



Shay Bilchik, Administrator

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JUVENILE JUSTICE BULLETIN

Court Appointed Special Advocates: A Voice for Abused and Neglected Children in Court

The court was considering returning 4-year-old Julie to her mother after a year and a half in foster care. Julie had been beaten by both her mother and her mother's boyfriend. A Court Appointed Special Advocate (CASA) volunteer discovered that Julie's mother had been convicted of abusing another child, a fact that had not been brought to the court's attention. The volunteer also alerted the court to the fact that the mother's boyfriend, a known drug abuser, still lived in the home. The volunteer recommended that the court terminate the mother's parental rights and allow Julie to be adopted by an aunt who wanted very much to care for her.

Tony and his brother had been removed from their mother for neglect—they lived in a dirty house without food and were left alone by their mother while she was away from the house to get food stamps. A CASA volunteer ensured that Tony and his brother visited their mother regularly while she was treated for depression. The volunteer then helped their mother secure a new apartment and a job with daycare on site. The family was reunited after 11 months.¹

In Spanish *casa* means home. In the juvenile justice system, CASA denotes a court appointed special advocate, a trained volunteer who advises the court about the best interests of abused and neglected children like Tony and Julie.

CASA volunteers work to ensure that a child's right to a safe, permanent home is acted upon by the court in a sensitive and appropriate manner.

In each case a CASA volunteer conducts an independent review of the child's circumstances and submits a formal recommendation for the child's placement. During the course of that review, the CASA volunteer interviews individuals with pertinent information, such as the child, parents, family members, teachers, neighbors, and doctors, and inspects all pertinent records and documents.

History of the CASA Program

The courts have not always protected the long-term interests of children, particularly those who have been abused and neglected. In 1976 more than one-half million children in the United States were in foster care, often unable to be reunited with their families or adopted by new ones. Foster care, designed to be temporary shelter, became a de facto permanent placement for many of these children. Contributing to this situation, in part, was the fact that judges were not always provided with sufficient information to determine the best placement for a child's long-term welfare.

From the Administrator

This past year there were more than 1 million abused and neglected children nationwide. With parents who are either physically or emotionally unable to care for them, these children find champions in CASA volunteers. Working in conjunction with child protective services and the juvenile justice system, the CASA program helps to meet the needs of these children for safety and for suitable, permanent homes.

The Office of Justice and Delinquency Prevention (OJJDP) views CASA not only as a safety net for abused and neglected children, but also as an essential ally in delinquency prevention. Research shows that abused and neglected children—often shuttled from home to home—are at increased risk of repeating the same violent behavior they experience, and hence at increased risk of becoming delinquents and adult criminals. The CASA-supported system interrupts this cycle.

CASA works because its volunteers—court appointed special advocates—make it work. This Bulletin describes how the system benefits from their time, skill, objectivity, and concern for each child's welfare. Appreciated by judicial, legal, and social service communities, CASA works to change lives one child at a time.

Shay Bilchik
Administrator

¹ These are composite illustrations of typical CASA experiences, not actual cases.

David W. Soukup, presiding judge of King County Superior Court in Seattle, Washington, became greatly concerned about making decisions that had significant impact on dependent children's futures. He began to consider ways to make sure the child's best interests were represented in court. Traditionally, the child's advocate in court had been the guardian ad litem (GAL), an attorney appointed by the court. Few of these attorneys, however, had the time or training to conduct the kind of comprehensive review that would allow the court to make informed decisions about appropriately placing a child.

Judge Soukup decided to recruit and train volunteers from the community to serve as children's long-term GAL's. His concept became an active program in Seattle on January 1, 1977, and in its first year the program provided 110 trained volunteers for 498 children in 376 dependency cases.

In the fall of 1977, the Children in Placement Committee of the National Council of Juvenile and Family Court Judges (NCJFCJ) developed guidelines to help the juvenile justice system protect the child's right to a safe, permanent family. When the Seattle program came to the committee's attention, committee members voted to incorporate Soukup's volunteer concept as one of its models.

In 1978 a nationwide study was conducted for OJJDP to evaluate volunteer child advocate programs in juvenile courts. Seattle's program was rated one of the country's most successful and innovative volunteer child advocate programs.

As reports of Seattle's success spread, States began to pass legislation authorizing CASA programs. New programs sprang up in Arizona, Arkansas, California, Florida, New York, and Rhode Island.

