individualized Education Program (IEP)

- The *Code of Virginia* allows volunteers to access student records without parental consent. They may also fully participate in IEP team meetings.
- The *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* and the Individuals with Disabilities Education Act state that, at the discretion of the parent(s) or local education agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel can be invited to an IEP team meeting. This determination can be made by the parent or the local school division as defined by 8VAC20-81-10. Thus, in order for CASA volunteers to participate in an IEP team meeting, they must be invited by either the parent or the school division.
- School divisions must comply with the Family Educational Records Protection Act (FERPA) in the protection of disclosure of personally identifying information including in an IEP meeting. If a CASA volunteer is not invited, it may be that the school division was not able to obtain parental consent or was not able to identify an appropriate exception to FERPA.

5. CASA programs are encouraged to obtain release of information forms to allow for the sharing of information with the Department of Social Services. A sample release of information form is distributed with this guidance policy. Programs are also advised to address specific needs of local agencies related to information sharing as they arise.

6. Programs are advised to not disclose documents and records obtained during the investigation except as provided in paragraph #2 and #3 above.

7. CASA programs must adhere to the Code when distributing CASA Court Reports. The Code of Virginia states the following regarding the distribution of CASA Reports:

§ 16.1-274. Time for filing of reports; copies furnished to attorneys; amended reports; fees.

A. Whenever any court directs an investigation pursuant to subsection A of § [16.1-237](#), § [16.1-273](#), or § [9.1-153](#), or an evaluation pursuant to § [16.1-278.5](#), the probation officer, court-appointed special advocate, or other agency conducting such investigation shall file such report with the clerk of the court directing the investigation. The clerk shall furnish a copy of such report to all attorneys representing parties in the matter before the court no later than seventy-two hours, and in cases of child custody, 15 days, prior to the time set by the court for hearing the matter. If such probation officer or other agency discovers additional information or a change in circumstance after the filing of the report, an amended report shall be filed forthwith and a copy sent to each person who received a copy of the original report. Whenever such a report is not filed or

an amended report is filed, the court shall grant such continuance of the proceedings as justice requires. All attorneys receiving such report or amended report shall return such to the clerk upon the conclusion of the hearing and shall not make copies of such report or amended report or any portion thereof. However, the chief judge of each juvenile and domestic relations district court may provide for an alternative means of copying and distributing reports or amended reports filed pursuant to § [9.1-153](#).

This particular Code section allows the chief judge to provide for an alternate means of distribution of court reports. If a CASA program is going to engage in an alternate means of distribution of CASA reports, CASA programs should obtain approval for this distribution policy in writing from the Chief Judge of the Juvenile and Domestic Relations District Court. Further, as this subsection of the Code indicates, copies of the reports can only be distributed to attorneys and any alternative distribution plan should be inclusive of all parties involved in the case.

Reviewed and Approved July 30, 2021

Colonial Court Appointed Special Advocate Program

1311 Jamestown Road, Suite 201 • Williamsburg, Virginia 23185

Phone(757) 229-3306 • Fax(757) 229-3972

Email: info@colonialcasa.org



Consent to the Release of confidential Information

1. INDIVIDUAL CONFIRMING THE AUTHORIZATION

Full Legal Name

Date of Birth

2. THE USE AND/OR DISCLOSURE AUTHORIZED

I authorize Colonial CASA/

Volunteer's Name

to use, disclose, and/or exchange my protected information received from any state or local agency, department, authority or institution, school, physician, public or private mental health provider, hospital, current and/or previous employer, Colonial Services Board, and court-referred programs and services. I understand that this disclosure may be verbal and/or written. I give this authorization voluntarily.

Purpose for disclosures and/or exchanges: To assist in preparing court reports and monitoring the Court Order.

In order to assist the CASA volunteer in his/her work with other agencies that may be involved with me, and to assist the Court in making decisions regarding my child's case, I authorize the CASA volunteer and/or Colonial CASA to re-disclose this information to:

___ the Court ___ the G.A.L. for my child(ren) ___ Dept. of Social Services

___ my attorney ___ Other: _____

___ I also authorize the CASA volunteer and Colonial CASA to release to the persons, providers, and agencies, which I have identified above, information known to the CASA volunteer about me and/or my family, which the CASA volunteer and/or Colonial CASA decides will help these persons, providers, and agencies in providing services to me and my family.

I understand that my records are protected under federal and state confidentiality laws and regulations and cannot be disclosed without my written consent unless otherwise stated in the laws and regulations.

