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**GLENN A. GRANT, J.A.D.**  
Acting Administrative Director of the Courts

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**MEMORANDUM**

**To: Assignment Judges  
Trial Court Administrators**

<b>Directive # 05-13</b>
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**From: Glenn A. Grant, J.A.D.**

**Date: July 16, 2013**

**Re: Revised Court Appointed Special Advocates (CASA) Program Standards**

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**Revised Court Appointed Special Advocates (CASA) Program Standards**

This directive promulgates the revised Court Appointed Special Advocates (CASA) Program Standards, as approved by the Judicial Council. The revised standards are effective immediately and supersede the set of standards issued in 2002.

The revisions to the CASA Program Standards were necessitated by statutory, organizational and operational changes, including:

- (1) The enactment of N.J.S.A. 2A:4A-92, effective November 1, 2010, which recognizes and defines CASA in New Jersey;
- (2) The implementation of the Child Abuse Record Information (CARI) check and Live Scan fingerprinting as part the criminal history record information check on Judiciary volunteer candidates;
- (3) References to the Volunteer Services Program Standards (Directive #4-05) and the Code of Conduct and Litigation Reporting Policy for Judiciary Volunteers (Directive #19-06);
- (4) Revisions to R. 1:38, effective September 1, 2009, which govern public access to court records; and
- (5) The transition of court-operated CASA programs to private non-profit programs.

Pursuant to Rule 5:8C, CASA volunteers act on behalf of the court to provide child advocacy services in Family matters. Those volunteers provide the Family court with information needed to assist the court in making decisions in the best interest of children who have been removed from their homes due to abuse or neglect.

### CASA Affiliate Memorandum of Understanding

Pursuant to Standard III.A.1., county-based CASA programs ("CASA Affiliates") operated by non-profit corporations must operate under a standard memorandum of understanding (MOU) between the Assignment Judge and the county CASA Affiliate. While we already have signed MOUs for all county CASA programs, the Judicial Council has approved a revised version of the MOU for immediate use. The revised form MOU is Appendix A to the Standards, with the Standards containing a link to the fillable pdf form of the revised MOU that is posted on the Judiciary website (njcourts.com). A hardcopy is attached to this directive for ease of reference. The revised form MOU outlines the respective responsibilities of the county CASA Affiliate and the Superior Court. This revised MOU must be signed by the Assignment Judge for the Judiciary, and both the county CASA Affiliate Executive Director and President of the Board of Trustees for the CASA program.

Please take the necessary steps to execute the revised MOU with your local CASA Affiliate(s) and provide signed copies to Assistant Director Harry T. Cassidy by October 1, 2013.

#### Attachments

cc: Chief Justice Stuart Rabner  
Family Presiding Judges  
Steven D. Bonville, Chief of Staff  
AOC Directors and Assistant Directors  
Clerks of Court  
Gurpreet M. Singh, Special Assistant  
Joanne M. Dietrich, Chief, Family Practice  
Leigh Eastty, Manager, Programs and Procedures Unit  
Family Division Managers  
Karen Y. June, Manager, Volunteer Services  
Assistant Family Division Managers, Multi-County Vicinages

**Superior Court of New Jersey**

**COURT APPOINTED SPECIAL ADVOCATES  
(CASA) PROGRAM STANDARDS**

**Standards for the Program  
and the Volunteers**

**Revised Standards  
Promulgated July 16, 2013 by Directive #05-13  
(As Approved by the Judicial Council)**



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# I. Introduction

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Court Appointed Special Advocate (CASA) programs in New Jersey provide child advocacy services to the Judicial System-Chancery Division, Family Part. N.J.S.A. 2A:4A-92, "Court Appointed Special Advocate" program, effective November 1, 2010, affirms the role of a CASA program as a resource to the courts for determining the best interests of any child less than 21 years of age who has been removed from his or her home due to an abuse and neglect complaint filed prior to their 18<sup>th</sup> birthday.

In New Jersey, a CASA program (herein known as "CASA Affiliate") is a non-profit corporation governed by a board of trustees. A CASA Affiliate is a county or multi-county based volunteer program that serves the local court by providing Family Court Judges and Child Placement Review Boards with current and specific information concerning children in out-of-home placement. CASA Affiliates are authorized by Court Rule 5:8C, adopted September 1998. The Court Rule states:

In any case in which the welfare of a child is in issue, the court may, on application of any party or on its own motion, appoint a volunteer Court Appointed Special Advocate (CASA), who shall act on the court's behalf to undertake certain activities in furtherance of the child's interests, but who shall not supplant or interfere with the role either of counsel for child appointed pursuant to R. 5:8A or guardian ad litem appointed pursuant to R. 5:8B. Any such CASA shall be a volunteer associated with a court-authorized or court-operated CASA program. The duties and activities of a CASA program and all of its volunteers shall be in accordance with guidelines established by the Administrative Director of the Courts.

This document is designed to establish standards for all CASA Affiliates and CASA volunteers operating in New Jersey's 15 judicial vicinages. The intent of these standards is to: 1) clarify the court's relationship with CASA Affiliates; 2) identify core services to be provided by all CASA Affiliates; 3) define standards for recruiting, screening, training, and supervising volunteers; 4) provide guidelines for case management and reporting; and 5) provide criteria for program evaluation. As part of this effort, a copy of this document will be provided to all new and existing CASA Affiliates.

Prospective CASA volunteers are recruited, screened and trained by a CASA Affiliate. The successful candidates are then appointed as Judiciary volunteers by the local court and appointed to one or two cases at a time. The volunteers conduct in-person interviews and full record reviews in order to write reports for the court. The report is provided to all parties to the action and to the court and/or Child Placement Review Board prior to the scheduled hearing or review.

The goal is to provide a CASA volunteer to every child in out-of-home placement throughout the state. It is important to note that the CASA Affiliate is part of an overall process of checks and balances with child protection services, the courts, the legal community, agencies and other parties toward achieving the goals of safety and permanency for children in out-of-home placement because of abuse or neglect. Having a CASA volunteer on a case generally helps meet the Adoption and Safe Families Act deadlines, moving the case more quickly toward permanency which is one of the primary goals of a CASA volunteer. CASA volunteers also help to ensure that services are delivered in a timely and effective manner while assisting the Judiciary to monitor cases and make decisions in the best interest of the child.

The history of national and state legislation and court rulings enabling the establishment of CASA programs are an integral part of the CASA history. The following provides an outline of the authority and organizational history of CASA programs, both nationally and in New Jersey.

The concept of CASA originated within the Family Court jurisdiction. Superior Court Judge David Soukup established the first CASA program in Seattle, WA in 1977. He realized that he was deciding a child's fate with, often, only a few minutes to ascertain the facts of a case and deliberate and, knew that he needed a more thorough investigation. His goal was for CASA to ensure that he obtained all pertinent facts and that each child in foster care received proper representation. Other Family Courts throughout the country have come to the same conclusion and have authorized CASA programs nationwide. Eventually, national standards were developed by the National CASA Association (NCASAA), and all programs are required to follow the standards.

- 1974: The Child Abuse Prevention and Treatment Act, New Jersey Public Law 93-247, calls for the appointment of a Law Guardian for any child involved in an abuse and neglect court action; in New Jersey this must be a lawyer.
- 1976: First CASA program established by Family Court in Seattle, Washington.
- 1978: The National Center of State Courts selected the Seattle program as the "best national example of citizen participation in the juvenile justice system."
- 1978: Grant from the Edna McConnel Clark Foundation led to the establishment of CASA programs throughout the country.
- 1982: National CASA Association formed.
- 1983: National CASA Association receives financial support from:
  - The National Council of Juvenile and Family Court Judges, US Department of Justice
  - Office of Juvenile Justice and Delinquency Prevention.
  - US Department of Health and Human Services
  - The Edna McConnel Clark Foundation.
- 1986: Essex County CASA is established as a non-profit program. CASA of Union County formed (this was a court-operated program but transitioned to a court authorized, non-profit program).
- 1987: The National Council of Jewish Women began providing child advocacy services to the Superior Court of Morris County.
- 1990: The Victims of Child Abuse Act was passed (PL 101-64). This legislation authorized the expansion of CASA stating "court-appointed special advocate(s) shall be available to every victim of child abuse or neglect in the United States that needs an advocate."
- 1991: CASA of Morris County is established as an independent non-profit organization, assuming the child advocacy responsibilities performed by the National Council of Jewish Women.
- 1994: CASA of Camden County and CASA of Ocean County established (These were established as court-operated programs but were transitioned to non-profit programs in 2003 and 2006 respectively).
- 1995: The National Council of Juvenile and Family Part Judges publishes "Resource Guidelines: Improving Court Practice in Child Abuse & Neglect Cases." This report recognized CASA/GAL programs as an effective and legally supported means of improving the legal representation of children in dependency proceedings in the Family Courts.
- 1996: Sussex County joined the CASA program as part of the CASA of Morris County.
- 1998: CASA of Atlantic County established.
- 1998: The Supreme Court of New Jersey adopted Court Rule 5:8C. This rule provided formal recognition of CASA programs in New Jersey and defines the parameters of their authority.