“As a judge, I had to make tough decisions. I had to decide whether to take a child from the only home he's ever known, or leave him someplace where he might possibly be abused. I needed someone who could tell me what was best for that child—from the child's viewpoint. That's what CASA does.”

Founder of CASA David W. Soukup

Currently, nearly 650 child advocate programs (CASA, GAL, Voices for Children, and others) operate in the 50 States, Washington, D.C., and the U.S. Virgin Islands. The CASA concept has received wide recognition since its inception, including endorsement by the American Bar Association in 1989 and by Congress in the Victims of Child Abuse Act of 1990 (P.L. 101-647). The Act calls for expanded use of CASA's to the effect that “a court appointed special advocate shall be available to every victim of child abuse or neglect in the United States that needs such an advocate.”

How the CASA Program Helps

Before the CASA program was established, it was not unusual for dependent children to get lost in the labyrinth of the courts. Although their future depended on a judge's decision, these children did not have trained representatives to research their cases and speak for them in court. The courtroom was filled with professionals including social workers and attorneys, but few of them had the time to find out what was best for each child. Social workers' heavy caseloads prohibited them from

giving detailed attention to each child's case, and although attorneys were often present to advocate a child's interests, judges too often lacked sufficient information to make decisions as to where abused or neglected children would live.

Because they deal with only one or two children at a time, CASA volunteers have time to research each case thoroughly. Their work pays off. The information they gather helps the judge form a more complete picture of a child's life and helps CASA volunteers make a fully informed recommendation for a child's placement. CASA volunteers are the safety net keeping many children from falling through the cracks of the child welfare system. They aid permanency planning efforts and help thousands of children find safe, nurturing homes.

The Role of the CASA

Only the court can appoint CASA volunteers, and only the court can dismiss them if they fail to meet their responsibilities. Ideally, a volunteer is appointed when a child's interests are first threatened and a petition is presented to the court. Typically, the appointment is made during or immediately after the first hearing, which may be a shelter care or custody hearing.

CASA volunteers investigate, evaluate, and recommend to the court what is in the child's immediate and long-term interests. In that capacity they serve as:

- ◆ Investigators—to determine relevant facts through personal interviews and a review of records, documents, and clinical data.
- ◆ Advocates—to present an accurate portrait of the child before the court at hearings through written reports and direct testimony to make sure that the judge, social service staff, and legal counsel fulfill their obligations.

“We have got to take America back to the point where it puts her children first; in the family, in the workplace, in everything we do. CASA volunteers, of all people in America, are doing that. And we now have to take this mighty network and carry it further into every community throughout America.”

**Janet Reno
United States Attorney General**

- ◆ Monitors—to ensure compliance with court orders by all parties and to bring to the court’s attention any changes in circumstances that require modification of a court order; to ensure that the child remains safe until a permanent resolution is reached.

CASA volunteers are the eyes and ears of the court, making objective assessments of a child’s needs. Judges rely heavily on their independent recommendations. However, because the CASA volunteer is only one of several parties issu-

ing recommendations in a case, the court may or may not accept them. Each case is determined on the facts presented and the relation of those facts to the case and to State and Federal laws.

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relative committees, help to identify program directors, and participate in the training and recognition of volunteers.

A successful CASA program requires cooperation and good will among volunteers and professionals involved in the case. This can be facilitated by clearly defining the CASA role in the proceedings and by working closely with professional groups. A CASA volunteer also needs to consult with attorneys and social workers during the course of the case, thereby enlisting their trust and cooperation.

Becoming a CASA Volunteer

Typical CASA recruitment literature reads:

If you are a mature, responsible adult who can relate to families in stressful situations and are willing to commit your time to ensure that an abused or neglected child ends up in a safe, permanent, nurturing home by speaking up for that child in court, you may be interested in becoming a CASA volunteer.

No special background is required to become a CASA volunteer, but qualities found in effective volunteers include the following:

- ◆ Independent, objective thinking and impartiality.
- ◆ Persistence and dedication to completing a thorough case review.
- ◆ Ability to serve as an active CASA volunteer throughout the case, which may take months to complete.
- ◆ Good communication skills.
- ◆ Willingness and ability to learn.