3. ENDING AUTHORIZATION AND/OR CHANGING YOUR MIND ABOUT THIS INFORMATION

I further acknowledge that the information to be released was fully explained to me and that this consent is given of my own free will. This consent includes information to be placed on my records after execution of this release form as well as past and current records obtained by the CASA volunteer. I also understand that I have the right to revoke this consent at any time, but that my revocation is not effective until delivered in writing to the person who is in possession of my records. The revocation would not include records or information previously disclosed. If not previously revoked, it is my understanding that this consent will expire one year from the date of signing.

Signature

Date

Witness

Date

Print Name

Print Name of Witness

Signature of Parent/Guardian (in case of minor)

Print Name of Parent/Guardian (in case of minor)

IV. Request for Home Visits for Other States

Background

CASA programs throughout Virginia are sometimes asked to provide home visits (courtesy home visits) and case related assistance to children who are placed in Virginia from other states for out of state programs.

Guidance

CASA staff and volunteers have no authority to investigate any matter other than those that have been assigned by a Virginia court of competent jurisdiction. Accordingly, CASA Programs in Virginia are advised to decline requests for courtesy home visits. Procedures under the Interstate Compact for the Placement of Children (ICPC), administered by the Virginia Department of Social Services, govern accessing such a service. Further, CASA staff and volunteers in Virginia cannot operate in an official capacity in any matter without a valid court order. A court order from another state will not suffice as a valid court order for CASA appointment. There is considerable concern for the liability of CASA programs, volunteers and staff when engaging in the practice of providing such visits.

Resources

The Commissioner of the Virginia Department of Social Services, through the Division of Family Services, is responsible for approving and monitoring interstate placements of children. For further information about a specific state's procedures, requirements, interpretations and ICPC applications, e-mail vaicpcoffice@dss.virginia.gov or call 804-726-7581 or 804-726-7582.

Reviewed and Approved November 2, 2017

V. The Use of CASA Volunteers in Custody Related Cases

The use of CASA volunteers in Juvenile and Domestic Relations District Court custody cases is an acceptable practice if there are allegations of abuse and neglect. CASA programs should only accept appointments to custody cases if a Guardian ad litem has also been appointed. Local programs should ensure that all cases will comply with the Code of Virginia, Section 9.1- 151 (A) which states *“The Program shall provide services in accordance with this article to children who are subjects of judicial proceedings (i) involving allegations that the child is abused, neglected, in need of services, or in need of supervision or (ii) for the restoration of parental rights pursuant to § [16.1-283.2](#) and for whom the juvenile and domestic relations district court judge determines such services are appropriate”*.

A case that involves allegations that the child is abused, neglected, in need of services or in need of supervision, may include one or more of the following:

1. There is a past valid complaint of abuse or neglect which identifies a primary caregiver of the child as the perpetrator.
2. There is a current complaint which has been referred to or is being investigated or undergoing a family assessment by the local Department of Social Services.
3. There is information presented during the court process which would indicate that the child may be abused or neglected, including emotional abuse.
4. The child appears to be in need of services or supervision which are not currently being provided.

Local Programs are encouraged to develop written policies and protocols in consultation with the Juvenile and Domestic Relations District Court Judge(s) on the acceptance of CASA appointments to custody related cases involving allegations of abuse and neglect. These policies and protocols should address the following issues:

1. Criteria the program will use to define what constitutes an “allegation of abuse or neglect”.
2. Regarding CASA appointments on custody and visitation cases involving allegations of abuse and neglect, local programs must have documentation of the allegations. This documentation could be found in such documents including, but not limited to, the CASA Appointment Order, within Orders issued by the juvenile and domestic relations court judge, and the court file. The underlying allegations should also be noted in the case management database.

3. Should documentation not be identified within the court file, local programs should seek clarification, in writing, from the Court on the allegations which prompted the CASA appointment. If information is not received to clarify the allegations of abuse and neglect, local programs should decline acceptance of the case.
4. As identified in the Rules and Regulations governing CASA programs, policies should be in place which articulate the priority of acceptance of cases assigned to CASA volunteers.

On any cases where a CASA volunteer is assigned, including custody related cases, the power and duties of the CASA volunteer remains as outlined in the *Code of Virginia*. CASA volunteers shall continue to perform the same duties enumerated in the *Code of Virginia* in §9.1-153. CASA volunteers must also follow the same rules, regulations, standards, and policies regarding any activities that are prohibited (i.e., CASA volunteers do not provide services, or inquire about precipitating incidents of abuse or neglect).