- 1998: CASA of NJ Steering Committee was formed to define the work of a statewide CASA association to meet the needs of the Courts and the children of New Jersey.
- 1998: The Conference of Family Presiding Judges reported to the Judicial Council regarding the potential impact of the ASFA on children in court dockets. This report projected a substantial increase in filings of termination of parental rights cases and abuse and neglect cases and recommended best practice standards for children in court cases.
- 1999: The Conference of Family Presiding Judges' report to the Judicial Council on children in court cases, recommendation #11 stated that "[t]he creation, role and function of a Court Appointed Special Advocate (CASA) in each county should be promoted by vicinage Judiciary leaders.
- 2000: CASA of New Jersey, Inc. became operational. In a March 13 Memorandum to all Assignment Judges, the Administrative Director of the New Jersey Judiciary requested that all Assignment Judges prepare a plan for ASFA implementation. That memo further recommended that any such plan "should indicate what steps you plan to take to create or expand CASA services."
- 2000: CASA of New Jersey helps to develop CASA of Mercer County as a non-profit CASA program, with incorporation in December 2000.
- 2001: CASA of New Jersey works to re-develop the failing CASA of Atlantic County program. CASA of Atlantic and Cape May Counties opens as a non-profit CASA program.
- 2002: CASA of New Jersey helps to develop Hudson County CASA as a non-profit CASA Program and works with the Court in Burlington County to develop a court-operated CASA Program. Later in the year, the utilization of non-profit CASA Programs becomes part of the Administrative Office of the Courts' Best Practices for Children in Court Cases. CASA of NJ begins receiving Court Improvement Project funding earmarked for the development of new CASA Programs statewide. CASA of Union County, the court-operated program, becomes non-operational shortly before the end of the year.
- 2003: CASA of New Jersey helps to develop Bergen County CASA as a non-profit program. CASA of New Jersey helps to transition CASA of Camden County from a court-operated to a non-profit CASA Program. Both Bergen and Camden CASA Programs begin operation. CASA Programs create a CASA Affiliation Advisory Board and all CASA Programs are now required to be sign an Affiliation Agreement with CASA of New Jersey. That Affiliation Agreement requires compliance with these Standards.
- 2004: CASA of New Jersey helps to develop CASA of Monmouth County as a non-profit CASA Program. CASA of New Jersey also helps to develop CASA of Cumberland County as a non-profit program with the understanding that the program will initially serve Cumberland County but will eventually expand to serve the entire vicinage.
- 2005: CASA of New Jersey helps to develop CASA of Union County as a non-profit CASA Program. CASA of New Jersey also helps to develop CASA of Somerset, Hunterdon, and Warren Counties (CASA of SHaW) as a non-profit program with the understanding that the program will initially serve Somerset County but will eventually expand to serve the entire judicial vicinage.
- 2006: CASA of New Jersey helps to develop CASA of Middlesex County as a non-profit CASA Program. CASA of New Jersey helps to transition CASA of Ocean County from a court-operated to a non-profit CASA Program.
- 2007: CASA of New Jersey helps to develop CASA of Burlington County as a non-profit CASA Program. CASA of New Jersey helps to develop Passaic County CASA as a non-profit CASA Program.
- 2008: CASA program is expanded into Warren County by CASA of SHaW. CASA is expanded into Gloucester County by CASA of Cumberland, Gloucester & Salem Counties.
- 2010: N.J.S.A 2A:4A-92 "Court Appointed Special Advocate" (CASA) program establishes a

CASA program as a resource to the courts for determining the best interests of any child less than 21 years of age who has been removed from his or her home due to abuse and neglect prior to their 18<sup>th</sup> birthday.

- 2011: CASA of SHaW is expanded into Hunterdon County, realizing service to the entire judicial vicinage of Somerset, Hunterdon, and Warren counties. CASA of Cumberland, Gloucester, and Salem expands into Salem County, achieving its goal to serve the entire judicial vicinage.

This document reflects the principles of the National CASA standards, conforms to New Jersey Court Rules and exemplifies best practice standards complementing Children in Court case processing decisions approved by the Judicial Council. As to the National CASA standards, those referring to the fiscal and operations management of the non-profit agencies were not part of the Conference of Presiding Judges' proposed standards in 1999, since management of these programs is not a Judiciary responsibility, but the responsibility of each individual Affiliate's Board of Trustees. Standards established by the Judiciary and approved by Judicial Council, as contained herein, represent requirements for all CASA Affiliates.

The Appendix consists of the Standard Memorandum of Understanding for execution by the assignment judge of the local court, the president of the board of trustees and the executive director of the CASA Affiliate. Additionally, the standard Oath of Office and of Confidentiality, Code of Conduct and Litigation Reporting Policy for Judiciary Volunteers, and the Code of Ethics for New Jersey CASA Programs and Volunteers are included in the appendix.



## **II. Court Appointed Special Advocates of New Jersey, Inc.**

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**Mission Statement:** Court Appointed Special Advocates (CASA) of New Jersey, Inc., a non-profit organization, supports a statewide network of local, community-based CASA programs through which trained volunteers advocate for the best interests of children who have been removed from their families because of abuse or neglect. CASA of New Jersey provides support primarily through funding, training, public education and technical assistance.

In accordance with N.J.S.A. 2A:4A-92, which codified the "Court Appointed Special Advocate" program in New Jersey, the Acting Administrative Director of the Courts designated CASA of New Jersey as the organization with which all local CASA programs must be affiliated. CASA of New Jersey is a tax-exempt non-profit corporation governed by a Board of Trustees and operated by paid staff. As such, CASA of New Jersey must comply with a variety of regulations and requirements governing non-profit corporations and must adhere to best practices for non-profit corporations. In addition, CASA of New Jersey must comply with the New Jersey Judiciary standards contained in this document and perform as noted below.

- 1. Comply with National CASA Association Standards for State CASA organizations as well as the New Jersey Judiciary standards contained herein.**
- 2. Assist CASA Affiliates in implementing the New Jersey Judiciary Standards as needed, and monitor the compliance of each Affiliate pursuant to these Standards by conducting site-visits periodically to assess the need for performance improvement plans, review the Affiliate's performance improvement plan and related results, and offer technical support as needed.**
- 3. Collect and compile data from the CASA Affiliates as set forth in the New Jersey Judiciary Standards.**
- 4. Provide training and technical support to all CASA Affiliates in New Jersey.**
- 5. Raise public awareness of the CASA program statewide.**
- 6. Solicit funds from public and private sources for operations at the state level as well as for pass-through to the CASA Affiliates.**
- 7. Represent CASA at statewide conferences and meetings of relevant state-level agencies, authorities, committees, and work groups, including but not limited to the New Jersey Task Force on Child Abuse and Neglect, and the Administrative Office of the Courts' Children in Court Improvement Committee.**
- 8. Provide an Annual Report for the CASA network in New Jersey to the Governor's office, the Judiciary, the Department of Children and Families, and the Legislature.**

### **III. Program Management Standards for CASA Affiliates**

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The unique ability of CASA to pursue its mission on behalf of children in out-of home placement derives from the appointment of CASA volunteers by the Family Court as well as compliance with well-defined program management practices. As official representatives of the court, CASA volunteers have an important opportunity to advocate for the best interest of the children to which they are assigned, making sure that needed services are expeditiously provided and court orders are carried out. The program management standards, contained herein, advance these objectives and the capability of CASA volunteers to fulfill their overall responsibilities described below.

#### *Commitment*

Volunteers commit their time to a child or family of siblings for at least one year. As the only undivided resource for the child, they remain assigned to the same child throughout the placement process that may include several moves and several changes of Division of Child Protection and Permanency (DCP&P, formerly the Division of Youth and Family Services) caseworkers.

#### *Research*

Volunteers do their own research regarding the child's individual circumstances. They meet and interview all persons concerned with the child's placement including relatives, foster parents, court and DCP&P staff, medical and educational professionals, employers, neighbors, and friends of the family. They review all court and DCP&P files and search out critical information that is missing. They locate relatives who might provide a safe and permanent home. They attend regular meetings between parents and/or prospective care givers and child(ren) in order to directly observe these relationships.

