

ARIZONA CASA PROGRAM

ADVOCACY ACADEMY Training Manual



Dear Advocate,

The Arizona CASA *Advocacy Academy Manual* has been developed to help you expand your knowledge of the systems, policies and practices you will encounter as a CASA volunteer. The systems include Child Protection, the Court, Education and the Arizona CASA Program. In addition, you will find more information about the work and role of a CASA volunteer as well as a helpful glossary that explains many terms and acronyms that may be new to you.

The *Advocacy Academy Manual* is divided into seven sections:

1. The Development of Child Abuse and Neglect Laws
2. The Child Protection System
3. The Court System
4. The Education System
5. CASA Volunteer Work—Part 1
6. Administrative Code & Policy Manual
7. Glossary and Acronyms

This manual is intended to be a supplement to the topics that will be discussed during the two-day Advocacy Academy. Please be sure to review the information in this manual before starting your first case. We hope this manual continues to be a useful tool as you advocate for the best interests of foster children in Arizona.

We truly appreciate all your efforts and thank you for making a real difference in the lives of Arizona's abused and neglected children.

Sincerely,

A handwritten signature in cursive script that reads "Bonnie Marcus".

Bonnie Marcus
Program Manager
Arizona CASA Program

Arizona CASA Program

ADVOCACY ACADEMY MANUAL



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Section One
THE DEVELOPMENT OF CHILD ABUSE AND
NEGLECT LAWS

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Section One

The Real Story of Mary Ellen Wilson

The sufferings of the little girl Mary Ellen led to the founding of the New York Society for the Prevention of Cruelty to Children, the first organization of its kind, in 1874. In 1877, the New York SPCC and several Societies for the Prevention of Cruelty to Animals from throughout the country joined together to form the American Humane Association. The following is Mary Ellen's story, which marked the beginning of a worldwide crusade to save children.

Over the years, in the re-telling of Mary Ellen Wilson's story, myth has often been confused with fact. Some of the inaccuracies stem from colorful but erroneous journalism, others from simple misunderstanding of the facts, and still others from the complex history of the child protection movement in the United States and Great Britain and its link to the animal welfare movement. While it is true that Henry Bergh, president of the American Society of the Prevention of Cruelty to Animals (ASPCA), was instrumental in ensuring Mary Ellen's removal from an abusive home, it is not true that her attorney—who also worked for the ASPCA—argued that she deserved help because she was “a member of the animal kingdom.”

The real story—which can be pieced together from court documents, newspaper articles, and personal accounts—is quite compelling, and it illustrates the impact that a caring and committed individual can have on the life of a child.

Mary Ellen Wilson was born in 1864 to Francis and Thomas Wilson of New York City. Soon thereafter, Thomas died, and his widow took a job. No longer able to stay at home and care for her infant daughter, Francis boarded Mary Ellen (a common practice at the time) with a woman named Mary Score. As Francis's economic situation deteriorated, she slipped further into poverty, falling behind in payments for and missing visits with her daughter. As a result, Mary Score turned two-year-old Mary Ellen over to the city's Department of Charities. The Department made a decision that would have grave consequences for little Mary Ellen; it placed her illegally, without proper documentation of the relationship, and with inadequate oversight in the home of Mary and Thomas McCormack, who claimed to be the child's biological father. In an eerie repetition of events, Thomas died shortly thereafter. His widow married Francis Connolly, and the new family moved to a tenement on West 41st Street.

Mary McCormack Connolly badly mistreated Mary Ellen, and neighbors in the apartment building were aware of the child's plight. The Connollys soon moved to another tenement, but in 1874, one of their original neighbors asked Etta Angell Wheeler, a caring Methodist mission worker who visited the impoverished residents of the tenements regularly, to check on the child. At the new address, Etta encountered a chronically ill and homebound tenant, Mary Smitt, who confirmed that she often heard the cries of a child across the hall. Under the pretext of asking for help for Mrs. Smitt, Etta Wheeler



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introduced herself to Mary Connolly. She saw Mary Ellen’s condition for herself. The 10-year-old appeared dirty and thin, was dressed in threadbare clothing, and had bruises and scars along her bare arms and legs. Ms. Wheeler began to explore how to seek legal redress and protection for Mary Ellen.

At that time, some jurisdictions in the United States had laws that prohibited excessive physical discipline of children. New York, in fact, had a law that permitted the state to remove children who were neglected by their caregivers. Based on their interpretation of the laws and Mary Ellen’s circumstances, however, New York City authorities were reluctant to intervene. Etta Wheeler continued her efforts to rescue Mary Ellen and, after much deliberation, turned to Henry Bergh, a leader of the animal humane movement in the United States and founder of the American Society for the Prevention of Cruelty to Animals (ASPCA). It was Ms. Wheeler’s niece who convinced her to contact Mr. Bergh by stating, “You are so troubled over that abused child, why not go to Mr. Bergh? She is a little animal surely.”¹

Ms. Wheeler located several neighbors who were willing to testify to the mistreatment of the child and brought written documentation to Mr. Bergh. At a subsequent court hearing, Mr. Bergh stated that his action was “that of a human citizen,” clarifying that he was not acting in his official capacity as president of the NYSPCA. He emphasized that he was “determined within the framework of the law to prevent the frequent cruelties practiced on children.”² After reviewing the documentation collected by Etta Wheeler, Mr. Bergh sent an NYSPCA investigator (who posed as a census worker to gain entrance to Mary Ellen’s home) to verify the allegations. Elbridge T. Gerry, an ASPCA attorney, prepared a petition to remove Mary Ellen from her home so she could testify to her mistreatment before a judge. Mr. Bergh took action as a private citizen who was concerned about the humane treatment of a child. It was his role as president of the NYSPCA and his ties to the legal system and the press, however, that [would] bring about Mary Ellen’s rescue and the movement for a formalized child protection system.

Recognizing the value of public opinion and awareness in furthering the cause of the humane movement, Henry Bergh contacted *New York Times* reporters who took an interest in the case and attended the hearings. Thus, there were detailed newspaper accounts that described Mary Ellen’s appalling physical condition. When she was taken before Judge Lawrence, she was dressed in ragged clothing, was bruised all over her body and had a gash over her left eye and on her cheek where Mary Connelly had struck her with a pair of scissors. On April 10, 1874, Mary Ellen testified:

“My father and mother are both dead. I don’t know how old I am. I have no recollection of a time when I did not live with the Connollys...Mamma (Mrs. Connolly) has been in the habit of whipping and beating me almost every day. She used to whip me with a twisted whip—a raw hide. The whip always left a black and blue mark on my body. I have now the black and blue marks on my head which were made by mamma, and also a cut



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on the left side of my forehead which was made by a pair of scissors. She struck me with the scissors and cut me; I have no recollection of ever having been kissed by any one—have never been kissed by mamma. I have never been taken on my mamma's lap and caressed or petted. I never dared to speak to anybody, because if I did I would get whipped...I do not know for what I was whipped—mamma never said anything to me when she whipped me. I do not want to go back to live with mamma, because she beats me so. I have no recollection ever being on the street in my life.”³

In response, Judge Lawrence immediately issued a writ *de homine replagiando*, provided for by Section 65 of the Habeas Corpus Act, to bring Mary Ellen under court control. The newspapers also provided extensive coverage of the caregiver Mary Connolly's trial, raising public awareness and helping to inspire various agencies and organizations to advocate for the enforcement of laws that would rescue and protect abused children.⁴ On April 21, 1874, Mary Connolly was found guilty of felonious assault and was sentenced to one year of hard labor in the penitentiary.⁵

Less well known, but as compelling as the details of her rescue, is the rest of Mary Ellen's story. Etta Wheeler continued to play an important role in the child's life. Family correspondence and other accounts reveal that the court placed Mary Ellen in an institutional shelter for adolescent girls. Believing this to be an inappropriate setting for the 10-year-old, Ms. Wheeler intervened. Judge Lawrence gave her permission to place the child with her own mother, Sally Angell, in northern New York. When Ms. Angell died, Etta Wheeler's youngest sister, Elizabeth, and her husband Darius Spencer, raised Mary Ellen. By all accounts, her life with the Spencer family was stable and nurturing.

At the age of 24, Mary Ellen married a widower and had two daughters—Etta, named after Etta Wheeler, and Florence. Later, she became a foster mother to a young girl named Eunice. Etta and Florence both became teachers; Eunice was a businesswoman. Mary Ellen's children and grandchildren described her as gentle and not much of a disciplinarian. Reportedly, she lived in relative anonymity and rarely spoke with her family about her early years of abuse. In 1913, however, she agreed to attend the American Humane Association's national conference in Rochester, NY, with Etta Wheeler, her long-time advocate. Ms. Wheeler was a guest speaker at the conference. Her keynote address, “The Story of Mary Ellen which started the Child Saving Crusade Throughout the World,” was published by the American Humane Association. Mary Ellen died in 1956 at the age of 92.

1 E. A. Wheeler, *The Story of Mary Ellen*, 3, quoted in Sallie A. Watkins, “The Mary Ellen Myth: Correcting Child Welfare History,” *Social Work* 35, no. 6 (1990), 501.

2 Watkins, “The Mary Ellen Myth,” 502.

3 “Mary Ellen Wilson,” *New York Times*, April 10, 1874, 8, quoted in Watkins, “The Mary Ellen Myth,” 503.

4 Watkins, “The Mary Ellen Myth.”

5 *Ibid.*

From *Helping in Child Protective Services: A Competency-Based Casework Handbook*, Oxford University Press, 2004. Used with permission from the American Humane Association.



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Historical Treatment of Children

Historically, many cultures did not value children. There are exceptions to this, of course, and some cultures have respected and protected children throughout history.

Many practices that were once accepted or condoned would be considered abusive today, such as:

- Treating children as “property” with no rights

“The justice of a master or father is different from that of a citizen; for a son or a slave is property and there can be no injustice to one’s property.” – Aristotle

- Harsh physical discipline

“If one beats a child until it bleeds then it will remember; but if one beats it to death, the law applies.” – 13th-century saying

- Infanticide—the willful killing of a child—particularly of weak or “deformed” infants and of female children

- Dubious child-rearing practices, such as swaddling for prolonged periods or early marriage of children

“We went the next day into the town and to the house of the merchant and he said, ‘My daughter is 13 years old and no longer a child and she is fit for marriage.’” – Pearl S. Buck, The Good Earth

Some cultures honored and supported children by:

- Punishing the mistreatment or murder of children

The Code of Hammurabi (1780 B.C.E.)

- Opposing physical discipline

“A loving parent’s hands should be as soft as feathers and not cast iron, and should not break bones.” – Ghana

“A whipped child loses courage and his soul withers and dwindles away until he dies. For the soul of a child is a tender thing and easily hurt.” – Havasupai

Deeply embedded in the history of many industrialized societies, including the United States, were “anti-child” practices such as:

- Indentured servitude and child slavery



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- Orphan trains
- Boarding schools for Native American children
- Child labor in mines and factories

Child-focused policies are relatively new.

- 1899: First juvenile court (Chicago) placed dependent and delinquent children in homes for wayward youth or reform schools
- 1910: Development of X-ray technology, which eventually allowed doctors to detect subdural (under the skin) injuries and untreated fractures
- 1938: First legal rights of children—Fair Labor Standards Act imposed restrictions on working hours and conditions
- 1962: Dr. C. Henry Kempe created the diagnosis for battered child syndrome
- 1965: Mandatory reporting laws in place in all states

Beginning in the 1970s, the United States Congress became aware (along with the rest of the nation) that the child welfare system was not adequately protecting children and their families. From a historical perspective, it can be said that we are still relatively new to the concepts of protecting abused and neglected children and developing appropriate systems, methods, and programs to cope with the problems these children face.

The chart on the next page outlines information about federal child abuse and neglect laws.



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Federal Child Abuse and Neglect Laws

1974: Child Abuse Prevention and Treatment Act (CAPTA) <i>Public Law 93-247, amended in 1996</i>	
Created the National Center on Child Abuse and Neglect and earmarked federal funds for states to establish special programs for child victims of abuse or neglect.	
<i>This law requires that states:</i>	
<ul style="list-style-type: none">• Have child abuse and neglect reporting laws.• Investigate reports of abuse and neglect.• Educate the public about abuse and neglect.• Provide a guardian ad litem to every abused or neglected child whose case results in a judicial proceeding.• Maintain the confidentiality of child protective services records.	
1978: Indian Child Welfare Act (ICWA) <i>Public Law 95-608</i>	
<ul style="list-style-type: none">• Recognizes that Indian children have special rights as members of sovereign nations within the United States• Responded to congressional hearings in the 1970s that revealed a pattern of public and private removal of Indian children from their homes, undermining their families and threatening tribal survival and Native American cultures• Was designed to implement the federal government’s trust responsibility to the nations by protecting and preserving the bond between Indian children and their tribe and culture• Sets up placement preference schemes for foster care placements and adoptions of children who have been determined to be Indian children• Establishes the right of certain entities, including the tribe and the Indian custodian, if one exists, to appear as parties to child welfare cases• Determines when and if a case should be transferred to tribal court• Describes rights of the Indian child and the child’s tribe	<i>For CASA volunteers:</i> <ul style="list-style-type: none">• Ask whether every child has Native heritage.• Research tribal resources and services that can be of great benefit to the child.• Be aware that jurisdiction can be transferred to the tribal court.• Pay attention to the heritage and identity needs of the child.• Remember that ASFA timelines (see next page) do not apply to Indian children.• Keep in mind that ICWA takes precedence over other federal and state law.



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Federal Child Abuse and Neglect Laws (continued)

1980: Adoption Assistance and Child Welfare Act—Public Law 96-272	
<p><i>This law requires that states:</i></p> <ul style="list-style-type: none"> • Recruit culturally diverse foster and adoptive families. • Comply with the Indian Child Welfare Act. • Establish standards for foster family homes and review the standards periodically. • Set goals and a plan for the number of children who will be in foster care for more than 24 months. • Provide “reasonable efforts” to prevent or eliminate the need for removal of the child from his/her home or to make it possible for the child to return to his/her home. • Have a data collection and reporting system about the children in care. 	<p><i>For CASA volunteers:</i></p> <ul style="list-style-type: none"> • Consider possible placements that respect the child’s cultural heritage but do not limit his/her options. • Learn the name of the data collection system used in Arizona. • Learn how to access this information.
1990: Indian Child Protection and Family Violence Protection Act	
<ul style="list-style-type: none"> • Establishes federal requirements for the reporting and investigation of child abuse and neglect on tribal lands • Requires background checks on individuals who have contact with Indian children (including foster and adoptive families) • Authorizes funding for tribal child abuse prevention and treatment programs 	
1993: Court Improvement Legislation	
Encourages reform in the court system	
1994: Multi-Ethnic Placement Act (MEPA)	
<p><i>The goals of this law are to:</i></p> <ul style="list-style-type: none"> • Decrease the time children wait to be adopted. • Prevent discrimination on the basis of race, color, or national origin in the placement of children and in the selection of foster and adoptive placements. • Facilitate the development of a diverse pool of foster and adoptive families. 	
1996: Child Abuse Prevention and Treatment Act (CAPTA) Amended	
Amended to include Court Appointed Special Advocates as guardian ad litem	
1997: Adoption and Safe Families Act (ASFA)—Public Law 105-89	
<p><i>This act embodies three key principles:</i></p> <ul style="list-style-type: none"> • The safety of children is the paramount concern • Foster care is a temporary setting and not a place for children to grow up • Permanency planning should begin as soon as the child enters foster care 	<p><i>The act directs timelines within which the child welfare system operates:</i></p> <ul style="list-style-type: none"> • Requires permanency plan within 12 months • Requires dispositional hearing within 12 months of placement • Requires court reviews every six months
1997: Volunteer Protection Act	
Limits liability of volunteers	
1999: Foster Care Independence Act	



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Addresses needs of older youth in foster care, particularly those aging out of the system



Section One

The Indian Child Welfare Act (ICWA)

BACKGROUND

The Indian Child Welfare Act (ICWA) was a response to Congressional findings that there was a need for a federal law to prevent state courts and social workers, as well as private agencies, from further destruction of the American Indian family caused by unwarranted removal of Indian children from their tribes and families.

ICWA acknowledges the loss of Indian culture resulting from historical government policies, such as separating Indian children completely from their tribe, placing them in boarding schools, and forbidding them to speak their native language. In an effort to “civilize” and assimilate Indians into the mainstream, a decision was reached in the early 1800s to start with the children. Bureau of Indian Affairs (BIA) agents and social workers were given cash incentives based on the head count of children taken away from their tribes and placed in non-Indian institutions and adoptive homes—usually far from home.

The Indian Civilization Act was passed in 1810 to facilitate the removal of children in an attempt to assimilate them into Anglo-America. Subsequently, non-Indian caseworkers, courts, and agencies continued to see the Indian family structure as alien, foreign, and undesirable, so the process of adoptions by non-Indians occurred in wholesale numbers. The sense of loss and devastation not only tore away the child’s heritage and foundation, it nearly destroyed the Indian family unit and the tribal government structure.

The Indian Child Welfare Act was established to strengthen the participation by Indian tribes when placement of Indian children is being considered. It establishes requirements for child-placing agencies to follow when placing Indian children.

SUMMARY

Children who are members of an Indian tribe, or who are the biological children of a member of an Indian tribe and are eligible for membership in the tribe themselves, may only be placed in foster care or for adoption according to the requirements of the Indian Child Welfare Act. The child’s tribe is the final determinant of who is a member of the Indian community entitled to ICWA coverage. When ICWA coverage applies in a child’s case, it takes precedence over other federal or state legislation.

If a state agency initiates an Indian child custody proceeding on the reservation, jurisdiction belongs exclusively with the tribe. When the proceeding is off-reservation, the case must be transferred to the tribe upon the request of the tribe unless there is “good cause to the contrary,” as set forth in the Department of the Interior’s 1979 BIA “Guidelines for State Courts,” Indian Child Custody Proceedings.



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Some of the reasons not to transfer include the following:

- Parents object
- Child is over 12 and he/she objects
- The case is at an advanced stage and all witnesses are off-reservation

The state court cannot look at the economics of the family or tribe in making the decision not to transfer. Likewise, the state court cannot look at what it might deem “in the best interest of the child,” since the law presumes that it is always in the best interest of an Indian child to have his/her own people determine what is proper for his/her future.

ICWA sets forth the following requirements:

1. State court proceedings for foster care placement or termination of parental rights that involve an Indian child must be transferred to the jurisdiction of the tribe unless they meet one of the exceptions outlined in the 1979 BIA “Guidelines for State Courts.”
2. A state court faced with pending proceedings for the foster care placement of an Indian child or the termination of parental rights must notify the child’s parent, custodian, or tribe of the proceedings.
3. An Indian child may not be placed in foster care unless there is a determination, supported by clear and convincing evidence, that the child will likely suffer serious emotional or physical damage if left in the custody of his/her parent or Indian custodian.
4. An Indian child’s parents may not have their parental rights terminated unless there is a determination, supported by evidence beyond a reasonable doubt, that the child is likely to suffer serious emotional or physical damage if left in the custody of his/her parent or Indian custodian.
5. Voluntary consents to foster care placement or termination of parental rights that involve Indian children are not valid unless executed in writing before a judge and accompanied by the judge’s certificate that the terms and consequences of the consent were fully explained to and fully understood by the parent or Indian custodian.
 - Voluntary consents to foster care placement may be withdrawn at any time.
 - Voluntary consents to termination of parental rights or adoption may be withdrawn at any time before the final decree of termination or adoption is issued—and up to two years thereafter upon a showing of fraud or duress.



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6. In adoptions of Indian children, preferences for placement must be accorded as follows: (1) to a member of the child's extended family; (2) to other members of the child's tribe; and (3) to other Indian families.
7. In foster care or pre-adoptive placements of Indian children, preferences for placement must be accorded as follows: (1) to a member of the child's extended family; (2) to a foster home licensed or approved or specified by the child's tribe; (3) to an Indian foster home licensed or approved by an authorized non-Indian licensing authority; and (4) to an institution for children approved by an Indian tribe or operated by an Indian organization that has a program suited to the child's needs.

*Synopsis prepared in October 1995 by Jill Moore, UNC law student.
Updated in May 2000 by Evelyn M. Stevenson, tribal attorney,
Confederated Salish and Kootenai Tribes of the Flathead Nation.*

It is critical to understand that ICWA applies different standards to cases involving Indian children. It is always in the best interest of an Indian child to have ICWA followed. By identifying Indian children and monitoring ICWA compliance, CASA volunteers can help ensure that the Indian child's cultural and familial needs will be fully considered by the court.



Section One

Other Laws that Affect CASA Volunteer Work

In your work as a CASA volunteer, you will encounter other federal laws that have an impact on child abuse and neglect cases. Below are a few of them:

- **The Health Insurance Portability and Accountability Act of 1996 (HIPAA)** requires, among other things, permission or a court order to access “protected health information” for any individual.
- **Special Immigrant Juvenile Status (SIJS)** assists some children, including those in foster care, in obtaining legal permanent residency.
- **Title VI of the 1964 Civil Rights Act** says that any entity that receives federal funds must provide a professional interpreter in court.
- **Titles IV-B and IV-E of the Social Security Act: IV-E** is the primary federal funding stream that partially reimburses states for foster care for qualified children. IV-B allots funding for targeted case management services. The state must pay all expenses for a child who is not IV-E eligible out of state general revenues. These expenses include foster care, therapy, etc.
- **The Victims of Child Abuse Act of 1990 (VOCAA)** protects the privacy rights of child victims or witnesses during the investigation or prosecution of a federal crime.
- **McKinney-Vento Homeless Assistance Act of 1997 (Public Law 100-77)** helps youth and their families who are experiencing homelessness and protects the right of homeless youth to attend school. (*More information is provided in section 5.*)
- **2004 Reauthorization of the Individuals with Disabilities Education Act (IDEA)** focuses on improving educational stability, opportunities and outcomes for special-needs children in foster care. (*More information is provided in section 5.*)
- **Safe and Timely Interstate Placement of Foster Children Act of 2006:**
 - Improves protections for children and holds states accountable for the safe and timely placement of children across state lines.
 - Requires state courts to ensure that foster parents, pre-adoptive parents, and relative caregivers of a child in foster care are notified of proceedings
 - Requires agencies to provide youth with their health and educational records when they are emancipated.
- **Fostering Connections to Success and Increasing Adoptions Act of 2008** amends part B and E of title IV of the Social Security Act to connect and support relative caregivers, improve outcomes for children in foster care, provide for tribal foster care and adoption access, and improve incentives for adoption.



Section One

Resources

American Bar Association Center on Children & the Law

www.abanet.org/child/home.html

The goal of the ABA Center on Children and the Law is to improve the lives of children through advances in law, justice, knowledge, practice, and public policy. This site includes child welfare tips and great child advocacy links.

American Humane Association

www.americanhumane.org

Through a network of child and animal protection agencies and individuals, American Humane provides national leadership in developing policies, legislation, curricula and training programs—and taking actions—to protect children and animals from cruelty, abuse, neglect and exploitation.

US Department of Health and Human Services

www.acf.hhs.gov/programs/cb/pubs/ij_adopt/support.htm.

Summarizes federal laws directly relevant to permanency planning and interjurisdictional placements of children in foster care.

INDIAN CHILD WELFARE ACT

National Indian Child Welfare Association

www.nicwa.org

Improves the lives of American Indian children and families by helping tribes and other service providers implement services that are culturally competent, community-based, and focused on the strengths and assets of families. This work includes collaborating with tribal and urban Indian child welfare programs to increase their service capacity, enhancing tribal-state relationships, and providing training, technical assistance, information services and alliance building.

The Indian Child Welfare Act and CASA/GAL Volunteers: Advocating for the Best Interests of Native Children

http://www.casenet.org/download/tribal-casa/0709_icwa_and_volunteer_0012.pdf

Understanding the Relational Worldview in Indian Families

<http://www.casenet.org/program-services/tribal/relational-worldview-Indian-families.htm>



Section Two
THE CHILD PROTECTION SYSTEM

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Section Two

Child Protective Services

Child Protective Services (CPS) is a part of Division of Children, Youth and Families (DCYF) within the Arizona State Department of Economic Security (DES) and works on behalf of children and families of Arizona. The role of CPS is to ensure the safety of children while maintaining the integrity of the family.

CPS receives, screens, and investigates allegations of child abuse and neglect, performs assessments of child safety, assesses the imminent risk of harm to the children, and evaluates conditions that support or refute the alleged abuse or neglect and need for emergency intervention.

When allegations of child abuse or neglect, exploitation or abandonment indicate the need, Arizona law requires that CPS conduct an investigation. One of the most important functions of CPS is to help families receive the services necessary to enable them to remain together and to build better family relationships.

Child Protective Services helps families by strengthening the ability of parents, guardians or custodians to provide good child care. Its primary objective is to keep children safely within their own families. CPS works cooperatively with parents to make that happen.



Section Two

Reasonable Efforts

When the court finds that a child is dependent, the child is made “a ward of the court” and is committed to the care, custody, and control of the Department of Economic Security (DES). The court must further find that DES made reasonable efforts, under the requirements of the Adoption Assistance and Child Welfare Act of 1980 (Public Law. 96-272)

- To prevent removal of the child from the home.
- OR
- That the child was in imminent danger and in-home preventative services would not substantially reduce the risk to the child.

Before the passage of this law, social services agencies were removing children and allowing them to languish in out-of-home placement for years with little follow-up by the courts on what services were being provided to the family, and what efforts towards permanence were being made for the child.

Public Law 96-272 mandates that social service agencies make every effort to avoid the trauma of removing a child from home. Some children can safely remain in the home while the agency provides services to the family in an effort to correct the problems which brought the family to the attention of CPS in the first place. Once it is determined, however, that a child *must* be removed from the home, DES is mandated to have a case plan for each child and provide every available and appropriate service so the child can safely return home in the shortest amount of time. The law requires a case plan be developed and implemented that:

- Provides reunification services for families whose children are removed from the home.
- Provides timely, alternative permanent planning for children in which reunification with their families is unlikely after diligent efforts are made by the agency to rehabilitate and reunify the families.

The Reasonable Efforts requirement applies to all phases of the case management process, from intake to case closure. Identification and assessment of family problems and offering appropriate services to remedy those problems are necessary components of CPS providing reasonable efforts for the family. Fundamentally, if the core problem is not correctly assessed, efforts at mediating the circumstances of the removal will probably be ineffective. Without appropriate services to correct the root cause or causes for the removal, reasonable efforts will not have been made. The result is an untimely resolution for children and families. Every family is unique and its problems demand that appropriate services be provided to address specific needs. The assigned case manager



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assesses need, determines the case goal, and offers services necessary for each family. Parents should be fully involved in the case planning process. If not, they may not be fully invested to cooperate with the system that removed their children. Sometimes, parental non-compliance is the reason for delays in case plan progress, however this does not excuse the lack of a timely permanency solution for the children, and CPS's responsibility to accomplish this.

The courts are mandated at every court hearing to determine whether the agency has made reasonable efforts. Every order of the court must contain a judicial determination whether or not reasonable efforts were made. Ineffective, unavailable, untimely, or inappropriate services can lead to a court finding of lack of Reasonable Efforts. ***Public Law 96-272 does not define reasonable efforts. Judicial officers make reasonable efforts findings based upon the facts of each case.***

Hopefully, there is no gap between what should happen and what actually occurs in service delivery to the child and family. However, if gaps do occur, the CASA volunteer should view these gaps as *opportunities* to advocate for the child's best interests. The CASA's job is to know where the system falls short and what actions need to be encouraged on behalf of the child. CASA volunteers must offer an opinion at each court hearing, via their court report, on whether CPS has made Reasonable Efforts in their case.



Section Two

Investigation

The investigation is the first stage in the CPS process. It is the point at which reports are received concerning children who are suspected of being abused or neglected. This stage requires that CPS gathers sufficient information to determine the validity of the report, provide support to the reporter to ensure that concerns and fears of the reporter are addressed, and check records to determine if the reported family/children are already known to DES or other agencies in the community.

Throughout Arizona, thousands of calls per month are placed to CPS regarding children who might be at risk for abuse or neglect. These calls cover a wide variety of situations—hunger and housing issues, educational needs, custody battles, physical abuse, neglect, or sexual molestation. Any individual or agency representative may call CPS to report that a child is not receiving adequate care or protection or that a family might benefit from services. This report can be made by a doctor or nurse, teacher, counselor, social worker or any other concerned person who is aware of the situation. Arizona law requires certain people, such as doctors and psychologists, to make a report to CPS or the police when they suspect that a child is being abused or neglected.

All abuse and neglect calls across the state are taken through a centralized hotline: **888-SOS-CHILD**. A trained hotline operator prioritizes calls and distributes “reports” to local offices. Reports may be quite incomplete (e.g., the child’s name and whereabouts are not known) and contain information which cannot be substantiated. These reports must be handled as allegations, not facts.

A classification system prioritizes response time to the severity of an allegation of abuse or neglect. Each classification is generalized as CPS will further define each priority with mitigating or aggravating factors that will impact response time. Currently the department has four major priority classifications in the investigation process:

- **High Risk**—Includes the death of a child, severe physical abuse, life threatening medical neglect, a child who has been left alone who is in immediate danger. Approximately 7% of the prioritized calls are considered high risk. (Response time: within two hours)
- **Moderate Risk**—includes serious, chronic physical abuse, substance exposed newborns, serious physical or medical neglect, or severe and serious sexual abuse. Approximately 15% of the prioritized calls are considered moderate risk. (Response time: within 48 hours)
- **Low Risk**—includes substandard child care situations that are damaging but not dangerous or life-threatening. (Response time: within 72 hours)



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- **Potential Risk**—includes substandard care that can *become* damaging like exploitation (using a child for another person’s profit or advantage), delinquent child, or an incorrigible child. (Response time: within one work week)

PROCEDURE FOR CONDUCTING A CPS INVESTIGATION

1. Determine the nature and extent of current and future risk to the child for maltreatment.
2. Gather information concerning alleged maltreatment of the child to determine whether presenting allegations or other information obtained during the investigation is valid.
3. Involve the parent, caretaker, child, and others as appropriate in the information gathering and decision-making process.
4. Protect the child from suffering further or future abuse through provision of in-home services, or out-of-home placement if it is determined that the child cannot be protected in the home.
5. In the process of the investigation, balance the legal rights of the parent, caretaker/custodian, and the need and right of the child to live in a physically and emotionally healthful environment.

Court action is not always necessary to protect the child. Sometimes the child remains in the home, a voluntary relative placement is made, or the child is placed in voluntary foster care while the family receives appropriate services. Therefore, the cases that are assigned to CASA volunteers are only a part of the total CPS picture.



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Assessment

Assessment is an ongoing process that begins at the investigation and continues until the case is dismissed. The process involves information gathering, documentation, reviewing, and evaluating the case. The purpose of assessment is to:

- Assess family functioning.
- Determine the risk to the child.
- Develop a case plan appropriate to the needs of the child and family.
- Identify methods by which the case plan will be implemented.
- Evaluate the extent to which the case goal and objectives have been achieved.

To assess whether or not the child is at risk, a case manager uses a risk assessment tool. The risk assessment tool aids and supports case management decisions to either allow children to remain in their own homes, remove them from the home, or return them to their homes.

Risk assessment also aids in defining what needs to change and/or what supports and services are needed by families so children can safely remain with or be returned to their families. The risk assessment tool serves as a guide in case planning. It is not 100% accurate in predicting risk, however, and is not a substitute for a case manager's judgment or a CASA volunteer's personal evaluation of a particular case.

THE STRENGTHS AND RISKS ASSESSMENT TOOL

The Strengths and Risks Assessment (SRA) tool assists CPS to apply the information gathered during the family-centered interviews to:

- Make a determination of overall risk to children in the family.
- Make appropriate decisions about the level and type of intervention required.
- Document that these decisions are based on a research-based process, using factual and observable indicators of risk and strengths/protective factors.

The SRA tool includes five sections and 17 risk factors that are associated with child maltreatment (abuse and neglect). The five sections are:

- **Baseline Level of Risk**—considers the prior history of child abuse and neglect and the current incident of abuse and/or neglect
- **Child Vulnerability**—considers the child's special needs and ability to self protect.



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- **Caregiver Characteristics**—considers the past and present parenting functioning of the child’s caregiver.
- **Familial, Social and Economic Factors**—considers factors such as family stress, social support, economic resources and domestic violence
- **Overall Level of Risk**—considers the Baseline Level of Risk and the ratings of the remaining 15 factors to reach a determination of the Overall Level of Risk to the most vulnerable child in the family.

Assessing risk is not only done at the investigation stage of the case. It is important to continue evaluating the child’s safety and risk level throughout the life of the case. To ensure that the case manager has the whole picture, he/she may obtain information from multiple sources, including parents, children, other family members, teachers and other school personnel, physicians, psychologists, and counseling agencies. Documentation can be found in various source documents, including prior CPS reports, social service records, police/probation records, psychological evaluations, school records and achievement tests, medical records/histories, and other appropriate sources of information. Most, if not all, of this information is kept in the case file, to which a CASA volunteer has direct access.

As information on the family is gathered, a social history is prepared. A social history describes the family life in detail and includes background information on all family members. The social history can be very helpful in understanding the family as a whole. It is part of the permanent record and is required by law to be considered when the permanent plan is changed to severance and adoption.



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Permanency Planning

Permanency planning is the process of ensuring that a dependent child is maintained or placed in settings which provide commitment, continuity, and safety. Recognizing that frequent moves within the foster care system have detrimental effects upon a child, every effort needs to be made by CPS to provide each child with a safe and permanent home. It is the responsibility of CPS to provide services to the family which will enable a dependent child to safely remain in his own home or to reunify the family when out-of-home placement has become necessary. When all reasonable efforts have been made to reunify families and it is not possible to do so within the time frames provided by law, CPS is required to explore other permanent plans for a dependent child, including placement with relatives, adoption, and legal guardianship.

THE GOALS OF PERMANENCY PLANNING ARE TO:

- Establish an initial case plan for each child within five days of case opening.
- Establish a permanent case plan within 30 days following a finding of dependency or within 60 days of case opening for “services only” cases.
- Provide services to the family that will enable the child to safely remain in the family home or return home as expeditiously as possible.
- Explore permanent placements that include adoption or legal guardianship with relatives, adoption or legal guardianship with nonrelatives, or long-term foster care when the child cannot be reunited with the parents.
- Provide counseling to parents who are unwilling or unable to exercise effective care and control of their child regarding relinquishment of parental rights if there is reasonable likelihood that the child will be adopted.
- Evaluate the possibility of severance action for purposes of adoption *three months prior* to the following time frames:
 - Abandonment of the child by the parents for a period of six months
 - Unwillingness of the parents to remedy their situation within a period of nine months
 - Inability of the parents to remedy their situation within a period of 12 months
- Initiate a severance action when grounds have been established by the agency and approved by the attorney general’s office.
- Place children who are legally free in an adoptive home as expeditiously as possible.
- Establish a plan of legal guardianship when such a plan is in the child’s best interests and return to parent or adoption is not possible.



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The case manager considers the following factors when placing a child. The order does not indicate priority of factors. Depending on the individual circumstances in each case, especially the needs of the child, certain factors may be given more weight than others in selecting the most suitable out-of-home placement. These factors are:

- Case plan.
- Age and gender of the child.
- Availability of relatives and other significant others.
- Racial and ethnic heritage of the child.
- Sibling relationships.
- Primary language of the child and/or parents.
- Physical handicaps of the child.
- Health care needs of the child.
- Emotional needs and behavioral functioning of the child.
- Social needs of the child.
- Physical proximity to the child's birth parents.
- Religious preferences of the child and/or birth family.
- Placement preferences of the birth parents and/or child.
- Other significant factors related to the needs of the child.

An additional requirement in case planning is consideration of the overall living environment in which the child grows and develops. Though a specific case plan goal may appear ideal and permanent, it may be found to be too restrictive in that certain rights and privileges are taken away. The objective is to develop a permanent plan which places the child in the *least restrictive environment*. The range of placement options includes:

- Their own home (with parents).
- Relative placement. This is the least restrictive of out-of-home placements, with the possibility that the family may benefit from intervention services offered.
- Family foster homes which are licensed to care for up to five children each.
- Group homes which are licensed to care for up to ten children each.
- Residential or institutional setting that is not locked
- Institutional setting that is locked (correctional, hospital). Both residential and institutional settings require a court order for the child to be placed in this type of facility.



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CASE PLAN PERMANENCY GOALS

1. Remain With Parent

Whenever case plan objectives can be accomplished within a child's own family, and whenever it is possible to leave a child in the family home while providing intervention services for the family, the case plan goal of *remain with parent* shall be selected. Furthermore, the case plan shall reflect services which support the child remaining in the home and will elicit the kind of changes which are needed within the family. Very few cases of this type will involve a CASA volunteer. Most family preservation program services are directed towards families with this permanency plan in place.

2. Family Reunification

Recognizing that in most instances the family is the best place for a child to grow, parents should be assisted in developing their strengths in order to provide safety and nurturance for their child. If out-of-home placement is necessary to preserve a child's safety, then the goal of returning the child to the parental home is pursued. The role of CPS is to facilitate family reunification by recommending and providing services, and by listening, encouraging, and helping parents to make choices and understand the results of those choices.

In most cases the goal of *family reunification* shall be considered the appropriate permanency plan. This goal shall be selected when it is possible for the following to be accomplished:

- The parents will be able to adequately provide for the child's health and safety, with minimal supervision
- The parents want the child to be returned home

3. Adoption

Adoption offers the likelihood of a stable, permanent placement for a child who cannot be reunited with the parents. Whenever diligent efforts have been made and reunification with the biological parents has been ruled out, the case plan goal of *adoption* needs to be explored. When seeking to place a child for adoption, the following priority status has been established.

1. Relatives
2. Significant person in the child's current life, which may include foster parents, a teacher, friend of the family, etc.
3. Unknown persons seeking to adopt

60% to 70% of families accepting children for adoption are foster parents. Adoption is a complex process which involves the voluntary relinquishment or court-ordered severance of parental rights before it can be accomplished. This section is not



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intended to provide detailed information about the plan of adoption, but only to explain where it fits into the continuum of permanency planning.

- **Voluntary Relinquishment**

CPS works with biological parents who may want to voluntarily give up their legal rights to their children. Parents may have specific requests, especially as it pertains to siblings and social or ethnic considerations, before they will willingly relinquish their parental rights and the agency may attempt to honor those requests.

Once a relinquishment is signed, parental rights are terminated. Non-binding stipulations providing the release of identifying information, if any, between parent and adoptive parents, or guardians, will also be discussed at this time.

- **Termination Of Parental Rights**

The action of terminating parental rights is a serious step. Cultural and institutional hesitancy is deeply ingrained against terminating a parent's rights to deliver support, love, and care to a child. The action is taken when the parent is unable or unwilling to provide minimal parental support for the child. Attempts are made to obtain voluntary relinquishments from parents whose whereabouts are known and who are mentally competent, prior to initiating court proceedings for termination. Termination of parental rights, or more commonly referred to as "severance" is an action taken by the court. Before a severance takes place, CPS holds a centralized staffing internally to determine if all conditions for severance are met by the agency.

4. Legal Guardianship

Legal guardianship is a permanent plan which gives the guardian the legal right to act on behalf of the child, but does not require the same degree of legal responsibility and commitment on the part of the guardian as that of adoption.

Guardianship is to be considered as an alternative after return to parent and adoption have been ruled out or judged to be inappropriate for the child. The most suitable use of this permanent case plan goal is in relative placements where payment and subsidized medical assistance may not be required and supervision by CPS and the court is not necessary. The guardian may be eligible, however, for a guardianship subsidy payment to help with the cost of caring for a child.

The appointment of a guardian does not terminate the parents' rights or affect the child's inheritance rights or affect the parent's obligation to contribute to the support of the child.



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Any party, including the child, parent of the child or any party to the dependency petition may request that guardianship be rescinded if there is a significant change of circumstances including:

- The child's parent is able and willing to properly care for the child; or
- The child's guardian is not able to properly care for the child.

5. Independent Living

Independent Living, with a specific sub-program, the Young Adult Program, is a permanency plan that addresses young adults, age 16 or older. This plan offers an array of services to older youth in care to support a successful transition from adolescence to adulthood. Although the Young Adult Program focuses on specific services to youth identified as likely to age out of foster care, CPS is required to provide independent living skills training to all youth, age 16 and older, in out of home care.

6. Long Term Foster Care: Another Planned Permanent Living Arrangement (APPLA)

Another planned permanent living arrangement (APPLA) is only established when the permanency options of adoption and guardianship are not in the best interests of a child, the child is expected to remain in out-of-home care at least until the age of majority, and the foster home provider has made a commitment to continue as a permanent supportive adult in that child's life.

It is the belief of CPS that no child should leave the child welfare system without a legal relationship to an adult who cares about them and is unconditionally committed to them. CPS Specialists will continue to search out permanent options for children in care. However, the reality is that there are times when children are not placed for adoption, or do not have legal guardians. While this should be rare as it is very difficult for children to leave the child welfare system without consistent and reliable adult supports, and the Adoption and Safe Family Act does not allow for Long Term Foster Care as a viable permanency option, it does happen.



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Case Plans

Every child and family receiving ongoing services from CPS has an individualized family centered case plan, consistent with the requirements of federal and state law. The development and implementation of the case plan is one of the most important parts of the case management process. A case plan draws from the Child Safety Assessment (CSA) and the Family Strengths and Risks Assessment (SRA) and is developed in cooperation with the family and service team.

The family centered case plan includes the following components:

- **Permanency Goals**
 - Expected date of achievement
 - A concurrent permanency plan for children who have been assessed as unlikely to reunify with their parent within 12 months of the child's initial removal
- **Family intervention plan**
 - The services and supports that will be offered to the family in order to achieve the case plan permanency goal; the services and supports are tailored to meet the specific needs of the family
- **Out-of-home care plan**
 - Specifies for every child the most recent information available regarding:
 - the child's special needs.
 - the child's educational status including child's grade level, academic performance, special education services if applicable, attendance and any other relevant education information.
 - how the placement type meets those needs.
 - services provided to the child.
 - services provided to the caregiver to help them meet the child's needs.
 - actions CPS will take to ensure safety in the out-of-home setting.
 - Tasks and services to achieve a concurrent permanency goal or a permanency goal other than family reunification.
 - The reason the placement is in the best interest of the child for any child placed substantially distant from the parent's home or out-of-state.
- **Health care plan**
 - Specifies for each child, the most recent information available regarding the child's health status including:
 - Healthcare providers.
 - Immunizations.
 - Known medical problems.



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- Known medication.
 - Any other relevant health information.
 - Actions to assure the child's health needs are met.
- **Contact and visitation plan**
 - The plan for frequent and consistent visitation between the child and the child's parents, siblings, family members, other relatives, friends, and any former (family) resource family, especially those with whom the child has developed a strong attachment
 - **Participation record**
 - Specific documentation of how the family and other team members actively participated in the development of the plan

For dependency cases, a proposed case plan must be developed and submitted to court prior to the first scheduled hearing. The plan will be developed with limited information about the family's strengths and needs and should be revised during the process of creating the permanent plan with the family and service team. An exception to this may be a case in which the department has been working with the family and comprehensive information about the family's strengths and needs are already known. In these cases, the proposed case plan may be used as the permanent case plan if a case plan staffing was held to develop the plan and family members, extended family and others with whom the family has a strong relationship were part of the planning process.



Concurrent Permanency Planning

In an effort to ensure that cases proceed efficiently and that children reach a permanent placement as soon as possible, concurrent permanency planning may occur if the prognosis of achieving family reunification is unlikely to occur within 12 months of the child's initial removal. Concurrent permanency planning means that the agency will have two case plans active at one time—typically the primary case plan of Family Reunification and an alternative plan should that goal not be reached.

Child Protective Services is required to use the *Reunification Prognosis Assessment Guide* as early as the removal review conference, but no later than 45 days from the child's initial removal, to identify the cases where this should occur. If a concurrent permanency goal is not initially identified, CPS must review and update the prognosis assessment at each case plan staffing.

When a concurrent permanency plan is deemed necessary, a planned set of concurrent planning activities will be implemented to ensure that potential or identified alternate caregivers are prepared to care for the child on a permanent basis if needed.

Within six months of actively working with the family on both the reunification plan and concurrent planning activities, a final concurrent permanency goal must be established.

Based on the circumstances of the case, the preference for concurrent permanency goals are as follows:

- Adoption
- Permanent guardianship
- Independent Living as Another Planned Permanent Living Arrangement (APPLA)

When the identity and whereabouts of the parents are known, the department will provide written notification of the concurrent permanency goal to the parents so that they are aware that a concurrent plan exists. In these cases, CPS must *actively* pursue the family reunification permanency goal **and** the concurrent permanency goal simultaneously. This ensures that, if the birth parents do not comply with the case plan and they will not be reunified with their children, the concurrent plan can be used to move the case to permanence quickly because it will have been in motion the whole time; i.e., adoptive parents identified, prepared and ready to accept the children. These efforts dramatically reduce the additional time that would have to be spent “shifting gears” and choosing a new case plan if the family is not reunified after the one-year point.

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Services

Services are task-centered, time-limited, and focused on the resolution of specific problems. Services may be provided by the case manager, other department staff, contract providers, and other community resources and/or volunteers, depending on the needs of the children and families and the resources available. Services available to children and adults in the case include:

- **Medical Services**

The Comprehensive Medical and Dental Program (CMDP) provides medical and dental coverage for all children, birth to age 18, who are in CPS custody and placed in a relative home, certified adoptive home, licensed foster home, residential treatment center, or other licensed facility, including those youth on independent living subsidy. CMDP provides coverage up to age 21 for those adolescents who voluntarily continue to receive CPS services beyond age 18.

CMDP provides coverage for a full range of services that are medically necessary and appropriate, from immunizations and prescriptions to surgery. Most non-routine services require prior authorization, which the medical or dental provider obtains. CMDP may cover psychiatric services for children who are not Title XIX eligible. This also requires prior authorization.

- **Psychological Services**

CPS contracts with a number of psychologists to provide consultations, psychological testing, evaluations, and treatment. A *psychological evaluation* is a specific assessment conducted by a licensed psychologist to determine and address behavioral health problems and may include treatment recommendations or advise certain interventions. Psychological assessments include a review of referral materials, assessment of the individual's readiness for testing, a clinical interview, and may include intellectual, personality, educational, protective, and specialized testing for specific disabilities. Neuropsychological assessments will also delineate between the neurologically based causes for behavior versus an emotional dysfunction.

Specific therapies are available to assist parents who are ready and willing to strengthen weaknesses. Each of these therapies requires a great deal of specialized knowledge and skill on the part of the therapist. If the parent and/or child have had a psychological evaluation, the psychologist will be able to recommend the most effective therapy for them.

The following are some of the ways specific therapies can benefit families.



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- Individual Therapy: Provides children, who can express themselves verbally with attention and support to meet their needs, deal with their fears, resolve conflicts, and promote self-esteem.
- Group Therapy: Provides children and adolescents with support and experiences which assist with socialization and development of self-awareness and sensitivity to others.
- Marital and Family Therapy: Allows partners to learn how to communicate with each other, how to express feelings openly and constructively, and how to trust and support each other.
- Family Therapy: Beneficial to families whose members are attempting to address issues of family dynamics and behavior.

Specific therapies are available for children with emotional difficulties, but the age of the child must be taken into consideration. Types of therapy include:

- Play Therapy: Provides young children with a safe environment where they can learn to express and resolve feelings, conflicts, and fears through play.
 - Art Therapy: Allows children to release feelings, conflicts, and grow emotionally. Art therapy is useful both as a diagnostic and therapeutic tool. It generally requires a trained art therapist.
- **Parent Aide Services**

Parent aides are trained paraprofessionals. As members of the service team, they provide a range of family focused supportive services, which may include teaching and modeling of parenting and home management skills, teaching the use of informal and formal community resources, and providing transportation. Parent aide services may be provided by CPS employees, volunteers, or contract personnel.
 - **Special Education Considerations**

A foster child requiring special education will have an Individual Education Plan (IEP), which outlines what specific services the school will offer to address the child's educational needs (see section 5). A CASA volunteer should be familiar with a child's IEP to ensure that the child is receiving the education services to meet his/her child's needs. Although the child is a ward of the state, the case manager is not allowed to sign for an IEP for any dependent child. The parent may sign or a surrogate parent may be appointed by the court.

Often times, the child will have a psycho educational evaluation prior to receiving an IEP. The psycho educational evaluation is important as it identifies the child's strengths and weaknesses in regards to the education process and assists in developing an IEP that truly meets the child's needs. It is important to recognize that although



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psycho educational evaluations are extremely helpful in this process they are not mandatory.

- **Transportation**

CPS shares responsibility for routine transportation of children in out-of-home care with providers as specified in the child's case plan or Child's Placement Summary Agreement. This includes arranging for the foster care providers to provide transportation for routine health care and activities, contacting CMDP to arrange non-emergency transportation for medical services when foster care providers cannot transport the child, contacting the Regional Behavioral Health Authority (RBHA) for transportation if it is medically necessary for non-emergency mental health or substance abuse treatment services, etc.



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Visitation

Visitation between children and parents is an essential part of permanency planning for returning children home. Research indicates a positive correlation between family contact and family reunification. Without visitation, the parent/child relationship may deteriorate and both parent and child may become emotionally detached. Once this has occurred, successful reunification can be extremely difficult.

SIBLING AND PARENTAL VISITATION

One of the biggest losses to a child in out-of-home care is the loss of shared history with family members. Siblings who are placed together are better able to adjust to placement and are realistic about reunification. If a child is not placed with siblings, efforts must be made for maintaining these relationships. Joint counseling for siblings as well as *unstructured play time* or visits with one another can aid the children with separation issues.

If siblings are separated, the case manager must ensure that relationships are maintained by arranging frequent visits and shared experiences.

Foster parents may bring siblings together for visits, counseling sessions, vacations, etc. The sharing of history maintains consistency and support. This assists in adjustment to transitions and in maintaining relationships. If a foster parent does not facilitate this process, a CASA volunteer can be instrumental in providing the means for separated siblings to spend time with one another.

Carefully planned visitation between parents and their child in temporary care is a powerful family reunification intervention tool. Visitation can help implement many essential family reunification goals, including maintaining the parent/child/sibling relationships; enhancing child and parent self-images; promoting partnership between parents and foster parents; learning and practicing parenting skills, and documenting progress towards reunification goals. ***Please note: CASA volunteers cannot supervise court-ordered visits between parent and child; however it is useful for CASA volunteers to observe this type of visit in order to gain more information about how the child relates and responds.***

DEVELOPING AND IMPLEMENTING A VISITATION PLAN

- The agency is obligated to develop a visitation plan that allows a child to have frequent contact with parents, siblings, and others who cared for them prior to placement. The visits should be frequent enough to maintain family relationships. Initial visitation should occur weekly, except in those cases where treatment or legal



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issues indicate otherwise. In most cases, as much visitation as feasible is recommended.

- Family members should be actively involved in developing visitation plans. Not only does this increase the probability that family members understand and will comply with the plan, but also assures that visit plans take into account family members' needs, resources, and concerns.
- Agency efforts should be directed at determining a visitation plan that best meets the individual child's and parents' needs, and will closely parallel the case plan goals. Visitation plans should address visit frequency, length, location, need for supervision, supportive services, tasks, and activities. It should be expected that visitation plans will be altered depending upon case changes.
- Visitation plans should consider information provided by service providers and foster parents concerning the progress of parents and the specific needs of the child.
- Visitation plans should never be used as a reward or as a punishment. Changes in visitation arrangements should be directly related to the ongoing risk and family assessment.

CONFLICTS RELATED TO VISITATION

Visitation conflicts involving realistic concerns for a child's safety and security should be resolved through weighing the issue of the child's safety more heavily than any other. When the family members' right to contact the child conflicts with the needs or preferences of the substitute caregivers or service providers, the conflict should be resolved in a way that protects and assures the family members' right to contact with the child.

When visitation plan options offer varying degrees of support to the case plan, for example with regard to visit length or visit site, weight should be given to the visitation plan that best supports the case plan, even when the visitation plan is less convenient for service providers or agency personnel or requires additional agency resources.

- When expectations differ as to whom should be included in visits, the child's and the parents' preferences should be given priority over those of temporary caregivers or extended family members.
- When limited resources create a conflict with any aspect of the visitation plan, every effort should be made to develop or access resources in order to carry out the plan.

Reunification may not be recommended until the child has safely completed unsupervised visits in the family's home, including overnight visits, weekend visits or visits lasting several weekdays, and if at all possible, extended visits (longer than one



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week). Without extensive visits, the actual change achieved and the continuing risk to the child in the home cannot be adequately assessed.

The case manager is responsible for developing the Visitation Agreement prior to the initial case plan staffing, ensuring that the first visit takes place within five working days of placement unless extenuating circumstances exist, such as inability to locate the parent, incarceration, or illness. The minimum frequency for visitation is once every two weeks for a minimum of one hour. In most cases, visitation will be initially supervised. At the initial case plan staffing and subsequent case plan staffings, the visitation agreement should be reviewed and modified as necessary.

The emphasis in visitation planning is on assuring a smooth transition home and assessing services needed to support the family after the child is returned home. During the period to implement reunification, visits should provide maximum opportunity for parent-child contact and for parental responsibility for the child, particularly in areas where problems may have previously occurred. This is also an opportunity for the case manager to evaluate stress points and to anticipate future problem areas which should be addressed.

In developing the visitation plan, the following should be considered.

- The current and specific needs of the child
- The parents' behaviors and abilities related to reason for placement
- Family relationships and interactions
- The location of the visit should be the least restrictive, most normal environment in the community that can assure the safety of the child. The agency is the least normal, most institutionalized setting in which visits can take place. The visit should be held in the agency if it is the only way to assure protection of the child.

Supervision of the visits is warranted if:

- The child is afraid to be alone with the parent.
- There is concern about physical or emotional abuse to the child during visits.
- The parent's behavior may be inappropriate or unpredictable, such as when the parent is mentally ill or emotionally disturbed.
- The visits are with the perpetrator of physical or sexual abuse.
- The parent verbally abuses the child, speaks critically of the agency or foster caregiver, or makes unrealistic and inappropriate promises to the child.

If the visit must be supervised, it may be provided by the caseworker, the foster caregiver, a non-abusive or non-neglectful family member, or a family friend, all upon approval from the case manager. The supervising person should maintain a low profile



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and interfere only if needed. If a goal of the visit is to help parents learn more appropriate parenting skills, the caseworker or foster caregiver can supervise the visit and become directly involved in visitation activities.

There are times when a child may become excessively upset prior to or after a visit with the parent. In this case the caseworker should fully assess the reasons for the child's distress and, if appropriate, revise the visitation schedule accordingly. Statistics show that frequent contact can reduce the negative effects of the separation for the child. Seeing the parent during visits reduces the child's fantasies and fear of bad things happening to the parent, and can often help an older child eliminate self-blame for the placement.

- Normal feelings of loss and separation may be reactivated by seeing the parent and may be expressed in emotional distress or acting out behavior. Look to see if the frequency of visits can be increased in this case.
- The child may be anxious and fearful when with the parent; their time together may be stressful. Closer supervision by someone the child trusts may be required.
- The child may experience loyalty conflicts after having visited with the parent and may need to reject the foster caregiver upon return to the foster home in order to continue to feel loyal to the parent. The child needs to know it is okay to have more than one set of parents.



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Monitoring and Evaluation

The case manager has the ultimate responsibility of monitoring and evaluating the case plan and the outcome of services being offered to the family.

Monitoring by the case manager involves:

- Verifying that services are being provided according to the time frame of the case plan.
- Identifying problems relating to the delivery of services and the parents' participation in services early enough to be able to make changes in the plan. Sometimes barriers are procedural or logistical, such as a parenting group being offered at a different time from what is outlined in the case plan. At other times, barriers are related to client issues, such as avoiding participation in the treatment process.
- Working with parents and/or service providers to remedy barriers that occur, such as making adjustments in the case plan to accommodate procedural/logistical barriers, or working out new arrangements to enable the parent to make use of services.
- Identifying the parent's progress or lack of progress in achieving objectives.
- Identifying major setbacks in the case, such as recidivism. If this occurs, the court should be informed as well as the service providers. The case plan objectives may need to be redesigned to better ensure the safety of the child.
- Communicating directly with parents and service providers in identifying barriers related to achieving the objectives identified in the case plan and the consequences if these objectives are not achieved.
- Identifying new or additional objectives which are central to preventing recurrence of abuse.
- Assessing with the parent and service team members not only the implementation of objectives, but also whether the objectives and tasks are actually helping to change behavior and achieve the permanency goal.
- Ensuring that information acquired through monitoring is shared among the service team members and with the parent.



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- Reviewing and discussing progress reports with parents.
- Arranging and conducting required periodic staffings of the case and multi-disciplinary reviews.
- Maintaining written documentation of all monitoring activities as well as reports submitted by service providers and team members. This documentation is a critical function of case management and is essential for court purposes.

If monitoring activities are conducted throughout the provision of services, the case manager, parent, and other team members will have the information needed to evaluate progress. The case plan evaluation process measures the efficiency and effectiveness of solving case problems in terms of how observable results relate to the stated case plan goal objectives. The case manager is responsible for pointing out to the service team the actions taken that were effective or counterproductive in attaining the permanency goal.

Case documentation is the written record and history of each case. Documentation in case management encompasses all required reports, forms, legal documents, correspondence, contact logs, and reports from service providers and others including CASA volunteer reports.

A major source of information that many team members will provide to the case history is a recorded description of contact with the parents and child. When any team member is reporting observations regarding family interactions and environment, a clear distinction must be made between observable facts and impressions, opinions, and/or conclusions.

A CASA volunteer must use this monitoring process as a guide to help target areas that may create problems in completing the case plan, ensure that the child's needs are being met, and to help achieve the goal of a safe, permanent home as quickly as the law allows.



Case Plan Staffings and Child Family Team Meetings (CFTs)

CASE PLAN STAFFINGS

The case plan staffing is a vehicle through which the case plan is formally developed and reviewed, and accomplishments and/or concerns are discussed and documented. A case plan staffing may be arranged to:

- Clarify issues.
- Remove barriers.
- Modify the case plan.
- Implement consequences as set forth in the case plan.

A staffing is a team effort consisting of all parties to the case, such as parents, case manager, foster parents, service providers, CASA volunteer, and assigned attorneys. Parties involved in this process are referred to as the staffing team. The number of team members will vary, depending on the complexity of each case. As part of the team effort, a CASA volunteer should be notified of staffings and is responsible for attending. If unable to attend, CASAs should notify their county coordinator.

CPS policy requires that cases are staffed within the first 60 days of a dependency case and every six months thereafter. Any member of the service team may request that a case plan staffing be held more often than every six months. If staffings are not occurring or if the CASA volunteer feels one should occur, he/she may ask the case manager to schedule one to discuss issues and modify case plan goals. The case manager, in consultation with a CPS supervisor or program manager, makes the final decision about holding more frequent staffings.

From a CASA volunteer's perspective, a staffing is a primary opportunity to advocate for specific actions to take place that help the child. DES provides a discussion guide for case managers to follow when speaking with a CASA volunteer at a staffing. Questions the CASA may be asked by the case manager include:

- How frequently do you have contact with the child?
- What activities do you share?
- Do you also interact with the birth or foster parents? Please describe these contacts.
- Do you feel that the case plan is appropriate to the child's needs?
- Do you feel that progress being made toward achieving the case plan?
- Does the child have special needs that are not being addressed?
- Has the child shared concerns which the service team should be made aware or with which it could help?

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As the child's advocate, the CASA volunteer should ensure that all pertinent information is given to the case manager, even if the case manager does not ask questions relating to the information.

Members of the case management team should be present to determine courses of action. At the completion of staffing, goals, objectives, and tasks should be identified and accepted for action by each team member.

If the CASA volunteer disagrees with the course of action decided on at a staffing, the report to the court is the opportunity to voice the objections. Objections should be also noted at the staffing in the Case Plan Summary.

CHILD AND FAMILY TEAM (CFT) MEETINGS

The Child and Family Team (CFT) is a defined group of people that includes, at a minimum, the child and his/her family, a behavioral health representative, and any individuals important in the child's life and who are identified and invited to participate by the child and family . This may include, for example, teachers, extended family members, friends, family support partners, healthcare providers, coaches, community resource providers, representatives from churches, synagogues or mosques, agents from other service systems like CPS, etc.

Families have a powerful role in the Child and Family Team process, actively participating in the process of assessing needs, identifying team members, developing and implementing the plan.

Effective CFTs function in a flexible manner that includes varying levels of involvement from the behavioral health system, other child-serving agencies and natural supports. All families are unique and as such, each CFT experience is different. Frequency of CFT meetings, intensity of activity between CFT meetings, and level of involvement by formal and informal supports necessary to adequately support children and families will vary depending on the following:

- The size of the team, coordination efforts required, and the ability of the CFT to work effectively together.
- The number of distinct services and supports necessary to meet the needs of the child and family.
- The frequency of CFT meetings necessary to effectively develop a plan, track progress and make modifications when needed.
- The number of agencies/systems involved.
- The severity of symptoms and the effectiveness of services.



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- The stress that is currently affecting the child and family.

The Child and Family Team, with the assistance of the behavioral health representative, is responsible for overseeing and facilitating decision-making regarding the child's behavioral health services. Based upon the recommendations and decisions of the Child and Family Team, the behavioral health representative will formally secure any covered services that will address the needs of the child and family.

The Child and Family Team is expected to carefully consider and give substantial weight to family preferences in formulating its views on the developing service plan, acknowledging the family's expert knowledge of their child. In determining how to successfully meet its objectives, the Child and Family Team should not begin by identifying specific interventions, placements or services, but rather on the underlying needs of the child (and of the family in providing for the child) and on the type, intensity, and frequency of supports needed.



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Resources

Child Protective Services

www.azdes.gov/dcyf/cps

Child Protective Services (CPS) provides specialized welfare services that seek to prevent dependency, abuse and neglect of children. The Child Protective Services program receives, screens and investigates allegation of child abuse and neglect, performs assessments of child safety, assesses the imminent risk of harm to the children and evaluates conditions that support or refute the alleged abuse or neglect and need for emergency intervention.

- ***Children's Services Manual***

The Children's Services Manual is the Division of Children, Youth and Families' interpretation of applicable federal and state laws and administrative codes. This Manual provides overall guidance for Child Protective Services field staff; however, practice is implemented based upon individual case circumstances.

The Judges' Page Newsletter

<http://www.nationalcasa.org/JudgesPage/>

This online newsletter is published by National CASA and the National Council of Juvenile and Family Court Judges and is an excellent resource for CASA volunteers. The October 2007 issue, *Reasonable Efforts in the Dependency Courts*, addresses the role of the judge in making reasonable efforts findings as well as provides the perspective of others involved in foster care cases.

Making Reasonable Efforts: A Permanent Home for Every Child

http://familyrightsassociation.com/bin/white_papers-articles/reasonable_efforts/

This report was published in 2000 by the Youth Law Center and includes guidelines for attorneys, judges and child welfare agencies as well as a list of resource organizations and internet resources.



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THE COURT SYSTEM

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The Juvenile Court Process

Court is a series of steps, a series of hearings—each building on what has occurred before.

For a typical child abuse case, the steps are as follows:

1. When a case meets the definitions of child abuse or neglect set out in the law, the allegations of abuse or neglect will be listed by CPS in a formal document (petition) and filed in court.
2. At the first hearing the judge will make a series of decisions:
 - Whether the allegations are serious and appear to meet the definitions in the law
 - Whether it is safe for the child to live with the parent while the matter is being resolved
 - If the child won't be living with the parent, whether visits will be allowed
 - When the next hearings will take place
3. Parents will be given a chance to answer the allegations.
 - If they admit the allegations, the judge will make official findings about what has happened to the child. The judge will order the parents to do things that will correct the problems that brought the family to court, such as counseling, parenting classes, or chemical dependency evaluation and treatment. These are things that CPS has laid out in the initial case plan.
4. The parents can deny the allegations and then the case will go to trial.
 - Attorneys will enter documents into evidence.
 - Witnesses will testify about what they have seen or heard.
 - The judge will consider all the evidence and make a decision about whether the allegations have been proven. If not proven, the case will be dismissed. If proven, the judge will order the parents to do things that will correct the problems that brought the family to court.
5. Once the judge orders the case plan, Child Protective Services will monitor the situation and there will be review court hearings to see how things are going.
6. If the problems are corrected and it is safe for the child, the child will be returned to live with the parent and the case will be dismissed from court jurisdiction.
7. If the problems continue—usually because the parents cannot or will not follow through with the requirements of the case plan—the court will have to look to other



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options to keep the child safe, such as placing the child permanently with a relative or placing the child for adoption by a new family.

CIVIL CASES VS. CRIMINAL CASES

Civil actions are brought to court by individuals or the government to seek various remedies—for instance, damages for injuries or enforcement of contracts. If the defendant is found liable, the court can order him/her to pay compensation, take certain steps, or stop certain conduct. The court cannot send a defendant in a civil case to prison, except for contempt of court. The legal standard of proof is “preponderance of the evidence”—meaning that the allegations are more likely than not to have occurred.

Child protection cases are civil matters.

In criminal cases, the government brings an action against an individual alleging that a crime has been committed. If the defendant is found guilty, the court can order fines, restitution, probation, participation in treatment programs, incarceration (prison), or in some states, the death penalty. Given the severity of potential consequences, the legal standard of proof is higher than in civil cases. Allegations in criminal cases must be proven “beyond a reasonable doubt.”

A parent might also be charged criminally for hurting a child—for example, for sexually assaulting the child. This court process would be separate from the child welfare case.



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Authority of the Juvenile Court and the Role of the Judge

Juvenile courts have the responsibility to protect the rights of parties before the court and ensure safe, permanent homes for abused and neglected children. Among the most pressing judicial concerns in abuse and neglect cases are the modality of treatment, rehabilitation, family preservation, and permanency planning.

Child protection agencies, service providers, guardians ad litem, attorneys, and CASA volunteers all play critical roles in child abuse and neglect cases. For the child welfare system to function in the best interests of the children, it is essential that all these major participants discharge their responsibilities in an effective and responsible manner. Ultimately, however, children are placed pursuant to court orders. Therefore, the juvenile court has the responsibility to hold the entire system accountable. To discharge this responsibility, the juvenile court must have authority commensurate with the task assigned.

Juvenile court judges can be leaders in their communities, state capitols, and at the national level to improve the administration of justice for children and families. Judges can be active in the development of policies, laws, rules, and standards by which the courts and their allied agencies and systems function. Judges can inform the community of the unique and diverse needs of troubled children and their families. Judicial responsibility for impartiality does not preclude judicial leadership. The very nature of the office mandates that the judge act as an advocate and convener to assure that needed services for children and families are available and accessible.



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Court Terminology

DEPENDENT CHILD

A child who has been made a ward of the court and is determined to be one or more of the following:

- a. In need of proper and effective parental care and control and has no parent or guardian, or one who has no parent or guardian willing to exercise, or capable of exercising, such care and control.
- b. Destitute or who is not provided with the necessities of life, or who is not provided with a home or suitable place of abode, or whose home is unfit for him by reason of abuse, neglect, cruelty, or depravity by either of his parents, his guardian, or other person having his custody or care.
- c. Under the age of eight years who is found to have committed an act that would result in adjudication as a delinquent or incorrigible child if committed by an older child.

PARENTAL RIGHTS

Biological parents have certain rights, but when they are unwilling or unable to discharge these rights, the state must intervene. When a child is made a Ward of the Court, a plan is developed that attempts to address this issue. The court is required to determine if reasonable efforts have been made so that the child may be reunited with the parents. If reunification is not possible, a permanent plan must be designed to address other options for a safe, permanent home (placement) for the child.

Parental rights for a dependent child are:

- To know they are under investigation.
- To be notified in writing when their child is taken into custody. This is accomplished through the Temporary Custody Notice (TCN).
- To choose whether or not they will cooperate or accept the services offered by Child Protective Services. However, consequences are involved in the decision not to cooperate.



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- To have legal counsel. If they cannot afford an attorney they may request that the court appoint one for them.
- To be notified and to attend court and Foster Care Review Board hearings.
- To participate in the development and to receive a copy of the Case Plan/Written Agreement.
- To know what they must do to regain custody of their child.
- To have an invalid report that was investigated purged from the Central Registry if no other reports are made within a two-year period.
- To purge from the Central Registry after five years if (1) not investigated and (2) no further reports are received by the department.
- To sign for medical treatment of their child, even if the child is a “ward of the court.” Often the court states in the minute entry that CPS personnel are given the authority to sign on behalf of the parent for medical treatment, school authorization, etc., but the parent still has the right to sign in such situations. A problem may arise when the CPS case manager and the parent do not agree as to medical treatment.



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Juvenile Court Procedure

The juvenile court, a division of the County Superior Court, has the authority to hear cases involving children ages birth to 18 years. These cases include adoption, termination of the parent-child relationship, delinquent youth (juvenile criminal), incorrigible children (including runaways, out-of-parental control, or actions taken by a child considered delinquent if performed by a child eight years or older), and dependency cases (child abuse or neglect).

While juvenile proceedings may be less formal than other superior court proceedings, Arizona Revised Statutes, Rules of Evidence, and Rules of Procedure for the Juvenile Court must be followed. The parties, including juveniles, have constitutional rights to due process before the juvenile court can act to intervene in lives of children and families. Juvenile court orders direct parties of the case to act based upon facts presented before the court in hearings or other formal procedures. **Court orders take precedence over any other actions or recommendations by other state agencies or parties unless overturned by appeal by the Arizona Court of Appeals or the Arizona Supreme Court.** A CASA volunteer benefits from this authority through the Court Order of Appointment. Essentially, the court order gives the CASA access to confidential information without prior approval for purposes of providing information to the juvenile court.

- Certain agencies functioning under federal law, regulations, and statutes are not required to honor a CASA volunteer's court order. Generally, federally-funded facilities that treat substance abuse do not have to initially honor a CASA's court order. Arrangements for confidential information from these types of facilities need to be made by the county coordinator.
- Since the court is not a social service agency, it cannot find a child "dependent" just because services are needed or it appears to be in the child's best interest. A dependency will be granted by the court only if sufficient legal grounds are present.
- In dependency matters the juvenile court operates with the presumption that the parent-child relationship is fundamental. The burden of proof is on the petitioner to overcome this presumption. Usually Child Protective Services and the Attorney General's Office petition the court. However, private parties can petition the court to ask for an initial dependency hearing.
- The standard of proof to declare a child dependent in non-Indian Child Welfare Act (ICWA) cases is "by the preponderance of the evidence." This means it is more likely than not that the allegations contained in the petition are true.



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- A “clear and convincing” standard of proof requires that more than the majority of evidence points to one conclusion. This standard is applied to dependency hearings involving Indian children, mental health commitment proceedings, and severance proceedings for non-ICWA cases.
- The “beyond a reasonable doubt” standard of proof requires that evidence points to one conclusion. This standard of proof is required for severance proceedings involving Indian children and delinquency proceedings for all children.
- Once a child is adjudicated dependent, delinquent, or incorrigible, the child becomes a “ward of the court.” This means, in essence, that the child becomes “the court’s child.”
- Some juvenile court matters are heard by commissioners or judges pro tempore. Juvenile court commissioners are appointed by the presiding juvenile court judge. A commissioner may perform all functions of a juvenile court judge except hearing contested cases in which a parent might lose custody and cases in which a juvenile might be committed to the Department of Corrections. A judge, commissioner, and judge pro tempore are all judicial officers.
- A judicial officer will preside over juvenile court proceedings, hear testimony, rule on the admissibility of evidence, determine credibility or weight to be given to the testimony or exhibits, and make findings of fact and decisions. The judicial officer will also make orders to implement decisions.
- Various other personnel or the public may be at court hearings, which are “open” in Arizona. The judge may decide to “close” a dependency hearing based on a justifiable reason from a party. The juvenile court clerk keeps a written summary of what occurred during hearings, administers the oath to witnesses, and is responsible for exhibits. The court reporter will record everything said during the proceedings and later will prepare a transcript of the hearing, in case it is required for an appeal or other purposes.
- The parties to the hearing may each have an attorney. The attorney is responsible for giving advice to the client and presenting the best case possible for the client. Unlike a criminal hearing that almost always has only two parties, it is possible to have more than two parties at a dependency hearing.

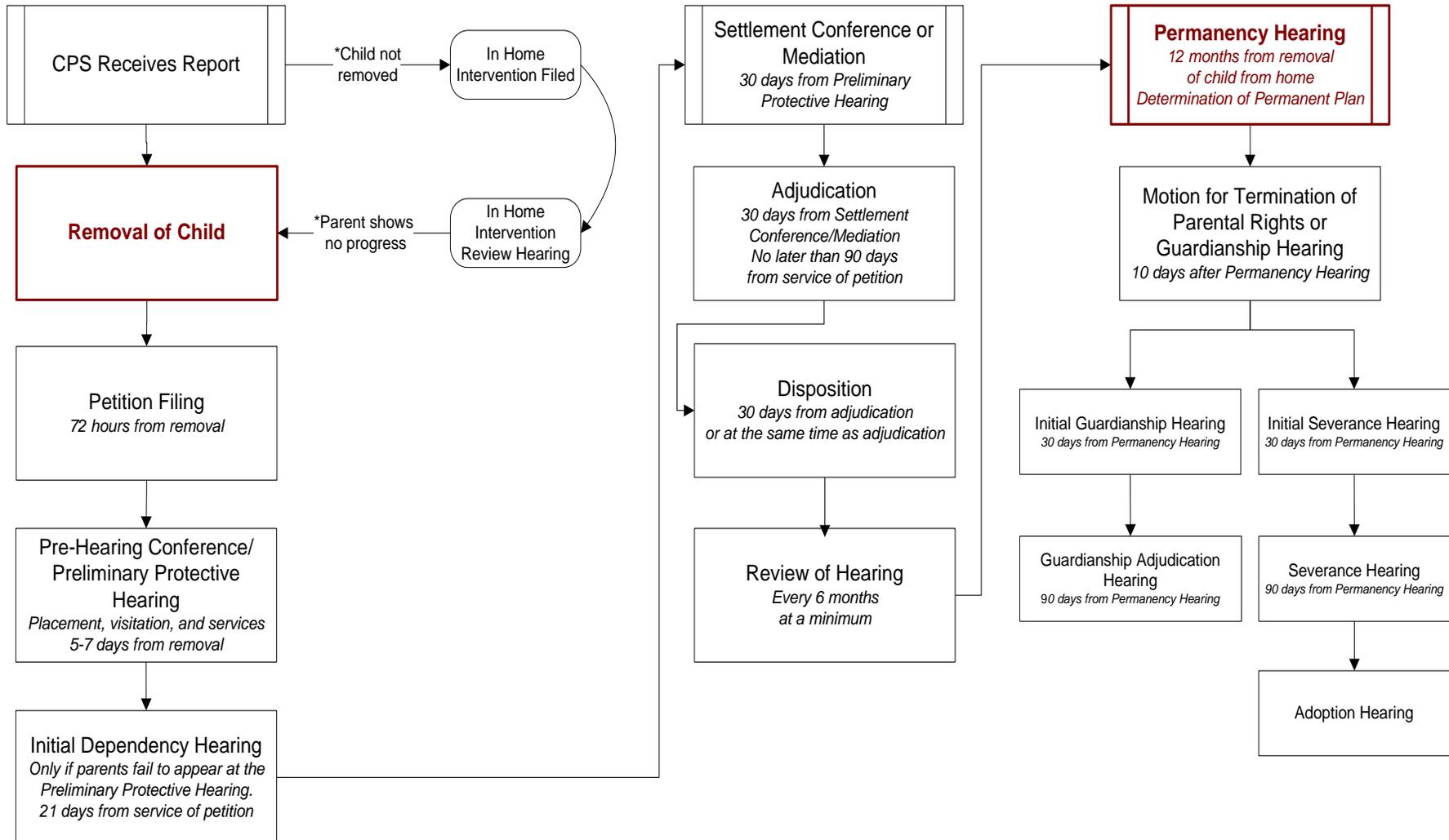


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The Arizona Dependency Process



Arizona Dependency Process Descriptions

PETITION FILING

A dependency case is initiated in juvenile court with the filing of a dependency petition. The dependency petition must be filed within 72 hours (excluding Saturdays, Sundays, and holidays) of a Temporary Custody Notice being served on the parents. The petition is a sworn statement filed with the court containing allegations of fact showing dependency. The petition may be filed by any interested party.

Most petitions are filed by the state Attorney General's Office, based upon information gathered by a Department of Economic Security Child Protective Service case manager. However, it is not uncommon for a relative or person who has been caring for a child to file a petition, called a private petition.

The petition is often accompanied by a request that the child be made a temporary ward of the court. This occurs when the petitioner believes grounds exist to remove the child from the home. This request is reviewed by the judge or commissioner. If the sworn petition contains sufficient information to show that removal is necessary, the judge will make the child a temporary ward of the court. In some cases, the court will find a child dependent but will allow the child to remain in the home while obtaining appropriate services.

Once the petition has been filed, the agency is obligated to make "diligent and reasonable efforts" in searching for ALL biological parents should their whereabouts be unknown. This extensive search should occur prior to key decision points in the life of a case and no less than once every six months. The agency is also required to conduct an extensive and documented search for guardians, custodians, extended family members, and other significant persons as placement resources for children in out-of-home care.

PRE-HEARING CONFERENCE

This is a mandatory meeting of all parties to the dependency action and other persons as permitted by the court, and is held immediately before the preliminary protective hearing, usually facilitated by court personnel. The purpose of the meeting is to attempt to reach an agreement about:

- Temporary custody.
- Placement of the child.
- Services to be provided.
- Visitation.

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The availability of reasonable services to the parent or guardian shall be considered; the child's health and safety shall be of paramount concern.

PRELIMINARY PROTECTIVE HEARING

This hearing is held on each case, **no less than five (5) and not more than seven (7) working days**, (excluding Saturdays, Sundays, and state holidays) after the child is taken into custody and a dependency petition is filed. The court may grant one continuance not to exceed five days. The purpose of this hearing is to determine whether temporary custody of the child is clearly necessary to prevent abuse or neglect pending the hearing on the dependency petition.

At this hearing:

- The court will review any agreement reached at the pre-hearing conference.
- The parent is advised of his or her rights and will admit or deny the allegations in the petition.
- The court will determine if reasonable efforts were made to prevent or eliminate the need for removal and if services are available that would eliminate the need for continued removal.
- The court will enter orders regarding the child's placement and visitation, if the child is not returned to the parent.
- The court will inform the parent that the hearing may result in further proceedings to terminate parental rights.
- The court will give paramount consideration to the child's health and safety in making determinations.

INITIAL DEPENDENCY HEARING

The initial dependency hearing must be held within **21 days** of the date on which the dependency petition was filed as to a parent not present at the preliminary protective hearing.

At the initial dependency hearing:

- The parent is advised of his or her rights and will admit or deny the allegations in the petition.
- The court will determine if reasonable efforts were made to prevent or eliminate the need for continued removal.
- Unless the court finds reunification is contrary to the best interest of the child, the court will order CPS to make reasonable efforts to provide reunification services, if the child is not returned to the parent.



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SETTLEMENT CONFERENCE OR MEDIATION HEARING

The settlement conference or mediation is set when the parent or guardian denies the allegation in the petition and must occur prior to the pre-trial conference or dependency adjudication hearing. The purpose of the settlement conference or mediation is to attempt to settle the issues of dependency and disposition in a non-adversarial manner and to avoid trial. All parties to the contested action must participate. Any agreement reached is recorded in writing and submitted to the court for approval.

ADJUDICATION

This hearing must be completed within 90 days of service of the dependency petition on the parent. If critical circumstances exist, the court may extend this deadline by 30 days. At this hearing, the court determines whether the allegations of dependency are sustained by a preponderance of the evidence. If the allegations are sustained the court may either proceed with a disposition hearing or set the disposition hearing within 30 days.

DISPOSITION

This hearing must be held at the same time or within 30 days of the adjudication hearing. The purpose of this hearing is to obtain specific orders regarding the child's placement, services, and appropriateness of the case plan.

The court considers the goals of:

- The placement.
- Appropriateness of the case plan.
- Services that have been offered to reunify the family.
- The efforts that have been or should be made to evaluate or plan for other permanent placement.

REVIEW HEARING

These hearings, also referred to as Report and Review Hearings, are held **at least once every six (6) months from the disposition hearing** to review the dispositional orders of the court.



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PERMANENCY HEARING

This hearing is held within 12 months of the child's removal from the home. The court will determine the permanent plan for the child and order the plan to be accomplished within a specified period of time. If the court finds that termination of parental rights or permanent guardianship is in the child's best interest, the court will order a motion to terminate parental rights or for permanent guardianship be filed within ten days.

INITIAL HEARING ON MOTION TO TERMINATE PARENTAL RIGHTS

The hearing is held within 30 days of the permanency hearing when the court orders the filing of the motion to terminate parental rights. If the parent contests the motion, the court must set a date for trial within 90 days of the permanency hearing. At this hearing, the court determines whether there are sufficient grounds to terminate the parent-child relationship. It is also known as a severance hearing.

TERMINATION OF PARENTAL RIGHTS HEARING (SEVERANCE HEARING)

At this hearing, the court determines whether there are sufficient grounds to terminate the parent-child relationship. It is also known as a severance hearing.

ADOPTION HEARING

At this hearing, the court determines whether to grant the adoptive parents' petition to adopt a child.

In addition to the above those listed above, the court may order special hearings or reviews to address specific case-related issues.



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Resources

Dependency Handbook for Parents

<http://www.supreme.state.az.us/dcsd/improve/dep/docs/AzParentsHandbook.pdf>

The handbook provides an overview of the court process and the people involved in a dependency case.

Dependency Process Training

<http://www.supreme.state.az.us/dcsd/improve/judicial.htm>

This training module was designed with ease-of-use and convenience in mind. There are links for immediate definitions, statutes, and laws. The tutorial offers a solid overview of the dependency process and illuminates areas of special importance throughout.

Laws Affecting Dependency

<http://www.supreme.state.az.us/dcsd/improve/laws.htm>

This page provides information and links to Federal and State Regulations Applicable to the Arizona Dependency Process



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THE EDUCATION SYSTEM

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Educational Challenges for Children in Foster Care

Chaos in a child's life often results in the neglect of educational concerns. Parents or caregivers may not be available to help with homework, attend school conferences, or make referrals for evaluation when concerns arise. Children entering foster care often have school issues. Addressing these issues can allow a more positive experience for a child who hasn't known the rewards of success in school. Teachers who see the child every day have a wealth of knowledge about the child's behavior, attitude, likes, and dislikes, and about the best ways to communicate with that child. As you inquire about a child's progress in school, you may discover that your child has special educational needs and should be referred for an evaluation. In some areas, an abundance of resources may be available for special-needs children, and in other areas, you may have to advocate for the creation of needed resources.

Children from racial, ethnic, or cultural backgrounds different from the majority culture may also have special needs based on discriminatory practices in the educational system. For instance, children may face racist or homophobic taunts, teachers who believe they can't learn, and testing that is racially/culturally biased. It is important to realistically assess the school difficulties of any child and determine what role the educational system, as well as the child's particular school setting, may be playing in creating or sustaining those problems.



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Education Legislation

MCKINNEY-VENTO HOMELESS ASSISTANCE ACT OF 1997

Congress passed the McKinney-Vento Homeless Assistance Act in order to help youth and their families who are experiencing homelessness and to protect the right of homeless youth to attend school.

- The law targets all youth who do not have a fixed, regular, and adequate residence. This includes youth who are staying with friends or relatives because they've lost their housing; youth who are awaiting foster care placement; and youth who are living in emergency or transitional shelters, motels, domestic violence shelters, campgrounds, inadequate trailer parks, cars, public spaces, abandoned buildings, and bus or train stations.
- The law enables homeless youth (including those awaiting foster care placement) to remain in their school of origin if they wish, and it requires school districts to provide transportation to that school if needed. It attempts to remove any barriers to a homeless youth's enrollment, attendance, or success in school, such as compulsory residency requirements. It also seeks to enable homeless youth to choose to attend the local school where they are living, the school they attended before they lost their housing or the school where they were last enrolled. The underlying intent is to give homeless youth access to the same free, appropriate K–12 public education and services that other youth receive.
- Child welfare professionals working with qualifying youth in out-of-home care may be able to use the provisions of McKinney-Vento to keep a particular youth in his or her home school. Each case should be explored individually with the state's McKinney-Vento coordinator. (To find the McKinney-Vento coordinator in your district, check with your local school district.)

THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT

The Individuals with Disabilities Education Act (IDEA) was reauthorized in 2004 with a new focus on improving educational stability, opportunities and outcomes for special-needs children in foster care. The act ensures that:

- Children's educational needs are considered by the judge and the child welfare system in making decisions.
- A specific individual is appointed to advocate for each child's educational needs.



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- The child welfare system, the school system and the judicial system communicate with each other about individual foster children.
- Delays are eliminated in enrolling children in new schools or transferring school records when students move because of a new placement. The new school should immediately enroll the child and honor the child's existing Individualized Education Plan (IEP) until a new assessment can be conducted.

Eligibility

Children, from birth through age 21, who need early intervention and/or special education and related services because of a disabling condition are eligible. Eligibility for services is determined through “nondiscriminatory evaluation.” This requires that Early Intervention Providers and school districts use testing materials free from racial or cultural discrimination and presented in the child's native language or means of communicating. Tests must be chosen that assess the child's actual abilities if sensory, motor, language, or other impairments are present. Evaluations cannot be based solely on one general test, such as an intelligence test, and the child is to be assessed across all areas related to the disability by a “multidisciplinary team” or “IEP team.” An appropriate education may include an out-of-district or private school placement if the school district cannot provide appropriate services in the district. The courts have also ruled, however, that an “appropriate” education is not always the same as the “best” education as long as the education services adequately meet the child's needs.

Individual Education Program (IEP)

After a child aged three or older is diagnosed with special learning needs, you may hear the term “Individualized Education Program” (IEP). This is a written, legal document that describes the specialized educational plan and related services to be provided to the student. It guides both teachers and parents in the appropriate education of the child for a period of one year (except in states piloting multi-year IEPs). It is developed in a team meeting in which all members of the IEP team decide what an appropriate education is for the child and identify goals, objectives, description of how progress will be measured, and necessary services. If a child is in the custody of the local child protection agency, the IEP team will likely include teachers, caseworkers, parents, foster parents, and others who interact with the child. The child must be assigned an education surrogate/surrogate parent—a trained community member who advocates for appropriate educational services for the child. The surrogate parent gives permission for testing and for services to meet the needs of the child. Some counties have a list of people who are qualified to assume the role of the surrogate parent, and with training, foster parents or CASA volunteers can assume this role.



RESOURCES

American Bar Association Legal Center for Foster Care & Education

www.abanet.org/child/education/

The Legal Center FCE serves as a national technical assistance resource and information clearinghouse on legal and policy matters affecting the education of children in the foster care system.

Arizona Department of Education

- General: www.ade.state.az.us
- Special Education: www.azed.gov/ess
- Parent Information Network (PINS): www.azed.gov/ess/SpecialProjects/pinspals/

***Blueprint for Change: Education Success for Children in Foster Care* FACT SHEET**

http://www.abanet.org/child/docs/Q_A_1_Blueprint_FINAL.pdf

The Blueprint for Change is a tool for change. The 8 Goals for Youth and Benchmarks for each goal indicating progress toward achieving education success is a framework for both direct case advocacy and system reform efforts. Following each goal are National, State, and Local Examples of policies, practices, programs, and resources that exist to improve educational outcomes for children in foster care.

Foster Children & Education:

How You Can Create a Positive Educational Experience for the Foster Child

<http://www.vera.org/download?file=119/Foster%2Bchildren.pdf>

This paper gives an overview of the educational obstacles facing children in foster care and the role adults can play to have a positive impact on their educational experience.

Fostering Futures Research Project

http://www.rri.pdx.edu/fostering_futures.php

The Fostering Futures Research Project is conducting research on the educational performance and quality of transition planning for foster youth with disabilities. This site provides a link to two articles of interest: “Are We Ignoring Foster Youth with Disabilities?” and “Transition Planning for Foster Youth with Disabilities.”

LD OnLine

www.ldonline.org

An interactive learning disabilities resource guide for parents, teachers, and students, this site provides a wealth of information, including a section in Spanish.

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Mythbusting: Breaking Down Confidentiality & Decision-Making Barriers to Meet the Education Needs of Children in Foster Care

www.abanet.org/child/education/mythbusting2.pdf

This paper gives an overview of the education needs of children in foster care, explains the federal laws regarding confidentiality of education records, and debunks myths about confidentiality.

National Conference of State Legislatures: *Educating Children in Foster Care*

<http://www.ncsl.org/Default.aspx?TabId=4245>

This informative policy article looks at challenges and services involved in educating children in foster care.

National Law Center on Homelessness and Poverty (NLCHP)

www.nlchp.org

NLCHP's Children & Youth Program strengthens legislation that guarantees homeless students' right to education, trains state and district education workers and pursues litigation to protect America's homeless students.

National Resource Center for Family-Centered Practice & Permanency Planning

www.hunter.cuny.edu/socwork/nrcfcpp/info_services/education-and-foster-care.html

The Education and Foster Care section of this site provides a wealth of articles and resources on educating and children in care.

New Horizons for Learning

www.newhorizons.org

This site is dedicated to improving education. It gives links to student voices, special needs in education, and teaching and learning strategies.

A Roadmap for Learning – Improving Education Outcomes in Foster Care

www.casey.org/Resources/Publications/RoadMapForLearning.htm

A Road Map for Learning shows how to integrate the predictors of academic success into an educational plan and encourages letting youth in out-of-home care be the primary voice in their own decision-making.



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CASA VOLUNTEER WORK—PART 1

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Planning the Investigation

Each case is unique and unfolds in its own way, requiring different information in order to meet the needs of a particular child. Your work as a CASA volunteer—conducting interviews, gathering facts, writing reports, testifying in court, advocating for the child, monitoring the case—has a significant impact on the case outcome. Each piece of the work is important and will help you fulfill the mission of finding a safe, permanent home for the child, respecting the child’s sense of time.

Once assigned to a case, it is important for CASA volunteers to create an initial investigation plan that outlines the approach they would like to take. Information to outline includes:

- The questions you would like answered during the initial investigation.
- The possible sources of information needed (*both people and documents*).
- The priority of each question based on what you need to know first.

On the following pages, you will find an example of an initial investigation plan and an outline of possible sources of information. You are encouraged to adapt these resources to suit your needs in each case.



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Investigation Plan

This worksheet is a tool for creating your investigation plan. Remember, the plan for your investigation will be different in each case because each child’s situation is unique.

Date of Next Court Hearing:		
Type/Purpose of Hearing:		
Court Report is Due:		
Questions I would like answered	Possible Sources of Information	Priority Level
A.		
B.		
C.		
D.		
E.		
F.		
G.		
H.		



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Sources of Information

CHILD	
<p style="text-align: center;">Child Interviews</p> <p><i>(Please note that it is not your role as a CASA volunteer to interview a child about the allegations; many of the children have been interviewed many times and additional interviews may be harmful to the child and to any potential criminal prosecution.)</i></p> <p>Type of Information/Assistance If the child is verbal:</p> <ul style="list-style-type: none"> • History of the family situation • Information about relationships (parents, families, foster families) • Wishes and desires for the future • Challenges or areas in need of help • Likes/dislikes • Information regarding visits with parents, siblings, other family • Other: _____ <p>Best way to contact source:</p>	<p style="text-align: center;">Child Observations</p> <p><i>(Visits with parents, visits with siblings, child in current setting, child at school or daycare, etc.)</i></p> <p>Type of Information/Assistance</p> <ul style="list-style-type: none"> • Affect • Moods, mood changes • Developmental stages • Verbal ability • Relationships, interactions with others • Intellectual ability • Other: _____ <p>Best way to arrange observation:</p>
PARENTS & FAMILY	
<p style="text-align: center;">Parents</p> <p><i>(When parents are represented by an attorney, follow program protocol before speaking with the parents.)</i></p> <p>Type of Information/Assistance</p> <ul style="list-style-type: none"> • Their version of the events stated on the petition • Omissions or extenuating circumstances they feel are important • Their child’s developmental milestones, joys, fears, etc. • Specific information about the child’s behavior related to: <ul style="list-style-type: none"> ○ Visitations with parents and siblings ○ Adjustments in school ○ Behavior problems and strengths ○ Medical concerns • Adjustment to separation/loss • Their background • Other: _____ <p>Best way to contact source:</p>	<p style="text-align: center;">Family</p> <p>Type of Information/Assistance</p> <ul style="list-style-type: none"> • What they’ve seen happening as it relates to the life of the child • Potential resources for the child and family • Other: _____ <p>Best way to contact source:</p>



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PROFESSIONALS & PROVIDERS	
<p align="center">Child Protection Agency Caseworkers</p> <p><i>Type of Information/Assistance</i></p> <ul style="list-style-type: none"> • Where the child is placed • Documentation, case record • Case plan within 30 days of placement • Names, addresses, and phone numbers of other principals in the case • Contact information (e.g., for foster parents, parents, etc.) • Response to your observations • Community or educational resources • Progress of case plan • Safety issues, if any • Medical status of child • Educational status of child • Anything else the CASA volunteer should know • Other: _____ <p>Best way to contact source:</p>	<p align="center">Child’s Teacher or Childcare Provider</p> <p><i>Type of Information/Assistance</i></p> <ul style="list-style-type: none"> • Child’s behavior at school • Educational problems or delays, strengths • Changes in behavior • Child’s appearance • Peer relationships • Grades • Parental involvement • Likes/dislikes • Attendance prior to/post removal • School nurse reports • School counselor reports • Other: _____ <p>Best way to contact source:</p>
<p align="center">Legal Personnel</p> <p><i>Type of Information/Assistance</i></p> <ul style="list-style-type: none"> • Criminal records, other court records • Other: _____ <p>Best way to contact source:</p>	<p align="center">Child Protection Agency Attorney/Prosecutor</p> <p><i>Type of Information/Assistance</i></p> <ul style="list-style-type: none"> • Progress report • Other: _____ <p>Best way to contact source:</p>
<p align="center">Attorney for the Child</p> <p><i>Type of Information/Assistance</i></p> <ul style="list-style-type: none"> • Assistance with the legalities of the case • Assistance with complex legal situations particular to the case • Assistance in negotiating settlements in preparation for trial • Filing of legal documents • Subpoenas of witnesses • Other: _____ <p>Best way to contact source:</p>	<p align="center">Attorneys for the Parents</p> <p><i>Type of Information/Assistance</i></p> <ul style="list-style-type: none"> • Arrangements to talk to his/her clients • Anything the CASA volunteer should know about the client • Other: _____ <p>Best way to contact source:</p>



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PROFESSIONALS AND PROVIDERS (CONT.)	
<p align="center">Medical Personnel</p> <p><i>Type of Information/Assistance</i></p> <ul style="list-style-type: none"> • Child’s medical condition as related to the abuse and/or neglect • Past medical history, medical records • Follow-up services that may be required to address medical conditions resulting from abuse and/or neglect • A particular medical condition that should come to the attention of the caseworker, foster parents, courts, etc. • Contact with parent(s), if any • Other: _____ <p>Best way to contact source:</p>	<p align="center">Psychological/Psychiatric Professionals</p> <p><i>Type of Information/Assistance</i></p> <ul style="list-style-type: none"> • Nature of referral information they received • How they came to a particular conclusion • What the diagnosis means in practical terms and how progress is measured • Discrepancies in opinion • Possible counseling or therapeutic models being recommended for the child, parents, family, etc. • Other: _____ <p>Best way to contact source:</p>
<p>Foster Parents & Independent Living Coordinators</p> <p><i>Type of Information/Assistance</i></p> <ul style="list-style-type: none"> • Specific information about the child’s daily life and about the child’s behavior related to: <ul style="list-style-type: none"> ○ Visits with parents and siblings ○ Adjustments in school ○ Behavior problems and strengths ○ Medical concerns ○ Contacts made by parents through letters, phone calls, etc. ○ Child’s daily functioning ○ Adjustment to separation/loss • Other: _____ <p>Best way to contact source:</p>	
<p>TRIBE</p> <p><i>(Applies only if you are working with an Indian child as defined by the Indian Child Welfare Act.)</i></p> <p><i>Type of Information/Assistance</i></p> <ul style="list-style-type: none"> • Potential service resources • Tribal enrollment issues • Potential transfer of jurisdiction • Information regarding whether anyone is going to appear in court for the tribe and whether the tribe is going to formally intervene, send a representative, or make a written recommendation • Potential cultural responses to the current family problem • Extended family or members of the tribe who may be a potential placement alternative for the Indian child • Other: _____ <p>Best way to contact source:</p>	



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Gathering Information

A CASA volunteer gathers information so that the best possible decisions can be made by the court. This requires the ability to ask questions, persistence in pursuing verifiable facts and statements, a common sense view of information presented, and perceptiveness in recognizing human behavior patterns. The most important quality the CASA volunteer must have is the ability to listen and hear objectively.

ACCESS TO INFORMATION

A CASA volunteer is appointed to a case by the presiding juvenile court judge. Through a court order, the juvenile court authorizes the CASA to conduct research on its behalf. The court order states in part:

ORDERED all public and private agencies and individuals, without limitation, who possess records and information about any child herein and the extended family of any such child, shall allow this CASA volunteer access to the child and such records and information, including the copying thereof, without consent of the child, parents or extended family thereof.

The court order is a powerful tool for the CASA volunteer. As such, it should be used with discretion. While it is important to have on hand if someone the CASA is interviewing is not willing to share information, or does not understand where the CASA volunteer's authority to have the information comes from, CASAs should be judicious in their use of that authority. Approaching a party by waving the court order and demanding information can damage relationships that might otherwise be very productive for the CASA volunteer. Walls and barriers can be put up when a CASA "charges into" a case without regard for the individual hesitations and uncertainties about what a CASA volunteer is. Most often, it takes just a little education for the person to feel comfortable with releasing information to the CASA. In the event that hesitation or barriers still exist after an explanation is provided, the CASA volunteer could share the court order and a copy of the CASA Duties and Responsibilities, and explain that the court has an expectation that the CASA volunteer will provide objective information to the judge. If difficulties still exist, the CASA should work with their county coordinator to obtain the information needed.

Remember: All information that a CASA volunteer receives is confidential and may be shared only with the legal parties and "team" members on the case. This may include the case manager, attorneys, participants at staffings or Child and Family Team meetings, and Foster Care Review Board members.



Documenting Information

As a CASA volunteer, you will gather information from many different sources during the course of your investigation and monitoring of a case. People and their stories run together. Facts can become cloudy, especially if the case is not heard in court immediately. It is vital that you keep accurate and thorough notes about the date and content of each case contact, whether it is a planned interview, an impromptu visit to a school, a phone call, or a review of a record. Following are important elements to include in your notes about each case contact:

- Person contacted
- Type of contact (telephone call, email, in-person conversation, review of record, etc.)
- Date and time
- Place (parent's home, job, jail, etc.)
- Factual observations
- Feelings expressed by those interviewed
- Facts gathered
- Summary of what happened
- Your plan of action
- Other person's plan of action
- Decisions

Ultimately, you will use your notes about information you gather to formulate recommendations regarding the child's best interest. Your written court report and testimony are the vehicles by which these recommendations are presented to the court. Clear, fact-based reports and recommendations will enhance the judge's ability to make good decisions about the child you represent.

CONTACT LOGS/JOURNALS

CASA volunteers in Arizona are required to keep a monthly contact log/journal to record contacts made with parties to the case. If a CASA is assigned to more than one case, a separate contact log/ journal must be kept for each case.

Contact logs/journals are documents that record vital information to be used in a number of ways. First, the information is used to accurately summarize what occurred, was observed, or was said during each contact regarding the case. This information will be used to refresh the CASA volunteer's memory when compiling the report to the court or testifying. Dates, direct quotes, and accurate information document the events and conversations that occurred. This specific, well-written journal, along with your

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recommendations, can increase your confidence level about the case and will enhance your credibility in the eyes of the court.

It is also important that the CASA volunteer document in a contact log all activities related to their service, even if little activity has occurred on the case. Appropriate contact log documentation records the time spent and/or mileage driven when performing CASA activities. Activities include:

- Reading and understanding the case file.
- Visits with appropriate people regarding the assigned case, such as the case manager, child, parents, relatives, teachers, and counselors.
- Telephone conversations with parties to the case.
- Consultations about the case with the county coordinator.
- Research, reading, or specific training attended that provided special information or knowledge relevant to the assigned case and case dynamics (e.g., specialized training on attention deficit disorder, incest, adolescent suicide, etc.).
- Traveling time to and from visits, court hearings, staffings, etc.
- Other activities appropriate to the case.

Documenting the hours and miles of service on the assigned case is one way of measuring the value of the service the CASA volunteer performs. This data helps support funding requests to increase the number of children served. Contact logs also provide a simple, accurate method to document travel and expenditures made.

A contact log template is provided on the next page.

To download an electronic contact log, go to:

www.supreme.state.az.us/casa/advocate/forms.html



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Interviewing

As a CASA volunteer, you make initial contacts with the child, the parents, and the foster parents—in whatever order is most relevant to the case. In almost every case, the CPS caseworker will be one of the first people you interview. You will also often include the child’s teacher or childcare provider and the child’s therapist (although this resource may not be part of your initial plan if the child has not been in therapy prior to coming into care). In cases involving an Indian child, you will also interview the tribal representative. Each of these people may be an information source for more than one question.

PREPARING FOR THE INTERVIEW

In planning your interviews, it is helpful to write down your questions so that you cover all of the topics that seem important for your investigation.

- Broad, general, open-ended questions to facilitate participation and responses. An example of an open-ended question would be
 - “How would you describe your family?” or
 - “Tell me about the day your children were taken into care.”

Such questions don’t have a right or wrong answer and encourage open sharing of information—perhaps very different information than the interviewer anticipates.

- Move to more specific, closed questions to sort and refine information and zero in on a topic. An example of a closed question would be, “Is your aunt still living nearby?” or “When was the last time you saw your child?”
- Avoid “why” questions, which tend to sound judgmental.
- Ask questions even if you think you know the answer. People’s responses may confirm what you already know or may reveal a different perspective.

THE FOUR STAGES OF INTERVIEWING

1. Greeting

- Identify yourself and clarify or confirm the role of the CASA volunteer.
- Create a cooperative, respectful, and professional climate.
- Have your goals clearly in mind.



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2. Opening

- In the opening, you provide the interviewee with a clear understanding of what to expect and set the context for the interview.
- Explain the reason for the interview.
- Agree with the interviewee how much time will be allotted to the interview.
- Summarize what you hope to learn during the interview.

3. Body

In this stage, you explore for information and responses related to your goal for the interview. The interview develops through dialogue and questioning:

- Begin with broad, general, open-ended questions to facilitate participation and responses.
- Move to more specific, closed questions to sort and refine information and zero in on a topic.
- Ask questions even if you think you know the answer. People's responses may confirm what you already know or may reveal a different perspective.

4. Closing

- Recap information learned and review any agreements you have made with the interviewee.
- Let them know if and when they may expect to hear from you again, when requested.

INTERVIEWING TIPS

When planning an interview...

- Remember the age, maturity, and/or intellectual level of the person being interviewed.
- Use language that is clear and nonjudgmental.
- Avoid asking leading questions (e.g., "You wouldn't leave your child alone, would you?").
- Keep as natural an interchange as possible when speaking with parents, extended families, and children, and do not take notes during the interview. Instead, descriptively enter into the journal each contact made as soon as possible.



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Interview Questions

This interviewing template has been provided to help you brainstorm questions for each interview you conduct. As you write down your questions, keep in mind the interviewing stages and address everything you hope each person can answer for you.

Person to be interviewed:

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.



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Court Report Overview

The CASA court report is the most essential aspect of your work as a CASA volunteer. It is the vehicle through which you present the information you have gathered about a child's situation and your recommendations about what services will meet the child's needs. Judges rely on the information in CASA court reports as they make their decisions. The court report becomes part of the official court record and may be introduced and considered as evidence.

The overall effectiveness as a credible CASA volunteer depends on the quality of information gathered, how objectively the information is processed, and if the recommendations and advocacy on behalf of the child are well-reasoned. The court report becomes the official document representing the hard work and effort the CASA volunteer has made. Remember, if it isn't written down, it didn't happen.

CASA volunteers submit child-focused and fact-based written reports to the court for most hearings. (Your county coordinator will let you know if there are hearings in your jurisdiction that do not require a written report.) CASA court reports are shared with legal parties to a case and any other individuals who are authorized by law to receive them.

FORMAT

The CASA Court Report is divided into **six** sections:

- Brief History
- Assessment
- Reasonable Efforts
- Opinions and/or Concerns
- Recommendations
- Persons Interviewed and Records Reviewed

The template on the following pages offers suggested topics under each section and is a good resource to use when preparing for and drafting each court report.

The average length of a court report may be three to four pages; sometimes it may be shorter or longer, depending on the activity of the case since the last report.



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TIMELINE

CASA volunteers need to submit a draft of the court report to the county CASA office ***at least two weeks before the court hearing***. This will allow time for the report to be reviewed, sent to the court, and distributed to other parties to the case. Some county offices need the draft earlier than two weeks because of the volume of reports to be processed. Ask your county coordinator for specific deadlines.

REVIEW PROCESS

County coordinators review all CASA court reports to ensure the recommendations are supported by facts and all relevant information and documentation has been included. County coordinators may make suggestions about wording to make your report clearer. The county coordinator is responsible for editing the report. Please do not take editing personally. Editing is not to change the intent, but simply to make the report more concise.

ADDENDUMS

If a change in status or new and important information becomes available after the report has been written, submit an addendum to the court report as soon as possible. This addendum will be given to all parties. Check with your county coordinator about how to proceed when addressing new and important information impacting the case.



CASA Court Report Template

Court Hearing Date:
County:
J# or Dep. #:

CASA Volunteer:
Date Submitted:

Child's Name	Age	# of Placements (since removal)	# of Contacts (since last report)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

BRIEF HISTORY

This section is to include a brief description of child and CASA volunteer information.

Child

Why the child came into care.

CASA Volunteer

1. Provide the date of appointment or how long the CASA volunteer has been appointed to the case.
2. Give the number of hours spent on the case since the appointment date as well as from the last court report.

ASSESSMENTS

(Be brief and objective, using descriptive language: who, what, when, where, how)

This section is used to relay factual information that will be used to support information in the Opinions/Concerns and Recommendations sections. Describe what was observed, situations, and behaviors (state only facts and objective information). Use quotes where appropriate. If there is more than one child, it may be more effective to list the individual child and give the child's own information separately from other siblings.

1. Placement

- Include information on the child's placement, interaction with foster family or other children in the placement.
- If there was a placement change, include whether the change was to a less restrictive placement or to a more restrictive placement.



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2. *Visitations*

- Describe visits with the child. How many visits has the CASA volunteer had with the child since the last review?
- Describe the visits the child had with parents or care givers. How many visits since the last review?
- Describe the visits the child had with other siblings, if appropriate.
- Describe the child's behavior during visits.
- If visitation is not allowed, explain why.

3. *Services*

- Is the child receiving services? Why/Why not? Describe behaviors which indicate the success, or obstacles to success, of the services.
- Are the parents receiving services? Why/Why not? Describe behaviors which indicate the success, or obstacles to success, of the services.
- Reference documents which report attendance at required services (e.g., AA meetings, therapy, drug testing, etc.).

4. *Physical and Social Development*

- Describe the physical and social development of the child.
- Is the child bonding with other children? With foster parents?
- Is the child small for the child's age group?
- How is the child doing medically?

5. *Education*

- Describe how the child is doing in school (behavior, grades, etc.).
- Describe any barriers to education.

REASONABLE EFFORTS

1. *Case plan*

- Give a brief description of the case plan.
- State what DES was ordered by the court to provide to the child and family.
- State whether or not DES provided that service to the child and family.

2. *Reasonable Efforts*

- Have reasonable efforts been made to fulfill the case plan (i.e., reunification, permanency, etc.)?
- Provide information to support why it is believed reasonable efforts have, or have not, been made.



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OPINIONS AND/OR CONCERNS

This section is an open forum to discuss personal opinions and concerns about the case based on the Assessments already presented. Some suggested areas to consider addressing in this section are:

- The case and/or permanency plan, including obstacles to its implementation.
- Current or continuing problems in the case.
- Participation in and progress of provided services; services needed for the child or family.
- The child's current placement; is the placement meeting the child's needs?
- Visitation or lack of visitation.
- Any other matters needing the attention of the court.

RECOMMENDATIONS

Recommendations should be specific and based on information previously documented. They should include, but not be limited to:

1. Whether the child should remain a ward of the court

Example: That (child's name) remain a Ward of the Court, committed to the care, custody and control of the Arizona Department of Economic Security.

2. The child's current placement

a) Continue with (current location)

Example: That (child's name) remain in the current foster care placement.

OR

b) Be changed to (new location).

Example: That if (child's name) is moved from the current placement, a placement be located within the current school district.

3. Services for the child/parent(s)

Example: That (child's name) continue counseling sessions four times per month with the current therapist.

4. Visitation

Example: That (child's name) be able to visit with other siblings at least once a month and with maternal grandmother twice a month.

5. Education

Example: That (child's name) be evaluated for special education services.



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RESOURCES

Persons interviewed since the last report:

- List names and credentials; e.g., M.ED., Ph.D., M.S., M.A., Esq.

Child:

Biological mother:

Biological father:

Current Foster parent(s):

Former Foster parent(s):

CPS Case Manager:

CPS Parent Aide:

Therapist for child:

Probation officer for child:

CASA Coordinator:

Records reviewed since the last report:

- List date, title and author or material
- List most recent first
- Include author and dates of any reports or records received

Note: A CASA volunteer does not need to answer all questions specifically, and may tailor each section in a way that most effectively conveys the CASA's information.



Keys to a Successful Report

1. Pay attention to detail.

- Use exact titles, dates and relationships.
- Use sentences that are complete and grammatically correct.
- Proof and spell check all work.

2. Be thorough and specific.

- Use words that are descriptive and provide examples.
 - “The mother would hug Sarah at the beginning and at the end of each of her weekly visits. Both the mother and daughter appeared to be genuinely glad to see one another and reluctant to leave one another’s company.”
- Use direct quotes.
- Be aware that legal parties in the case, including all attorneys, the case manager and the Foster Care Review Board will receive your report.

3. Distinguish subjective information (interpretation and judgment) from objective information (fact).

- Report only facts in the Assessment section: who, what, when, where, why.
- Save all opinions for the Opinion and/or Concerns section.

4. Be clear and concise.

- Avoid providing a “he said, she said” account of events.
- Sort for themes and consistent patterns.
- Summarize as much as possible.

5. Connect all parts of the report.

- Follow the guidelines for each section and include necessary information.
- Create assessments that lead to clearly reasoned opinions and concerns.
- Share opinions and concerns that lead to solid recommendations.
- Ensure recommendations flow from the facts.

6. Include pictures to make the child “real.”

7. Submit your report on time.

- Consult with your county coordinator on any questions.

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CASA Volunteer Responsibilities Checklist

In Progress	Completed		
<input type="checkbox"/>	<input type="checkbox"/>	1.	Review the petition with CASA program staff.
<input type="checkbox"/>	<input type="checkbox"/>	2.	Meet with the CPS caseworker and carefully review all CPS records—be sure to ask for past or closed records.
<input type="checkbox"/>	<input type="checkbox"/>	3.	Request other records <u>as needed</u> : hospital records, police reports, photos, protective services investigations, or other documentation.
<input type="checkbox"/>	<input type="checkbox"/>	4.	Check to see that there has been a physical examination of the child by a physician upon placement.
<input type="checkbox"/>	<input type="checkbox"/>	5.	Meet with the child at least once per month—no matter how old or young—to determine how the child feels about what is going on in his/her life, in order to determine best interest and whether the child can and should be in the courtroom.
<input type="checkbox"/>	<input type="checkbox"/>	6.	Meet with the parents—get permission from each parent’s attorney.
<input type="checkbox"/>	<input type="checkbox"/>	7.	Meet with the teacher, daycare worker, babysitter, or any person who has had substantial contact with the child on a frequent basis.
<input type="checkbox"/>	<input type="checkbox"/>	8.	Appear at all hearings.
<input type="checkbox"/>	<input type="checkbox"/>	9.	Talk with psychologists and medical caregivers involved with the child and obtain their written reports, if needed. If there has been no psychological evaluation of the child or the parents, and one is warranted, request one.
<input type="checkbox"/>	<input type="checkbox"/>	10.	Attend all staffings and child and family team (CFT) meetings (e.g., meetings about the situation at school, Child Protective Services, mental health) related to the child.
<input type="checkbox"/>	<input type="checkbox"/>	11.	Determine what, if any, special problems or unmet needs the child has (e.g., counseling, a special school program, transportation, after-school care, medical treatment, etc.).
<input type="checkbox"/>	<input type="checkbox"/>	12.	Assist in developing resources for the child that meet his/her needs, and contact appropriate agencies or persons. This might be for special educational needs (e.g., tutoring), social needs (e.g., a mentor, a sports team, or a scouting opportunity), placement needs, medical or psychological treatment needs, or resources for any other identified need.
<input type="checkbox"/>	<input type="checkbox"/>	13.	Speak with the attorney for the child to discuss the case and your recommendations for the hearing as well as to learn whether or not the child will be present in the courtroom.
<input type="checkbox"/>	<input type="checkbox"/>	14.	Draft and review written recommendations for court through a CASA Court Report.
<input type="checkbox"/>	<input type="checkbox"/>	15.	Inform the child about the outcome of all court hearings and keep the child updated about other aspects of the case, as appropriate to their age and ability to understand.



Section Five

CASA Volunteer Responsibilities Checklist (cont.)

In Progress	Completed		
<input type="checkbox"/>	<input type="checkbox"/>	16.	Continually monitor the case, repeating the above activities to ensure orders of the court are being followed by all parties and current needs of the child are being met. Make a determination as to whether the parents are correcting the situation that led to the petition and/or removal, simply “going through the motions,” or ignoring the requirements for reunification.
<input type="checkbox"/>	<input type="checkbox"/>	17.	Contact the attorney for the child if the child needs an early review.
<input type="checkbox"/>	<input type="checkbox"/>	18.	Appear at all subsequent hearings.
<input type="checkbox"/>	<input type="checkbox"/>	19.	Review the permanent plan to ensure that it complies with ASFA guidelines and is in the best interest of the child.
<input type="checkbox"/>	<input type="checkbox"/>	20.	Keep in touch with your county coordinator for guidance and support.
<input type="checkbox"/>	<input type="checkbox"/>	21.	If parental rights have been terminated, review plans for permanent placement, requesting information and consulting with Child Protective Services so that appropriate placement occurs without delay.



Section Five

Resources

Arizona CASA Program

- ***Court Report Instructions and Templates***
www.supreme.state.az.us/casa/advocate/forms.html
The instructions document explains how to organize and submit a child-focused, fact-based court report. Four different templates are available for download.
- ***Court Report Writing online training module***
www.supreme.state.az.us/casa/prepare/training.html
This module focuses on the correct format of a court report for CASA volunteers in Arizona. Each required section is broken down and explained, with examples.
- ***Interviewing Children online training module***
<http://www.supreme.state.az.us/casa/prepare/training.html>
This module focuses on the uniqueness of interviewing children, emphasizing the important developmental considerations in planning the child interview, and delineating some age-appropriate interviewing techniques.

How to Write a Report

www.howtobooks.co.uk/business/reports/

Just the Facts—Writing a Report You Can Defend

http://www.nationalcasa.org/download/volunteer/0608_report_writing_handout_0036.pdf



Arizona Supreme Court
Court Appointed Special Advocate (CASA) Program

**ADMINISTRATIVE CODE
AND POLICIES MANUAL
FY05 REVISED EDITION**

**AN ARIZONA CASA PROGRAM
RESOURCE LIBRARY PUBLICATION**

Arizona Supreme Court
Dependent Children's Services Division
1501 West Washington, Suite 119
Phoenix, AZ 85007
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<http://www.supreme.state.az.us/casa>



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Court Appointed Special Advocate (CASA) Program

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ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 7: Administrative Office of the Court Programs
Chapter 1: Dependent Children's Services
Section 7-101: Court Appointed Special Advocate Program

A. Definitions. In this section, the following definitions apply:

“Assigned judge” means the judge who hears a particular dependency case to which a CASA volunteer is appointed.

“CASA” means Court Appointed Special Advocate.

“County program staff” means all county coordinators and county support staff of the CASA program.

“DCATS” means Dependent Children Automated Tracking System, a database system.

“Disposition” means the final outcome of a criminal charge.

“Director” means the administrative director of the Administrative Office of the Court and the director’s designee.

“*In camera inspection*” means a judge’s inspection in chambers of a document which is the subject of a request for disclosure before ruling on its release.

“Manager” means the program manager of the CASA program administered by the Administrative Office of the Courts.

“State program office”[@] means the office responsible to administer the CASA program statewide.

B. Applicability.

1. The CASA program is established in the Administrative Office of the Court. Pursuant to A.R.S. § 8-523 the program shall establish local CASA programs in each county. The supreme court is to adopt rules prescribing the establishment of local programs and the minimum performance standards of these programs.
2. Pursuant to A.R.S. § 8-522(B) the supreme court shall certify special advocates pursuant to rules adopted by the court. Court rules for certification shall include compliance with qualification standards prescribed by the court.

C. Purpose. The purpose of the CASA program is to administer and provide oversight to a community-based volunteer advocacy program in the juvenile court for abused and neglected children.

D. General Administration.

1. The supreme court shall administer and maintain the CASA program. The court shall adopt rules and procedures necessary to implement the program, including qualification standards.
2. The director shall prepare fiscal projections, create a budget, allocate and expend funds for administrative costs and projects associated with the CASA program. The director is authorized to execute funding agreements and approve distribution to local programs.
3. The director shall appoint a manager. The manager shall oversee the implementation and administration of the CASA program which includes the daily management and supervision of state program office staff. The manager shall oversee the development and maintenance of all program performance criteria to include policies, procedures, recommended job descriptions, manuals, and other necessary materials.
4. The manager shall oversee training for all staff to include state program office staff, county program staff, and volunteers.
5. The state program office shall obtain and review all applicant criminal history records from the Department of Public Safety (DPS). Based upon this review the state program office shall:
 - a. Indicate the applicant has successfully completed this aspect of the screening process;
 - b. Forward the information to the county program office where the applicant is required to provide additional information before continuing the screening process;
 - c. Recommend denial of certification of the applicant if the applicant has not successfully completed this aspect of the screening process.
6. The state program office shall obtain, review, and make recommendations to the county program office regarding all applicant Department of Motor Vehicle (MVD) record information.
7. The state program office obtains, reviews, and makes recommendations regarding certification based on the review of the Department of Economic Security (DES) central registry.
8. The manager shall maintain a central list of all certified volunteers and issue them identification badges.
9. The manager may conduct investigations as specified in 7-101(N) of this code section.

10. The manager shall review all county programs. At a minimum the review shall assess each program's compliance with:
 - a. Arizona statutes, Rules of Procedure for the Juvenile Court, administrative orders, rules, this code, and program policies and procedures; and
 - b. Case and volunteer file standards.
11. The state and county program staff shall not solicit donations.
12. All state and county program staff and volunteers shall comply with applicable statutes described in A.R.S. § 8-807, § 41-1959, Arizona Rules of Court, including, but not limited to Rule 123, Rules of the Supreme Court, and administrative rules regarding confidentiality.

E. Budget Request Preparation. The presiding judge or designee shall submit in writing to the director or designee a budget request and program plan to establish and maintain a county program. The manager shall annually supply each presiding judge or designee a budget request and program plan together with instructions for applying for funds appropriated to the supreme court pursuant to A.R.S. § 8-524. To the extent funds are available, the director shall allocate funds to meet the need for certifying volunteers pursuant to A.R.S. § 8-522(B).

F. Program Plan and Financial Management.

1. The county program shall:
 - a. Provide to the manager an annual budget request and program plan;
 - b. Submit quarterly progress reports to the state program office by the 5th day of the new quarter (October, January, April, and July);
 - c. Submit quarterly financial statements to the state program office by the 30th day of the new quarter (October, January, and April);
 - d. Submit a closing financial statement (year-end) to the state program office by August 15. Revertment shall be received annually at the state program office by August 31; and
 - e. Provide additional financial reports as directed by the manager (for example, "mid-year vacancy savings report").
2. The county program staff shall enter all DCATS statistical information on cases and volunteers on at least a monthly basis.
3. The county program staff shall reimburse volunteers for per diem and mileage costs for attending the mandatory initial orientation training, to the extent funds are available and according to state travel policies. The county coordinator may authorize reimbursement for volunteer training and extraordinary travel expenditures if funds are available, and according to state travel policies.

G. County Program Operations.

1. The county program shall give priority to appointment of volunteers in dependency matters over delinquency or incorrigibility matters.
2. The program shall screen every dependency case, and any delinquency case if referred, to determine if the case is appropriate for appointment to a volunteer and to make effective matches of volunteers to cases.
3. An outside individual or agency (for example: DES, attorneys, private parties, law enforcement, etc.) shall not review any volunteer or case files unless a subpoena and an order of the presiding judge or designee has been issued.
4. Upon receipt of a subpoena, the county coordinator shall deliver a complete duplicate of the file to the presiding judge or designee for *in camera* inspection. The county coordinator shall not permit a file to be viewed without an order.
5. If a CASA volunteer testifies at a hearing before a judge or at a jury trial and uses contact logs or any portion of the volunteer's file that have not been the subject of a subpoena, any disclosure to the parties shall be ordered by the court.
6. If county staff or volunteers suspect the safety and well-being of a child is at risk, they shall report that information immediately to CPS as mandated in A.R.S. § 13-3620.
7. The county coordinator shall ensure that upon voluntarily or involuntarily leaving the program, volunteers return identification badges and all case-related materials.
8. The county coordinator shall not accept appointment as a CASA volunteer.
9. The county program shall review, maintain, and take action regarding MVD records as required by the state program office.
10. The county program shall submit completed applicant fingerprint cards to the DPS for a criminal history records check, pursuant to A.R.S. § 41-1750, 28 CFR, Part 20, and any other applicable federal laws.

11. In the event that definitive fingerprints are not obtainable, the county coordinator shall require the applicant to make a written statement, under oath, that the applicant has not been arrested, charged, indicted, convicted of or pled guilty to any felony or misdemeanor, other than as disclosed on the application, through the interview process, or polygraph exam. The county coordinator has the option to recommend that certification of a volunteer be granted or denied, even if this statement is provided.
12. If a volunteer has a record of conviction of a violation of A.R.S. § 28-1381, § 28-1382, or § 28-1383 driving under the influence (DUI), the county program shall prohibit the volunteer from driving any vehicle to transport children, staff, or any other individuals in the course and scope of CASA duties for a period of no less than five (5) years.
13. All county program staff and volunteers shall adhere to the ACJA § 7-101, the CASA code of conduct attached hereto and incorporated herein as Appendix A, and the program policies.
 - a. All county program staff and volunteers shall receive a copy of this code section and CASA program policies and procedures. Each county program staff and volunteer shall sign and date an acknowledgment of receipt and agreement to comply with these documents. The signed acknowledgment shall be placed in the staff member or volunteer's file.
 - b. All county program staff and volunteers shall avoid any action which could adversely affect the confidence of the public in the integrity of the CASA program. They shall not conduct themselves in a manner that would reflect adversely on the judiciary, the courts, or other agencies involved in the administration of justice.
14. All county program staff shall immediately notify the county coordinator or supervisor and volunteers shall immediately notify the county coordinator if:
 - a. They are the subject of an allegation or investigation in any criminal matter;
 - b. They have been arrested or charged in any criminal matter;
 - c. It is alleged in a civil, probate, domestic relations, or dependency matter or other court case that they have sexually assaulted, exploited, or physically abused any child or vulnerable adult;
 - d. They have been found in any professional licensing disciplinary board's final decision to have sexually or physically abused or exploited any minor, developmentally disabled person, or vulnerable adult;
 - e. They have engaged in an act listed in I(2)(a)(d);

- f. They are currently awaiting trial for criminal offenses listed in I(1)(e)(f)(g)(h) and I(2)(b)(c)(e) in this state or in another state or jurisdiction; and
 - g. They have been convicted of a criminal offense listed in I(e)(f)(g)(h). They have engaged in any behavior listed in I(1)(h)(i)(j)(k)(l)(m)(n) and (o).
15. Either the county coordinator or supervisor shall immediately notify the state program office if:
- a. They are the subject of any action listed in 14 (a-g) above; and
 - b. County program staff or volunteers have reported to the county coordinator that they are the subject of an action listed in 14 (a-g) above.
16. County program staff using county computers shall adhere to the ACJA § 1-503; Electronic Communications. CASA volunteers shall not transmit confidential information via home computers unless transmission is through the Administrative Office of the Courts (AOC) secure web server.

H. Initial Certification and Application Process.

1. Qualifications of the Volunteer. A volunteer shall meet the following qualifications:
 - a. U.S. citizen or legal resident;
 - b. Not employed by DES, the juvenile court, or child welfare agencies, unless specifically authorized by the juvenile court judge; and
 - c. At least twenty-one years of age.
2. Volunteer Application Process. A volunteer shall complete the following application process within ninety (90) days of the application date unless a good cause extension is obtained from the county coordinator:
 - a. Complete an application;
 - b. Provide the program with a readable fingerprint card or a notarized criminal disclosure statement as provided in subsection (G)(11) if definitive fingerprints are not obtainable. If the criminal history results do not show a disposition, it is the applicant's obligation to obtain documentation regarding the disposition which is acceptable to the program;
 - c. Complete a personal interview with the county coordinator;
 - d. Provide three non-relative personal references;
 - e. Complete a polygraph examination;

- f. Sign and date a statement indicating the volunteer has read, understands, and shall comply with all statutes, Arizona Rules of Court, this code, administrative orders, and policies and procedures of the CASA program;
 - g. Sign and date a pre-screening criteria form;
 - h. Attend 30 hours of initial Orientation Training (OT); and
 - i. Authorize the CASA program to secure a criminal history record check, MVD record check, and DES central registry information check as permitted by state and federal laws.
3. The CASA program shall reject the applicant if the applicant refuses to authorize a release of information to complete background checks.
4. Notification of Certification. The county coordinator shall promptly notify the applicant accepted for certification in accordance with this code section.
5. Volunteers who have been certified to enter the program and who transport children shall at all times maintain current automobile coverage. Volunteers shall provide proof of automobile insurance and any additional requirements set by the AOC to the county program office on an annual basis.
6. Access to records of applicants and volunteers. Unless otherwise provided by law, the following shall apply to applicant and volunteer records:
 - a. Program records regarding applicants and volunteers shall not be open to applicants, volunteers, or the public. This includes, but is not limited to, the application, polygraph examination, interview notes, criminal history record information, DES central registry information check, personal references, and MVD record check.
 - b. Upon request, the county program shall provide an applicant or volunteer with a copy of the applicant's or volunteer's individual application. Notes or work product of county staff shall be redacted.
 - c. The county coordinator shall notify applicants or volunteers of the general facts regarding a finding without providing specific information on the following:
 1. Criminal record;
 2. Negative MVD record; or
 3. Record in the DES central registry.

I. Denial of Certification.

1. The county coordinator shall deny certification if any of the following conditions exist:
 - a. The applicant has not completed any aspect of the application process;
 - b. The applicant has not been fingerprinted, the county coordinator has not received the criminal background check, MVD records check, or the DES central registry information check;
 - c. The applicant has not completed the training requirements;
 - d. The applicant materially misrepresented facts or committed fraud in the application process;
 - e. The applicant has been convicted of any of the following criminal offenses as an adult:
 - (1) Sexual abuse of a minor
 - (2) Incest
 - (3) First or second degree murder
 - (4) Kidnapping
 - (5) Arson
 - (6) Sexual assault
 - (7) Sexual exploitation of a minor
 - (8) Felony offenses involving contributing to the delinquency of a minor
 - (9) Commercial sexual exploitation of a minor
 - (10) Felony offenses involving sale, distribution or transportation of, offer to sell, transport or distribute or conspiracy to sell, transport or distribute marijuana, dangerous drugs or narcotic drugs
 - (11) Felony offenses involving the possession or use of marijuana, dangerous drugs, or narcotic drugs
 - (12) Burglary
 - (13) Aggravated or armed robbery
 - (14) Robbery
 - (15) A dangerous crime against children as defined in § 13-604.01
 - (16) Child abuse
 - (17) Sexual conduct with a minor
 - (18) Molestation of a child
 - (19) Manslaughter
 - (20) Assault or aggravated assault
 - (21) Exploitation of minors involving drug offenses
 - (22) Offenses involving domestic violence
 - (23) Sexual abuse of a vulnerable adult

- f. The applicant has charges pending for a felony or misdemeanor involving a sex offense, child abuse or neglect, or related acts that would pose risks to children served by the CASA program and the program's credibility.
- g. The applicant has been found to have been convicted of a felony or misdemeanor involving a sex offense, child abuse, neglect, related acts or any other crimes against children.
- h. The applicant has been found in any civil probate, domestic relations, dependency or other court matter to have:
 - (1) Sexually abused or assaulted;
 - (2) Physically abused or assaulted; or
 - (3) Financially exploited any child or vulnerable adult.
- i. The applicant has been found in any professional licensing disciplinary board's final decision to have:
 - (1) Sexually abused or assaulted;
 - (2) Physically abused or assaulted; or
 - (3) Financially exploited any child or vulnerable adult.
- j. The applicant is currently a waiting trial for criminal offenses in this state or in another state or jurisdiction as listed in subsections I(1)(e)(f)(g)(h) and I(2)(b)(c)(e).
- k. The applicant is currently using or has used within the past two (2) years any non-prescribed controlled substances and/or illegal drugs, including marijuana.
- l. The applicant is the parent or guardian of a child currently in the dependency process or adjudicated to be dependent.
- m. The applicant or volunteer has a record in the DES central registry of substantiated acts of abuse or neglect.

2. The county coordinator may deny or recommend denial of certification if one or more of the following is found:
 - a. The applicant has a record of any act constituting dishonesty or fraud;
 - b. The applicant has a record of conviction by final judgment of any felony;
 - c. The applicant has a record of conviction by final judgment of a misdemeanor involving moral turpitude;
 - d. The applicant has been found civilly liable in an action involving fraud, misrepresentation, material omission, misappropriation, or conversion;
 - e. Applicant has been convicted of a violation of A.R.S. § 28-1381, § 28-1382, § 28-1383; and
 - f. In determining whether to allow an applicant with the conduct or convictions listed in subsections (1)(2)(a-e) above to be certified, the county coordinator shall consider the following:
 - (1) The extent of the person's criminal or conduct record;
 - (2) The length of time that has elapsed since the offense or conduct was committed;
 - (3) The nature of the offense or conduct;
 - (4) Any applicable mitigating circumstances;
 - (5) The degree to which the person participated in the offense or conduct;
 - (6) The extent of the person's rehabilitation, including:
 - (a) Completion of probation, parole or community supervision;
 - (b) Whether the person paid restitution or other compensation for the offense or conduct;
 - (c) Evidence of positive action to change the conduct or criminal behavior, such as completion of a drug treatment program or counseling; and
 - (d) Personal references attesting to the person's rehabilitation.

3. Notification of Denial.
 - a. The county coordinator shall promptly notify the applicant denied certification in accordance with this code section. If the applicant is denied, only general reasons shall be given for the denial. If denial is due to a positive criminal history, that general fact may be disclosed.
 - b. The applicant shall be advised that if the volunteer application is denied, the applicant may have the decision reviewed by the presiding juvenile court judge upon request.

J. Volunteer Status.

1. A volunteer serves at the pleasure of the court. The court may terminate the services of a volunteer without cause. The county coordinator shall take action toward any volunteer not adhering to the minimum performance standards of the CASA program, which may include limitations on types of cases, suspension, or termination.
2. A volunteer shall have access to documents and information pursuant to A.R.S. § 8-522(F):

A special advocate shall have access to all documents and information regarding the child and the child's family without obtaining prior approval of the child, the child's family or the court. All records and information the special advocate acquires, reviews or products may only be disclosed as provided for in § 41-1959.
3. A.R.S. § 8-522(G) provides for notice to the CASA volunteer as follows:

The special advocate shall receive notice of all hearings, staffings, investigations and other matters concerning the child. The special advocate shall have a right to participate in the formulation of any agreement, stipulation or case plan entered into regarding the child.
4. A volunteer shall be on active status if the volunteer engages in any of the following activities:
 - a. Appointed to a dependency or juvenile probation case;
 - b. Involved in the administrative aspect of the county program office;
 - c. Serving as a mentor to other volunteers; or
 - d. Otherwise regularly involved with the county program.
5. Volunteers who are active but not assigned cases, shall provide a minimum of three hours per month in organized program activities and shall document those activities monthly.

6. A volunteer may be placed on inactive status if all of the following conditions are met:
 - a. Approved by the county coordinator, for no longer than six months;
 - b. Not currently appointed to a dependency or juvenile probation case;
 - c. Not involved in the administrative aspect of the county program office;
 - d. Not a mentor to other volunteers; and
 - e. Not otherwise regularly involved with the county program.
7. While on inactive status, the volunteer shall:
 - a. Provide performance-based assessment reviews.
 - b. Comply with the required in-service training each calendar year.

K. Volunteer Minimum Performance Standards.

1. The volunteer shall perform functions set out in A.R.S. § 8-522(E) and in state and local policies. A.R.S. § 8-522(E) provides:

A special advocate shall:

 - a. Meet with the child.
 - b. Advocate for the child's safety as the first priority
 - c. Gather and provide independent, factual information to aid the court in making its decision regarding what is in the child's best interest and in determining if reasonable efforts have been made to prevent removal of the child from the child's home or to reunite the child with the child's family.
 - d. Provide advocacy to ensure that appropriate case planning and services are provided for the child.
 - e. Perform other duties prescribed by the supreme court by rule.
2. A volunteer shall accept appointments in dependency, guardianship, termination, delinquency, and incorrigibility actions pursuant to Rule 3, Rules of Procedure for the Juvenile Court and A.R.S. § 8-522(A).
3. A volunteer shall accept appointments as guardians ad litem pursuant to A.R.S. § 8-221(I) and Rule 40, Rules of Procedure for the Juvenile Court and A.R.S. § 8-522(A).

4. A volunteer shall comply with Arizona statutes, Arizona Rules of Court, Rules of Procedure for the Juvenile Court, administrative orders, rules, this code, and program policies and procedures.
5. A.R.S. § 8-522(H) provides: “A special advocate is immune from civil or criminal liability for the advocate’s acts or omissions in connection with the authorized responsibilities the special advocate performs in good faith.”
6. A volunteer shall comply with state program policies regarding training requirements.
7. A volunteer shall comply with state program policies regarding performance-based assessment reviews.

L. Recertification Process. If a volunteer leaves the CASA program for up to one year and is eligible for return, the volunteer shall, at a minimum, attend the initial orientation training. If a volunteer leaves the program for more than one year and is eligible for return, the volunteer shall repeat the application process.

M. Ongoing Requirements for Continuing Certification.

1. By December 31st every other calendar year starting with 2005 volunteers shall:
 - a. Sign a statement under oath that the volunteer has not been arrested, charged, indicted, convicted of, or pled guilty to, any felony or misdemeanor since the volunteer’s last certification;
 - b. Sign a statement that the volunteer has not engaged in any conduct that would be grounds to deny certification.
 - c. Authorize the CASA program to secure a criminal history records check, MVD records check, and DES central registry information check as permitted by state and federal laws; and
 - d. Provide proof of automobile insurance and any additional requirements set by the AOC if the volunteer is driving any vehicle to transport children, staff, or any other individuals in the course and scope of CASA duties.
2. The county coordinator may recommend that the volunteer’s certification continue based on the volunteer statement provided in compliance with M(1)(a–d).

N. Complaint Process.

1. The structure of the CASA program allows complaints to come in at three different levels. Complaints may be made to the manager, presiding judge or designee, or the county coordinator.
2. All judicial officers and state and county program staff shall, and any person may, notify the county coordinator if it appears that a volunteer has violated Arizona statutes, Rules of Court, including Rules of Procedure of the Juvenile Court, this code, administrative orders, rules, or program policies.
3. All complaints shall be in writing with sufficient specificity to warrant further investigation. The name and telephone number of the complainant shall also be provided.
4. Investigations may be conducted at any of the three levels designated in N(1) and may be for the following purposes:
 - a. To determine whether a volunteer has violated this code section or other applicable statutes, rules, and policies;
 - b. To determine whether a complaint is valid; or
 - c. To secure information useful in the administration of the program or this code section.
5. While an investigation is pending, the county coordinator may seek a temporary order from the assigned judge, the presiding juvenile court judge, or designee, suspending the volunteer from duties as a CASA volunteer.
6. Any investigation under this provision shall be reported to all three levels designated in N(1).
7. Upon review of all evidence, the investigator shall make a report and recommendation to the presiding judge or designee for resolution of the complaint. The investigator, upon receiving judicial resolution of the complaint, shall inform the parties designated in N(1).
8. The county coordinator shall document any complaints in the volunteer's file and send a copy to the state program office. Information and documentation shall be confidential and available only for use in considering volunteer's continuing certification for review by the manager.
9. If the complaint involves alleged criminal activity as listed in, but not limited to, this code section, or immediate or potential danger to a child, the investigator shall promptly forward the written complaint and all other investigative progress reports to the parties designated in N(1).

O. Dismissal from Case or Termination of a Volunteer from Program.

1. Upon completion of the complaint process, the county coordinator shall refer any recommendation regarding discipline to the presiding judge or designee. The presiding judge or designee shall take action up to and including dismissal from the program.
2. Grounds for dismissal or termination of a volunteer from the program include but are not limited to:
 - a. Taking action that endangers the child or is outside the role of the statutory authority of the CASA program;
 - b. Failing to adhere to Arizona statutes, Rules of Court including the Procedures of the Juvenile Court, ACJA, administrative orders, rules, and program policies;
 - c. Failing to demonstrate an ability to effectively carry out assigned duties;
 - d. Falsifying the application or misrepresenting facts during the screening process;
 - e. A finding against the volunteer of child abuse or neglect by a court or any authorized governmental agency;
 - f. Existing conflict of interest which cannot be resolved;
 - g. Allowing the appointed child to visit the volunteer's home or stay overnight with the volunteer unless specifically ordered by the court; and
 - h. Any action that would have required initial denial of certification as a CASA volunteer.
3. A volunteer shall be suspended immediately following an allegation of existing child abuse and neglect against the volunteer.
 - a. A volunteer shall be suspended immediately pending a determination of alleged child abuse or neglect;
 - b. A volunteer shall be suspended immediately pending an investigation of an allegation of conduct that would be grounds for mandatory or discretionary denial of certification.
4. A volunteer shall be dismissed immediately if there has been a judicial or administrative determination of abuse or neglect.
5. A volunteer shall be dismissed immediately if the volunteer uses illegal drugs or alcohol while performing CASA duties.

Adopted by Administrative Order 2000-85 effective November 28, 2000. Amended by Administrative Order 2001-108 effective October 31, 2001. Amended by Administrative Order 2005-13 effective February 3, 2005.

Section 7-101: Court Appointed Special Advocate Program
Appendix A
Volunteer Code of Conduct

Preamble. This Code of Conduct is adopted by the Arizona Supreme Court to apply to all certified Court Appointed Special Advocate (CASA) volunteers in the state of Arizona. The purpose of this code is to establish minimum standards for performance by certified CASA volunteers.

1. The volunteer shall perform only authorized responsibilities pursuant to A.R.S. § 8-522(e). Those responsibilities include:
 - a. Meet with the child;
 - b. Advocate for the child's safety as the first priority;
 - c. Gather and provide independent, factual information to aid the court in making its decision regarding what is in the child's best interest and in determining if reasonable efforts have been made to prevent removal of the child from the child's home or to reunite the child with the child's family;
 - d. Provide advocacy to ensure that appropriate case planning and services are provided for the child.
2. The volunteer who performs activities other than those authorized in (1)(a-d) above, shall only do so pursuant to supreme court rule.
3. The volunteer shall consult with the county coordinator to resolve any ethical issues that arise.
4. The volunteer shall serve and respond to requests without bias of race, religion, sex, age, national origin, or physical impairment.
5. Before appointment to a case the volunteer shall disclose to the county coordinator or court any pre-existing relationship with a child or the child's family that could be perceived as a conflict of interest.
6. The volunteer shall, at all times, perform authorized functions in a professional and impartial manner.
7. The volunteer shall not use or attempt to use the volunteer's official position to secure unwarranted privileges or exemptions.
8. The volunteer shall not request or accept any fee or compensation in the course of CASA volunteer service.

9. The volunteer shall use public resources, property, and funds under the volunteer's control responsibly and for the purpose intended by law and not for any private use.
10. The volunteer shall comply with applicable statutes described in A.R.S. § 8-707. § 41-1959, Arizona Rules of Court; including, but not limited to Rule 123, Rules of the Supreme Court, and Administrative Rules regarding confidentiality.
11. The volunteer shall not allow the appointed child to visit the volunteer's home or stay overnight with the volunteer unless specifically ordered by the court with prior approval of the CPS supervisor, CPS case manager, and county coordinator.
12. The volunteer shall not be related to any parties involved in the case or be employed in a position/or agency that might result in a conflict of interest.
13. The volunteer shall not engage in the following activities:
 - a. Give legal or medical advice;
 - b. Provide therapeutic counseling;
 - c. Provide health care services;
 - d. Make placement arrangements for the child;
 - e. Give money or gifts of value over \$10 to the child or family;
 - f. Solitary excursions to isolated places involving only the CASA volunteer and the appointed child; and
 - g. Perform home studies for out-of-state or in-state agencies.

PREFACE FOR PROGRAM POLICIES

The Arizona Supreme Court CASA Program is very pleased to provide these policies and procedures to juvenile court judges, supervisors of CASA county programs, county program staff, and CASA volunteers.

Initially, when the first program was established in 1985 under the auspices of the Arizona Supreme Court, the Maricopa CASA Program and those that followed, operated with the guidelines set forth by the National CASA Association (NCASAA).

In May 1994, policies and procedures were adopted incorporating those NCASAA operational guidelines as well as Arizona statutes, Rules of Procedure for the Juvenile Court, Administrative Orders, Rules, Arizona Code of Judicial Administration (ACJA), and program policies and procedures.

The Arizona CASA Program adheres to the standards set by the National CASA Association and continues to be in good standing with that organization. The state program office provides all county programs with a membership in the National CASA Association.

MISSION

Our mission is to advocate for the best interests of abused and neglected children who are involved in the juvenile courts.

We promote and support community-based volunteers, certified by the Supreme Court, who provide quality advocacy to help assure each child a safe, permanent, nurturing home.

VISION

Change the world...**Invest** in the future...**Bring** the gift of hope
to all abused and neglected children—*one child at a time*.

VALUES

- We will provide independent, objective, factual information to the juvenile court through quality court reports.
- We will be an active participant in the child's case management team.
- We will keep our commitment to the children.
- We will conduct ourselves and our work with competency and professionalism.
- We will be persistent in our work.
- We will continue to improve ourselves through education and experience in order to improve the lives of the children we serve.

General Administration

1. The state program manager (Manager) shall oversee training for all staff to include state program office, county program staff, and volunteers.
 - a. The Manager shall review the training and its ongoing development at least annually and shall revise the trainings offered based on the Arizona CASA Program's assessment of its training needs.
 - b. The Manager shall use a variety of instructors, including, but not limited to program staff, attorneys, judges, agency representatives, and volunteers.
2. Pursuant to (A.R.S.) § 8-523, the Manager shall review all county programs. At a minimum the review shall assess each program's compliance with:
 - a. Arizona statutes, Rules of Procedure for the Juvenile Court, Administrative Orders, Rules, Arizona Code of Judicial Administration (ACJA), and program policies, procedures, and performance standards.
 - b. Case and volunteer file standards.
 - c. There will be a periodic review that shall include, but not be limited to:
 - (1) A site visit to each county program office to review specific program files.
 - (2) A summary report evaluating minimum performance standards which shall be given to all appropriate judicial officers, administrators, and county program staff.
 - (3) A response by the county program staff with corrective action plans and time frames for compliance shall be required in the final written report.
3. As funding allows, the state program office shall provide a statewide conference or regional training to county program staff and volunteers.
4. The state program office shall provide New Staff Orientation Training, as stated in the Training chapter of this manual, to all new county program staff.
5. As funding allows and program needs require, the state program office shall conduct quarterly administrative meetings for county coordinators. One county coordinator per county shall attend administrative meetings. Of these administrative meetings, at least one shall include training for county coordinators and one for all state and county program staff. Brief records of meetings shall be completed after each meeting. Meeting records shall be maintained according to Administrative Office of the Courts (AOC) records retention policies and code.
6. The state program office shall provide Dependent Children Automated Tracking System (DCATS) training to all designated program staff.

7. The state program office shall provide Orientation Training (OT) to volunteers. OT shall meet the required volunteer in-service training hours for the first calendar year.
8. The state program office shall provide specialized mentor training to new mentor volunteers. Training shall meet some of the requirements of the annual in-service training hours per calendar year.
9. The state program office shall develop and provide standardized and required forms to all county programs.
10. The Arizona Code of Judicial Administration, Part 7, Chapter 1, Section 7-101 states that "...All state and county program staff and volunteers shall comply with applicable statutes described in A.R.S. § 8-807, § 41-1959, Arizona Rules of Court, including, but not limited to Rule 123, Rules of the Supreme Court and administrative rules regarding confidentiality."

Human Resources Management

1. Policies and procedures shall be established to address personnel issues. In the absence of county standards, the state standards shall apply.
2. The Arizona CASA Program complies with applicable laws and regulations governing fair employment practices.
3. Personnel records of county program staff shall be maintained by the county jurisdiction according to local court or county personnel policies.
2. The CASA Program shall make an effort to ensure that its facility is free of barriers that restrict the employment of or use by physically challenged employees.
5. At least annually, using a standardized evaluation form, the performance of the county program staff shall be evaluated by the designated supervisor. The evaluation shall review performance against established criteria with the county program staff being an active participant. Evaluations shall be consistent with local court and county personnel policies. Evaluations shall include, but are not limited to:
 - a. An assessment of job performance in relation to the quality and quantity of work defined in the job description and to the performance objectives established in the most recent evaluation.
 - b. Clearly stated objectives for future performance.
 - c. Recommendations for further training and skill-building, if applicable.
 - d. An opportunity for county program staff self-evaluation.
6. The county program staff is given the opportunity to sign the evaluation report, obtain a copy, and include written comments before the report is entered into the personnel record.
7. All employment concerns shall be referred to the county program staff's immediate supervisor or the appointing authority.
8. Personnel issues involving county program staff shall follow applicable disciplinary procedures, with the ultimate decision made by the presiding juvenile court judge, or designee, and notification made to the state program office.

Program Plan and Financial Management

1. The county program shall provide to the Manager an annual Budget Request and Program Plan (Plan) pursuant to the schedule established by the state program office.
2. The director shall review the Plan. Upon approval and availability of funds, the director shall enter into a funding agreement with the submitting court for distribution of the allocated funds and operation of the program as set forth in the Plan.
3. Funding
 - a. County program staff shall reimburse volunteers for per diem and mileage costs for attending the mandatory initial Orientation Training, to the extent funds are available and according to state travel policies. The county coordinator may authorize reimbursement for volunteer training and extraordinary travel expenditures if funds are available, and according to state travel policies.
 - b. Funding will be provided on a ratio of 1 supervisor for every 10 county coordinators; 1 county coordinator for 40 volunteers; 1 county support staff for no less than 2 FTE county coordinator positions. The ratio shall be pro-rated for all FTEs lower than one. Distances and multiple offices in a county may be considered for exceptions to this ratio. The total county coordinator FTE shall not exceed 1.0 until the 40 volunteers to 1 county coordinator position ratio is met.

The number of volunteers who are active but who are not appointed to cases shall not exceed 10% of the total number of volunteers.
 - c. The supervisor position is responsible for direct reporting of 15 staff (10 county coordinators, 5 county support staff, and 400 volunteers) and shall not be held to the county coordinator to volunteer ratio.
 - d. The supervisor position shall manage at least 15 volunteers until the county program has 10 county coordinators and 5 county support staff.
 - e. The county program shall ensure funds disbursed from the manager are held in a separate revenue account.

County Program Operations

1. All screening criteria shall be completed before the applicant is certified as a volunteer in the program, appointed a case, or involved in the program in any way except as allowed in the Arizona Code of Judicial administration, Part 7, Chapter 1, Section 7-101. If any criminal history discloses an offense with no disposition, it shall be the obligation of the county program staff to follow up with the applicant. It is the applicant's obligation to obtain documentation regarding the disposition which is acceptable to the program.
2. Within 30 days after completion of certification, the county coordinator shall assign a new volunteer either specific duties within the program or to serve in a judicial appointment to a case.
3. The county coordinator, or the mentor under the supervision of the county coordinator, shall be responsible for conducting Pre- and Post-Orientation Training to all new volunteers as provided in the statewide training curriculum.
4. A volunteer shall be appointed no more than 2 cases at one time in which to advocate. Additional case assignments shall be at the discretion of the county coordinator.
5. County program staff shall maintain and keep current all program performance manuals.
6. County program staff shall provide ongoing recognition of volunteers. As funding allows, county program staff shall provide at least one annual volunteer recognition event.
7. The county program staff shall enter all DCATS statistical information on cases and volunteers on at least a monthly basis.
8. County program staff and volunteers may accept referral cases over non-referral cases.
9. The CASA Program reflects the community and client interests and advocates for culturally competent service delivery.

County Staff Qualifications

1. County Coordinator Supervisor Qualifications

The presiding judge or designee shall employ a county program supervisor who possesses, at a minimum, specific qualifications:

- a. A bachelor's degree from an accredited college or university, preferably with an emphasis in social work, counseling, or a related field. In an exceptional case, four years' equivalent work experience in a related field with demonstrated ability may be considered.
- b. Two years' experience in the juvenile court and/or child welfare systems.
- c. Two years' experience as a county coordinator.
- d. One year's experience desired using computer software programs including word processing and spreadsheets.
- e. Satisfactory completion of a security clearance, which includes fingerprinting, and the signing of any state required certification and pre-employment affidavit per county requirements.

2. County Coordinator Qualifications

The presiding judge or designee shall employ a county coordinator who possesses, at a minimum, specific qualifications including but not limited to:

- a. A bachelor's degree from an accredited college or university, preferably with an emphasis in social work, counseling, or a related field. In an exceptional case, four years' equivalent work experience in a related field with demonstrated ability may be considered.
- b. One year's experience in the juvenile court and/or child welfare systems.
- c. One year's experience desired using computer software programs including word processing and spreadsheets.
- d. Satisfactory completion of a security clearance, which includes fingerprinting, and the signing of any state required certification and pre-employment affidavit per county requirements.

3. County Support Staff Qualifications

The presiding judge or designee shall employ a county support staff who possesses at a minimum, specific qualifications.

- a. One year's experience in a clerical support capacity.
- b. One year's experience desired using computer software programs including word processing and spreadsheets.
- c. The ability to type at least 55 words per minute with minimal errors.
- d. Satisfactory completion of a security clearance, which includes fingerprinting, and the signing of any state required certification and pre-employment affidavit per county requirements.

Volunteer Recruitment and Retention

1. The county program shall have written plans for recruiting and selecting volunteers. A standardized packet of information shall be given to each applicant which contains, but is not limited to:
 - a. The purpose and role of the CASA volunteer;
 - b. Details about the qualifications for becoming a volunteer; and
 - c. Minimum time commitment requirement.
2. The county program's recruitment plan shall include targeted strategies to attract volunteers from diverse cultural, ethnic, and socio-economic backgrounds. The program shall also seek age diversity.
3. The county program's strategies for recruitment of volunteers shall include but not be limited to community outreach.

Public Relations

1. The state program office shall provide and inform county program staff prior to distribution of marketing materials (i.e., news clipping services, developing marketing materials, coordinating marketing plans statewide, etc.).
2. The county program shall:
 - a. Conduct an ongoing public information and educational program;
 - b. Disseminate public information for the purpose of broadcasting awareness of the needs and problems of the children that it serves; and
 - c. Make known its role, functions, and capabilities to other agencies, community organizations, government bodies, and corporations, as appropriate to its mission.
3. The CASA Program shall work closely with organizations such as local bar associations, other child advocacy programs, community service and civic groups, and businesses to accomplish its mission.
4. County program staff shall inform the state program office of any recruitment or marketing information not previously approved or prepared by the state program office or the National CASA Association they wish to prepare for distribution in their communities.
 - a. The county program office staff shall give the state program office a sample of such material before being distributed.
 - b. The state program office shall take no longer than 30 business days to review and approve or disapprove such material.
 - c. Once approved, either the state or county program office may produce the material for distribution. If disapproved, appropriate changes shall be made and resubmitted for review.

Volunteer Minimum Performance Standards

1. Volunteers shall maintain the following minimum performance standards:
 - A. Perform only authorized responsibilities pursuant to A.R.S. § 8-522(E). Those responsibilities include:
 - (1) Meet with the child;
 - (2) Advocate for the child's safety as the first priority;
 - (3) Gather and provide independent, factual information to aid the court in making its decision regarding what is in the child's best interest and in determining if reasonable efforts have been made to prevent removal of the child from the child's home or to reunite the child with the child's family;
 - (4) Provide advocacy to ensure that appropriate case planning and services are provided for the child;
 - B. Maintain confidentiality in handling program issues, case, and volunteer information.
 - C. Review case records and interview the child and other appropriate parties involved in the case.
 - D. Develop and maintain a relationship with the appointed child including contact with the child on at least a monthly basis.
 - E. Maintain an accurate and complete Contact Log/Journal on the case and provide the documentation on at least a monthly basis to the county program office. Maintain records about the case, including appointments, interviews, and information gathered about the child and the child's life circumstances.
 - F. Communicate with caregivers about the child's behavior and relationships.
 - G. Participate as a member of the case management team.
 - H. Participate in the formulation of any agreement, stipulation, or case plan entered into regarding the child and provide input to subsequent revisions.
 - I. Advocate for the best interest of the child, identify service needs, and make recommendations to the court regarding timely placement of the child.
 - J. Monitor the child's placement to observe the child's behavior in the home and to assess problems or the child's needs.

- K. Assist the responsible parties to ensure that the child's educational needs are being met.
- L. Report to the appropriate authority's significant changes in family situations or violations of court orders.
- M. Consult at least monthly with the county coordinator in case/program discussion, and document the discussion in the Contact Log/Journal.
- N. Discuss all recommendations concerning the case with the county coordinator prior to submitting recommendations to the court.
- O. Submit a written, objective, and concise court report with recommendations to the court on what placement and services are best for the child. The volunteer shall also gather and provide information to aid the court in determining if reasonable efforts have been made to prevent removal of the child from the child's home or to reunite the child with the child's family. The volunteer shall deliver the court report to the county program office two weeks prior to the court hearing.
- P. Submit court reports at review and permanency hearings unless required otherwise.
- Q. Submit addenda at all other hearings not listed in item #P as determined by the volunteer in consultation with the county coordinator.
- R. Attend all court hearings pertaining to the appointed case and provide oral testimony to the court when requested. Attend a jury trial if one is requested, and provide oral testimony to the court and jury if called as a witness. If unable to attend a court hearing, the volunteer shall inform the county coordinator who will attend for the volunteer. If the volunteer and coordinator are not available, a volunteer mentor may attend.
- S. Assist the court in exploring alternative placements for the child.
- T. Make recommendations at Foster Care Review Board (FCRB) meetings.
- U. Remain appointed to the dependency case through all phases of the court process up to the time of permanent guardianship or adoption, unless otherwise directed by the court.
- V. Provide and document an annual performance-based assessment of the Arizona CASA Program.
- W. Maintain contact with the county coordinator to alert or to discuss high profile cases or problems as they arise. Report developments as directed by the county coordinator.

- X. Provide to the county program office all case-related correspondence as directed by the county coordinator.
 - Y. Comply with Arizona statutes, Rules of Procedure for the Juvenile Court, Administrative Order, Rules, ACJA, and policies and procedures. A special advocate is immune from civil or criminal liability for the advocate's acts or omissions in connection with the authorized responsibilities the special advocate performs in good faith.
 - Z. Comply with the state program training requirements.
 - AA. Volunteers shall notify insurance carriers that their CASA volunteer work may involve transporting children.
2. Volunteers shall consult with their insurance providers to determine the minimum liability coverage under Arizona law and the recommended coverage for volunteers and their family in light of the fact that they may be transporting children.
 3. Volunteers who transport children shall at all times maintain current automobile insurance coverage.
 4. Volunteers shall provide proof of insurance to the county program office on an annual basis.
 5. A volunteer may receive authority for additional responsibilities set forth below.
 - a. With prior approval by the county coordinator, the volunteer may observe visits between the appointed child and the parent, and/or assist in arranging visits with siblings and other relatives.
 - b. Allowing the appointed child to visit the volunteer's home or stay overnight with the volunteer unless specifically ordered by the court with prior approval by the CPS supervisor, CPS case manager, and county coordinator.
 - c. A volunteer may be appointed as a Courtesy CASA.
 - d. A volunteer may be given additional or other assigned duties such as a mentor volunteer, recruiting assistant, and office worker.

6. A volunteer *shall not*:

- a. Allow the appointed child to visit the volunteer's home or stay overnight with the volunteer unless specifically ordered by the court with prior approval of the CPS supervisor, CPS case manager, and county coordinator.

7. Volunteer Mentor Qualifications

The county coordinator may assign a volunteer to the role of a volunteer mentor who possesses, at a minimum, specific qualifications.

- a. At least one year's experience as a CASA volunteer and been appointed to at least one dependency case.
- b. A working knowledge of CPS and juvenile court proceedings including, but not limited to dependency, delinquency, severance, and adoption.
- c. Meeting and/or exceeding minimum performance standards.
- d. Effective skills in organization, oral and written communication, leadership, and advocacy.
- e. Received additional mentor training required by the state program office.

8. Volunteer Mentor Minimum Performance Standards

The volunteer mentor shall maintain the following minimum performance standards:

- a. Comply with Arizona Statutes, Rules of Procedure for the Juvenile Court, Administrative Order, Rules, Arizona Code of Judicial Administration, and policies and procedures.
- b. Assist the county coordinator by providing ongoing support to volunteers.
- c. Assist volunteers in the development of advocacy skills; e.g., negotiation, interviewing parties to the case, conflict resolution, effective communication, and providing court testimony to a judge or jury.
- d. Provide ongoing assistance to volunteers regarding documentation (Contact Log/Journal), report writing, and case management.

- e. Maintain contact with assigned volunteers as directed by the county coordinator.
- f. Maintain contact with the county coordinator to alert or to discuss high profile cases or problems as they arise. Report developments as directed by the county coordinator.
- g. Educate assigned volunteers on how to establish working relationships with parties to the case.
- h. Provide additional information to assigned volunteers regarding available community resources.
- i. Attend staffings, FCRB meetings, and court hearings at the direction and supervision of the county coordinator.
- j. Facilitate volunteer support groups at the direction and supervision of the county coordinator.
- k. Consult at least monthly with the county coordinator regarding case activity and assigned volunteers.
- l. Under the supervision of the county coordinator, may screen dependency cases for appropriateness of assignment, and organize and/or facilitate Pre- and Post-Orientation Training.

Personal Liability

1. Arizona Revised Statutes (A.R.S.) §§ 8-522(H), 8-523 (C), address liability for the Arizona CASA Program.
2. County coordinators shall ensure that applicants and volunteers:
 - a. Are made aware of liability and risk management laws and regulations including those pertaining to automobile usage;
 - b. Are provided the Arizona Code Of Judicial Administration (ACJA) and program policies pertaining to liability and risk management; and
 - c. Provide proof of insurance to the county program office on an annual basis.

Training

1. New county program staff shall:
 - a. Attend New Staff Orientation Training provided by the state program office.
 - b. Attend the initial volunteer Orientation Training.
 - c. Observe a Pre-hearing Conference, Preliminary Protective Hearing, and a Review Hearing.
 - d. Observe a Foster Care Review Board (FCRB) meeting unless one is not scheduled during the training period.
 - e. Attend a case management staffing with CPS (county coordinator position only).
 - f. Attend a Pre- and Post-OT unless one is not scheduled during the training period.
 - g. Receive the training required by the state program office for handling ethical issues and confidential material.
 - h. Complete Committee on Judicial Education and Training (COJET) requirements annually. Credit for training hours shall be consistent with COJET guidelines.
 - i. Complete the Arizona Criminal Justice Information Systems (ACJIS) training video.
2. Before appointment to a dependency case, a volunteer shall complete 30 hours of training. Training shall include, but not be limited to:
 - a. Reading designated *Resource Guide* materials to include program policies and procedures.
 - b. Attending the initial Orientation Training.
 - c. Attending Pre- and Post-Orientation Training.
 - d. Observing a dependency hearing unless one is not scheduled during the training period prior to case assignment.
 - e. Observing a Foster Care Review Board (FCRB) meeting unless one is not scheduled during the training period prior to case assignment.
 - f. Discussing the case with the county coordinator before appointment.
 - g. Reviewing case files to become familiar with file contents.

- h. Attending support group meetings unless one is not scheduled during the training period prior to case appointment.
 - i. Attending additional applicable training as designated by the county coordinator.
- 3. Volunteers shall participate in and document 12 hours of in-service training per calendar year. The first year, Orientation Training shall fulfill the requirement for that calendar year.
- 4. All requests by volunteers for training not provided or organized by county program staff must be pre-approved by the county coordinator before training hours are credited.
- 5. County program staff shall organize or provide sufficient in-service training to allow volunteers to complete the required 12 hours of in-service training per calendar year.

File Management

1. The county program office shall maintain copies of all volunteer reports, correspondence, and notes from telephone or in-person consultations concerning the case.
2. Cases
 - a. The county coordinator, or volunteer mentor under the county coordinator's supervision, shall initially screen and periodically review any referred dependency, guardianship, termination, delinquency, or incorrigibility cases to determine if they are appropriate for volunteer appointments.
 - b. Information about cases shall be shared only with parties designated by the court.
 - c. County program staff shall develop and maintain duplicate case files; one shall be given to the appointed volunteer and another shall be located in the county program office so staff has access to files whenever needed.
 - d. The following documents shall be maintained and kept current in case files or in the county program office:
 - (1) Court Order of Appointment, the Rescinding Order of Appointment, and/or the minute entry dismissing all parties involved in the case.
 - (2) A copy of the Legal Party Memorandum advising parties of volunteer appointment.
 - (3) Pertinent court documents, such as the CPS Initial Report and any prior reports, psychological reports, FCRB reports, court orders/minute entries, correspondence, etc.
 - (4) The volunteer's Contact Logs/Journals.
 - (5) Volunteer reports to the court.
 - (6) Documentation of the returned program files and/or noted items not returned.
 - e. After a case has been dismissed, the volunteer's appointment is rescinded, or the volunteer is dismissed from a case, all CASA-related documentation from the case file shall be retained for a period of five years from the date of dismissal and shall be maintained in a confidential and secure area. All other information in the case file shall be shredded by the county program office staff.
 - f. Required case file information on cases established before May 1994 shall be waived from program compliance.

3. Volunteer files

The following documents shall be maintained and kept current in the county program office:

- a. A completed, signed, and dated volunteer application.
- b. Identifying information and emergency contacts.
- c. A signed and dated acknowledgment of volunteer compliance with all appropriate Arizona statutes, Rules of Procedure for the Juvenile Court, Administrative Order, Rules, ACJA, and policies and procedures.
- d. A signed and dated Pre-screening Criteria form.
- e. Documentation of a personal interview with the county coordinator.
- f. Three personal non-relative character references.
- g. Results of the state and national background checks.
- h. Written statement under oath if definitive fingerprints are unobtainable.
- i. Volunteer performance assessment.
- j. In-service training documentation.
- k. Polygraph examination.
- l. When a volunteer leaves the program, the file shall be retained for a period of five years from the volunteer's exit date and shall be maintained in a confidential and secure area.
- m. Required volunteer information on files established before May 1994 shall be waived from program compliance

Section Seven
GLOSSARY AND ACRONYMS

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Section Seven

Glossary

Abandonment	The failure of a parent to provide reasonable support and to maintain regular contact with the child, including providing normal supervision, when such failure is accompanied by an intention on the part of the parent to permit such conditions to continue for any indefinite period of time in the future. Abandonment includes a judicial finding that a parent has made only minimal efforts to support and communicate with the child. Failure to maintain a normal parental relationship with the child without just cause for a period of six months constitutes a legal evidence of abandonment (ARS § 8-201(I)).
Abuse	Infliction or allowing of physical injury, impairment of bodily function or disfigurement, or the infliction of or allowing another person to cause serious emotional damage as evidenced by severe anxiety, depression, withdrawal, or aggressive behavior and which emotional damage is diagnosed by a medical doctor or psychologist pursuant to ARS § 8-821, and which is caused by the acts or omission of an individual having care, custody, and control of a child.
Active Volunteer	A CASA volunteer who is appointed to a case or active in the program in other ways.
Addendum	A report or information that is added to an initial report or information; a list or section consisting of added material.
Addict	Any person who regularly uses any habit-forming narcotic drug so as to endanger the public morality, health, safety, or welfare, or who is or has been addicted to the use of such habit-forming drugs as to have lost the power of self-control with reference to the addiction.
Addiction	A state of utter dependence on a drug or alcohol for a sense of physical and mental well-being. Addiction includes habituation.
Adjudicated	A determination of legal status by the juvenile court.
Adjudication Hearing	The trial stage at which the court determines whether allegations of dependency, abuse, or neglect concerning a child are sustained by the evidence and, if so, are legally sufficient to support state intervention on behalf of the child. It provides the basis for state intervention into a family, as opposed to the disposition hearing which concerns the nature of such intervention. This also applies to the delinquency case process.



Section Seven

Administration for Children, Youth and Families (ACYF)	(ACYF) is a part of the Department of Economic Security (DES) Child Protective Services (CPS) is one of the programs under ACYF.
Administrative Office of the Courts (AOC)	The administrative arm of the Arizona Supreme Court.
Adoption Hearings	Judicial proceedings in which a relationship is legally established between adult individuals and a dependent child.
Adoptive Parent	The adult person with whom a relationship is legally established to a child. Under the adoptive relationship, the child becomes the heir and is entitled to all other privileges belonging to a natural child of the adoptive parent.
Advocacy Academy	The second of three training modules that is part of the required 30-hour pre-service training for Arizona CASA volunteers.
Aged Out	The term used to describe a youth who reaches 18 years of age and is no longer considered a Ward of the Court.
Aid to Families with Dependent Children (AFDC)	AFDC provides assistance to parents or specified relatives in providing proper care for minor children when it is impossible for the family to do so by its own efforts. The assistance is considered a temporary means of support until the family can become self-supporting.
AKA (Also Known As) Or Alias	A name used for an official purpose that is different from a person's legal name. The word Alias is also used in the same manner.
Allegation	An assertion, declaration, or statement of a party to an action, made in a pleading, setting out what he/she expects to prove.
Alternative Residential Care Facilities	Facilities licensed by DHS with 16 or fewer beds. They include crisis stabilization facilities, psychiatric health facilities, residential detoxification facilities, therapeutic group homes, and therapeutic foster homes. Services provided may be eligible for Title XIX reimbursement; room and board fees are not reimbursable by Title XIX.
Appeals	A legal proceeding by which a case is brought from a lower to a higher court for review.



Section Seven

Appellate	A judicial tribunal that reviews cases from lower tribunals, acting without a jury and is primarily interested in correcting errors in procedures or in the interpretation of law by the lower courts.
Applicant	An individual in the community who has submitted to the county program office a completed application. This starts the screening process to become a volunteer with the Arizona CASA Program.
Applicant Exit	A status used to designate any applicant who leaves the program before completing all screening, pre-service training requirements and assignment to a case.
Applicant Screening	The process to determine eligibility for becoming a CASA volunteer.
Arizona Department of Corrections (ADC or DOC)	See Department of Corrections.
Arizona Department of Education/Exceptional Student Services (ADE/ESS)	The state agency that oversees special education programs and issues special education vouchers.
Arizona Health Care Cost Containment System (AHCCCS)	Arizona Health Care Cost Containment System is Arizona's version of the national Medicaid program. Medical services for the poor or near poor (indigent) can be obtained through a formal application process.
Assault	A demonstration of an unlawful attempt by one person to inflict immediate injury on the person of another.
Assault and Battery	The unlawful touching of a person with the intent and purpose of actually doing physical injury, with a reasonable ability to carry the intention into execution.
Assigned Counsel	An attorney, not regularly employed by a government agency, assigned by the court to represent a particular person in a particular judicial proceeding.
Attorney	An individual trained in the law, admitted to practice before the bar of a given jurisdiction, and authorized to advise, represent, and act for the other persons in legal proceedings.
Attorney for Child	The attorney who presents to the judge the stated wishes of the child client.



Section Seven

Attorney General (AG)	Attorney and legal counsel for the Department of Economic Security and Child Protective Services.
Award Amount	The dollar amount awarded by the state program office to fund the county program office for the year.
Bailiff	A court attendant entrusted with a variety of duties, such as the custody of prisoners under arraignment, the protection of jurors, and the maintenance of order in the courtroom during a trial.
Bankruptcy Court	A Federal Court capable of hearing bankruptcy cases within a state.
Bench	Judge or judges composing a court.
Beyond the Basics	The third of three training modules that is part of the required 30-hour pre-service training for Arizona CASA volunteers.
CASA Volunteer	A specially screened and trained community volunteer who is appointed by a judge to advocate for and represent the best interests of an abused/neglected child. The CASA volunteer submits a formal report offering objective and factual information with specific recommendations to the court.
Case Closed	When a CASA volunteer is dismissed from a case, the case is closed from the program's perspective. As long as one child in the case remains connected to the Arizona CASA Program, the case remains open. However, the dependency might still be open as far as the local court is concerned, even though it is no longer a part of the CASA Program.
Case Conference	A documented meeting between a DES employee and at least one other person. Case conferences may be more frequent and informal than case plan staffings.
Case Flow Management	Administrative and Judicial processes designed to reduce delays in litigation; processes that assist the court in monitoring child welfare agencies to make sure dependency cases are moved diligently and decisively toward completion.
Case Management	The planning and coordination of all services to a client by an individual who, working with members of a service team, provides assessment, identifies and obtains services, monitors, evaluates, records progress and terminates services in accordance with established time frames.



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Case Manager/ Caseworker	A trained professional employed by DES or by an agency under contract with the DES. The case manager manages the development of the plan for services for the child and the family, and arranges for and monitors services to see that the needs of the child and/or family are met.
Case Plan	A plan developed by the case manager regarding placement of a child including services, placement, and visitation for the child and to include the requirements of the parents with deadlines for completion and case plan goal of adoption, family reunification, guardianship, or independent living.
Case Plan Goal	Team objective for the family including family reunification, adoption by a relative or non-relative, guardianship, or independent living.
Case Plan Staffing	A planned, scheduled, and documented meeting arranged to share information, develop and/or review the case plan, and evaluate services and case progress. The staffing includes the case manager, the family, service providers, attorneys, and CASA volunteers.
Case Screening	The process used by county coordinators to determine the appropriateness of assignment of a CASA volunteer to a dependency or delinquency case.
Case/Child	A case is made up of all children in a family. Some county program office staff assigns the same court number to every child in the case, while others assign a different court number to each child in the case.
Chambers	A judge's office where he/she conducts business.
Child Abuse	To hurt or injure a child by maltreatment. As defined by statutes in the majority of states, generally limited to maltreatment that causes or threatens to cause lasting harm to a child.
Child Custody	Legal authority to determine the care, supervision, and discipline of a child; when assigned to an individual or couple, includes physical care and supervision. Includes guardianship of the person of a minor such as may be awarded by a probate court.
Child and Family Team Meeting (CFT)	Child and family team meetings are structured, facilitated meetings that bring family members together so that, with the support of professionals and community resources, they can create a plan that ensures child safety and meets the family's needs.



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Child Molesting	The handling, fondling, or other contacts of a sexual nature with a child.
Child Neglect	Failure to give proper attention to a child; to deprive a child; to allow a lapse in care and supervision that causes or threatens to cause lasting harm to a child.
Child Protective Services (CPS)	The division of Administration for Children, Youth and Family Services that accepts and investigates referrals about child abuse or neglect.
Child, Youth, Minor, or Juvenile	Any person under 18 years of age.
Children's Information Library and Data Source (CHILDS)	The automated child welfare record keeping database system used by the Administration for Children, Youth and Family Services.
Chronic Offender	A juvenile who on at least two prior separate occasions has been adjudicated delinquent for conduct that would constitute a criminal act if the juvenile had been tried as an adult.
Clerk of the Court	An elected or appointed court officer responsible for maintaining the written records of the court and supervising or performing the clerical tasks necessary for conducting judicial business; also, any employee of a court whose principle duties are to assist the court clerk.
Clerk's Office	The office having the responsibility of maintaining court records and seals, and certifying the accuracy of those records.
Co-CASA Volunteer	A CASA volunteer who is appointed to a case with another CASA.
Commissioner	A judicial officer who is responsible to hear juvenile matters except contested issues.
Compliance; Volunteer Procedures	CASA volunteers are required to comply with policies and procedures or the program will be considered out of compliance by the state program office.
Comprehensive Medical and Dental Plan (CMDP)	CMDP is the basic medical insurance provided to all children under DES supervision and officially placed outside of their home. Physical exams, medications, surgery, supplies, and baby formula can be obtained for foster children through CMDP. The case manager obtains a CMDP card for the child to be used throughout



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the duration of time in foster care, residential treatment, or other placement.

Confidentiality

All county coordinators, program staff, and CASA volunteers are required to keep confidential all information obtained concerning any child under the jurisdiction of the juvenile court in order to maintain the integrity, standards, and credibility of the Arizona CASA Program. For more information, refer to Arizona Revised Statutes § 41-1959.

Contested

A position taken on a case that implies a disagreement on relevant issues.

Continuation

A hearing that is re-scheduled to a later date. Any party in the case can request a continuance, but only the court may grant such a request.

Contracted Provider

The State of Arizona and its Department of Economic Security cannot provide all types of services to all of the citizens in need of them. Therefore, the state contracts with private agencies and individuals to provide a needed service (e.g., counseling). The employees of the provider agency are not state employees, but their work must fall within the guidelines of the formal contract. All contracted providers are required to report progress of the client family to the case manager.

County Attorney

The legal representative responsible for prosecuting criminal cases within a county.

County Budget Request

A form supplied by the state program office to all county office programs for use in requesting annual funding.

County Coordinator

A person hired at the county level to coordinate the activities of the county CASA program.

County of Jurisdiction

The county where the child has been adjudicated dependent, delinquent, or incorrigible.

Court

An officially designated place where justice is administered. A court is presided over by a judge.

Court Calendar

List of cases for trial or appellate argument, prepared for a given period of time such as a week, month, or even the term of the sitting court.

Court Case Number

The number assigned by the juvenile court to a case/child.



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Court Improvement Program (CIP)	An Arizona initiative funded by the Federal Department of Health and Human Services designed to re-engineer the handling of dependency cases in Arizona. Project aspects include implementation of dependency laws and processes; implementation of a statewide dependency data tracking system; training of new Judicial Officers; and an operational review.
Court Order	A legal document signed by a judicial officer ordering something to occur on a case.
Court Report	A formal document written by a CASA volunteer on an appointed case, to give the judge objective information and recommendations about the case.
Courtesy CASA Volunteer	If a child is placed outside the county of jurisdiction, the county program where the child resides may appoint a “Courtesy” CASA volunteer. The Courtesy CASA gathers information, visits the child, and reports to the primary CASA volunteer. The primary CASA continues to be appointed to the case and has the responsibility of providing the court report.
Criminal Court	The criminal division of the Superior Court when exercising its jurisdiction over criminal matters.
Custody	The full authority to determine care, supervision, and discipline of a child.
Default	The failure of a party to appear in court after proper service, resulting in a ruling against the party.
Delinquent	The term used to describe the legal status of a child who has committed an offense that is unlawful and would be punishable by law if the child were an adult.
Delinquent Act or Offense	An act by a child that, if committed by an adult, would be considered a criminal offense.
Department of Corrections (DOC)	The state organization whose mission is to serve and protect the people of the state by imprisoning offenders legally committed to DOC.
Division of Developmental Disabilities (DDD)	A division within DES that provides services for adults and children who have certain developmental limitations. These services are provided only after formal application and assessment is obtained.



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Department of Economic Security (DES)

The state agency that provides integrated direct services to people to promote safety, well being, and self sufficiency of children, adults, and families. The agency includes other divisions such as Adult and Aging, Arizona Industries for the Blind, Child Support Enforcement, and Unemployment Benefits.

Department of Health Services (DHS)

The state agency that assesses and assures the physical and behavioral health of all Arizonans through education, intervention, prevention, delivery of services, and the advancement of public policies. It also addresses current and emerging health issues in a manner that demonstrates efficiency, effectiveness, integrity, and leadership.

Dependency Petition

A formal notice to a court that a child is in need of proper parental care/control and there is no parent willing or able to care for the child. The petition contains allegations about why a child is believed to be dependent. It is the formal written pleading that asks the court to find a child dependent and enter appropriate orders.

Dependency Review

See Review Hearing.

Dependency Screening

The process of assessing whether or not a dependency case is appropriate for a CASA volunteer assignment. See “Case Screening”

Dependent Child

A person under 18 years of age subject to the jurisdiction of the court because of child abuse or neglect.

Dependent Children Automated Tracking System (DCATS)

A statewide database used by the Arizona CASA Program to track information on children in out-of-home care, and the CASA volunteers assigned to cases.

Detention

The legally authorized temporary holding in confinement of a person subject to criminal or juvenile family court proceedings. The legally authorized temporary holding of children in confinement while awaiting completion of juvenile or family court action. This includes custody while awaiting execution of a court order.

Diagnosis

The determination by qualified professionals (usually medical doctors or certified psychologists) that a person displays symptoms that fit a known condition. The diagnosis allows professionals to communicate more effectively with others in the treatment or documentation of many problems or conditions. The diagnosis may change over time or from doctor to doctor.



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Dismissal; Case/Child	A dismissal means that the court no longer has jurisdiction over a case. However, an individual child in a case may be dismissed without the case being closed by the juvenile court. A child may be dismissed from the CASA program without the case being closed by the juvenile court.
Disposition Hearing	The stage of the juvenile court process in which, after finding that a child is within jurisdiction of the court, the court determines who shall have custody and control of a child; elicits judicial decision as to whether to continue out-of-home placement or to remove a child from home.
Dispute Resolution	A legal process available when disagreements cannot be resolved.
Diversion Programs	Community-based services designed to prevent the necessity of matters coming before the court. It is a method of avoiding prosecution of a juvenile offender, and a way to avoid a formal court process allowing the juvenile to admit to the allegations and receive a consequence for their actions.
Dually Adjudicated	A child who is found to be dependent or temporarily subject to court jurisdiction pending an adjudication of a dependency petition and who is alleged or found to have committed a delinquent or incorrigible act.
Drug Court	A means by which a judge can monitor substance abuse offenders in a hands-on, therapeutic fashion. This is done in cooperation with an established team of providers reporting the progress of the offender in becoming a substance-free individual.
Educable Mentally Handicapped (EMH)	Term used by many schools to describe a child who may not learn at the same pace as others due to any number of conditions that impair learning. However, these children can still learn if given special educational supports.
Educationally Disabled or Impaired Child	A child, age 3 through 21, who due to a disability, is unable to benefit from regular education without special education services. A child may have a disability but not be in need of special education services.
Eligibility	The requirements that an individual must meet to receive services.
Employment Related Expenses (ERE)	Expenses that are associated with social security, state and federal taxes, and retirement benefits, etc. Benefits affect employees who work at least 20 or more hours per week.



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Exit	The status used in DCATS to indicate a CASA volunteer has left the program.
Extension in Receiving Home Placement	A hearing called by the court whenever a child under the court's supervision has remained in a shelter or receiving home for longer than three weeks. The purpose of the hearing is to explain why the child has remained in the shelter, and to help speed the process of finding placement.
Facilitator	A person who is responsible for conducting a meeting of the courts. Responsible for assuring appropriate issues are addressed.
Failure to Thrive (FTT)	A child whose weight and development is significantly below that of peers.
Family	Persons, including at least one child, related by blood or law, or who are legal guardians of a child, or who reside in the same household. Where persons related by blood or law do not reside in the same household and where adults other than spouses reside together, each may be considered a separate family when it is to the benefit of the child.
Family Foster Home	This includes a home having the care of children less than 21 years old for whom the cost of care is provided pursuant to Arizona Revised Statutes § 46-134(14). See also Foster Care Facility.
First Offense	An action by an individual violating the law for the first time.
Fiscal Year (FY)	The time period for which the Legislature provides funding. In Arizona, the fiscal year is July 1 through June 30.
Foster Care	Temporary residential care provided to a child placed pursuant to a dependency hearing; can include care by a non-biological foster family, group care, residential care, or institutional care.
Foster Care Facility	A setting licensed to provide out-of-home care to children, including licensed relative placements, foster homes, group homes, and child welfare agencies.
Foster Care Provider	Any person or agency licensed to provide out-of-home care for children.
Foster Care Review Board (FCRB)	A panel of specially trained volunteers appointed by the presiding juvenile judge to review every six months the case of each dependent child in out-of-home placement. The Board hears from parties to the case to determine progress and applicability of the



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case plan toward the case plan goal. The Board submits a report to the court making recommendations to further assist the court in the decision-making process.

Foster Parent	An individual maintaining a licensed foster home.
Full-time Equivalency (FTE)	Staff is paid on whether they are full time (1 FTE=40 per week), part time (.5 FTE=20 hours a week), or any mixture of hours in between.
Garnishment	A proceeding whereby property, money, or credits of a debtor in possession of another (the garnishee) are applied to the payment.
Getting Started	The first of three training modules that is part of the required 30-hour pre-service training for Arizona CASA volunteers.
Group Home	A foster home specially licensed for more than five but not more than 10 children. Group homes may look like any other house, or they may be incorporated into a larger treatment facility's program. The children may be under the supervision of staff or counselors assigned to a particular shift during the day or night.
Guardian ad Litem	In certain dependency matters, a person with formal legal training is appointed by a judge to represent the best interests of an allegedly abused or neglected child; differs from the child's attorney who specifically represents the child's wishes before the court. Guardians ad Litem are sometimes appointed to parents with serious mental illness or limited capacities.
Guardianship	A relationship between a child and an adult who is appointed to provide for the child and exercise the rights of the legal custodian. A legally established relationship between a child and adult who is appointed to protect the child's best interests and to provide the child's care, welfare, education, discipline, maintenance, and support. Where guardianship is awarded to an individual or couple, it includes that right to physical possession of the child.
Halfway House	A residential facility for adjudicated adults or juveniles, or those subject to criminal or juvenile proceedings, intended to provide an alternative to confinement for persons not suitable for probation, or needing a period of readjustment to the community after confinement.
Health Service Provider	A practitioner licensed by the State of Arizona to provide physical or mental health services.



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Home Resource Aide (HRA)	An employee of the Department of Economic Security assigned to assist in certain cases in which the family needs direct assistance in the home or community with the maintenance of basic daily functions. These workers are prepared to go into the home and assist with a variety of needs, such as meal planning, basic hygiene, locating suitable housing, and follow-up on medical care. The HRA worker is obtained through the case manager and is usually referred to as a Parent Aide.
Home School District	The local school district, also called the Local Educational Agency (LEA), where the parent resides. For adjudicated children, it is the school district where the child last attended, or, if there is no identifiable school, the school district where the child is physically located.
Inactive Volunteer	A CASA volunteer who is not appointed to a case and is not active in any other way with the program.
Incarceration	The term used for the confinement in prison, penitentiary, or jail of a defendant or probationer.
Incorrigible	Unmanageable; uncontrollable, such as a perpetual criminal or a habitually delinquent minor.
Indian Child Welfare Act (ICWA)	A Federal law that returns to Native Americans the primary responsibility or opportunity for involvement for any Indian child who comes to the attention of an Arizona social service agency.
Indigent	The inability to support oneself; poor.
Individual Education Program (IEP)	A written statement for providing special education services to a child with a disability under IDEA and is required for initiation of special education services. It includes the child's present levels of educational performance, annual goals, short-term measurable objectives for evaluation, progress toward those goals, specific special education and related services to be provided in the least restrictive environment, and exit criteria. It must be developed by a team of persons, including the parent, who are knowledgeable about the child.
Individuals with Disabilities Education Act (IDEA)	A federal law which mandates a free public education in the least restrictive environment for children with disabilities. It outlines services (including IEPs) and procedural safeguards for children needing special education.



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Initial Dependency Hearing	This hearing is held for parents or guardians who did not appear at the preliminary protective hearing, and must be held within 21 days after service, of a Temporary Custody Notice.
In-Patient	A term referring to the treatment, evaluation, or placement of a person at a facility for periods of time greater than 24 hours. Usually used in the context of hospital treatment, including psychiatric evaluation.
In-Patient Psychiatric Facilities	Joint Commission on Accreditation of Health Care Organizations (JCAHO) accredited psychiatric facilities, RTC, or hospital settings, providing structured treatment with 24-hour supervision and intensive treatment programs for the most severely impaired persons. These are reimbursable by Title XIX funds.
In-service Training	Ongoing training hours that CASA volunteers are required to complete each calendar year. This training must be pre-approved by the county coordinator.
Interstate Compact on the Placement of Children (ICPC)	A department that facilitates the interstate movement or placement of children involved with court and social service agencies. Its purpose is to ensure that a child is not moved out of one setting and into another that may not be appropriate or adequate (e.g., a sending state has a child in foster care and wants to place the child with grandparents in another state). Before any such move can take place, the receiving state must agree with the plan. Typically, home visits and evaluations take place with a compact administrator either approving or rejecting the move. If the move is approved, a child can remain a ward of the court in the sending state, even though he/she resides elsewhere. The state agencies must have agreed upon supervision/treatment services for the child.
Judge	One who conducts or presides over a court of justice and resolves controversies between parties. The term also encompasses persons serving in an appointive capacity whose decisions are subject to review by a judge, including associative judges, magistrates, referees, special masters, hearing officers, and commissioners.
Justice of the Peace (JP)	A judicial officer presiding over limited jurisdiction courts in a specified geographic area.
Juvenile Court	The Juvenile Division of the Superior Court which has jurisdiction over proceeding relating to delinquency, dependency, or incorrigibility involving children under the age of 18.



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Juvenile Dependency Number (JD#)	Number issued by the Juvenile Courts when a dependency case is opened.
Juvenile Intensive Probation Supervision (JIPS)	Probation department that monitors seriously delinquent minors. The minors are monitored 24-hours per day, 7 days per week and must perform 32 hours a week of community service, work, or education.
Juvenile Judge	A judge of the Superior Court authorized to preside over and determine all cases in a court of law involving juvenile court matters.
Juvenile Justice System	A network of services related to the apprehension, investigation, supervision, adjudication, care or confinement of juveniles whose conduct or condition has brought or could bring them within the jurisdiction of a family court or the criminal justice system.
Juvenile On-Line Tracking System (JOLTS)	A statewide database used by juvenile court staff to track information on dependency and delinquency cases of juveniles.
Juvenile Probation Office (JPO)	An office established within the juvenile court to supervise juveniles who have been referred for delinquent or incorrigible offenses.
Least Restrictive Environment (LRE)	A setting that offers the least restrictive atmosphere to a child that is compatible with the needs of the child.
Legal Custody	The legal authority to have physical possession of a child; to determine the care, supervision, and discipline of the child; the responsibility to provide the child with adequate food, clothing, shelter, education and medical care, provided that such responsibilities shall be exercised subject to the powers, rights, duties, and responsibilities of the guardian and subject to the residual parental rights and responsibilities if they have not been terminated by judicial decree. Includes guardianship of the person of a minor such as may be awarded by a probate court.
Legal File	File maintained in the Office of the Clerk of the Court that contains all original or certified copies of original documents. All documents will contain an official Clerk of the Court stamp.
Legal Parent	The parent who is entitled to have legal custody of the child.
Legal Party	Parties involved in a dependency case who have defined legal standing on a case and are listed in the court's minute entry. Parties



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include CPS case managers and all attorneys. These parties shall legally receive copies of CASA court reports and minute entries.

Legal Status	The court's definition of adjudication of a child. A status could be dependent, delinquent, incorrigible, or dependent-delinquent (dually adjudicated).
Licensing Specialist	A person designated by the department or outside agency to perform specific work activities and functions related to licensing, supervision, support, and monitoring of foster or group homes.
Mediation	A process by which a neutral mediator assists all of the parties in voluntarily reaching consensual agreements; a process of facilitated communication between parties designed to resolve issues and agree upon a plan of action.
Mediator	A neutral person who conducts the mediation designed to bring agreement to the parties of record.
Mental Health Specialist	A district level mental health coordinator who works as a liaison to the DHS Regional Behavioral Health Authorities (RBHA) for mental health and substance abuse services.
Mentor	Experienced CASA volunteers who assist in the training, guidance, and support of other CASAs. With supervision by the county coordinator, mentors may also screen cases for appropriateness of CASA volunteer assignment.
Minute Entry	The official summary of the activity and court decisions that took place on a particular date, at a particular time, concerning a particular case. The document will detail any orders of the court and describe what is to happen next regarding the case (e.g., when the next court hearing is to take place, by what date certain tasks are to be accomplished, etc.).
Misdemeanor	An offense, other than a traffic infraction, for which a sentence to a term of imprisonment not to exceed one year is imposed.
Motion	A request for action of the court.
Municipal Court	Courts of limited jurisdiction, usually within a municipality, presided over by municipal judges.
Neglect	The inability or unwillingness of a parent, guardian, or custodian of a child to provide that child with supervision, food, clothing, shelter, or medical care if that inability or unwillingness causes



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substantial risk of harm to the child's health or welfare, unless that inability of a parent or guardian to provide services to meet the needs of a child with a disability or chronic illness is solely the result of the unavailability of reasonable services (Arizona Revised Statutes §§ 8- 201(21); 8-531(11)).

Non-Custodial Parent

With respect to a dependent child, a parent who does not reside with that child and, if there has been a determination of legal custody with respect to the dependent child, does not have legal custody of the child.

Office of Court Appointed Counsel (OCAC)

An office that provides legal representation to indigent defendants (usually parents). May also be counsel for the child when the Legal/Public Defender's Offices are unable.

Office of the Legal Defender

Generally provides legal representation to the custodial parent as identified in dependency petition.

Operational Review

A comprehensive audit of all Juvenile Courts based on statutes, juvenile court rules, administrative orders, program policies and procedures. The Operational Review includes the CASA program.

Order of Appointment

A legal document created by the county program office, signed by a judicial officer, appointing a CASA volunteer to a specific case/child. A copy of this order is given to all legal parties in the case. This is also referred to as a Court Order.

Out-of-Home Placement/Care

The placement of a child with an individual or agency other than the child's parent or legal guardian.

Parent

The birth, putative, or adoptive parent of a child.

Parent Aide

A person either employed by DES or by a DES contracted agency who at the case manager's request, assists families. This assistance includes, but is not limited to, transporting to various appointments, and monitoring visits with a child and family. See "Home Resource Aide"

Parent Therapist Foster Home Care

A foster family-based model that provides an intensive system of supportive and clinical services to special needs children/youth for which a family environment is the appropriate placement setting. Therapeutic foster homes licensed by DHS as alternative care facilities may receive Title XIX reimbursement for therapeutic services.



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Parole	A method of prisoner release on the basis of individual response and progress within the correctional institution, providing the necessary controls and guidance while serving the remainder of their sentences within the free community.
Permanency Planning Hearing	A special type of post-dispositional proceeding designed to reach a decision concerning the permanent placement of a child; the time of the hearing represents a deadline within which the final direction of a case is to be determined. It's to be held no more than 12 months after removal.
Perpetrator	The chief actor in the commission of a crime; i.e., the person who directly commits the criminal act.
Petition/Pleading	A formal, written request to the court for a specific thing to be done.
Physical Abuse	Infliction of non-accidental physical injury, impairment of bodily functions, or disfigurement by another person.
Physical Custody	The physical care and supervision of a child.
Placement	A facility or location where a child resides while living away from home.
Pre-hearing Conference	A conference held before a Preliminary Protective Hearing (PPH) to maximize the opportunity for non-adversarial resolution of issues. It is facilitated by a person designated by the court. Primary issues discussed at this conference are temporary custody and placement, visitation, if appropriate, and the provision of services to the child and family. Agreements reached by the parties at the PHC are presented to the court at the PPH.
Preliminary Protective Hearing (PPH)	A hearing scheduled within five to seven days of the child's removal from home. The issues required to be addressed are placement, services, and visitation.
Presiding Judge	A judge of the superior court, appointed by the Chief Justice of the Arizona Supreme Court, responsible for county administrative duties as well as court actions.
Pro Tempore	A judicial officer assigned to perform the duties of a judge on a temporary basis. This officer hears all juvenile matters except contested issues.



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Probable Cause	A set of facts and circumstances that would induce a reasonably intelligent and prudent person to believe that an accused person had committed a specific crime.
Probate Court	Various state courts having jurisdiction in the matter of proving wills, appointing executors and administrators, and supervising the administration of estates.
Prospective Applicant	A person who requests information about the Arizona CASA Program. When the application is returned to the county program office, the person is considered an applicant and the screening process may begin.
Psychiatrist	A physician (M.D.) who specializes in the prevention, diagnosis, and treatment of mental illness. Psychiatrists must receive additional training and serve a supervised residency in their specialty. They can prescribe medication, which psychologists cannot do.
Psycho-Educational Evaluation	A psychological evaluation with an educational component performed by a psychologist with specialized training. It is a part of the comprehensive evaluation required for determining special education eligibility and is acceptable for up to three years.
Psychological Evaluation	A specific assessment conducted by a licensed psychologist to determine and address behavioral health problems, and may include treatment recommendations or advice for certain interventions. Psychological assessments shall include a review of referral materials, assessment of the individual's readiness for testing, a clinical interview, and may include intellectual testing, personality testing, educational testing, projective testing, and specialized testing for specific disabilities. Neuropsychological assessments will also delineate between the neurologically-based causes for behavior and an emotional dysfunction.
Psychologist	A professional trained in the assessment, evaluation, and treatment of various social/emotional dysfunctions. Psychologists are not medical doctors and cannot hospitalize or prescribe medications. Many psychologists are skilled in the administration and interpretation of various "instruments" and tests with which a person may be evaluated.
Public Defender	A lawyer appointed by the court to defend, advise, and counsel an individual who is not financially able to pay for the services.



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Putative Father	The alleged or supposed male parent; the person alleged to have fathered a child whose parentage is at issue.
Reasonable Doubt	The standard used to determine the guilt or innocence of a person criminally charged. Reasonable doubt, which will justify acquittal, is doubt based on reason and arising from evidence or lack of evidence, and it is that which a reasonable person might entertain.
Reasonable Efforts	Public Law 96-272, the Adoption Assistance and Child Welfare Act of 1980, requires that “reasonable efforts” be made to prevent or eliminate the need for the removal of a dependent, neglected, or abused child from the child’s home and to reunify the family if the child is removed. The reasonable efforts requirement of the federal law is designed to ensure that families are provided with services to prevent their disruption and to respond to the problems of unnecessary disruption of families and foster care drift. To enforce this provision, the juvenile court must determine, in each case where federal reimbursement is sought, whether the agency has made the required reasonable efforts.
Receiving Foster Home	Another name for a shelter home, emergency shelter home, etc. Usually a receiving home is a private residence located in the community. These homes are licensed and prepared on a 24-hour basis to receive children needing immediate placement and care.
Recidivism	In its broadest context, recidivism refers to the multiple occurrences of any of the following key events in the overall criminal justice process: commission of a crime, arrest, charge, conviction, sentencing, and incarceration.
Recommendation	A written statement advising a course of action, submitted as part of a verbal or written report.
Regional Behavioral Health Authority (RBHA)	Separate organizations under contract with DHS to implement, coordinate, maintain, and monitor the delivery of a unified system of mental health and substance abuse services for a geographic area.
Rehabilitation	An approach to punishment that attempts to change the offender’s criminal behavior through appropriate treatment.
Relative	The child’s grandparent, great grandparent, brother, or sister of whole or half blood, aunt, uncle, or first cousin for purposes of placement pursuant to Arizona Revised Statutes § 8-514.02.(A) as provided in DES 5-55-21.



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Remanded	Returned to custody, or sent back to court (or agency) for further action.
Rescinding Order of Appointment	The legal document that dismisses a CASA volunteer from the assigned dependency or delinquency case.
Residential Care	Placement in group or congregate care.
Residential Treatment Center (RTC)	A licensed treatment facility where children receive care, treatment, and supervision on a 24-hour basis. The child actually lives in residence at the center where a treatment team assists the child and family in working through difficult behavioral, emotional, social, or psychological problems.
Resource	Any service within the department or the community that is available and of potential benefit to the client.
Resource Unit	A special unit of DES to help case managers locate appropriate placements for children in need of out-of-home care. This unit also tracks the various openings in the foster care system.
Respite Foster Care	The provision of substitute care to a foster child to relieve the foster family of the child's care for short, specified periods of time. Respite care is a type of foster care and is provided by a licensed provider.
Restitution	A requirement by the court as a condition of a revocable sentence, or earlier in the criminal justice process, that the offender replaces the loss imposed by his/her offenses; money received from a probationer for payment of damages.
Review Hearing or Report and Review Hearing	Court hearings that take place after disposition in which the court comprehensively reviews the status of a case, examines progress made by the parties since the conclusion of the disposition hearing, provides for correction and revision of the case plan, and makes sure that cases progress and children spend as short a time as possible in temporary placement.
Rules of Court	Various orders established by a court for the purpose of regulating the conduct of business of the court such as civil, criminal, or appellate procedures.
Screening Process	All applicants must complete screening requirements such as an interview, polygraph exam, criminal background check, DES Central Registry, and MVD check, before being certified as a CASA volunteer.



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Self-Contained Classroom	Any child who cannot be maintained in a regular school classroom setting due various problems may be placed into a self-contained class. Such classes are set up so the child remains in the same room throughout the day, without rotating through teachers or locations. Such placements usually require that an Individual Educational Program (IEP) be completed by the school.
Service Plan/ Individual Service Plan (ISP)	A specific written plan developed by an RBHA, in concert with a DES case manager, describing specific services to address mental health or substance abuse needs of a specific client.
Service Team	Individuals directly involved in the provision of services to a family that may include the case manager and respective supervisor, other department staff, foster parents, and contract personnel. Provision of services may also include others involved with the family, such as physicians, psychologists, school personnel, law enforcement personnel, attorneys, and CASA volunteers.
Settlement Conference	A judicially-mandated meeting in which a judge is present, involving all attorneys and parties to a proceeding, to resolve contested issues without a trial.
Severance	The termination of a parent-child relationship. The statutes set out a limited number of grounds (reasons) for a severance action.
Shelter or Shelter Home	A receiving home or group shelter, contracted to provide temporary, non-secure emergency care for juveniles pending hearing.
Special Education	The adjusting of environmental factors, modifying of the course of study, and adapting of teaching methods, materials, and techniques to provide education for children who are unable to benefit from regular education without specially-designed instruction to meet their individual and unique learning needs.
Staffing	This term refers to a case manager bringing together the treatment team and any other person with relevant information about a family's status. The agenda at a staffing may vary, but the usual outcome is a plan or special guidance concerning a particular case situation. CASA volunteers should be involved with staffings.
State Program Office	By statute the state office is responsible for administering the Arizona CASA Program statewide.



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Status Offender	A juvenile charged with an act or action which would not be considered unlawful if the juvenile was an adult. Examples would be: incorrigibility, runaway, truancy, drinking under age, or curfew violations, etc.
Statute	A law enacted by a legislative branch of government.
Stipulation	An agreement, admission, or concession made by parties in judicial proceedings or by their attorneys, relating to business before the court.
Subpoena	A written order issued by a judicial officer requiring a specified person to appear at a designated court at a specified time in order to serve as a witness in a case under the jurisdiction of that court, or to bring material to that court.
Summons	A written order issued by a judicial officer requiring a person accused of a criminal offense to appear in a designated court at a specified time to answer the charge(s).
Superior Court	The court of general jurisdiction, usually geographically associated with counties, which can be divided in different divisions.
Supreme Court	The court of highest jurisdiction in the state, hears all appeals of lower courts, all sentences where capital punishment is imposed, and has administrative responsibility.
Surrogate Parent	A qualified, trained person who is appointed by a juvenile court judge. The parent substitute is to represent the interests of a child requiring special education services on behalf of the parent unwilling or unable to do so. By law, DES case managers and other DES employees and subcontractors cannot be surrogate parents.
Teen Court	A program by which juveniles who admit delinquent/incorrigible acts are given consequences by their specially-trained peers in a court-like setting.
Temporary Custody Notice (TCN)	A written notice by the DES/CPS or law enforcement to parents, guardians, or custodians outlining reasons why the child has been taken into temporary custody, and advising them of their rights to petition the court within 72 hours (excluding weekends and holidays) of receipt of the written notice, for a hearing.
Temporary Orders	A dependency petition will usually request that the court issue temporary orders regarding the placement and care of the child.



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Before issuing such orders, the court must review the petition and the affidavit to determine if the facts alleged support a finding that “reasonable grounds exist to believe that temporary custody is clearly necessary to protect the child from suffering abuse or neglect.”

Temporary Ward of the Court

Legal status of a child after a dependency petition has been made to the court, but prior to an adjudication of dependency where they are made “Wards of the Court.”

Terminated Volunteer

A CASA volunteer who has left the Arizona CASA Program.

Termination of Parental Rights Hearing

A formal proceeding usually sought by a state agency at the conclusion of dependency proceedings, in which severance of all legal ties between child and parents is sought against the will of one or both parents, and in which the burden of proof must be by clear and convincing evidence; the most heavily litigated and appealed stage of dependency proceedings.

Therapeutic Foster Placement

Specially-trained family foster placement that provides care for children with emotional/behavioral needs that are greater than what can be met in a regular foster placement. Most children eventually leave a therapeutic placement and are placed in a regular foster placement or are returned home. Some children may require an even more restricted living environment than a therapeutic foster placement can provide.

Therapist

A designated professional who is responsible to do some type of therapy with parents and/or children.

Title XIX

The Medicaid section of the federal Social Security Act that includes the provision of Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) of the physical and mental health status of Title XIX eligible children.

Title XIX Eligible Child

An individual under the age of 21 determined eligible for AHCCCS/Medicaid services.

Title XIX Provider/Facility

A person, clinic, or residential facility licensed by DHS that meets the AHCCCS requirements for receiving federal Title XIX reimbursement.

Transitional Short-term Out-of-Home Care

A placement that is temporary in nature and occurs between ongoing out-of-home placements.



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Unassigned Volunteer	A CASA volunteer who is temporarily not assigned to a case.
Unit	The location where the DES case manager, worker, or social worker is assigned. Usually five to seven workers are assigned to a unit.
Urine Analysis (UA)	Drug testing from a person's urine for the presence of alcohol or illegal substances.
Vacate	To annul, to set aside, to cancel or rescind, to render an act void; as to vacate an entry of record, a judgment, or a hearing date.
Victim	A person who has suffered death, physical or mental suffering, or loss of property, as the result of an actual or attempted criminal offense committed by another person.
Visitation	Face-to-face contact between a child in out-of-home care and the parent/caretaker, significant family member, or sibling.
Visitation Facilitator	Any person who is designated by the case manager to monitor a visit between a child in out-of-home placement and the parent/caretaker, sibling, or other relative. This may include a parent aide, transportation worker, psychologist, therapist, out-of-home care provider, extended family member, or other party. CASA volunteers are not allowed to supervise or facilitate court-ordered visits.
Voluntary Agreement for Care/Voluntary Placement	Arrangement with a public protection agency (CPS) for the temporary placement of a child into foster care, entered into prior to court involvement, and typically used in cases in which short-term placement is necessary for a defined purpose such as when a parent enters in-patient hospital care; a method of immediately placing a child in foster care with parental consent prior to initiating court involvement, thereby avoiding the need to petition the court for emergency removal. It is valid for 90 days.
Ward/Ward of the Court	This term applies to a child determined by the court to be dependent or delinquent. It is the formal declaration that the child's welfare is now under the direct supervision of the court. To be a ward of the court means that the court determines where the child will live, who will care for the child, and directs any other special services the child or family may need. The parental rights are not severed or taken away by wardship.



ACRONYMS

A

ACJA	Arizona Code of Judicial Administration
ACYF	Administration for Children, Youth, and Families
ADC	Arizona Department of Corrections
ADE	Arizona Department of Education
AFDC	Aid to Families with Dependent Children
AG	Attorney General
AHCCCS	Arizona Health Care Cost Containment System
AJC	Arizona Judicial Council
AKA	Alias or Also Known As
AOC	Administrative Office of the Courts
ARS	Arizona Revised Statutes
ASFA	Adoption and Safe Families Act

C

CASA	Court Appointed Special Advocate
CFT	Child and Family Team Meeting
CHILDS	Children’s Information Library and Data Source
CIP	Court Improvement Program
CMDP	Comprehensive Medical and Dental Plan
CPS	Child Protective Services

D

DCATS	Dependent Children Automated Tracking System
DDD	Division of Developmental Disabilities
DES	Department of Economic Security
DHS	Department of Health Services
DJC	Department of Juvenile Corrections
DOC	Department of Corrections



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E

EMH	Educable Mentally Handicapped
EPSDT	Early and Periodic Screening, Diagnosis, and Treatment
ERE	Employment Related Expenses

F

FCRB	Foster Care Review Board
FTE	Full-time Equivalency
FTT	Failure to Thrive
FY	Fiscal Year

G

GAL	Guardian ad Litem

H

HRA	Home Resource Aide

I

ICPC	Interstate Compact on the Placement of Children
ICWA	Indian Child Welfare Act
IDEA	Individuals with Disabilities Education Act
IEP	Individualized Education Program
IPRT	Independent Professional Review Team
ISP	Individual Service Plan

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J

JAA	Judicial Administrative Assistant
JCAHO	Joint Commission on Accreditation of Health Care Organizations
JD#	Juvenile Dependency Number
JIPS	Juvenile Intensive Probation Supervision
JOLTS	Juvenile On-line Tracking System
JP	Justice of the Peace
JPO	Juvenile Probation Office

L

LEA	Local Educational Agency
LRE	Least Restrictive Environment

M

M & IE	Meals and Incidental Expenses
MDT	Multi-disciplinary Team

O

OCAC	Office of Court Appointed Counsel

P

PHC	Pre-hearing Conference
PPH	Preliminary Protective Hearing

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R

R & R	Report and Review
RBHA	Regional Behavioral Health Authority
RCPC	Report to the Court on Placement of Child
RTC	Residential Treatment Center

T

TDM	Team Decision Making
TCN	Temporary Custody Notice

U

UA	Urine Analysis

ADDITIONAL ACRONYMS