Finally, local CASA programs must remain cognizant of funding sources which will not fund activities which are not related to abuse and neglect cases (i.e. Victims of Crime Act funding will only fund cases when the child is identified as a victim of child abuse or neglect). For VOCA funding eligibility, funds must be used for direct services to victims of child abuse and neglect. Examples of eligible victim groups are:

- Children who have been identified by local departments of social services as victims of child abuse and neglect.
- Children who have been referred to local departments of social services as possible victims of child abuse and neglect if the referral results in an investigation or family assessment (must be determined a valid complaint).
- Children identified by the court as a victim of abuse or neglect.

Programs must evaluate the numbers of children served and the ability of the program to fund such services.

Reviewed and Approved April 28, 2023

VI. Managing Staff Vacancies in CASA Programs

The regulations require that programs provide one full time equivalent supervisor for every 30 volunteers actively assigned to cases. When a vacancy occurs in a program, particularly if it is sudden, this can be problematic for local programs. The following suggestions are offered to serve as a guide for local programs to manage this transition effectively and to maintain compliance with the regulations.

- In programs where there is only one staff person, the local program is encouraged to adopt a policy that requires a minimum of 30 days' notice before a resignation or retirement.
- Local programs are encouraged to establish procedures that will allow for an efficient and timely hiring process.
- If there is a vacancy and the hiring process does not get completed prior to the staff member's departure, the Executive Committee of the operating Board of Directors should consider the following:
 1. Notify DCJS immediately of any pending staffing changes.
 2. If existing staff is insufficient to accommodate the need, cease to accept any new referrals.
 3. Explore the potential of recruiting an experienced volunteer who could manage a portion of the supervisory responsibilities during the interim.
 4. Meet with the judge to discuss the status of the program, particularly the timeline for hiring a new staff member.
 5. If the program is structured under an umbrella agency, consider utilizing other staff members to serve on an interim basis.
 6. Request technical assistance from DCJS to assist in the hiring and/or training of a new staff member.
 7. Communicate with the volunteers on a regular basis and keep them informed of the program's status and plans.

Reviewed and Approved November 2, 2017

VII. Monitoring Cases after Case Closure

Many CASA programs are asked to provide monitoring services to assigned cases after the court closes the case. This presents several challenges. The following guidance is provided to programs that receive these requests.

- CASA programs should not accept monitoring appointments after the case is closed by the court and removed from the court's docket.
- If despite the above the court requires CASA volunteers continue monitoring cases, CASA programs are advised to develop policies with their courts that include keeping the case open for the duration of the monitoring assignment. Further, DSS and the GAL should also remain active on the case until the monitoring is completed. Monitoring orders shall include a case closure date in the future in the absence of new allegations or concerns.

Reviewed and Approved November 2, 2017

VIII. The Role of CASA Volunteers When Termination of Parental Rights is Achieved

Permanency in the lives of the children that CASA programs serve is a primary goal. CASA programs seek to ensure that children have the opportunity to grow up in safe, permanent homes. Many CASA programs close cases once Termination of Parental Rights (TPR) is achieved, most often because of the need to assign volunteers to cases that are on a waiting list. Other programs strongly advocate that permanence is not achieved until the child's adoption is complete. Questions arise, however, around what the role of the CASA volunteer is during the adoption phase. There is not a clear, "one size fits all" response for every case a CASA volunteer will be assigned to. Each case will be different. First and foremost, the CASA volunteer's continued appointment is a judicial decision. Once the judge has determined that the CASA appointment will continue, the CASA program director will need to evaluate each case based on the unique needs and circumstances of that case. Programs should consider the following guidance as they continue to serve on cases beyond TPR.

- When children are placed in adoptive homes, care and consideration should be given to the developmental needs of the child and the impact of continued involvement of the CASA Volunteer. At a time when the focus is on bonding and attachment with adoptive parents, the presence of the CASA Volunteer *may* indicate to the child continued instability. As long as the CASA appointment continues, the volunteer would monitor the court's orders for the child. However, the role of the CASA Volunteer with the adoptive parents needs to be clear, and it is not to "investigate or monitor" the adoptive parents' home. Further, it is clearly the role of the Department of Social Services to identify and monitor adoptive placements.
- CASA Volunteers can assist in monitoring the filing of the Adoption Progress Reports, ensuring that they are properly completed every 6 months, and achieving the directives of the court.
- If it is in the child's best interest, CASA volunteers should continue to visit the children they are assigned only as long as necessary to facilitate transition to permanency. Depending upon the developmental needs and circumstances of the child, it may be best to reduce the number of visits so that the adoptive parents can begin to establish stability and permanency for the child.