#### *Recommendations and Reporting*

Volunteers make best-interest recommendations regarding the most appropriate permanency plan and interim services for the child. They report regularly to their CASA Affiliate case supervisor on appropriate permanency goals, needed services and other issues. Pertinent information and recommendations are communicated in writing to the Family Courts, Child Placement Review Boards, involved attorneys, and DCP&P. Volunteers may also be called to testify in court as a fact witness or at Child Placement Review hearings.

#### *Advocating Services and Expediting Placement*

Volunteers must maintain regular contact with the DCP&P case manager to be effective. The volunteer conducts ongoing services needs analyses. The CASA volunteer may recommend social services to which the child is entitled and monitor and facilitate the delivery of those services, such as sibling and parental visitation, medical evaluation and care, psychological evaluation and counseling, educational evaluation and services, and correction of problems in the foster home. Volunteers may request DCP&P to conduct background checks on possible placement contacts, monitor parental progress, and/or move a case toward permanent placement.

## **A. Authorization and Partnerships**

### **A.1. Standard Memorandum of Understanding**

**Pursuant to Court Rule 5:8C. "Appointment of Court Appointed Special Advocate," a CASA Affiliate shall be authorized by the court to provide child advocacy services to the court. Each CASA Affiliate shall operate under a standard Memorandum of Understanding (Appendix A) executed by the Assignment Judge and the Affiliate Director (or a designee of either).**

#### Commentary

There shall be a standard form Memorandum of Understanding (MOU), approved by the Administrative Office of the Courts (AOC), which each vicinage shall enter with their respective CASA Affiliate. The MOU, which requires compliance with the standards defined in this document, can be modified by the AOC as necessary.

CASA Affiliates must administer all program policies without discrimination on the basis of race, ethnicity, religion, gender, age, national origin, sexual orientation, marital status, or disability. CASA Affiliates and volunteers shall abide by the Code of Ethics for New Jersey CASA Programs and Volunteers (see section III.C.2. for more details), any applicable New Jersey statutes, Rules of Court, Judiciary Directives, and New Jersey Code of Conduct and Litigation Reporting Policy for Judiciary Volunteers (see section III.C.2. for more details). If national standards conflict with New Jersey laws, rules, or directives, those of New Jersey shall prevail.

CASA Affiliates shall develop positive working relationships with their vicinage Family Division. The CASA Affiliate should maintain open communication with the court regarding program activities. The court may be called upon from time to time to assist a CASA Affiliate in its efforts to recruit volunteers or to gain other support. To the extent deemed permissible by the Assignment Judge, judges may endorse letters of support for the CASA Affiliate or attend non-fundraising CASA events designed to recognize the efforts of CASA volunteers.

In the event that the CASA Affiliate or the court wishes to terminate the MOU, the initiating party shall inform CASA of NJ and the AOC in writing of that intention. Such writing shall be transmitted no less than 60 days prior to the issuance of a termination notice under the MOU.

## A.2. State and National Affiliation

**The CASA Affiliates shall operate under a signed Affiliation Agreement with CASA of New Jersey, Inc. and shall be a member, in good standing, of the National CASA Association.**

### Commentary

The court does not propose to oversee the compliance of private non-profit programs with the federal or state regulations relative to their staffing, financial reporting requirements or supervision of their staff. Each Affiliate and its Board of Trustees shall have a working relationship with CASA of New Jersey as set forth in the standard Affiliation Agreement.

CASA governance standards, which are referenced in the Affiliation Agreement, have been developed to encourage consistent quality throughout the State of New Jersey. Each CASA Affiliate shall enter into an Affiliation Agreement with CASA of New Jersey. That agreement describes the duties and responsibilities of each CASA program and establishes certain management practices which must be adhered to by each of the parties to the Agreement.

In compliance with the Affiliation Agreement, CASA Affiliates shall have written strategic and organizational plans containing goals and objectives, measures for attaining those goals and objectives, and a methodology for monitoring and evaluating progress with a budget and finances to support the objectives. Written plans will include, but are not limited to: program policies and procedures; job descriptions for staff and volunteers; a plan for recruitment, selection, and screening of potential CASA volunteers; training procedures; case selection and appointment procedures for CASA volunteers; a plan for the oversight, support and supervision of volunteers; a plan for program governance, fiscal control, and evaluation that complies with both the Judiciary Standards contained herein and the National CASA Association Standards; a funding plan, and procedures for record keeping, data collection and reporting of data to CASA of New Jersey.

Each CASA Affiliate in New Jersey is required to be affiliated with the National Court Appointed Special Advocate Association (NCASAA), with costs to be borne by the CASA Affiliate. Affiliation with CASA of New Jersey and the National CASA Association allows for program credibility and both statewide and national recognition. Both CASA of New Jersey and National CASA provide information, funding, support and guidance to its affiliated programs.

### A.3. Judiciary Committee Membership

**The Affiliate Director or his/her designee shall be a member of the Vicinage Volunteer Program Steering Committee and the Children in Court Advisory Committee.**

#### Commentary

The Judiciary Volunteer Program Steering Committee in each vicinage organizes required training, seeks recruits, and can provide assistance to CASA Affiliates in meeting their objectives. It is important that each Affiliate Director has a voice in the local Steering Committee and is part of the overall organization of Judiciary volunteer programs. A CASA Affiliate representative shall be an active member of the Children in Court Advisory Committee or Model Court Committee.

#### A.4. Partnership with Child Welfare Stakeholders

**Communication and coordination with child welfare stakeholders shall be the responsibility of all CASA Affiliate personnel.**

##### Commentary

CASA Affiliate personnel shall endeavor to meet with representatives of the Division of Child Protection and Permanency, the Division of Prevention and Community Partnerships, the Office of the Law Guardian, and the Children in Court Team Leader/Child Placement Review Coordinator to exchange information, identify and resolve problems, and clarify the roles and responsibilities of each.

CASA Affiliates shall keep judges informed of the accomplishments, problems, and changes in the CASA Affiliate, and obtain comments from the judges on program issues.

CASA Affiliates shall have a system for promoting awareness of the CASA program in the legal community as well as in the community at large.

## **B. Volunteer Administration**

### **B.1. Volunteer Recruitment**

**Recruitment of CASA volunteers shall be the responsibility of the CASA Affiliate. Each CASA Affiliate shall adopt and adhere to a written plan for the recruitment of potential CASA volunteers.**

#### Commentary

Recruitment of volunteers is vital to the program's existence and ability to serve the needs of the court and of the children. The Affiliate Director has the responsibility to assure all necessary recruitment is underway and properly handled. A CASA staff designee or other appropriate person can assume the recruitment tasks.

The recruiting plan should be designed to make the public aware of the problems faced by abused and neglected children who enter the courts. CASA Affiliates should produce uniform substantive information to explain the purpose of CASA, define the roles and responsibilities of a CASA volunteer, and explain the commitment of time required. The recruiting efforts should include media outreach and speaking engagements as well as printed materials, targeting a mix of male and female volunteers from diverse cultural and ethnic backgrounds and from a variety of age groups and socio-economic levels.

## B.2. Volunteer Screening and Selection

A CASA Affiliate shall adopt and adhere to a written procedure for screening and selecting potential CASA volunteers, who must be 21 years of age or older, comporting with the Background Check Policy for Judiciary Volunteers and the procedures set forth below.

### 2.1. Preliminary Screening

- a. **Application:** All applicants must complete a written application which requires:
  - disclosure of service as a foster parent;
  - disclosure of any criminal convictions or non-criminal offenses (including disorderly or petty disorderly persons offenses) and any other circumstances as specifically defined by the Background Check Policy for Judiciary Volunteers; and
  - submission of contact information for three individuals for reference checks to be completed by the CASA Affiliate.
- b. **Interview:** All possible candidates shall have a personal interview with a CASA Affiliate official.
- c. **Candidate Selection:** The CASA Affiliate shall evaluate the written application, results of the reference checks, and the outcome of the personal interview to select the applicants suitable to continue through the remainder of the screening and selection process (described below).