Training

CASA training covers the topics of abuse and neglect, the legal system, court procedures, foster care and permanency planning, advocacy, cultural awareness, and the role of the volunteer. OJJDP’s National CASA Program (described below)

“Before I became an advocate, I had no idea what happened to these youngsters and never considered how I could help. As more of us fight for these abused and neglected children, perhaps the level of public awareness will be raised and we’ll be able to protect more before they’re lost forever.”

**Margaret Crane
CASA Volunteer**

Establishing a Successful CASA Program

To develop a successful CASA program, care must be taken to integrate it into the existing justice system and community. The following requisites have been identified:

- ◆ Having a strong judge who serves as the program’s advocate and mentor.
- ◆ Clearly defining the CASA’s role.
- ◆ Appointing an efficient and effective program director.
- ◆ Recruiting and training of a diverse group of volunteers.

The strong support of a judge can provide the impetus for the program and attract community support. Judges often are the prime movers behind CASA efforts. They present proposals to the administrative judge who can authorize adoption of the program, meet with community organizations, present the concept to State legis-

A skilled program director should be selected as soon as a CASA program is established. Many CASA programs have hired individuals with social service backgrounds, while some have hired attorneys. The program director recruits volunteers, assigns them to cases, and supervises them throughout litigation; develops and implements training programs; and builds cooperative relation-

“Abused and neglected children need someone to speak up for them. No one does this more effectively and with more dedication than the CASA volunteer. As a judge, I rely heavily on the CASA’s insight and recommendation to the court. CASA does work.”

**Past President Judge Salvadore T. Mule
National Council of Juvenile and Family Court Judges**

ships with key personnel in the courts, child welfare agencies, and the community. In a nonprofit program, the director may also work with a board of directors and raise funds. As a program grows, a volunteer coordinator may be hired to work directly with the volunteers.

provides a comprehensive 40-hour curriculum that local jurisdictions can adapt to their needs. After their initial training, CASA volunteers may receive continuing inservice training. Experts on topics such as drug dependency or HIV may be brought in for additional sessions.

National Court Appointed Special Advocate Association

The National CASA Association was formed in 1982 to strengthen the integrity and professionalism of its members in their responsibilities as child advocates and to unify and promote the national network of CASA/GAL programs.

The National CASA Association offers an annual national conference, technical assistance, program development and funding, resource materials, bulletins on current topics such as legislation, and a national newsletter. The Association also conducts public awareness campaigns and provides programs with public service announcements, posters, and other promotional items.

OJJDP provides funding for the National CASA Association and for local programs through a National CASA grants program. The Association is a membership organization for both CASA programs and individuals who support the CASA concept. The Association receives contributions from both public and private sources.

Resources

For information on joining the National CASA Association, contact your local CASA program; to start a CASA program in your community, contact:

National Court Appointed Special Advocate Association

100 West Harrison Street
North Tower, Suite 500
Seattle, WA 98102

800-628-3233
206-270-0072
206-270-0078 (fax)
E-mail: staff@nationalcasa.org
<http://www.nationalcasa.org>

Other resources include:

Advocates for Youth
1025 Vermont Avenue NW., Suite 200
Washington, DC 20005
202-347-5700
202-347-2263 (fax)
Contact: Laura Davis or Susan Pagliaro
E-mail: info@advocatesforyouth.org

Children's Defense Fund
25 E Street NW.
Washington, DC 20001
202-628-8787
202-662-3530 (fax)
<http://www.childrensdefense.org>

Child Welfare League of America, Inc.
440 First Street NW., Suite 310
Washington, DC 20001-2085
202-638-2952
202-638-4004 (fax)
<http://www.handsnet.org/cwla>

National Association of Child Advocates
1522 K Street NW., Suite 600
Washington, DC 20005
202-289-0777
202-289-0776 (fax)
Contact: Eve Brooks, President
E-mail: nacal@erols.com

National Association of Counsel for Children
1205 Oneida Street
Denver, CO 80220
303-322-2260
303-329-3523 (fax)
E-mail: naccnatl@aol.com

National Children's Advocacy Center
200 West Side Square, Suite 700
Huntsville, AL 35801
800-543-7006
205-533-0531
205-534-6883 (fax)

National Network of Children's Advocacy Centers
Building D, Suite 202
115 Manning Drive
Huntsville, AL 35801-4341
205-536-6280
Contact: Donna Boone Johnson
or
1319 F Street NW., Suite 1001
Washington, DC 20004
202-639-0597
202-639-0511 (fax)
Contact: Judith Brown, Communications Director
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<http://www.nncac.org>

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