Reviewed and Approved November 2, 2017

IX. The Use of Transportation in Local CASA Programs

CASA Programs are advised to adopt policies that do not allow volunteers to transport children in a vehicle and/or with any person related to the case under any circumstances. CASA programs that permit transportation may incur considerable liability and potential litigation costs that would divert resources from the advocacy work with children.

Reviewed and Approved November 2, 2017

X. Continued Appointments of CASA Volunteers for Young Adults Age 18 – 21

Background

While the total number of children in foster care has been on the decline in Virginia recently, the number of young adults aging out of foster care has grown. The term “aging out” is often used to refer to young adults within the foster care system who are still in the system upon reaching the age of eighteen to twenty-one. These young adults have not found permanency with an adoptive family or reunification with their birth family before aging out. Young adults aging out of the system face multiple challenges and their outcomes are poor. Research shows that, when compared with their peers, young people aging out of foster care are, on average:

- less likely to have a high school diploma
- less likely to be pursuing higher education
- more likely to have experienced homelessness
- less likely to be earning a living wage
- more likely to have had a child without being married
- more likely to become involved with the criminal justice system

Given these harsh realities, Virginia has dedicated significant resources to help eliminate or alleviate poor outcomes for this vulnerable population.

In 2010, the Virginia General Assembly enacted changes to allow youth in foster care to continue receiving independent living services until age 21 (Va. Code §63.2-905.1). This change in statute is one example of this support. Since then, localities have worked to encourage young adults to “opt in” and continue receiving support and services.

During the 2014 General Assembly Session, legislation was passed clarifying the ability of judges to continue the appointment of CASA volunteers on cases when a young adult opts to receive independent living services beyond age 18.

More significant, however, was the 2016 enactment by the General Assembly of the Fostering Futures¹ program (2016 Appropriations Act, HB30, Item 346, subsection L), which allows foster children who age out of foster care to continue receiving certain foster care services if they qualify. To qualify, the young adult must be:

- (a) completing secondary education or an equivalent credential; or

¹ CASA programs should note the Fostering Futures program bears the same name as the National CASA Association Training module designed to train CASA volunteers to advocate effectively with older youth.

(b) enrolled in an institution that provides post-secondary or vocational education; or

(c) employed for at least 80 hours per month; or

(d) participating in a program or activity designed to promote employment or remove barriers to employment; or

(e) incapable of doing any of the activities described in subdivisions (a) through (d) due to a medical condition, which incapability is supported by regularly updated information in the program participant's case plan.

The Fostering Futures program is voluntary. If the young adult chooses to participate, an agreement is entered into by the young adult and the local department of social services that outlines the specific services to be provided the young adult. By participating in Fostering Futures, the young adult would have access to and benefit from the following:

- Ongoing caseworker support (including monthly visits and 6-month reviews)
- Funding support for any services or supports that would be deemed “foster care maintenance”. This would include housing.
- The ability to enter and leave the program at any point, any number of times during the age 18-21 window, as long as they still qualify.
- Appointed counsel and continued appointment of CASA, if the court retains jurisdiction.

As just noted, continuing the appointment of the CASA volunteer is a support available to young adults who remain under the jurisdiction of the court as they prepare for independence. Whereas there is a general philosophy that youth should not linger in foster care, if a youth turns 18 and has not been placed in a permanent home and family, the state recognizes that receiving continued services from 18 – 21 will be a benefit to their future.

The following is offered as guidance to local CASA programs when judges continue appointments of CASA in such instances.

Legal Considerations

When continuing appointments by the court on cases when young adults are age 18 – 21, CASA programs are advised to assure the following actions are taken:

- Appointments are made prior to the young adult’s 18th birthday if the young adult chooses to continue receiving independent living services. Appointments under Fostering Futures occur at the initial court hearing

approving the young adult's agreement with the local department of social services.

