

Placement Magazine

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by Brette McWhorter Sember

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To give these children more importance and visibility and to improve the court proceedings, in 1977, Judge Soukup developed and implemented a pilot program called Court Appointed Special Advocates (CASA). In its first year, the program trained 110 community volunteers who then represented 498 children in court in abuse and neglect proceedings. The volunteers were taught to go into the homes, to speak with parents, teachers, doctors and social service workers and then come to court and speak up

for the children and advise the court on what they believed to be the best course of action for the child. The program was so successful, the National Center of State Courts and the Edna McConnell Clark Foundation lauded the program and provided funding for it to be implemented across the country.

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372 local programs in 1989 to over 900 today. CASA continues to be recognized as an outstanding volunteer effort, winning many honors including Outstanding Volunteer Program from the National Council of Juvenile and Family Court Judges, an endorsement from the American Bar Association and the Foundation for the Improvement of Justice Award.

CASA's Goals

In September 1999, 568,000 children in the United States were in foster care due to abuse or neglect. Children who are in foster care often feel rejected, alone, inadequate and have little sense of family. These children become more likely to go on and experience problems such as drug abuse, teen pregnancy, mental illness, homelessness and criminal records as adults. A 1991 study conducted by the U.S. Department of Justice found that abused and neglected children are 53% more likely to become juvenile delinquents, 38% more likely to be arrested as adults and 38% more likely to become violent criminals.

When an abuse and neglect proceeding occurs in court, the parents have the absolute right to legal representation. The social worker from the local social services agency appears and is represented by the agency's attorney. The child may or may not appear in court depending on the jurisdiction, and is often assigned a court appointed attorney who has little time to fully investigate the case

or even meet the child. In 1999, 53,000 CASA volunteers stepped up to the plate and represented 207,000 children in court so that their voices could be heard and so their interests could not be ignored.

Sally Wilson Erny, national program specialist for NCASAA, based in Louisville, Kentucky, defines the goals of the program as follows: "The mission of the NCASAA is to speak for the best interests of abused and neglected children who are involved in the juvenile courts...The goal of most local programs is that...abused and neglected children will be placed in safe, nurturing, permanent homes."

CASA volunteers have three basic functions in a case: bond with the child and find out facts about the case, report them to the judge with recommendations and then remain as a watchdog on the case as long as the children are in the system. A typical case lasts about a year with many exceeding that time period.

CASA volunteers commit to following the case to its conclusion—permanent placement for the child either back at home or through adoption—no matter how long it takes.

With the many attorneys involved in an abuse or neglect case, it is easy for the child and the child's interests to be lost in the shuffle. Tony Rogers has been a CASA for over

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six years in Indiana. "We try to keep the situation focused on what is best for the child. The focus is easily shifted to the parents concerns. The focus drifts away from the child. We bring it back."

CASA volunteers come to court with a written report for the judge in which they make a recommendation based on what they believe to be in the child's best interests. The report contains "a brief, factual summary of the case... We always try to be factual and cite examples that we have seen first hand, but often much of our information comes from other sources like teachers or therapists," explains volunteer Carolyn Canfield from Kentucky.

While in court, CASA volunteers constantly redirect attention back to the child and try to focus the proceedings on to what the child needs and away from what the parents want.

Elaine Fuller, executive director of CASA in Anderson, Indiana says that CASA volunteers are important in a case because the caseworkers tend to have "a cookie cutter response to the cases. CASA volunteers offer a new perspective and look for different solutions. It is a challenge for us to find different ways to help. Without CASA volunteers, kids would get forgotten about." Often caseworkers carry very high caseloads and are not able to

devote as much attention to a single child or family in the way that a devoted CASA can.

Sallie Hussey, executive director of CASA in Nashville, Tennessee points out, "In my opinion what CASA volunteers do that no one else can do is devote all their time and energy to fighting for their children...because they only have one case at a time. The volunteers work like dogs to find out what is truly happening in a child's life, uncover options and find solutions that enable these children to get to a permanent home as quickly as possible... They really don't have a 'dog in the fight' so to speak, except the child, so they can continually ask 'Why not?' and 'What about this?' Legally they often don't know what can and can't be done, so they just ask for the moon. Judges really do listen."

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Who are the CASA workers?

CASA volunteers are men and women over the age of 21 from many backgrounds and ethnic groups who have undergone screening and training. When an adult is interested in working for CASA, he or she must complete a written application, provide three references and undergo a criminal record check, a state DMV check and a Child Protective Services check. If the volunteer passes these checkpoints, he or she is interviewed by the local CASA program staff. The staff is looking for a volunteer who will be able to do hands on research into the case and then come into court and speak to the judge and other attorneys. CASA volunteers must be able to provide a coherent written report to the judge in which they explain what the best solution for the child is.

"This is a tough, challenging, volunteer job and to be successful, volunteers must be carefully screened, thoroughly trained and well supported," explains Sally Wilson Erny.

The volunteers must also agree that they will not develop a personal relationship with the child and must understand that it will be difficult not to become emotionally involved. Carolyn Canfield, CASA volunteer in Jefferson County, Kentucky, comments, "I don't think you can keep from getting emotionally involved and I'm not sure I would be an effective advocate if I weren't somewhat emotionally invested. The trick is to be able to draw the line and know just how much you can do."