### 2.2. Background Check

- a. **Selected Candidate's Authorization:** Further consideration of a selected candidate for volunteer appointment requires his or her written authorization for the CASA Affiliate and the Judiciary to jointly conduct a comprehensive background check including, but not limited to, a criminal history record check and a Child Abuse Record Information (CARI) check in accordance with the procedures defined in these Standards. The CASA Affiliate is responsible for obtaining and retaining each candidate's signed authorization documents.
- b. **Criminal History Record Information Check:** The CASA Affiliate shall direct selected candidates to the local Sheriff's Department for Live Scan fingerprinting. The Judiciary will ensure that selected candidates will be



**fingerprinted and there is no cost to the applicant or the CASA Affiliate for this service provided by the local Sheriff's Department.**

**If CASA finds that a candidate is desirable but has disclosed on the application or during the interview that he or she is an ex-offender who has rebuilt his or her life and is no longer under the control of any court or correctional authority, the CASA Affiliate Director must submit a recommendation with supporting documentation to the court's designated leaders responsible for volunteer appointments (as defined in the Background Check Policy for Judiciary Volunteers) for consideration.**

**Fingerprint results will be securely transmitted from the Sheriff's Department directly to the Human Resources Division of the local court. Upon receipt of fingerprint check results, designated court staff will make the documentation available to the CASA Affiliate for its assessment. The CASA Affiliate is aware that the court shall only approve candidates who have not been convicted of, or have charges pending for, an indictable crime or disorderly persons offense involving a sex offense, child abuse or neglect, or related acts that could pose a risk to children or to the credibility of the CASA program.**

- c. Child Abuse Record Information (CARI) Inquiry: The CASA Affiliate is responsible for submitting the selected candidate's CARI check authorization form to CASA of NJ for submission to the Department of Children and Families (DCF) for processing. DCF will conduct the inquiry through the State's CARI system, returning the results to CASA of NJ for forwarding to the appropriate CASA Affiliate.**

- A selected candidate is eligible for appointment if the CARI check results reveal that there is "No Record";**
- A candidate is not eligible to serve as a CASA volunteer if any instance of substantiated abuse or neglect is revealed;**

**NOTE: For those candidates who have a record of child abuse and/or neglect that was substantiated prior to 1995, DCF is required to confidentially offer an appeal to the candidate and grant twenty (20) days for a response. CASA of NJ will not be advised when an offer of appeal is made and will not receive any response on the candidate's CARI check request until the appeal process is complete.**

### **2.3. Final Selection**

- a. **Remaining Criteria:** The CASA Affiliate shall ensure that the following requirements are satisfied by each selected final candidate.
  - Successful completion of the mandatory pre-service training as detailed in section III.B.3. Volunteer Training of this document.
  - Returned signed Acknowledgment of Receipt Form for the Code of Conduct and Litigation Reporting Policy for Judiciary Volunteers (see section III.C.2. Code of Ethics and Conduct for more details).
- b. **Ethical Considerations:** As the function of a CASA Affiliate and the New Jersey child protection system are to be complementary to one another, the CASA Affiliate shall screen volunteer applicants to address the following ethical considerations. Upon application, the court may override any of the following prohibitions.
  - A CASA volunteer may not simultaneously serve as a Child Placement Review (CPR) volunteer.
  - A CASA Affiliate staff member may not serve as a CPR volunteer.
  - A Judiciary employee with responsibility for CPR program coordination may not serve as a CASA volunteer.
  - A member of a CASA Affiliate's Board of Trustees may not simultaneously serve as a CASA volunteer for the same Affiliate to which the Board serves.
- c. **Recommendation for Appointment:** Final candidates must be officially appointed/sworn-in as CASA volunteers by the court prior to performing any CASA volunteer duties (see section III.B.4).

A CASA Affiliate shall only recommend to the court the initial appointment/swearing-in of those selected candidates it determines to be acceptable based on the criminal history record check results, the CARI check results, and through all other screening procedures. The CASA Affiliate shall request the initial appointment/swearing-in of all final selected candidates by submitting a written request (e.g., initial oath document prepared after pre-service training is completed) to the court.
- d. **Candidate Rejection:** The CASA Affiliate shall notify all applicants of the status of their application. Any applicant may be rejected by the court or CASA Affiliate for good cause. The selection procedure should ensure that

**those not selected are treated with dignity and respect, and, if possible, referred to alternative, more suitable, volunteer opportunities. If an applicant knowingly supplies false information to the CASA Affiliate, at any stage of the screening and selection process, their application shall be rejected.**

#### Commentary

The CASA Affiliate shall be responsible to ensure that a complete background check of each volunteer applicant is conducted. The screening of criminal records, including fingerprints, will be a coordinated process between the courts, the CASA Affiliates, and local and state law enforcement agencies. Neither the CASA Affiliates nor the volunteer applicant will bear the cost of this screening. An applicant shall be rejected if he or she refuses to sign a release authorization form for the criminal history background check which permits law enforcement to disclose any criminal history data to the Judiciary.

Each CASA Affiliate will also be responsible for completing a background check inquiry through the State's Child Abuse Record Information (CARI) system. An applicant shall be rejected if he or she refuses to complete a CARI check form.

CASA Affiliates utilize the pre-service training period, which occurs prior to appointment, to monitor the aptitude, demeanor, and performance of the prospective volunteers. During this training, the CASA Affiliate emphasizes the Code of Ethics for New Jersey CASA Programs and Volunteers (see section III.C.2.), the Code of Conduct and Litigation Reporting Policy for Judiciary Volunteers (see section III.C.2.), any New Jersey statutes, Court Rules, and Judiciary Directives relative to his or her assignment as a CASA. Non-compliance with any of these policies shall be cause for dismissal.

### B.3. Volunteer Training

**CASA Affiliates must adopt a volunteer training program that meets both Judiciary standards and the National CASA Association Standards. Said CASA volunteer training program shall include thirty (30) hours of pre-service training, at least three (3) hours of court observation time, and a minimum of twelve (12) additional hours of in-service training, offered or approved by the CASA Affiliate, per year. CASA volunteers must successfully complete all aspects of the training program to maintain their CASA volunteer status.**

#### Commentary

CASA Affiliates must assure that both selected volunteer candidates and active volunteers successfully complete all required training. The CASA training program must be based on the National CASA Association training curriculum as customized to reflect New Jersey law and New Jersey Judiciary Standards as well as additional training components developed by the statewide CASA network. The training will provide the skills and expertise necessary to carry out CASA assignments.

Each CASA Affiliate shall have a written training plan detailing the goals and objectives of both pre-service and in-service as well as the list of trainers and methods for evaluating training programs. This plan shall be shared with the Presiding Judge and shall be in accordance with the judiciary's overall approved training program for staff and volunteers.

Pre-service training shall include, but is not limited to, instruction on Family Court organization and operations, Child Placement Review, permanency planning, state and federal laws, rules, and regulations concerning Children in Court, Division of Child Protection and Permanency programs, family preservation, foster care, residential placement, group care, child abuse and neglect, termination of parental rights, interviewing, record and field research, monitoring, child development, education system services, reports, objectivity, cultural awareness, mental health, confidentiality, personal safety, substance abuse, and the roles and responsibilities of a CASA volunteer. This training will also include orientation to the court and address communication/interviewing skills, problem solving skills and cultural diversity.

At least three (3) hours of court observation in conjunction with the overall initial training program is required of all new volunteers. Each observation of a Child Placement Review board and court proceedings, which may extend over multiple sessions, must be authorized by the court and conducted in accordance with Rule 5:13-8 "Confidentiality." Rule 5:13-8 allows the court to authorize the attendance of "any person who has an interest in the work of the board or of the court so long as such person shall agree not to record, disclose or publish the names, photographs or other identifying data with respect to any of the participants in the proceeding..." The CASA Affiliate must ensure that CASA volunteers comply with the Judiciary Code of Conduct (see section III.C.2.) and the Oath of Office and of Confidentiality (see section III.B.4.) as affirmed upon appointment.

In-service training shall stress practical knowledge and skills which the volunteers can apply to their casework and should provide them with an opportunity to share their experiences. Program staff shall receive on-going training on volunteer training as well as volunteer supervision and casework management.

#### B.4. Initial Volunteer Appointment/Swearing-In

**The Assignment Judge (or his/her designee) shall be the appointing authority for new CASA volunteers and shall administer the standard Oath of Office and of Confidentiality (Appendix B) to applicants who have been screened, trained, and approved.**

##### Commentary

CASA volunteers are appointed or sworn-in as Judiciary volunteers, serving at the pleasure of the Assignment Judge, to provide child advocacy services to Family Part Judges. Upon the completion of screening and selecting CASA volunteers as prescribed in these standards, the CASA Affiliate is responsible for coordinating with the court to administer the initial appointment/swearing-in process in an efficient manner.

CASA volunteers are appointed through a two-stage process. The first stage involves the initial appointment and swearing-in of selected volunteer candidates (who have been approved by the CASA Affiliate and the court in accordance to section III.B.2.Volunteer Screening and Selection) as new CASA volunteers. The second stage involves the appointment of an active CASA volunteer to a particular Children in Court case (in accordance to section III.D.1.Volunteer Appointment to Case(s)).

The standard Oath of Office and of Confidentiality, promulgated by Directive #19-06, Code of Conduct and Litigation Reporting Policy for Judiciary Volunteers, is an essential component of a volunteer's initial appointment process, publicly affirming their commitment to the adherence of all applicable laws, rules, policies. The CASA Affiliate is responsible for maintaining the official personnel files for CASA volunteers including records such as, but not limited to, the application, appointment documentation, signed oath document, and training records. The CASA Affiliate must also confirm their possession of each volunteer's original signed Acknowledgment of Receipt Form for the Code of Conduct and Litigation Reporting Policy for Judiciary Volunteers.

## B.5. Extended Absence/Inactive Status

**The CASA Affiliate shall have a plan for handling the excused and unexcused extended absence of a CASA volunteer and must adhere to that policy. CASA volunteers shall be informed of the extended absence policy as part of the initial (pre-service/pre-appointment) volunteer training program.**

- 5.1. When a volunteer provides advance notice to the CASA Affiliate, a CASA volunteer may take an extended absence of up to twelve consecutive months.**
- 5.2. In accordance with National CASA Association Standards, the judicial appointment of a CASA volunteer with an inactive or "non-case carrying" status for twelve consecutive months must be terminated. The CASA Affiliate shall request the court to permanently release the volunteer from the judicial volunteer appointment. (See section B.6. Termination of Volunteer Appointment (Permanent Release))**
- 5.3. A CASA volunteer's absence of three consecutive months without advance notification to the CASA Affiliate will result in the volunteer's permanent termination. The CASA Affiliate shall request the court to permanently release the volunteer from the judicial volunteer appointment. (See section B.6. Termination of Volunteer Appointment (Permanent Release))**

### Commentary

Child welfare advocacy can entail heavy emotional and physical demands for CASA volunteers. To ensure that CASA volunteers receive adequate downtime between case appointments, a volunteer may accept the assignment of an inactive or "non-case carrying" status for up to six consecutive months immediately following the conclusion of a case appointment.

Should a person whose CASA volunteer appointment was permanently terminated become interested in serving as a CASA volunteer at some point in the future, he or she may reapply for the position. The standard volunteer screening and selection process will be followed.

#### B.6. Termination of Volunteer Appointment (Permanent Release)

**The CASA Affiliate shall have a plan for handling the permanent termination, with or without cause, of a CASA volunteer and must adhere to that policy.**

- 6.1. The court may, within its own discretion, require that a CASA volunteer be permanently released as a CASA volunteer and enter an order of termination for all case assignments.**
- 6.2. The CASA Affiliate may request the court to permanently release a volunteer from the volunteer appointment and to enter an order of termination for all case assignments.**

#### Commentary

The court may permanently release a CASA volunteer (or CASA Affiliate staff member) from their volunteer appointment upon finding that the individual has acted in a manner contrary to a child's best interests, or if the court otherwise deems continued service as unwanted or unnecessary. The court may discharge a CASA volunteer for nonparticipation in a case or upon finding that the CASA volunteer has acted in a manner contrary to the mission and purpose of the CASA Affiliate.

While a CASA volunteer may be removed from service with or without cause, some examples of such circumstances include, but are not limited to:

- The volunteer takes action without program or court approval which endangers the child or is outside the role or powers of the CASA Affiliate.
- The volunteer violates a program policy, court rule, or law, including unauthorized revealing of confidential information.
- The volunteer demonstrates an inability to effectively carry out CASA duties.
- The volunteer fails to complete required ongoing training.
- The volunteer is found to have falsified their volunteer application or misrepresented facts during the screening process.

All records maintained by the volunteer shall be turned over to the CASA Affiliate upon completion of the assignment.



## B.7. Reporting Appointments and Terminations

**Each CASA Affiliate must submit to CASA of New Jersey a detailed roster of active CASA volunteers and those permanently terminated/released from appointment on a semiannual basis for the prior six months, reporting by January 31 and July 31. The volunteer information shall be captured in electronic form and shall include the following.**

- **County**
- **Unique volunteer identifier**
- **Full name**
- **Home address**
- **Gender**
- **Date of birth**
- **Race/ethnicity**
- **Education status**
- **Oath date (confirming clearance through entire appointment process and reflecting the volunteer's beginning service date)**
- **Number of volunteer hours contributed**

**For volunteers whose service was terminated, the CASA Affiliate must provide the same information noted above plus the date of termination and an indication if the volunteer was released with cause. The CASA Affiliate will identify and report any volunteer information that has changed since the prior report and CASA of NJ will transmit that information to the AOC in its semi-annual report.**

### Commentary

The reporting of "active" CASA volunteers will include those who have taken the oath of office and are: (1) eligible for case assignment or (2) assigned to one or more cases. Summary level volunteer information is periodically included in Judiciary management reports and or public documents such as the New Jersey Supreme Court Committee on Minority Concerns Biennial Report and the Judiciary Equal Employment Opportunity/Affirmative Action Master Plan.

The routine collection of CASA volunteer data, as detailed above, will be integrated with similar information maintained by the Judiciary for other Judiciary volunteer programs. CASA of New Jersey will consolidate the information received from all CASA Affiliates and transmit a single file, in a format specified by the AOC, to the AOC. Other data elements may be added as required by the AOC.

B.8. Public Access to Volunteer "Personnel" Information

**CASA Affiliates shall forward all requests received from the public for the release of CASA volunteer names or other personnel related information to the local Trial Court Administrator for review and handling.**

Commentary

In accordance with Court Rule 1:38. "Public Access to Court Records and Administrative Records," child abuse and neglect records and reports are excluded from public access. Certain personnel information for Judiciary volunteers, however, is not classified as confidential information under Rule 1:38. Specifically, a court volunteer's name, title (if any), program to which assigned, and dates of service may be released to the public.

As the appointing authority of Judiciary volunteers, including CASA, the Assignment Judge will make the final determination regarding the release of volunteer personnel information to the public. The Trial Court Administrator will advise the CASA Affiliate of the court's response.

## **C. General Case Administration**

### **C.1. Confidentiality Policy**

**All CASA Affiliates must adhere to court rules and laws regarding confidentiality. CASA staff members and CASA volunteers shall be prohibited from disseminating or discussing information about a case (whether pending or closed) to anyone who has no need or right to know, as directed by the Affiliate Director or as specified in these guidelines, court rule or statute. CASA staff members and CASA volunteers are required to respect the right to privacy of all individuals by keeping information that would identify parties and circumstances pertinent to CASA cases confidential. All records and information acquired, reviewed, or produced by the CASA volunteer during the course of his or her appointment shall be deemed confidential and shall not be disclosed except as ordered by the court. Except as otherwise provided by N.J.S.A. 9:6-8.10a, neither the CASA volunteer nor any CASA staff shall disclose any confidential information or reports to anyone except as ordered by the court or otherwise provided by law.**

#### Commentary

CASA staff and volunteers must respect the right to privacy of all individuals and keep information about CASA and about cases confidential. Approved attendance at Child Placement Review board or court proceedings may be routinely required of CASA volunteers. In taking the Oath of Office and of Confidentiality, CASA volunteers are obligated to comply with the confidentiality requirements set forth in Rule 5:13-8 "Confidentiality."

In some situations there is a duty to disclose information. CASA Affiliate staff and CASA volunteers are required by law to report immediately any case of suspected child abuse or neglect or any reasonable belief that a child has been subjected to child abuse, to DCP&P (See N.J.S.A. 9:6-8.10). In addition, if there is a suspicion that a child or anyone involved in the case may harm himself or others, there is a duty to report this information immediately to DCP&P or other appropriate authorities.

Active CASA case files must be maintained in the CASA office by a custodian of records and must remain there, within a locked, secure cabinet. No one may have access to the original case file except with the approval of the Affiliate Director. Copies of documents needed by a volunteer must be restricted to those actually needed to conduct necessary business outside of the office. All records maintained by the volunteer shall be turned over to the CASA Affiliate upon completion of the assignment.

A CASA Affiliate shall have an established policy, as part of the Memorandum of Understanding with the court, for communicating with the media in cooperation with the Children in Court Team to ensure the confidentiality of case information and the accuracy of information that may be released. CASA volunteers are not permitted to make any statements on behalf of CASA or comment on any case to the media without the approval of the court. In

any situation, a CASA volunteer may not comment on any specific open or closed case pursuant to statutes on confidentiality pertaining to these cases.

## C.2. Code of Ethics and Conduct

**A CASA Affiliate must ensure that CASA volunteers comply with the Code of Conduct and Litigation Reporting Policy for Judiciary Volunteers (Appendix C) as well as all applicable Court Rules, New Jersey statutes, Judiciary directives, Code of Ethics for New Jersey CASA Programs and Volunteers (Appendix D), National CASA Code of Ethics, and any other CASA Affiliate procedures and policies. CASA volunteers shall not engage in activities that: jeopardize the safety of the child; jeopardize the integrity of the CASA Affiliate; jeopardize the objectivity of the volunteer; are likely to result in a conflict of interest; expose the CASA Affiliate or the volunteer to criminal or civil liability.**

### Commentary

CASA volunteers, acting as official representatives of the court, must perform their assigned duties as defined within the scope of his or her appointment, training, and supervision. Protection against claims and suits brought against a Judiciary volunteer, including CASA, pertaining to their volunteer service would be determined by the Attorney General's Office under the New Jersey Tort Claims Act. Situations involving criminal acts, actual fraud, willful misconduct or actual malice would not be covered by protection under the New Jersey Tort Claims Act. Accordingly, CASA Affiliate must ensure that CASA volunteers are properly trained and supervised.

- i. CASA volunteers shall not render direct services to any parties that could (a) lead to a conflict of interest or liability problems, or (b) 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 inappropriate volunteer practices are:

- a. Taking a child to the volunteer's home or sheltering a child in the home;
- b. Offering legal advice or therapeutic counseling;
- c. Making placement arrangements for the child;
- d. Giving money or expensive gifts to the child or family;
- e. Providing transportation for the child, parents, foster parents, or any other parties\*;
- f. Supervising visitation between a child and family members\*;
- g. Intervening in domestic disputes.

\* Improper unless otherwise authorized via written agreement between the Assignment Judge and the Executive Director of the CASA Affiliate.

- ii. CASA volunteers shall observe safety procedures on field visits and avoid potentially harmful situations. Recommended procedures are to:
  - a. Dress in a fashion which is casual and not conspicuous;
  - b. Avoid wearing expensive jewelry or traveling with large sums of money;
  - c. Verify the location and directions prior to going into the field;

- d. If a CASA volunteer is uncomfortable with any location or situation, the CASA volunteer should return at a later time, arrange to be accompanied, or schedule the interview in a public place.
- iii. CASA volunteers, as official representatives of the CASA Affiliate and the court, may not use official letterhead for any personal correspondence, including correspondence relating to CASA, such as letters to the editor expressing personal opinions regarding legislation.
- iv. To avoid an actual or the appearance of a conflict of interest, a CASA volunteer may not be related to any parties involved in a case to which the volunteer is appointed. Additionally, in accordance with the Litigation Reporting Policy for Judiciary Volunteers (promulgated by Directive #19-06), CASA volunteers are required to report specific kinds of personal involvement in litigation for themselves and immediate family members. Such reporting is reviewed by the court to ensure the court's impartiality and maintain its integrity.
- v. Upon submission of a signed Acknowledgment of Receipt Form for the Code of Conduct and Litigation Reporting Policy for Judiciary Volunteers, CASA volunteers are obligated to comply with these policies specifically ensuring that their personal or professional activities beyond their court volunteer duties do not give rise to a conflict of interest. CASA volunteers should consult the CASA case supervisor regarding any concerns in this area.
- vi. A CASA volunteer's effectiveness and standing in court depends on the volunteer maintaining professional relationships with children and families. CASA volunteers and staff shall not become involved, other than professionally, with assigned children and families.

### C.3. Volunteer Supervision

**CASA Affiliates must assure that proper supervision is provided over CASA volunteers and must adopt and adhere to a written plan for the oversight, support, and supervision of CASA volunteers.**

#### Commentary

The activities of the volunteers shall be monitored by the Affiliate Director or case supervisor through, at least, monthly status reports, telephone calls, office visits or field visits. CASA Affiliates must adopt and adhere to a written plan for the oversight, support, and supervision of CASA volunteers in the performance of their duties. Such a plan must incorporate the following:

- i. Comply with these Standards and with the National CASA Association Standards.
- ii. Include a provision for the ongoing training and continuing education of CASA volunteers in compliance with the Standards contained herein and the National CASA Association Standards.
- iii. Include provisions regarding the removal, resignation, or involuntary termination of a CASA volunteer from the CASA Affiliate or from a specific case.
- iv. CASA volunteers shall be assigned the number of cases adequate to maintain the interest of the volunteer and low enough to ensure quality work and avoid stress-related early departure from a case.
- v. To the extent possible, case assignments shall take into account the complexity of the case, special needs of the child, and the experience, skills, interests, and available time of the volunteer.
- vi. Whenever possible, a CASA volunteer should be appointed at the earliest stage of the court process.
- vii. CASA Affiliate staff shall make themselves easily accessible and make every effort to provide quick and thorough guidance to the CASA volunteer when the volunteer is assigned to a case.
- viii. The CASA case supervisor shall hold regularly scheduled case conferences with each volunteer to review the progress of each case and to provide feedback, guidance, and support for the volunteer.
- ix. The CASA case supervisor shall process the volunteer's report to the court and consider the volunteer's concerns and recommendations in a timely manner so as not to jeopardize the best interests of the child.

- x. If CASA volunteers have any problems or questions concerning their responsibilities or other matters related to CASA, they shall discuss the matter with their case supervisor and/or the Affiliate Director.
- xi. The CASA Affiliate shall evaluate each volunteer at least annually to review their performance and effectiveness and provide feedback along with necessary coaching and guidance.



#### C.4. Volunteers' Role in Children in Court Cases

**The CASA Affiliate shall ensure that CASA volunteers act on the court's behalf in their defined official capacity to undertake certain activities in furtherance of the child's interests, but shall not supplant or interfere with the role either of counsel for the child appointed pursuant to Court Rule 5:8A, or guardian ad litem appointed pursuant to Court Rule 5:8B (See Court Rule 5:8C).**

- 4.1. The CASA volunteer is not a party to the case to which he or she is assigned and shall not call witnesses or examine witnesses.**
- 4.2. The CASA volunteer shall not, with respect to the case to which he or she is assigned, provide legal counsel or advice to any person, appear as counsel in court or in proceedings which are part of the judicial process, or engage in the unauthorized practice of law.**
- 4.3. The CASA volunteer shall not be required to obtain legal counsel or other professional services for a child. The CASA volunteer is not required to testify but may testify if called as a fact witness and given sufficient notice.**

#### Commentary

The CASA volunteer is an official representative of the court whose role is to advocate for and help the court define and ensure the best interest of the children to whom the CASA volunteer is assigned. The CASA volunteer is not the child's lawyer and shall not provide legal counsel or advice to any person or appear as counsel.

The CASA volunteer may be called as a fact witness but is not, by virtue of being a CASA volunteer, an expert witness. If the CASA volunteer is to be called as a fact witness, the party doing so, in accordance with the Rules of Court, must provide the CASA volunteer with a minimum of ten (10) business days' notice, with said notice to include the subject matter on which the volunteer is being asked to testify.

C.5. Requirement for Reporting Imminent Danger

**Each CASA Affiliate shall have an established procedure to require the immediate reporting to the court and to DCP&P of a situation in which a CASA volunteer has reason to believe that a child is in imminent danger or the child has been subjected to child abuse or acts of child abuse. (See N.J.S.A. 9:6-8.10.)**

## **D. Case-Specific Administration**

### **D.1. Volunteer Appointment to Case(s)**

**The CASA Affiliate shall have a written procedure for the selection of CASA volunteers to be appointed by the court to particular Children in Court cases and shall follow the procedures set forth below in coordinating the appointment process:**

- 1.1. The Family Court, in all cases, shall be the appointing authority for all CASA volunteers to cases. This appointment will be by court order and shall be noted in the Children in Court file. CASA volunteers shall be appointed for each particular case by the Presiding Judge or a designee.**
- 1.2. The Deputy Attorney General, defense counsel, the Law Guardian, the Resource Parents, the Division of Child Protection and Permanency, and the Child Placement Review Board, when appropriate, will be notified of any CASA appointment by the Children in Court Team Leader. These individuals and entities may also apply to the court for judicial appointment of a CASA volunteer to a case. The standard Appointment of Court Appointed Special Advocate (CASA) court order (CN 10161) shall be used.**
- 1.3. The CASA Affiliate shall ensure that all CASA volunteers, as representatives of the court, are provided with an approved form of picture identification upon appointment to a case.**

#### Commentary

CASA volunteers are appointed through a two-stage process. The first stage involves the initial appointment and swearing-in of selected volunteer candidates (who have been approved by the CASA Affiliate and the court in accordance to section III.B.2.Volunteer Screening and Selection) as new CASA volunteers. The second stage involves the appointment of an active CASA volunteer to a particular Children in Court case (in accordance to section III.D.1.Volunteer Appointment to Case(s)).

Any party to a Children in Court case may make application to the court to appoint a CASA volunteer in furtherance of the child's interests, or the court may make the appointment on its own motion. By way of a judge's discretion, the CASA volunteers shall be appointed at the earliest possible stage of the court proceedings as deemed necessary. A CASA Affiliate shall work with court staff to develop a written procedure for the selection of cases and the appointment of CASA volunteers to cases.

If there are an insufficient number of CASA volunteers for every child, then volunteers shall be provided to children with the most complex cases (e.g., those with complex factual circumstances or where siblings are separated, the child has special needs, or the child has experienced multiple or repeated placements).

Upon appointment, the CASA volunteer shall have access to all information and records relevant to the child and the child's case, including but not limited to: school records, child care records, medical records, mental health records, family court and juvenile court records, and DCP&P records.

D.2. Termination of Appointment to Case(s)

**The CASA Affiliate shall have a plan for handling the removal of a CASA volunteer from a case, with or without cause, and must adhere to that policy.**

- 2.1. The CASA volunteer shall continue his or her association with an assigned case until the entry of a Termination of Appointment of Court Appointed Special Advocate (CASA) court order (CN 10161).**
- 2.2. The court may, within its own discretion, require that a CASA volunteer be removed from assignment to a case and enter an order of termination.**
- 2.3. The CASA Affiliate may request the court to remove a volunteer from a case and to enter an order of termination.**

Commentary

The court may remove a CASA volunteer or CASA Affiliate staff member from a case upon determining that continued service is unnecessary, that is, for example, whenever a case is closed or there is no longer a need for the additional layer of advocacy provided by CASA. Additionally, the court may discharge a CASA volunteer from a particular case in order to allow the individual to be assigned to a different matter.

All records maintained by the volunteer shall be turned over to the CASA Affiliate upon completion of the assignment.

### D.3. Case Notification

**Upon receiving case notification from the court, the CASA Affiliate shall ensure that CASA volunteers are notified of all hearings, administrative case reviews, judicial reviews, and other court and DCP&P proceedings pertaining to the child to whom each CASA volunteer is appointed to the same extent and in the same manner as the parties to the case are notified of such matters.**

- 3.1. The CASA volunteer shall be notified of the formulation of any DCP&P case plan in the child's case and may be given the opportunity to be heard by the court about such plans. Prior to those hearings, the CASA volunteer shall receive copies of any and all reports which are being provided to the other parties in the case.**
- 3.2. In addition, the CASA volunteer shall receive copies of all court orders entered with regard to the assigned case(s) in a timely manner.**

#### Commentary

The court and DCP&P shall notify the CASA Affiliate of all hearings, administrative case reviews, judicial reviews, and other court and DCP&P proceedings pertaining to a child for which a CASA volunteer is assigned. The CASA Affiliate shall forward such notification to the assigned volunteer(s). The CASA case supervisor will ensure that the assigned volunteer is informed, case reports are submitted as needed in a timely manner, and, if necessary, that the CASA volunteer or CASA case supervisor attends any hearings or other meetings related to assigned cases.

#### D.4. Case Assessment

**The CASA Affiliate shall ensure that the CASA volunteer conducts an independent assessment of the case in order to provide objective factual information to the court. In order to do so, and upon the entry of an order of appointment, the CASA volunteer shall be provided access, without requiring the consent of the child or the child's parents, to all information and records relevant to the child and the child's case, including but not limited to: school records, child care records, medical records mental health records, family court and juvenile court records, and DCP&P records. With court approval, the CASA volunteer may also have access to information and records pertaining to the parents or persons exercising custodial control or supervision of the child.**

##### Commentary

A CASA volunteer, as assigned and in conjunction with a case supervisor, shall review records, interview appropriate parties, monitor compliance with court orders, and based on their research, submit written reports to include supporting documentation and recommendations on what the volunteer concludes would be in the best interests of the child, including potential alternative resources. Specifically, the volunteer's research will involve the following tasks:

- i. Review all relevant documents and records, including those of DCP&P, police, court, medical and school.
- ii. Interview the child, parents, child's caretaker, DCP&P case manager, relatives, school personnel, and interested parties. This is crucial in getting a clear picture of the child's life.
- iii. Throughout the time the CASA volunteer is assigned to the case, the volunteer shall seek new information and have regular in-person meetings with the child. The volunteer will explain the role of CASA in terms the child can understand.
- iv. Maintain complete and up-to-date written records on the case, including appointments, interviews, and information gathered about the child. Reports shall be written legibly or typed. All records maintained by the volunteer shall be turned over to the CASA Affiliate upon completion of the assignment.
- v. Provide written reports for each court/CPR hearing to the Children in Court team where appropriate.
- vi. Appear at all hearings (either the appointed volunteer or the case supervisor) to advocate for the child's best interests and ensure that all relevant facts known to the volunteer are presented.

#### D.5. Case Monitoring

**The CASA Affiliate shall ensure that the CASA volunteer monitors implementation of service plans and court orders.**

##### Commentary

- i. The CASA volunteer shall monitor the case in order to help ensure compliance with the court's orders, DCP&P case plans, and progress of the case toward permanency, as well as to ensure that the child's essential needs are being met.
- ii. The CASA volunteer shall advocate for the timely completion of court-ordered services and tasks.
- iii. The CASA volunteer shall advocate for timely court hearings and service provision to obtain permanency for the child.
- iv. The CASA volunteer shall inform the court aware of the failure to provide court-ordered services or of the family's failure to participate in those services, whenever possible, and the reasons why.
- v. The CASA volunteer shall advocate for prompt, thorough review of the case if the child's circumstances warrant the attention of the court.
- vi. CASA shall work with the Children in Court team to monitor the court process to assure that hearings are held in a timely manner in compliance with relevant law.



#### D.6. Case Reports and Recommendations

**CASA Affiliates must ensure that CASA case-specific reports are submitted to the Children in Court Team Leader and Child Placement Review Coordinator within five (5) business days of a hearing and conform to New Jersey and federal statutes, rules, and regulations and policies of the court. The CASA volunteer shall provide a recommendation to the court on the best interest of the child. The Court has the authority to direct the distribution of the CASA report to all parties through counsel.**

##### Commentary

The case supervisor working with the CASA volunteer shall submit a report jointly with that volunteer. The report submitted should be reflective of the information gleaned by the CASA volunteer and the CASA volunteer's recommendations, consistent with CASA policy as interpreted by the case supervisor.

The CASA volunteer is to consider many factors in making a recommendation on the best interests of the child, including, but not limited to, the child's:

- i. Safety and well-being as paramount concern
- ii. Current age and sense of time
- iii. Level of maturity
- iv. Culture and ethnicity
- v. Degree of attachment to family members, including siblings
- vi. Length of time in, and number of, placements
- vii. Repeated placements into the system
- viii. What situation would best provide continuity, consistency and a sense of belonging and identity
- ix. Relevant court time frames/ASFA time frames

The volunteer may make recommendations of specific appropriate services for the child and family. Reports shall be unbiased, factual, and contain a chronological account free of subjective or editorial comments.

As part of the Children in Court process, a CASA volunteer reports to the courts relative to, but not limited to, any services approved and provided, field research, case plan, progress toward permanency, and conclusions as to the safety and best interests of the child. The CASA Affiliate will ensure that CASA volunteers prepare and submit their written reports for the court in a timely manner. The court has the authority to direct the distribution of the CASA volunteer's report at least five (5) business days in advance of the court hearing, to those involved with the case, including the Division of Child Protection and Permanency, the Law Guardian, defendants' attorneys, the Child Placement Review Board, where appropriate, and others whom the court deems appropriate, in accordance with the Rules of Court.

D.7. Collaboration with Families and Child Welfare Stakeholders

**The CASA Affiliate and CASA volunteers shall seek cooperative solutions with families and child protection system professionals, including the DCP&P Case Manager, by communicating with the child's law guardian and working with mental health, educational, and other community systems to assure the child's needs are being met.**

Commentary

- i. The CASA volunteer shall work collaboratively with the parties' attorneys, the law guardian, and others assigned to the case to protect the child's health, safety, and best interests and to ensure the proper delivery of services to the child.
- ii. The CASA volunteer may help to resolve problems and foster positive steps toward achieving permanence for the child.
- iii. The CASA volunteer shall be invited to participate in any treatment planning conferences and reviews involving the child to assess whether reasonable efforts are being made to provide services to the child and family and determine the appropriateness and progress of the child's case plan.
- iv. CASA representative will participate in the local Children in Court Advisory Committee as agreed to by the court, the Children in Court team and the CASA Affiliate.

#### D.8. Case Management Analysis and Reporting

**The Affiliate Director shall keep records and manage data to evaluate and track progress of all CASA cases, reporting agreed upon statistical information to the Administrative Office of the Courts, CASA of New Jersey, and the Vicinage Children in Court team at least semiannually (submitted by January 31 and July 31) or upon request.**

##### Commentary

CASA Affiliates should maintain quarterly reports which will be available to the court at least semiannually or upon request.

- i. Information on children to be kept by the Affiliate should include, but is not limited to:
  - a. Demographic information, including age, gender, race, and ethnicity
  - b. Total number of children in out-of-home placement
  - c. Total number of children served
  - d. Number of new (not previously served by the program) children served
  - e. Number of children whose cases were closed (dismissed by the court)
  - f. Reason for CASA involvement
  - g. Progress being made to achieve permanency
- ii. Statistics should also include, but are not limited to:
  - a. Number of CASA volunteers trained
  - b. Status of volunteers relative to cases (i.e., number assigned to cases, number waiting for a case, number resigned)
  - c. Number of cases assigned
  - d. Time to reach permanency
  - e. Total length of time volunteer is assigned to a child

The program must keep any additional data on the operation of the program as requested by the court or as determined by CASA of New Jersey in collaboration with the CASA Affiliates statewide.

CASA Affiliate staff shall keep complete case assignment records; up-to-date calendars of court hearings; a monthly case log system; and copies of all volunteer reports and correspondence concerning the case including notes from telephone or in-person consultations. Case files shall be returned to the CASA Affiliate when the case is closed and/or the volunteer is discharged.

CASA Affiliates shall regularly collect and maintain accurate, thorough program data and compile data on at least a quarterly basis as required by CASA of New Jersey. Affiliate Directors shall compile a year-end report detailing accomplishments of the program and submit the copy to the assignment judge, trial court administrator, Vicinage Family presiding judge, Family division manager, and the Assistant Director, Family Practice Division, Administrative

Office of the Courts. A copy should also be distributed to CASA of New Jersey, which will help in planning for resources to support and assist CASA Affiliates in New Jersey.

D.9. Request for Child Advocacy Service in Out-of-State Cases

**Requests for New Jersey CASA volunteers to assist in and investigate child protective cases not venued in New Jersey shall not be permitted absent a New Jersey court order.**

## **IV. Appendix**

### **Appendix A – CASA Affiliate Memorandum of Understanding**

[http://www.judiciary.state.nj.us/forms/11732\\_casa\\_affiliate\\_mou.pdf](http://www.judiciary.state.nj.us/forms/11732_casa_affiliate_mou.pdf)

### **Appendix B – Oath of Office and of Confidentiality**

**Directive # 19-06 -- Judiciary Volunteers – (1) Code of Conduct; (2) Litigation Reporting Policy**  
(See page 21)

[http://www.judiciary.state.nj.us/directive/2006/dir\\_19\\_06.pdf](http://www.judiciary.state.nj.us/directive/2006/dir_19_06.pdf)

### **Appendix C – Code of Conduct and Litigation Reporting Policy**

**Directive # 19-06 -- Judiciary Volunteers – (1) Code of Conduct; (2) Litigation Reporting Policy**  
[http://www.judiciary.state.nj.us/directive/2006/dir\\_19\\_06.pdf](http://www.judiciary.state.nj.us/directive/2006/dir_19_06.pdf)

## **Appendix D – Code of Ethics for New Jersey CASA Programs and Volunteers**

### **Code of Ethics For New Jersey CASA Programs and Volunteers**

This Code of Ethics provides Court Appointed Special Advocate programs and volunteers in New Jersey with guidelines for professional behavior and ethical conduct. Where applicable, the provisions of this Code shall be superseded by the provisions of the Judiciary Code of Conduct.

#### **A. Conduct**

1) CASA volunteers shall abide by the National Court Appointed Special Advocate Association (NCASAA) Standards, the New Jersey Judiciary Standards for CASA Programs and their Volunteers, the CASA statute (N.J.S.A. 2A:4A-92), the CASA Court Rule (R. 5:8C), and all laws and regulations governing CASA program and volunteer activities.

2) CASA programs and volunteers shall uphold the credibility and dignity of the CASA model by conducting all business in an honest, fair, professional, and humane manner.

3) Use of CASA program letterhead is not permissible for any personal correspondence, including personal correspondence relating to CASA, such as letters to the editor expressing personal opinions as opposed to CASA program positions.

4) CASA staff and volunteers shall not use their authority inappropriately, nor condone any illegal act or unethical practices related to their program or community.

5) CASA programs and volunteers shall not use CASA or CASA's name to promote personal gain.

6) CASA programs and volunteers shall avoid any action which could adversely affect the confidence of the public in the integrity of CASA or the New Jersey Judiciary.

7) A CASA volunteer shall not be related to any parties involved in a specific case, or be employed or involved in a position and/or agency that might result in a conflict of interest. Upon application, exception may be made by the Judiciary.

8) CASA programs in New Jersey shall serve and respond to requests by the Family Court or Child Placement Review Boards through the Children in Court team without bias based on race, ethnicity, religion, gender, age, national origin, sexual orientation, marital status or disability.

#### **B. Confidentiality**

9) CASA programs and volunteers shall respect the right to privacy of all individuals and will keep information about CASA cases confidential (See N.J.S.A. 9:6-8.10a, 8.10b, and 8.47b; 30:4C-61e; 2A:82-46; and R. 5-13-8(a)). No specific case information may be disclosed by CASA to anyone

not involved in the case without the approval of the court. Confidential information may be disclosed to CASA staff.

10) No discussions of any case-related individual or family situation of any kind are to be held in hallways, elevators or other public places. At any group case review, all parties shall be referred to by first names and last initial only.

11) Persons affiliated with CASA shall not use confidential information obtained through their work with CASA for any purpose not directly related to the officially sanctioned work of CASA or for any personal benefit.

### **C. Duty of Disclosure**

12) Information about a CASA case must be safeguarded from disclosure to unauthorized persons; however, there is no privilege of absolute confidentiality for CASA. It is the CASA's duty to transmit the information it collects to the court. CASA volunteers shall make clear to children to whose cases they are assigned that communications are not confidential insofar as they are subject to disclosure to the court and the parties in the case.

13) Safety of the child is of paramount concern. CASA is required by law to report any case of suspected child abuse or neglect to the Division of Child Protection and Permanency (DCP&P). In addition, if it is suspected that a child or someone involved in the case may harm himself or others, there is a duty to report this information immediately to DCP&P or to other relevant authorities.

### **D. Knowledge and Understanding**

14) CASA staff and volunteers shall be trained in the operations of the court and child welfare systems, and in the nature of child abuse and neglect and the relevant law.

15) CASA staff and volunteers shall respect a child's inherent right to grow up with dignity in a safe environment that serves that child's best interests.

### **E. National and State Affiliation**

16) CASA programs shall be affiliated with both CASA of New Jersey and the National CASA Association.



# Court Appointed Special Advocates (CASA) Affiliate Memorandum of Understanding

## **I. Parties**

The Superior Court of New Jersey, \_\_\_\_\_ County ("the court"), agrees to cooperate with Court Appointed Special Advocates (CASA) of \_\_\_\_\_ County, Inc. ("CASA Affiliate") in the administration and operation of the CASA program.

## **II. Purpose**

The purpose of this agreement is to document the procedures agreed upon by the court and the CASA Affiliate under which the specified CASA Affiliate will administer and deliver child advocacy services to the court as authorized by Court Rule 5:8C and the "Superior Court of New Jersey, Family Part, Court Appointed Special Advocates (CASA) Program Management Standards" ("CASA Standards") (approved [insert month and year]).

## **III. Responsibilities**

1. The CASA Affiliate has received the CASA Standards.
2. The CASA Affiliate and the court will comply with the court rules and CASA Standards.

## **IV. Copies Of MOU**

An executed copy of this MOU shall be provided to the CASA Affiliate, Judiciary Family Division staff, and the Assistant Director of Family Practice Division at the Administrative Office of the Courts (AOC).

## **V. Contacts**

The following individuals are designated as contacts for this MOU.

[Name of Executive Director]

Court Appointed Special Advocates of \_\_\_\_\_ County, Inc.

[Address]

[Phone number]

[Email address]

[Name of Trial Court Administrator]

Superior Court of \_\_\_\_\_ County

[Address]

[Phone number]

[Email address]

Joanne M. Dietrich, Chief, Family Practice Division

Administrative Office of the Courts

P.O. Box 983

Trenton, NJ 08625-0983

609-943-5984

joanne.dietrich@judiciary.state.nj.us

**VI. Termination**

This MOU shall become effective upon its execution. Either party may terminate this MOU upon 60 days written notification to the other party.

We, the undersigned, have read and understand the terms of this MOU.

\_\_\_\_\_  
Date

\_\_\_\_\_  
[Name], A.J.S.C.

\_\_\_\_\_  
Date

\_\_\_\_\_  
[Name]  
President of Board of Trustees  
Court Appointed Special Advocates  
of \_\_\_\_\_ County, Inc.

\_\_\_\_\_  
Date

\_\_\_\_\_  
[Name]  
Executive Director  
Court Appointed Special Advocates  
of \_\_\_\_\_ County, Inc.