- Appointments are continued only when the juvenile court judge schedules an annual review after the 18th birthday, so that court jurisdiction continues over the case.
- The CASA volunteer's continued appointment only occurs with the young adult's approval, as evidenced by their signature on the "Young Adult's CASA Appointment Agreement" form.
- The CASA program secures a signed release of information from the young adult who has turned 18 years of age before accessing information on his/her behalf.
- The CASA volunteer will work in conjunction with the young adult's court appointed attorney, if any.

CASA Volunteer Role

CASA volunteers will continue to perform the same duties enumerated in the Code of Virginia in § 9.1-153, when a young adult turns 18. CASA volunteers must also follow the same rules, regulations, standards and policies regarding activities that are prohibited. As young adults transition to adulthood, CASA volunteers should be mindful of the following principles as they advocate for young people who are making preparations to emancipate from the foster care system.

1. **Youth Driven Advocacy** – As young people age, there should be a deliberate shift in the CASA volunteer's focus to encourage youth led, youth driven advocacy. Preparation for adulthood should be the central goal for a CASA's work with young adults and encompasses both developing skills for self-sufficiency and interdependency as well as establishing permanent connections. CASA volunteers should make certain that the young adult is leading the process and not other professionals. CASA volunteers will continue to carry out four primary activities on each case: assessment, facilitation, advocacy and monitoring. The results of the assessment will be reported to the court along with outcomes of the court's orders, if any have been issued. CASA volunteers will also assist the young adult in completing Independent Living Assessments and their incorporation into the case plan. The CASA volunteer must clearly explain his/her role to the young adult and empower the young person to lead his/her own advocacy efforts.
2. **Facilitating Youth Driven Plans:** For young children under the court's protection, the focus is on achieving permanency in a home where adults will take care of children's needs. However, for a young adult the goal shifts to creating permanence through the development of a network of caring, committed adults who will serve as long-term support for the youth. Note - the CASA volunteer is not expected, required or encouraged to assume this role, but should support the young person as he/she identifies

and builds this critical network. Of equal importance is the need to help the young person become self-sufficient through the development of confidence, self-advocacy skills and a sense of responsibility. The CASA volunteer will monitor and encourage youth engagement in the administration of Independent Living Assessments and their incorporation into the case plan.

3. **Responsibilities of the CASA Volunteer:** When working with a young adult, CASA volunteer responsibilities are largely the same. CASA volunteers will still review records, interview the young adult and other appropriate parties in the case, determine if a permanent plan has been created for the young adult and that services are provided as ordered by the court, submit court reports with recommendations at each court hearing, maintain complete records about the young adult and the case and return all case records to the CASA program when the case is closed. However, since the young adult's permanent plan is independence, the focus shifts to ensuring that resources and services are in place to prepare the young adult for successful independent living.
4. **CASA Volunteer's Relationship with the Young Adult:** When advocating for a young adult, the CASA volunteer's relationship will be different because the young adult will be actively involved and leading their case. The CASA volunteer will partner with the young adult as they learn to advocate for themselves. The expectations for contacts will remain the same as prescribed by the local program; however, if an increase in frequency of contacts is required due to the nature of the context of advocacy, this is to be agreed upon between the advocate and the young person.
5. **Relationship Boundaries with Siblings and Families:** If a CASA volunteer is assigned to a case involving siblings, one of whom is turning 18, the volunteer must be mindful of the distinction between the best interest analysis applied to the younger children and the youth driven strategy being employed for the young adult.

Best Practice Guidance

CASA programs should consider the following Best Practice guidelines when working on cases involving young adults ages 18 – 21:

- **Youth led advocacy** – The young adult should be engaged in the creation and implementation of his/her plan. CASA volunteers should encourage the young adult to speak up for herself/himself.
- **CASA volunteer duties remain the same** - The basic CASA volunteer duties as identified in the Code of Virginia, DCJS regulations, and

NCASAA standards will not change. Volunteers should continue to objectively identify and advocate for the young person's needs.