Once a volunteer is accepted into the program, he or she must undergo a 40 hour training program which deals with facts about abuse and neglect, the legal system and court procedures, foster care and permanency planning, advocacy, cultural awareness and the role the volunteer will assume. Once training is complete, staff supervision of the cases continues and continuing education is provided for the

volunteers. NCASAA standards require that for every thirty volunteers there be one full-time staff member whose only responsibility is volunteer supervision.

A typical case lasts at least a year, although many cases continue for much longer. Many volunteers average two to three cases simultaneously. Volunteers must commit to following their cases to their conclusions, no matter how long that may be. "I have one case that has been going on for ten years," points out Elaine Fuller, who has stayed with the case throughout her years with CASA and continues to handle it even though she is now executive director of her local program.

Programs across the country are always looking for new volunteers. The recent trend among programs is a greater push for diversity. Most CASA volunteers are women; men are in need. Minority volunteers are also sought, especially in cities that have widely diverse ethnic groups.

The Many Faces of CASA

CASA programs exist in every state except Vermont (however, one is being planned) as well as the U.S. Virgin Islands and Washington D.C. Over 900 local programs function under the umbrella of the National CASA Association (NCASAA); 52% of the programs are in rural areas, 27% are in urban areas and 21% are in mixed and suburban areas. Programs in urban areas represent a higher volume of cases and have larger budgets and more volunteers. Rural programs face many difficulties including lack of funding and scattered populations that make the frequent contact required in these cases difficult. There are also twenty Tribal Court CASA programs that operate on Native American tribal lands and whose volunteers appear in tribal courts.

CASA programs can be independent non-profit organizations or can be part of a state or county or

umbrella agency. The role that CASAs assume vary from state to state. In some states CASA volunteers are called guardians ad litem, in others they are called friends of the court and in still others they are simply referred to as CASA volunteers. In some states, the CASA is a full party to the court proceedings and is treated almost as if he or she were an attorney. In other states, they are mere observers who do still issue a recommendation to the court. Whatever their specific state created role, their function and purpose is the same and they do garner the judges' attention.

While the primary purpose of the program is to represent children in abuse and neglect proceedings, some programs have expanded their focus and also represent children in custody and adoption proceedings.

National Court Appointed Special Advocate Association

NCASAA serves as an umbrella for the many local programs. Deputy CEO M. Carmela Welte of NCASAA explains, "We provide a national volunteer training curriculum which states adapt to their own state. We provide national standards for programs and volunteers as well as public relations and resource development efforts." Although NCASAA does set standards for all the local programs, "we have to honor that local programs know best how to work in their own system. We are not a Big Brother," points out Welte.



Challenges

The challenges facing CASA volunteers are many. Dealing with the parents of the children involved can be very draining. Elaine Fuller, CASA director in Anderson, Indiana points out, "The parents themselves are so needy." Volunteer Tony Rogers agrees and says, "Many are poorly prepared to be a parent."

Volunteer Carolyn Canfield finds that "often the parents' perception is that the court and social workers are 'out to get them' and this is a constant battle to overcome." The parents frequently need services and can see the CASA worker as a third party they can latch onto for support or assistance. Since CASA volunteers represent the child's interests, they must be careful not to become involved in the parents' problems.

Coping with the bureaucracy of the court system can be difficult for some volunteers. "The bureaucracy is not designed to be efficient," says volunteer Tony Rogers. Part of the bureaucracy that the CASA volunteers face is not only the court and the legal system, but the attorneys and caseworkers themselves. These professionals may be carrying high case loads and are often unable to take the time to look at each case individually. Additionally, some caseworkers perceive CASA volunteers as "looking over their shoulders," explains Fuller. "I would like for caseworkers to accept us better and for there to be a better relationship there."

It takes volunteers some time to learn how to maneuver through the system. "Beginning volunteers get that deer in the headlights look," explains Fuller, "but soon feel comfortable enough with the system to manage it."

That deer in the headlights look is one of the greatest challenges facing the CASA program at large. "The greatest misunderstanding is that CASA is volunteers who may not be well versed in what they are doing. The reality is they are very well trained," explains Carmela Welte. "National studies have shown that CASA volunteers are as well trained as others who advocate for children."

CASA programs always find they need more staff, funding and volunteers than they have and that they are not able to represent all of the children in their area who could benefit from their services. Another concern of many local programs is the lack of in house legal counsel. If CASA programs had staff attorneys, "It would level the playing field with OFC (the Office of Family and Children - Indiana's social services agency)," says Fuller. "This would also provide much needed legal assistance to CASA volunteers."

Looking Towards the Future

Sally Wilson Erny best sums up CASA's plans for the future. "We want to be the leader in the nation in assuring that all abused and neglected children involved in dependency proceedings...receive high quality, timely, culturally sensitive volunteer advocacy. CASA volunteers are now serving just over one third of the abused and neglected children who need us....In order to serve more children we will have to recruit, screen and train more volunteers. We... are working on a quality assurance system that will help our local programs meet national standards. We recognize the importance of evaluation and are beginning to participate in a national evaluation study of our work."

For the children who benefit from CASA, the future looks brighter than ever. For more information on CASA or to become a CASA volunteer, contact the National Court Appointed Special Advocate Association at 1-800-628-3233 or go to their Web site at www.nationalcasa.org. 