- **CASA volunteers do not provide services** – Per the Virginia CASA Regulations (6VAC20-160-80(B), CASA volunteers should not engage in direct service delivery or the provision of assistance that should be provided by the Department of Social Services or other service providers.
- **Key Functions** – The key to success is to ensure that planning is continuous, collaborative, customized, focused, and that advocacy efforts are youth directed.
- **Stability and Securing Permanency** - CASA volunteers should work with the young adult and other system partners to ensure that key issues surrounding future stability, independence, and success are addressed. These may include but are not limited to:
 - Education
 - Independent living skills
 - Mental & physical health care – Medicaid coverage, insurance
 - Housing
 - Community resources
 - Understanding rights and laws
 - Employment
 - Permanent connections
 - Legal documents (birth certificate, social security card, driver's license, etc.)
- **Voluntary Agreement** – Continued involvement of the CASA volunteer is subject to the young adult's approval. The young adult should sign the agreement form annually. The form sets forth agreements and expectations of the CASA program/volunteer and the young adult.
- **Information Release** – Since the youth is legally an adult, CASA programs must ask the young adult to sign a release of information form to access personal information and records.
- **CASA volunteers should:**
 - Respect and honor the young person's history and confidentiality.
 - Remember that although the focus has changed from "best interest" to "youth led planning," the relationship is one of an advocate and is bound by the professional boundaries set forth in the CASA program guidelines.
 - Maintain professional boundaries with the young person at all times.

- **A CASA volunteer may not:**
 - Provide financial assistance to a young adult.
 - Guarantee a loan or otherwise legally obligate themselves to a young adult.
 - Allow a young adult to live with them.
 - Vacation with a young adult.
 - Socialize with a young adult.
 - Develop an intimate relationship with a young adult.

Training

Working with young adults age 18 -21 requires specialized training for CASA volunteers. CASA programs whose appointments continue into young adulthood should expand and enhance training for staff and volunteers to include the following:

- NCASAA Fostering Futures Curriculum
- Specific training for CASA volunteers working with young adults (18-21) in addition to Fostering Futures Guidelines articulating CASA's role in working with DSS and other system partners
- Information and an understanding of resources and funding sources available
- Information and an understanding of educational opportunities and resources available
- Training on the role of Independent Living service workers
- Working knowledge of VA DSS Child and Family Services Manual, E. Foster Care, Section 14 *Achieving Permanency for Older Youth*
- Any other training deemed relevant and applicable by the local CASA program

Reviewed and Approved November 2, 2017

XI. The Use of Social Media and Social Networking in CASA Programs

Purpose

Local CASA programs must develop clear communication guidelines for use of social networking and social media both inside and outside of the work environment. This policy is not intended to provide guidance on the use of social networking and social media as a tool for fund raising, volunteer recruitment or marketing or the use of social media in CASA investigations. Further, this policy does not provide guidance on the use of electronic communication such as email, texts and voice mail or internet based telecommunications.

Scope and Application

The policy is intended to provide guidance for acceptable communication when using social media and social networking as it relates to local CASA program employees, volunteers, and board members.

Social media and social networking include, but are not limited to, websites and all forms of online community activities such as social networks, message boards, blogs, conversation pages, web based apps and chat rooms.

Postings include, but are not limited to, content (includes text and photographs) an individual shares on a social media site or the act of publishing content on a site. This includes postings on official CASA program social networking sites or personal social networking sites.

No user shall have any expectation of privacy in any message, file, image or data created, sent, retrieved or posted utilizing social media regardless of privacy settings.

Policy

- A) CASA employees, volunteers and board members are expected to conduct themselves in a manner that is consistent with all other requirements for ethical standards of conduct and professional behavior as determined by the CASA program's policies and procedures. This includes all interactions in person and on social media.
- B) Local CASA programs should develop policies ensuring compliance with this policy by staff members and volunteers.

Reviewed and Approved November 2, 2017

Voluntary Agreement for Young Adults

CASA Volunteer:

I understand that my role, should the youth decide to continue the appointment of CASA is to:

- promote youth led advocacy,
- ensure tasks are completed and that advocacy efforts are youth directed,
- promote stable and secure permanency with the youth,
- monitor the Court's orders for compliance,
- submit reports to the court.

CASA Volunteer Name (Printed):

CASA Volunteer

Signature:

Youth:

I understand if I continue the appointment of my CASA volunteer that:

- My CASA volunteer will work with my court appointed attorney, if any.
- I must sign a release of information to allow for the CASA program to access personal information and records.
- CASA services will terminate when I turn 22 years of age or at any point if I choose to voluntarily end my involvement in the program.

I understand if I choose not to continue the appointment of my CASA volunteer:

- CASA services will terminate when I turn 18 years of age

Other Agreements:

Yes, I understand the above requirements for my CASA volunteer and me. I do **WANT** a Court Appointed Special Advocate (CASA) to continue to be appointed to my case.

No, I do **NOT** want a Court Appointed Special Advocate (CASA) to continue to be appointed to my case.

Youth Name (Printed):

Youth Signature:

DATE: