OPERATIONS MANUAL

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INTRODUCTION

Introduction to the Manual

The purpose of this manual is to provide minimum performance standards and functions for county program staff. It is also meant to serve as a reference tool.

This manual is a "living manual," which means it's a work in progress. If at any time after working with this manual, staff has suggestions, revisions, or ideas that might be helpful to improve this manual and make it into a more effective tool, the state program office would welcome them.

Administrative Code and Policies

Policies and procedures were established in 1994 and have been periodically revised since then. Policies and procedures are based on Arizona Revised Statutes (ARS), Arizona Rules of Procedure for the Juvenile Court, Administrative Orders and Rules, Arizona Code of Judicial Administration (ACJA), and program policies based on common practices of staff statewide. These guidelines are to provide direction to county staff, provide consistency, and promote quality standards statewide.

The **Administrative Code** is written so that it includes general requirements of the program and does not change often. The **Program Policies** may change when needed. The process for changing either item is for staff to make a formal request to put it on the agenda at a regularly scheduled administrative meeting. At the meeting, discussion is held, and staff votes as to whether or not to move forward with the request to the Division Director. The Division Director has the authority to agree or not agree with the requested change. Usually, however, the Code and policies are revised every two to four years.

Procedures

If there are specific procedures associated with a chapter, the procedure will be on a yellow page.

Forms and Reference Sheets

To enhance program quality and continued consistency statewide, sample forms and informational handouts are included in the appendix for easy reference. While procedures may vary from county to county, some forms and information are required for consistency as part of the Arizona CASA Program policies and procedures.
If the heading on a form includes the word "optional," county program staff may assess whether or not to use the form, or may modify the form in whatever way works for the situation. If the heading does not have the word "optional," the form is standard and is required. Use of required forms will be reviewed for compliance during the Operational Review process.

National CASA Association (NCASAA)

NCASAA Mission Statement

"The National CASA Association, together with its state and local members, supports and promotes court-appointed volunteer advocacy for abused and neglected children so that they can thrive in safe, permanent homes."

In 1974, Public Law 93-274, the Child Abuse and Prevention Act, was passed. One of the funding requirements was the mandatory appointment of a guardian ad litem (GAL) to represent and protect the abused or neglected child's best interests in every case that results in judicial proceedings. The law did not specify who could serve in this capacity.

Meanwhile, in 1976, Superior Court Judge David Soukup of Seattle, Washington saw a recurring problem in his courtroom:

> "In criminal and civil cases, even though there were always many different points of view, I walked out of the courthouse at the end of the day and I said I've done my best; I can live with this decision. But when I'm involved with a child and I'm trying to decide what to do to facilitate that child's growth into a mature and happy adult, I don't feel like I have sufficient information to allow me to make the right decision. I wonder if I really know everything I needed to know or if I've been told all of the different things pertaining to the case."

Traditionally, the court found that few attorneys and case managers were able to spend the necessary time to undertake the kind of thorough investigation required by these difficult cases. Judge Soukup decided to recruit and train community volunteers who were asked to make a long-term commitment to each child they served. The first Court Appointed Special Advocate (CASA) Program was implemented in Washington as a pilot program in January 1977.

In the first year of operation, the program provided 110 trained volunteers for 498 children in 376 dependency cases. In 1978, the term Court Appointed Special Advocate was used to denote any court appointed volunteer following a clearly defined role as a "friend of the court" in dependency matters.

Following this early model, CASA-like programs were developed across the United States. By 1982, it was clear that a national association was needed to direct CASA's emerging national presence. The National Court Appointed Special Advocate Association (NCASAA) was formed that year. By 1984, the National headquarters office opened its doors.

Today, the National CASA Association includes CASA programs in all 50 states. NCASAA provides support with training, legal expertise, program compliance, research, fund raising, news and public awareness services, and political lobbying efforts for dependent children's issues in Washington, D.C.

The Arizona CASA Program is a proud member of the NCASAA. Arizona's state and county CASA staff has served on a number of committees in the national organization. The Arizona CASA Program is structured under the National CASA Association criteria and standards.

To reach the National CASA Association, call (800) 628-3233 or visit their website at www.nationalcasa.org.

State Program Office

State Program Mission Statement

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.

Structure

The Arizona CASA Program is part of the Dependent Children's Services Division of the Administrative Office of the Courts (AOC), Arizona Supreme Court. In October 1985, a State model program was established in Maricopa County as a pilot program, with efforts spearheaded by Judge C. Kimball Rose, who presided over the juvenile court at that time. The Junior League of Phoenix, The National Council of Jewish Women—Valley Section, and the Bar Association Auxiliary were instrumental in advocating for implementation of the program and providing ongoing assistance.

History

Rules and procedures were developed, duties and responsibilities were defined, and evaluations were performed by the Arizona Supreme Court. The Pima County CASA Program, which was independently formed in 1979, joined this effort in January 1987. In March 1987, the Arizona Supreme Court wrote Rule 22 and Rule 22.1, with accompanying administrative orders, to formally establish the Arizona Court Appointed Special Advocate Program under the court's jurisdiction. Through this process, the legal and administrative standing of a Court Appointed Special Advocate program was established.

Funding for the program through fiscal year 1991 came from a combination of the state's General Fund, federal grants, and private monies. Legislation that established the role of the court appointed special advocate and the Arizona CASA Program as a statutorily-mandated program with a specified funding source was passed in 1991. The Arizona CASA Program currently receives 30% of unclaimed lottery prize revenues, which is deposited in a special Arizona CASA Program Lottery Revenue Fund. Each year's budget requires legislative approval and the Governor's signature. Program budget requests pass through the Supreme Court's internal budgetary process and the legislative political appropriation process. Available revenues have enabled the Arizona

CASA Program to establish programs in all 15 counties. The funds appropriated determine the number of staff positions funded, which affects the number of volunteers that can be recruited, trained, and supervised. The Arizona CASA Program uses a ratio of staff to volunteers as a basis for its statewide funding request. Each county's ratio may vary due to differing factors.

In 1994, the policies and procedures were written and formalized by an Order of the Chief Justice of the Arizona Supreme Court. Since then, Arizona Code of Judicial Administration has been adopted and, along with policies and procedures, guides and assists in maintaining consistency in programming statewide.

Philosophy: An Advocacy and Relationship-Based Program

The Arizona CASA Program's philosophy encompasses both advocacy as well as a relationship-based approach to serving children. The CASA interviews all parties to the case, ensures appropriate services are being offered to the child and family, and obtains factual and objective information used to make recommendations to the court. However, in order to get specific information required for the CASA to advocate, it's imperative that a consistent relationship be developed with the child and, as appropriate, other parties to the case. The Arizona CASA Program's philosophy is that, to be most effective, both advocacy and relationships are important in speaking out for abused and neglected children.

State Program Office Staff

The **Program Manager** [(602) 452-3583] administers the program statewide. The program manager obtains funding, provides assistance in maintaining local programs, provides ongoing technical assistance, negotiates county budgets, reviews program operations, reports to the legislature as to how the allocated funds were spent, and assists local staff on an as-needed basis.

Areas of Expertise

Personnel, volunteer, and program areas
Funding
Legislative issues/Legislation
Case discussion/Child advocacy
Legal questions
Staff training
Operational review
Procedure Manual
Statutes, Rules, Administrative Code and Policies
Arizona Criminal Justice Information Systems (ACJIS) requirements for staff

The **Training Specialist** [(602) 452-3173] coordinates and facilitates the CASA Advocacy Academy for new CASA applicants. The training specialist provides training to all new CASA staff statewide, revises the *CASA Advocacy Academy* manual, and organizes various program trainings and bi-annual conferences. The training specialist is also responsible for organizing and providing ongoing in-service trainings, and coordinating and maintaining the CASA Resource Library for statewide use. In addition, the training specialist coordinates the on-line training modules offered on the CASA website, working with community experts to offer an array of training topics.

Areas of Expertise

CASA Advocacy Academy training for CASAs (hotel availability and accommodations for applicants, etc.)
Regional training or statewide conferences
Ongoing in-service training for CASAs
Resource Library
Coordinator training
CASA Advocacy Academy manual
On-line training modules

The **Community Outreach Specialist** [(602) 452-3683] is responsible for the development and implementation of statewide outreach and awareness efforts by working with county programs and providing support on recruitment and retention plans. This includes assistances to counties in recruitment efforts, attendance at community events, and reviewing and analyzing Quarterly Reports to assess trends and needs. The Community Outreach Specialist works with the AOC Public Information Office to capitalize on exposure for CASA, including press releases, media contacts, and publicity and awareness events. The outreach specialist also provides and coordinates statewide recognition for individual CASAs and CASA programs.

Areas of Expertise

Statewide quarterly newsletter
Public relations
Volunteer recognition
Outreach needs
Media
Volunteer recruitment
Advertising

The **Senior Administrative Assistant** [(602) 452-3654] is responsible for budget information for the county programs and the state program office, including tasks associated with the daily financial operations of the program. The senior assistant assists the state program manager on a daily basis and serves as the liaison between the vendor and the state program office on matters relating to the maintenance of the

statewide automated database system. The senior assistant is responsible for ordering all printed materials requested by the county programs.

Areas of Expertise

Budget and financial reports
Quarterly Progress reports
Equipment needs
Quarterly disbursements
Funding Agreement and Addendum A

Administrative Assistant [(602) 452-3407] provides support services for the state program office and county program staff, including preparation for and administrative support for CASA Advocacy Academy, background screening information of potential CASAs including fingerprints, MVD and CPS checks, and supply orders for county programs. In addition, the assistant provides support for the community outreach and training specialists, including checking materials out of the Resource Library and preparation of public awareness events.

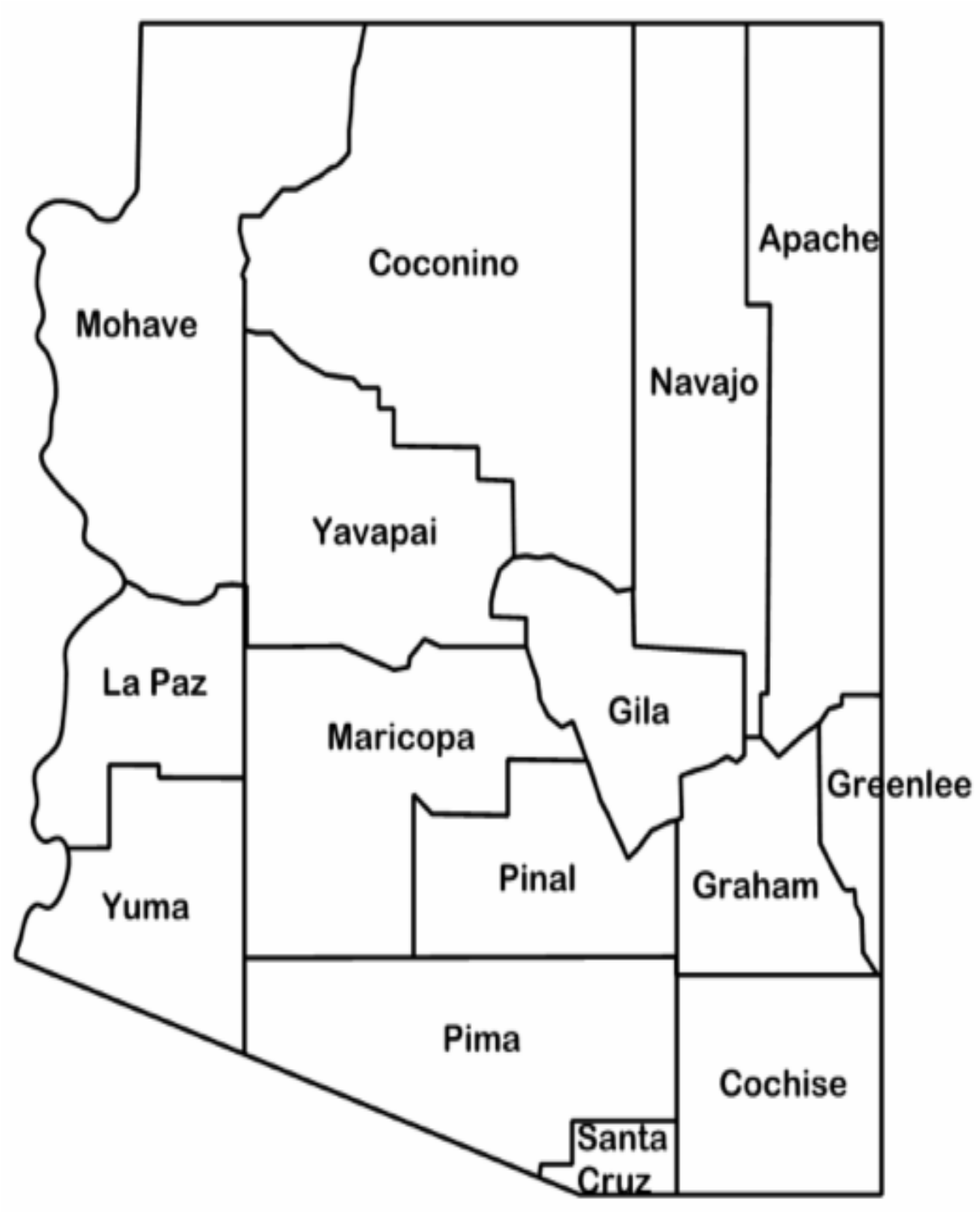
Areas of Expertise

Screening applicants (Fingerprint, MVD, and CPS Central Registry checks)
CASA Advocacy Academy (adding prospective volunteer names to training, ID badges, certificates)
Non-printed Supplies
Resource Library
Secure web server
DCATS database and reports

The **Web Designer** [(602) 452-3995] designs and provides ongoing support, information, and training to CASA state and county staff, and CASAs regarding the Arizona CASA Program website. The web designer develops training modules for CASAs via the Internet and maintains county web pages associated with the state website.

http://www.azcasa.org

To reach the state program office, call (602) 452-3407


Coconino
Apache
Mohave
Navajo
Yavapai
La Paz
Gila
Maricopa
Greenlee
Pinal
Graham
Yuma
Pima
Cochise
Santa
Cruz

NUTS AND BOLTS

Confidentiality

Arizona Revised Statutes (A.R.S.) § 8-807 "Department records on specific cases of child abuse and neglect are confidential. Except as prescribed by this section, all files, records, reports and other papers compiled in accordance with this article, whether filed in or in possession of the court, the division or a child placement agency, or any other agency or association, are confidential and are not available for public inspection."

Confidentiality—Staff

Any information pertaining to individual families or children received in the course of duties performed, either verbally or from written records, is strictly confidential.

County program staff is subject to the same standards of confidentiality as other court personnel, DES case managers, and other professionals working in the foster care system. Failure to adhere to this standard is considered a class 2 misdemeanor per A.R.S. § 41-1959.

It is imperative that all program files (case files, volunteer files, etc.), written material, and case conversations be kept confidential. Program staff and CASAs are authorized to disclose information regarding a case only to appropriate and designated people.

In addition, all county program staff is required to view an Arizona Criminal Justice Information System (ACJIS) video about working with fingerprints and confidential information. Compliance with this requirement will be reviewed during the Operational Review. Please contact the state program office to get a copy of the video for new staff.

Confidentiality—CASA

From the moment applicants sign the application, they are required to maintain confidentiality (see A.R.S. § 8-807). If CASAs have further questions about confidentiality, they should consult with the county coordinator. If there is still confusion, the county coordinator should go to the supervisor (Program Manager or judge) for clarification.

During the time the CASAs are appointed to a case, pertinent records may be kept in their possession but must be returned to the county program office when the CASA has been dismissed from a case or leaves the program (see section 6, File Management: Volunteer and Case). CASAs are personally responsible for the safekeeping and privacy of all confidential materials. Ultimately, the county program office will destroy the information five (5) years from the date of dismissal.

All files and written records developed as part of the CASA's duties are the property of the Arizona CASA Program and are not personal property. Withholding the file from the court is a misdemeanor offense.

CASA Privacy

In order to protect the CASA's privacy, it is suggested that phone numbers and addresses not be disclosed to anyone other than program staff. Outside agencies may reach a CASA by leaving messages with county program staff who can forward the messages to CASAs.

Email and Internet Access

Electronic communication and Internet technology allow access to a broad range of ideas and information, and facilitate the exchange of ideas and information in a timely and efficient manner. Use of electronic communications and Internet resources is subject to all rules governing the Arizona Judicial Department and court personnel, including the code of conduct, equal employment opportunity or sexual harassment policies, and Supreme Court Rule 123 governing public access to court records.

Public Scrutiny—Electronic communication shall be professional and business-like. Electronic mail messages, whether sent within the Judicial Department or outside the Judicial Department via wide area networks or the Internet, should withstand public scrutiny without embarrassment to the local court, the Judicial Department, other employees, and the public, both as received by the original recipient and if forwarded beyond the original intended recipient.

Professional Use—It is permissible to use the Arizona Judicial Department's email systems for limited professional purposes. Approved professional uses may include participation in professional associations, continuing education, scholarly publication, communications with colleagues, and subscription to listservs, news groups or topical updating services related to the court, the judicial branch, or an employee's professional

duties. Employees subscribing to such services shall keep up with the mail received, regularly delete messages once read, learn the rules associated with the service, and know how to unsubscribe (both for ending participation and for absences such as vacation), and maintain a professional demeanor when posting to a list. Such use is in all respects subject to approval of the employee's supervisor.

Routine Use—Routine business use is permissible and may include scheduling meetings, requests for information, the assignment of work tasks or clarification of assignments, and notification of employees whereabouts such as sick days or vacation requests.

Electronic mail, particularly when sent via the Internet, should be regarded as an unsecured medium.

Lack of Privacy—Users have no expectations of privacy. Even though judicial officers and employees routinely use email as a form of communication to discuss ideas and pending cases, this form of communication is not to be considered secure and no message should be considered absolutely confidential. Per program policies, county program staff using county computers shall adhere to the Arizona Code of Judicial Administration 1-503, electronic communications.

CASAs shall not transmit confidential information via computers unless transmission is through the Administrative Office of the Courts (AOC) secure web server. See the Procedures section of this section for how to send confidential information via the secure web server.

Fax Communication

Although many agencies, including courts, The Department of Economic Security (DES), and attorneys, fax confidential information, be very careful when faxing information. Ensure that the receiver is available and can retrieve the information or can notify the sender if the information was not received.

Restrictions Regarding CASA Information

The Arizona Code of Judicial Administration, Part 7, Chapter 1, Section 7-101 (CASA Code) states:

"…An outside individual or agency (for example: DES, attorneys, private parties, law enforcement, etc.) shall not review any CASA or case files unless a subpoena and an order of the presiding judge or designee has been issued.

"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."

This restriction includes the **CASA contact log and journals.** Information contained in these documents must be accurate and have enough detail for CASAs to be able to remember and explain events on the assigned case if necessary. However, the Contact Log/Journal is program material, not the CASA's**,** and CASAs should never give anyone outside the program the Contact Log/Journal unless there is a subpoena and the judge holds an *in camera* inspection, as noted above.

Ex Parte Communication

If a CASA wants to give additional case related information to the judge, it must also be disclosed to all parties through the county program office.

The CASA is considered a **"friend of the court"** and not a **party** to any action to which the CASA is assigned. Therefore, the CASA has no statutory or rule restrictions on communicating with persons involved in a particular case. While the CASA is under no legal restriction regarding ex parte communications, other persons involved with the case, namely attorneys and judges, are subject to ethical rules which govern **their** ability to communicate with persons outside the formal party process. Rule 81, Rules of the Supreme Court, Rules of Judicial Conduct, Canon 3 states:

"…A judge shall perform the duties of judicial office impartially and diligently…"

Section B refers to Adjudicative Responsibilities and (7) specifically states:

"…A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law. A judge shall not initiate, permit, or consider ex parte communications, or

consider other communications made to the judge outside the presence of the parties concerning a pending or impending proceeding."

Subsection (c) is a specific reference that states:

> "…A judge may consult with court personnel whose function is to aid the judge in carrying out the judge's adjudicative responsibilities or with other judges..."

It could be argued that the CASA is considered "court personnel" and would be covered under this exemption; however, the CASA Program discourages this communication.

CASA Safety Issues

The CASA needs to use personal judgment regarding safety in visiting the child and family and should take precautions if there are concerns. The CASA should contact the county coordinator to discuss the concerns in detail and may choose to hold visits in public, neutral places, or during the day, etc. A mentor, county coordinator, CPS case manager, probation officer, court security officer, or police officer may accompany the CASA if necessary.

It is imperative that safety issues be resolved before the CASA proceeds with the case.

Liability

A.R.S. § 8-522(H) states that "the special advocate is immune from civil and criminal liability for the advocate's acts or omissions in connection with the authorized responsibilities the special advocate performs in good faith."

The State of Arizona Risk Management Division provides liability insurance for CASAs during the performance of their duties. This coverage lasts for the duration of the CASA's official appointment by order of the court.

A.R.S. § 41-621 states that the "Department of Administration shall obtain insurance against loss, to the extent that is determined necessary and in the best interest of the state as provided in subsection (F) of this section, on the following:

> 3. "The state and its departments, agencies, boards and commissions and all officers, agents and employees thereof and such others as may be necessary to

> accomplish the functions or business of the state and its departments, agencies, boards and commissions against liability for acts or omissions of any nature while acting in authorized governmental or proprietary capacities and in the course and scope of employment or authorization except as prescribed by this chapter."

Department of Administration Code R2-10-107 states that "a volunteer acting at the discretion of a state official, within the course and scope of state-authorized activities, is covered under ARS 41-621."

A.R.S. § 41-621 continues: "The following exclusions shall apply...

> Losses against this state and its departments, agencies, boards and commissions that arise out of and are directly attributable to an act or omission determined by a court to be a felony by a person who is provided coverage pursuant to this article unless the state knew of the person's propensity for that action, except those acts arising out of the operation or use of a motor vehicle."

CASA Liability from Personal Automobile Usage—During the performance of duties, the CASA may use a personal vehicle. As part of the certification process, including ongoing certification, applicants and CASAs are required to inform their insurance carriers that they may be transporting children in the course and scope of CASA work. CASAs are also required to provide proof of automobile insurance to the county program on an annual basis.

The CASA's personal insurance is the first responsible insurer, and the state coverage acts as a supplement if the CASA's liability coverage is inadequate.

CASA SECURE UPLOAD QUICK REFERENCE SHEET

To be recognized as a new user, the user's email address must first be entered into the Secure Upload table by the state office. County offices are responsible for submitting the email addresses to the state office.

New User

1. Open the web browser to the CASA website, http://www.azcasa.org
2. Click on the "advocate" tab on the top of the state outline.
3. A list will appear on that tab; click on "Secure Uploads."
4. Click on "New User" in the lower right-hand corner of the "Existing Users" block.
5. On the next screen, enter your email address and password. Then enter the password again.

    - The password must be at least 8 characters and no more than 12 characters long.
    - The password must include at least one numeric character.
    - The password cannot have the same string of characters to the left of the "@" sign in the email address.
    - Passwords are case sensitive and must be entered the same way each time.
    - The password will expire every 90 days. When it expires, follow the directions under "New User." This procedure will need to be followed each time the password expires. *The same password can be used indefinitely.*

6. You will receive a message that your password has been set and the confirmation email has been sent to your email address.
7. Close the web browser.
8. Go to your email and open the email sent by the website.
9. Activate your password by clicking on the link contained in the email.

    - If the link does not work, there is an additional option included in the email. Highlight and copy the entire URL address given. Then, open your web browser and paste the URL address.

10. On the screen that appears, enter your email address and password, and then click on "Sign In."
11. A blank screen should appear, titled "CASA File Upload Form." Getting this screen means you have activated your password.
12. If you do not have a file to send, close your browser.
13. If you have a file to send, please follow the directions under "Sending a File (Upload)."

Sending a File (Upload)

1. Open your web browser and go to the CASA website, http://www.azcasa.org
2. Click on the "advocate" tab on the top of the state outline.
3. A list will appear on that tab; click on "Secure Uploads."
4. On the next screen, go to the box titled "Existing Users." Enter your email address and password, and then click on "Sign In."
5. A screen will appear titled "CASA File Upload Form." Complete this form.

    - File Name: You must click on the "Browse" button to locate the file you want to send. The system will not recognize a file name that is typed in.
    - "Description of contents" is an area where you may enter a description of the file being sent. Example: Court Report for Brown case.
    - Your name, email address, and telephone number should appear in the next three boxes. If your phone number is incorrect, please enter the correct number.
    - Choose to who the file is to be sent in the "Name:" box. Click on the little down arrow on the right-hand side of this box to scroll through the list of names to find the appropriate person.
    - "Message:" is an area where you may enter a message for the person to whom the file is being sent. Example: Please call me at work with any questions you have on this report.

6. When all areas are completed, click on "Upload."
7. A message will appear that states "The file upload was successful."
8. Close your web browser.

Retrieving Sent Files (Download)

1. Open the email from the web site, and click on the link provided. It will take you to the "Existing User" sign-in screen.
2. Enter your email address and password, and then click on "Sign In."
3. The file sent will open.
4. Print the file from this screen **OR** go to File and select "Save" to save the file to your PC.
5. Close the web browser.

General Information

1. Files will be kept on the secure web server for 14 days before being automatically deleted.

2. No more than five files can be sent in one day. If you try to send a sixth file, you will receive a message stating, "You are not allowed to upload more than five reports a day. Sorry."

3. You can be sent an email with your password if you forget it. Log on to the CASA web site, and follow steps 1 through 3 in the "Sending a File (Upload)" section. Then click on "Forgot Password" in the lower left-hand part of the "Existing Users" block. On the next screen, enter your email address and click on "Submit." A message will appear that states "Your password will be sent to your email address." Then open your email to obtain the password.

SCREENING APPLICANTS

Applicant Screening

The Arizona CASA Program is a challenging volunteer program that uses highly selective criteria to screen and identify those most likely to be successful in their advocacy for abused and neglected children. Due to its selective nature, the program has been able to establish and maintain credibility with the court, the Legislature, The Department of Economic Security (DES), community agencies, and other parties involved in the dependency process.

Many potentially inappropriate applicants screen themselves out during the extensive screening process. Reasons applicants screen out may include the following:

1. The applicant's goals may inconsistent with the goals of the program. For example, an applicant may have a negative attitude about DES or an "axe to grind" because of past experiences or negative media attention toward child abuse and DES.

2. The applicant may have exceptionally positive or negative feelings about foster families, birth families, or others involved in the dependency process, and these emotions could interfere with objectivity.

3. Applicants may reveal unresolved physical, sexual, or emotional abuse that prohibits their ability to successfully advocate on emotionally charged cases.

4. An applicant may have other commitments or life issues they need to resolve before they can fully commit to this type of intensive volunteer experience.

While these issues are usually revealed during the interview or polygraph exam, sometimes they do not surface until the applicant is observed during CASA Advocacy Academy, which is still considered part of the screening process.

During any point in the screening process, including CASA Advocacy Academy, the county coordinator may determine that the applicant does not meet all the screening criteria necessary for certification.

Volunteer Qualifications

Per Administrative Code, a volunteer shall meet the following qualifications.

1. U.S. citizen or legal resident.

2. Not employed by DES, the juvenile court, or child welfare agencies, unless specifically authorized by the juvenile court judge.

3. At least 21 years of age.

Volunteer Application Process

An applicant shall complete the following within ninety (90) days of the application date unless a good cause extension is obtained from the county coordinator.

1. Provide the program with a readable fingerprint card or a notarized criminal disclosure statement

2. Complete a personal interview with the county coordinator

3. Provide three non-relative personal references

4. Complete a polygraph examination

5. Attend CASA Advocacy Academy—Getting Started, CASA Advocacy Academy, and CASA Advocacy Academy—Beyond the Basics.

6. Authorize the CASA program to secure a criminal history record check, MVD record check, and DES Central Registry information check.

Additional items may be requested by the county coordinator. For example, the applicant may be required to write a short, autobiographical essay to demonstrate writing ability.

Volunteer Certification

Until all certification criteria are met, the individual is referred to as an "applicant." The certification process of an applicant begins when county program staff receives an application.

The volunteer may not be appointed to a case or become active in the program before completing the certification process and signing an *Acknowledgment and Statement of Intent Regarding Transportation of Children* form. Following is a description of the volunteer certification components.

- **Personal Interview**—The county coordinator is responsible for completing and documenting a thorough interview on every applicant. *See the Interviewing the Applicant chapter for more specific information.*

- **Three Non-relative Personal References**—Applicants are required to provide three non-relative references who do not reside in the same household. When the application is received, the reference questionnaires are mailed to the references. The information received should contain specific information to be used as part of the certification process.

- **Criminal History Information**—The fingerprints of each applicant are processed by the Department of Public Safety using the specific identifying number of the Arizona Supreme Court. Both a state and national check (FBI) are completed. There is no charge for fingerprinting or processing and all results are provided to the state office which, in turn, notifies the appropriate county office of the results.

  The FBI has experienced problems with some fingerprint cards on which a highlighter was used, either before or after county information or signatures are entered, therefore county offices should not use highlighters on the cards. Additionally, scanners cannot process cards on which the information in a block overlaps that block's border. This is especially critical for the "Your No. OCA" block where ORI information is entered, because that block identifies the agency that submitted the fingerprint card.

Fingerprint cards will be rejected by the FBI if:

1. The card contains highlighting.
2. The required information overlaps the borders of any block.
3. There are any staples in the card.

- **DPS Motor Vehicle Information**—The state office obtains a driving history on each applicant. If the applicant does not have an Arizona driving history, the county coordinator should note, on the fingerprint inventory sheet, from which state the applicant's history can be obtained and include a copy of the license. Very few states do not allow computerized access to driving records.

  Documentation obtained from MVD will be retained by the state program office only and will not be given to county programs. The state office will inform the county program of negative results of the driving history check.

The history is used to determine if the applicant should be allowed to transport children, county staff, or other persons in the role and scope of this volunteer work.

- **DES Central Registry Information**—This CPS records check identifies any person who has a substantiated report (not allegations or appeals) of child abuse and neglect in the state of Arizona. The state office conducts this search and will contact the county coordinator immediately if an applicant or volunteer is on the registry. Documentation obtained from the DES Central Registry will be retained by the state program office only and will not be given to county programs.

- **Polygraph Examination** —According to Administrative Code, all applicants shall take a polygraph examination to determine truthfulness of criminal history or relevant information provided to the county coordinator during the interview.

  The AOC requests bids from agencies or individuals interested in providing polygraph services to the Arizona CASA Program. A current list of polygraph examiners may be obtained from the state office.

  County coordinators who have concerns about specific issues may complete a form requesting that the polygraph examiner screen for truthfulness or deception in those areas. The polygraph examiner may discuss screening criteria that may prohibit the applicant from becoming a CASA volunteer, *however the polygraph is*

only one part of the comprehensive screening process and the polygraph examiner may not dictate whether an applicant is accepted into the CASA program. That decision is made solely by the county coordinator based on the applicant's complete screening results.

The polygraph examiner is required to provide the polygraph results to the county coordinator along with any additional information that was discussed or concerns that were addressed. These results are kept in the applicant's file.

- **Training**—All applicants must complete 30 hours of training which is an integral part of the certification process. (See section 7, Training: Staff and CASAs for more information)

- **Sign** the *Acknowledgment and Statement of Intent Regarding Transportation of Children* form.

Certification Denial

Per Administrative Code, "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."

The county coordinator shall notify applicants or volunteers of the general facts regarding a finding without providing specific information on criminal records, negative MVD records, or DES Central Registry information. Without providing specific details, the county coordinator may explain where the applicant can research the information. Sometimes applicants may need to research their criminal background to obtain disposition information on charges listed.

Specific reasons for denial are found in the Administrative Code.

When "no" is not enough—Applicants shall be advised that if they do not agree with the county coordinator's decision denying entrance into the program, they may request to have the decision reviewed by the presiding juvenile court judge. [Administrative Code I (3)]. The county coordinator provides the judge with the necessary information from the screening process to make this decision. Applicants will be notified in writing of the judge's decision.

Access to Records

Unless otherwise provided by law, program records are not open to applicants, volunteers, or the public. Upon request, the county coordinator may provide applicants or volunteers with a copy of their individual application. Notes or work product of the county staff shall be redacted. Please refer to the Administrative Code, H(6).

Procedures

Steps in the Application Process

1. Application sent—Enter all relevant information in DCATS. (See DCATS manual.)

2. Schedule an interview—Schedule a date with the applicant to come to the CASA office for a personal interview. (See section 5, Interviewing Applicants)

3. Criminal History (fingerprint card)—Depending upon the county, program staff may complete the fingerprint card and do the fingerprinting in conjunction with the interview; applicants may also be referred to the probation department, court, Police Department, or Sheriff's Office to be fingerprinted.

4. After the interview and when fingerprints have been processed, send three reference requests to the non-relative references identified by the applicant. Once obtained and reviewed by the county coordinator, the references are filed in the CASA's file.

Directions for Completing a Fingerprint Card and Inventory Sheet

1. Please follow the example in the Forms section for completion of both the fingerprint card and DPS Applicant Fingerprint Card Inventory form.

2. The card needs to be completed in full and signed by the applicant at the time of fingerprinting. Some counties prefer to have two fingerprints taken in case there needs to be a second submit on an applicant or for ongoing certification in the future. All cards need to be cross-referenced on the DPS Applicant Fingerprint Card Inventory form. When completed, and with a copy of the inventory form, mail to:

Applicant Team #1
Box 18430
Phoenix, AZ 85005-8430

Please Note:

ALWAYS use the same ORI No., which is AZ007015J. This number references the Arizona Supreme Court for employment purposes only and is the only number county program staff can legally use for applicants. By using the ORI number, which is under the Arizona Supreme Court umbrella, the program does not have to pay for fingerprinting its applicants.

ALWAYS check the "Criminal Justice/FBI and State Level" box in the top, right-hand corner of the inventory sheet; otherwise, only state-reported information will be returned and not both state and national information. Up to 30 names may be listed on an inventory sheet, and the same number of fingerprint cards must accompany the inventory form. *If the applicant has an out-of-state driver's license, note that by the applicant's name on the inventory sheet. The out-of-state driver's license information is needed to retrieve motor vehicle history information from the other state.*

ALWAYS cross-reference the inventory number ("D" or "C") from the inventory sheet to the fingerprint card. This allows for easier follow-up if the results are not received.

A DPS Applicant Fingerprint Card Inventory form is offered two ways (see Appendix F: *Forms* for examples):

1. A preprinted DPS inventory sheet in two-parts contains an original to send with the card to DPS and one for the county program's file**.** Mail a **copy** to the state program office. These all have "D" numbers for reference. Most often, these are printed by hand and one copy must be mailed to the state program office.

2. A Word document provided by the state program office with "C" numbers assigned to the county by the state program. These are computer-driven forms and copies can be made (DPS, county office file, state program office) and mailed accordingly. However, if the Word document is used with the assigned numbers, the inventory sheet can be sent immediately as an attachment to an email through the AOC secure web server to the designated state program staff person and does not need to be mailed. *Sending the inventory sheet via the AOC secure web server is the preferred method.*

Resubmits: If the FBI results on the first submit are returned as "unreadable," "L0016" a second submit may need to be completed per the Administrative Code. The second submit needs to be completed exactly as the first. All resubmits must be on a different inventory sheet than first submits and must be marked "resubmit."

At the time of the second submit, the prior paperwork (rejected card, inventory sheet, and national results) must be mailed to DPS along with the **new** information (fingerprint card, inventory sheet, and previous results). Only the inventory sheet must be clearly marked "resubmit." A copy of the inventory sheet needs to be given to the state program office for tracking and logging purposes.

If the second submit is returned "unreadable," the applicant must sign a Certified Statement of Criminal Disclosure.

5. **MVD/CPS Central Registry Information Check**—This process is completed by the state program office. If there is an issue regarding the information obtained, the state program office staff will notify the county coordinator.

6. **Polygraph Examination**—After completing the interview process, applicants are scheduled for a polygraph exam. The county staff may be the liaison between the polygraph examiner and the applicant in setting up a time for the exam. The polygraph form is given to the examiner before the exam. The exam will cover a list of pre-set questions provided to the examiner by the state office and any areas on the application or any additional information or areas of concern provided by the county coordinator.

7. **Training**—Thirty hours of documented training must occur as part of the screening process. *See section 7, Training: Staff and CASAs for complete instructions.*

INTERVIEWING APPLICANTS

General Information

As part of the screening and certification process, all applicants are required to participate in an extensive interview process. The interview allows county coordinators to screen applicants for appropriateness to the program and for applicants to screen whether or not the program meets their needs. A required interview tool is located in the "Forms" section of this chapter.

Before starting the interview, the county coordinator should explain to the applicant:

1. The purpose of the interview.

2. The kinds of questions that will be asked.

3. That there are no right or wrong answers.

4. That the interview and all information discussed are confidential**.**

5. That the interview may last approximately two hours.

Good interviewing skills are necessary in matching a potential volunteer with a task and a working environment the volunteer will enjoy. Effective interviewing includes not only determining applicant suitability, but also determining whether there is a productive fit into the organization. It is not a question of, "*Who can do the job?*" but "*Who will want to do the job and be successful?*"

The CASA interview needs to accomplish more than the usual employment interview. There are two basic purposes:

1. **Identify the "Fit"**—It is important to determine if the applicant:

    - Has the ability to learn about the work.

    - Has the interest to pursue the position.

- Has the commitment to complete the required training.
- Has the time to give to the program.
- Has the maturity and ability to perform the duties of the position.
- Has an attitude/philosophy consistent with the philosophy of the program.
- Has the motivation.

2. **Recruit**—The county coordinator is always recruiting. If the applicant decides not to pursue this opportunity, it's possible that the applicant can "spread the word" about the CASA Program to others who may have an interest.

Pre-Interview Preparation

Since the applicant interview requires an in-depth exploration of personal characteristics and behavioral and family history, the site selection can be critical. For those reasons, the site needs to be easily accessible with a friendly atmosphere and it must provide privacy.

The county coordinator needs to have the following information when conducting the interview:

1. Applicant's dated and signed application
2. Volunteer Minimum Performance Standards
3. Information and materials about the CASA Program
4. Fingerprint card
5. Interview tool
6. Applicant's Driver's license and proof of insurance
7. Autobiography (Optional)

A Successful Interview

Clear communication is critical to a successful interview. Points to consider:

1. Have the applicant elaborate on life experiences.

2. Try to make the applicant feel comfortable so the conversation flows easily.

3. The applicant's philosophy may emerge during the interview. By hearing about past experiences, insight may be gained into the motivation and/or attitudes the applicant holds.

4. Ask structured questions that will elicit information about personal values and motivation. This allows the applicant a chance to elaborate on feelings.

5. One purpose of the interview is to screen for any biases or strongly held values that may hinder objectivity. Red flags may appear.

The Interview Process

It is important to *listen* to applicants and to allow them to answer your questions *free of interruptions.* The interview is a two-way assessment and applicants are also using this process to assess the CASA Program.

Welcome the Applicant

1. Explain the purpose of the interview and how the applicant fits into the process.

2. Review Arizona CASA's history, purpose, and goals.

Review the Application

1. Make sure the applicant has signed and dated the application.

2. From the application, explore interests and abilities of the applicant.

3. Determine why the applicant is considering the volunteer position.

4. Review the criminal history information contained in the application.

5. Verify that three references are listed with complete contact information.

6. Ensure that questions, comments, and concerns of both the county coordinator and the applicant have been addressed so both parties will have received the information needed to make informed decisions.

Explain the Volunteer Minimum Performance Standards

Review the *Volunteer Minimum Performance Standards* and clearly describe the role and duties of a CASA. Clearly defined roles, responsibilities, and expectations allow applicants to make an informed decision and also assist in increasing retention rates. Do not "gloss over" and lose the CASA because they didn't understand the full spectrum of the required responsibilities, as this is a waste of energy and resources.

Some of the responsibilities that should be emphasized are:

1. Represent the child's best interests and advocate for the child in court.

2. Research information on the case.

3. Make objective decisions based on facts obtained in the research.

4. Document all case activity and provide it to the county program office on a monthly basis.

5. Organize and prioritize tasks.

6. Effectively work with other professionals in the case.

7. Write clear and concise court reports and provide them to the county program office two weeks prior to the court hearing.

Discuss Program Requirements

1. Time commitments.

2. Training requirements (30-hour CASA Advocacy Academy; 12 hours in- service annually).

3. Documentation and paperwork.

4. Contact Log/Journal (provided monthly to the county program office).

5. Court report (provided to the county program office two weeks prior to the court hearing).

6. Participation in an annual assessment.

Discuss Skills

Explain that because training is provided, no special skills are required; however, many "common" skills contribute to the success of CASAs and enable them to perform their duties effectively and efficiently. Some of the skills are:

1. Proficient written and verbal communication skills.

2. Attention to detail and accuracy.

3. Ability to follow guidelines and policies.

4. Tact.

5. Perseverance.

6. Consistency and dependability.

7. Cultural sensitivity and the ability to work with people who have different cultural and ethnic backgrounds.

8. Assertiveness.

9. Ability to negotiate.

Discuss Opportunities

Opportunities outside the scope of casework may include becoming a mentor, recruiting, training, presenting, working on special projects, or other things of interest to the applicant.

Close the Interview

Briefly summarize the interview (time commitments, volunteer availability, case preferences, issues brought up by the applicant) to ensure that both the county coordinator and the applicant understand the same information. The next steps of the certification process should also be explained if the applicant has been determined as appropriate to continue the screening process.

Ensure the applicant understands that acceptance as a CASA will not be made until after successful completion of **all** screening, including the initial 30 hours of training.

Give the applicant information regarding the polygraph (county program staff connects the applicant with the polygraph examiner), fingerprints (usually taken the day of the interview), and what to expect at the CASA Advocacy Academy and follow-up training, including dates, times, and locations.

If the applicant is not appropriate for the program, suggestions may be given for volunteer positions in other organizations.

Avoiding Common Errors

Do not:

1. Ask leading questions.

2. Make decisions too early in the interview.

3. Follow too structured a pattern (rather than flexible), without recognizing individual differences.

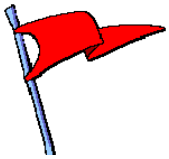
4. Accept phone calls during the interview or allow unnecessary interruptions.

5. Fail to describe the job and program in sufficient detail.

6. Be interviewed by the potential volunteer instead of doing the interviewing.

7. Judge the applicant solely on personality, overlooking other important factors.

Red Flags



- An applicant wants to be a Big Brother or Sister to the child. The Arizona CASA Program is not a Big Brother/Big Sister organization.

  The priority of a CASA is to advocate for the best interests of the child and aid the court in making good decisions about the child's future. Establishing a relationship with the child is important so that the CASA is trusted and can obtain information. However, the CASA needs to formally collect and document information from the child and other parties to the case, write a court report that conveys pertinent information and advocates for needed services, provide recommendations to the court, and attend court hearings.

- Sometimes the applicant is drawn to the CASA Program because the person was victimized as a child and wants to prevent another child from going through the same thing. *This is an attitude worth very careful consideration in the screening process.* Historically, an applicant who cites personal history as an abused child as *the main reason for volunteering* may be unable to effectively perform the duties of a CASA. Often the CASA is unable to remain objective.

- Applicants with an unresolved personal history may be unable to answer interview questions. The applicant may show a range of emotions, no emotion at all, be angry, cry, and/or express emotions without regard to appropriate boundaries. It may be appropriate to stop the interview at this time, process the situation if necessary, and reschedule if appropriate.

- The Arizona CASA Program may also attract an applicant with a personal motive, such as searching for a child to adopt or to "save." This is an inappropriate motivation that could lead to problems in the relationship between the child and the CASA.

- Sometimes applicants are motivated by hostility or anger at the court over a decision that had an adverse effect in their lives. This is also an inappropriate motivation.

- The applicant may meet all written criteria but be unable to grasp the CASA concept or the intricacies of the court and child welfare system.

- The applicant may believe the rights and interests of the parents are primary and may not be suited to the position. The applicant's interest is contrary to the philosophy of the program.

County coordinators assess applicants and use professional judgment to determine if they would be appropriate volunteers. They interpret verbal and nonverbal communication, and can stop the interview at any time.

Saying "No"

One of the most important abilities county coordinators must have is the ability to say "no." As difficult as it may seem, turning down an applicant is much better than risking harm to children. Other considerations are liability, the program's reputation in the community, and the time and energy spent supervising an inappropriate volunteer. The CASA program should not be jeopardized or compromised by failure to reject unqualified candidates.

Even if applicants meet all the written qualifications, pass all screening processes, give appropriate answers during the interview, and attend CASA Advocacy Academy, the county coordinator may get a *"gut feeling"* and not feel right about accepting them into the program. Instincts can be powerful and may be worthy of further exploration with another party (a coworker, a judge).

Do not accept applicants into the program as a courtesy because saying "no" is uncomfortable. Give them the respect and courtesy of dealing with the situation in a direct manner. To do otherwise may result in a negative image of the program in the community. (See section 4, Screening Applicants for direction on declining an applicant)

FILE MANAGEMENT: VOLUNTEER AND CASE

Volunteer Files

Volunteer files are created upon return of applications and are subject to compliance audits. These files include the following:

1. Completed application

2. *Conflict of Interest Waiver*, if applicable

3. Documented personal interview with a county coordinator

4. Three non-relative personal references

5. Documented results of the polygraph examination

6. Results of state and FBI fingerprint background check or *Certified Statement of Criminal Disclosure* form

7. Verification of completion of CASA Advocacy Academy—Getting Started and CASA Advocacy Academy—Beyond the Basics

8. *Volunteer Assessment* forms

9. *In-service Training Documentation* form (not mandatory if training sign-in sheet is available and training information is recorded on all volunteers in DCATS)

10. Proof of automobile insurance, updated yearly

11. Copy of driver's license if CASA will be transporting children

12. A signed and dated *Acknowledgment and Statement of Intent Regarding Transportation of Children* form

13. Signed and dated *Ongoing Certification Statement* form every two calendar years after initial certification

14. *Volunteer Contract* (optional)

15. *Training Log* (optional)

16. Autobiography (optional)

Volunteer files must be retained in the office for five (5) years from the date of termination from the program, after which time they may be shredded.

Case Files

Case files are created upon acceptance of a case by a CASA and are subject to review for operational compliance. The following items must be included in the case files.

1. Dependency petition
2. Initial Report to the Court submitted by CPS
3. *Dependency Case Screening* form
4. Order of Appointment
5. *Legal Party Memorandum*
6. Conflict of Interest Waiver (if appropriate)
7. CPS reports
8. Psychological examination reports for the child(ren) or family members, if available
9. Foster Care Review Board (FCRB) reports
10. Court orders, minute entries, and motions
11. Correspondence
12. CASA Court Reports

13. Contact Logs

When to Close a Case File

Until all children are dismissed from a case, the case file remains "open" if a CASA is assigned. A case will be dismissed and the CASA case file closed when the case has reached permanency for the child (returned to parent, guardianship, adoption, aged out) and the CASA is dismissed.

If a child has been dismissed from a case, but there are other siblings still involved, the case remains open and the file is maintained while the CASA continues to work with the remaining children. Since it is still the same case, all documents about the child who was dismissed are maintained in the "open" case file.

To close a case file, remove and destroy all non-CASA-related documents.

Retain:

1. *Dependency Case Screening* form.
2. Order of Appointment.
3. Rescinding Order of Appointment or minute entry dismissing the CASA.
4. Correspondence to or from the Arizona CASA Program.
5. *Conflict of Interest Waiver* (if appropriate).
6. *Legal Party Memorandum.*
7. CASA Court Reports.
8. Contact Logs.

TRAINING: STAFF AND CASAS

Staff Training

Per CASA Policy, all new county program staff is required to:

- Attend New Staff Orientation Training provided by the state program office.
- Attend the CASA Advocacy Academy.
- Observe a Pre-hearing Conference, Preliminary Protective Hearing, and a Review Hearing.
- Observe a Foster Care Review Board (FCRB) meeting.
- Attend a case management staffing with CPS (county coordinators only).
- Document to the state program office that the Arizona Criminal Justice Information Systems (ACJIS) video for handling confidential information has been viewed.
- Complete Committee on Judicial Education and Training (COJET) requirements consistent with COJET guidelines.

Juvenile On-line Tracking System (JOLTS)

JOLTS is a statewide database used by all counties to track information on dependency and delinquency cases and to report information to the state program office. County program staff should work with the JOLTS coordinator in their county to schedule a JOLTS training.

Dependent Children Automated Tracking System (DCATS)

DCATS is a statewide database used by both the CASA program and the Foster Care Review Board. This database tracks information on CASAs and the dependency cases to which they are assigned. All counties use this database system to collect data and report information to the state program office. New county program staff will need to contact the state program office to arrange for DCATS training.

Annual Administrative Training

The state program office coordinates an annual administrative training to include state program staff, county coordinators, and support staff statewide, depending on available funding each year. Training may cover various administrative topics such as strategic planning, goal setting, stress and time management, volunteer management, and other relevant topics.

CASA Administrative Meeting

The state program office coordinates administrative meetings at the AOC that typically coincide with CASA Advocacy Academy sessions in Phoenix. These meetings enhance the exchange of information from the state program office to the county programs as well as offer an opportunity for county programs to share information with each other. Through group participation, discussions regarding program issues, administrative and professional support, and the development of ways to influence child welfare policy are held. Per Policy, one county coordinator per county shall attend administrative meetings. At least one administrative meeting shall include training for county coordinators and one will include training for all state and county program staff. Brief records of meetings shall be completed after each meeting, and shall be maintained according to Administrative Office of the Courts records retention policies and code.

Should county staff need to present a particular issue for group discussion outside the normal administrative meeting dates, a formal request for a special meeting may be made. Depending on funds, the nature of the request, and the urgency of the matter, the state program manager may schedule a special administrative meeting or a conference call with all counties.

Volunteer Training

All applicants must complete 30 hours of initial training before becoming certified as a CASA and accepting a case. This consists of CASA Advocacy Academy—Getting Started, CASA Advocacy Academy, and CASA Advocacy Academy—Beyond the Basics.

Prior to CASA Advocacy Academy, the state program office provides county programs with information regarding the Academy, including a letter about the Academy, what applicants can expect, a map, and an agenda. County program staff assists applicants

with transportation issues, including reimbursable expenses, arranging vehicles or car pooling, or driving applicants to Academy. During the transportation process, county coordinators may answer questions arising from training, continue to screen the applicant, and lend support and encouragement. It is also possible for applicants to transport themselves to Academy and, while preferred, it is not imperative that a county coordinator accompany all applicants to training.

CASA Advocacy Academy—Getting Started

Before applicants attend CASA Advocacy Academy, they must attend the Getting Started Academy offered by their county program. County coordinators or mentors under the supervision of a county coordinator shall facilitate the Getting Started Academy. This training consists of topics that will better introduce the applicant to the CASA program as well as prepare them for the CASA Advocacy Academy.

CASA Advocacy Academy

After all screening procedures, including the polygraph exam, have been completed, the applicant must attend the CASA Advocacy Academy, an interactive experience that provides an overview of the juvenile court system, Child Protective Services, reasonable efforts, permanency planning, CASA minimum performance standards, and other essential topics. The Academy is part of the screening process and allows for further assessment of a participant's knowledge level and abilities to ensure that the applicant is suitable and has the appropriate skills to be a CASA. This is also an opportunity for applicants to further assess the program to determine whether the CASA program is their desired volunteer opportunity.

If circumstances prevent applicants from completing any portion of CASA Advocacy Academy, county coordinators may make alternative arrangements for them on an individual basis by working with the state training specialist to ensure completion of the requirements.

The state program office arranges on-site training preparations, including materials, name tags, CASA ID badges, and meals. County program staff must submit attendee names to the state program office in the timeframe requested. County programs are sent reminders with the submittal deadline date. It is imperative that these deadlines be met to ensure that proper arrangements are made.

CASA Advocacy Academy—Beyond the Basics

Following CASA Advocacy Academy, all new applicants attend Beyond the Basics Academy in their counties. Beyond the Basics Academy is facilitated by a county coordinator or a mentor under the supervision of a county coordinator. This training offers county-specific issues and procedures, and allows county coordinators to elaborate on or reinforce topics addressed in CASA Advocacy Academy.

In-service Training

CASAs are required to complete 12 hours of pre-approved in-service training annually, and county coordinators are responsible for ensuring that the training requirement has been met. Trainings may be conducted by external organizations such as CPS, a probation department, foster parent association, or other agencies capable of discussing local resources, program needs, CASA concerns, or other hot topics. Guest speakers should provide information in their areas of expertise (i.e., bonding and attachment, foster parenting, etc.).

County programs should also offer program-specific training such as advanced court report writing, confidentiality and ethics, or Administrative Code and Policies. These trainings should be conducted by county program staff with assistance from the state program office as needed.

Case support, peer group meetings, or "brown bag" lunches allow CASAs to staff cases (without identifying information), discuss systems issues and frustrations, learn different techniques, and identify resources. Sharing ideas and knowledge allows CASAs to avoid pitfalls and learn from each other instead of "reinventing the wheel." Trainings and meetings should be scheduled at times convenient to the majority of CASAs. Larger programs may wish to vary their training schedules (i.e., evenings, Saturdays, etc.) to accommodate more CASAs.

Some CASA training topics may be of interest to other court departments or local agencies such as CPS, Foster Care Review Board, social service agencies, service providers, etc. County coordinators may wish to open trainings to others to promote visibility and understanding of the CASA Program, provide opportunities for networking, and share knowledge about pertinent issues.

Web-based Training

The state CASA website contains an on-line training component with a variety of modules ranging from court procedures to syndromes, disorders, and illnesses. There is no limit as to how many modules staff and CASAs can complete. CASAs will receive training credit for each module that is completed correctly, but may only receive credit for the same module **once every year**. Credit is pre-assigned to each training module and has values ranging from one-half hour to one hour credit. When a CASA completes a training module, the system automatically updates and documents the training in DCATS. Notification is provided to the county program office that the CASA completed a module and was given training credit. County program staff should check with their courts to see if COJET credit will be given for these trainings. A list of the available training areas can be viewed by following the "training" link on the state CASA website, **www.azcasa.org**

Resource Library

The state program office has a Resource Library that contains books, videos, DVDs, and CDs. This library of training materials is available to all CASAs statewide, and can be accessed via the state website. Materials can be ordered on-line, and they are forwarded to the CASA via U.S. mail. The CASA is responsible for returning the materials to the state program office in the designated timeframe.

Procedures

Before and After CASA Advocacy Academy

Prior to CASA Advocacy Academy, the following should be accomplished according to individual county procedures, as applicable:

1. Conduct Getting Started Academy.

2. Request funds for county coordinator expenses, as county procedure dictates.

3. Reserve a vehicle or arrange carpooling.

4. Reserve staff and applicant hotel rooms. The county coordinator may obtain a check from the county finance office ahead of time to pay for the hotel costs directly so that reimbursement to the applicant is not needed. County program staff may also make direct billing arrangements with the hotel to avoid reimbursement.

5. Provide pertinent information to all applicants. Suggested items include guidelines for travel, accommodation arrangements and location, training times and location, and training agenda.

6. Forward the list of Academy attendees to the state program office by the requested deadline.

After CASA Advocacy Academy, county programs are responsible for the following:

1. Conduct Beyond the Basics Academy, providing county supplemental materials and reviewing the Administrative Code and Policies. Applicants must sign the *Acknowledgment and Statement of Intent Regarding Transportation of Children* form, which includes the statement that the applicant has read the Code and Policies.

2. Collect all receipts and reimbursement forms from the participants at Academy, if applicable to the county. Copy the forms and receipts, and forward the originals to the county finance department.

3. Compile summary of expenses to determine total costs (optional).

Training Documentation

In-service Training—Per Arizona CASA Policy, all CASA in-service training shall be documented and is subject to program audits. There are four ways that documentation may occur.

1. Certificate of Completion—If a CASA completes applicable training outside the CASA program, a copy of the certificate is placed in the volunteer file and the information is entered into DCATS by county program staff.

2. Training Sign-in Log—After a CASA training event, sign-in sheets are retained by the county program office for auditing purposes; however, copies need not be placed in individual volunteer files. Information from sign-in sheets is entered into DCATS by county program staff.

3. Website—Upon completion of the module exam, training hours are entered into DCATS by state program office staff who notify county programs, via email, that training hours have been earned. This email notification should be printed and placed in the CASA's volunteer file.

4. Resource Library—When training hours have been completed using resources from the Resource Library, county program staff completes an In-service Training form for the CASA. It is placed in the volunteer file, and the training hours are entered into DCATS.

Database—If a county program is not "live" on DCATS, county staff is responsible for providing training documentation to the state program office for entry into the DCATS system.

ALLOWABLE INDEPENDENT STUDY TRAINING CREDIT CHART

Training Event	Appropriate for Training Credit	Prior County Coordinator Approval Required	Allowable Amount of Time
Articles	X		Up to 1 hour
Books	X		30 minutes for each 50 pages; maximum of 3 hours per book
Brown Bags	X		Time spent at the Brown Bag
Case Presentation	X		Up to 1 hour
College Course Work	X		Course credit hours
County Newsletters	X		Up to ½ hour if newsletter contains training article(s)
Internet Research for Cases	X		Amount of time spent in research
Interview	X		Actual interview time
Peer/Support/Case Support Meeting	X		Length of the meeting
Video/DVD	X		Length of the video or DVD
Watching a Movie or TV Special	X	X	Length of movie or TV special

DEPENDENCY CASE MANAGEMENT

Confidentiality

All county program staff must guarantee that volunteer and case information is kept confidential, including locking file cabinets, clearing computer screens, securing papers or files, and refraining from case related public conversations.

Dependency Cases

When the Department of Economic Security (DES), Guardian ad Litem, or a private party requests that a child be declared "dependent," a Dependency Petition is filed with the office of the Clerk of the Court. The county program must obtain a copy of the petition and available case information for screening purposes.

Procedures in counties may vary. In some counties, when a new dependency petition is filed, the Clerk of the Court's office duplicates the information and gives it to the county program staff. In other counties, county program staff periodically goes to the Clerk's office to review new dependency petitions. On a more informal basis, case managers, juvenile court staff, Attorney General's staff, or other court personnel, may contact the program about new petitions.

County coordinators may call case managers for any updated case-related information they want to include in the screening process.

Screening Cases

Dependency cases are screened to assess the child's level of risk and the need for a CASA. All new dependency petitions must be screened by county program staff or qualified mentors.

In some counties, case screening information is entered into the statewide court database, Juvenile On-line Tracking System (JOLTS).

Case screening begins with the initial dependency petition, which may contain limited information. Initial case screening begins at the time the initial dependency petition is filed and may continue through the Preliminary Protective Hearing. If the petition is received prior to the hearing, the county coordinator may attend the Preliminary Protective Conference and Preliminary Protective Hearing to further assess the case. Screening may not occur in some counties until after both the Preliminary Protective Conference and Preliminary Protective Hearing are held and the information provided to the county program office.

If a screened case does not warrant a CASA appointment, only the screening form needs to be retained for auditing and statistical purposes. All case-related information may be shredded.

If a CASA is appointed to the case, all case-related information, including the screening form, is kept and a duplicate case file is completed for the CASA. (See section 6, File Management: Volunteer and Case)

Referrals

Other parties to the case such as attorneys, GALs, case managers, parents, foster parents, FCRB, or school personnel may request a CASA be appointed to a child. Some counties have a specific form that must be completed and forwarded to the CASA office. Judges may enter a referral at any time during the dependency process if they believe CASA appointment is appropriate and necessary. All attempts should be made to meet the referral request of the judge.

Unassigned Cases

If a CASA is not appointed immediately to the case, it may be reviewed at a later date to determine changes in risk factors. Cases may be re-screened as necessary, such as at the following critical junctures:

1. Prior to adjudication of a jurisdictional or termination petition

2. Prior to a decision to change to unsupervised visitations or family reunification

3. Prior to or after the birth of a new sibling who may be left in the home

4. When domestic violence arises and the child is in the home

5. When a new allegation arises on the child or a sibling

6. Addition of a new live-in partner of the biological parent

7. Prior to any significant case plan change

8. At the request of other legal parties to appoint a CASA

Case Selection

Matching a CASA to an appropriate case is important. Screening cases helps county coordinators determine what specifics are involved in the case: number and ages of the children in the family, types of alleged abuse, and services provided to the child and family. Information gathered in the screening process should be used to make an appropriate CASA match. The CASA's preferences regarding types of cases/children should be considered, as well as geographic location, availability of time, skill level, foreign language capability, past experiences, educational/vocational background, and any other specific talents. If possible, identify two to three cases that match the CASA's specifications, and encourage the CASA to review the files to determine which case to accept. If this approach is not possible or practical, call the CASA and present the relevant facts of the case. Allow the CASA time to process the information before making a commitment.

Although matching is important to the success of the case, county coordinators should present cases even if all the factors do not align, since there is often a great deal of flexibility in the CASA's preference, and preferences may vary based on experience, circumstances, or case specifics. Allow the CASA to choose, and do not arbitrarily rule a case out unless the CASA does not have the skills to handle it.

CASA Appointment

The following takes place when a CASA accepts a case.

An *Order of Appointment* form is completed and forwarded to be signed by the juvenile court judge**.** After the signature is received, the original order is filed with the Clerk's Office. This is the official document allowing the CASA to receive

confidential information about the case and to fulfill the roles and responsibilities of the program.

All legal parties are to be notified of the appointment. A *Legal Parties of Record Memorandum* is prepared and mailed to all legal parties with copies of both the Court Order and the *CASA Minimum Performance Standards*.

A case file is prepared for the CASA, including copies of the petition and any related court information available. A duplicate file is made for the county program office. (See section 6, File Management: Volunteer and Case)

Mentor Assignment

If appropriate, assign a mentor to the CASA. A mentor is a "seasoned" or experienced CASA who is available to assist in the training, guidance, and support of other CASAs. Mentors may or may not currently be assigned a case. They may meet one-on-one with the CASA to discuss the assigned case, join the CASA on the first meeting with parties to the case, or attend court or FCRB meetings with the CASA.

Case Presentation

After preparation of a case file, the county coordinator should make an appointment with the CASA to present the case

When Presenting a Case:

- Present the facts fairly and accurately.
- ***Do not*** minimize problems or difficulties in the case.
- ***Never*** hide anything or try to minimize challenges in a case.
- Reiterate the role of the CASA.

Review the Case and Discuss All the Documents in the Case

If the case is new, there will be very few documents to review. These may include the petition and the initial CPS report to the court. Later, more documentation will be available to be duplicated for the CASA.

If the case has been ongoing for some time, documents to review include the CPS Attachment A form (lists interested parties), CPS reports to the court, minute entries generated from court hearings, psychological reports, FCRB reports, and police and medical reports.

Case Presentation Information

Duplicate Case File, including extra copies of the Order of Appointment	Includes all pertinent information needed to perform CASA tasks and advocate for a child.
CASA ID Badge	Given at the first case appointment for identification purposes.
Computer Disk with Forms (Optional)	A disk containing templates of a Contact Log/Journal and a CASA Court Report may be provided if the CASA utilizes a computer.
Mentor Connection Form (Optional)	If a mentor is available and assigned to the CASA, provide the *Mentor Connection* form to both the new CASA and the assigned mentor.
The CASA Contract (Optional)	An optional form to be signed and dated by the CASA to emphasize the importance of specific duties the CASA must perform as part of the minimum performance standards.
CASA Minimum Performance Standards	Clearly states CASA requirements. The form is also mailed with the *Legal Parties Memo* so parties know the range of activities in which the CASA may participate.
Map of Court Facilities (Optional)	If there is a map of the court facilities, it may be given to the CASA.
CASA Business Cards (Optional)	May be used to give to parties to the case and other contacts.
The Contact Log/Calendar (Also could be on computer disc—see above)	An 8 ½" x 11" pad with instructions, logs, and a yearly calendar for the CASA to record case information. CASAs may record information in another manner, as long as it is submitted to the program office on a monthly basis.
Loyalty Oath (Optional)	If not completed at Beyond the Basics Academy, this is an optional form the CASA signs, agreeing to faithfully discharge the duties of a CASA.
Extra Brochures	The CASA may take CASA brochures to provide to foster parents, the child, etc., explaining the role of a CASA.

CASA Dismissal

When a case is dismissed or the CASA needs to be relieved from a case, a minute entry or a Court Order must always rescind the initial appointment.

There are a number of reasons why a CASA is dismissed from a case.

1. The CASA leaves the program

2. The CASA moves to another county and will be in the program in a *different* county

3. The case is closed because the dependency was dismissed

4. The CASA requests to be removed from a case for personal reasons

5. The county coordinator believes it is in the best interest of the child or program

Dismissing a CASA from a Case

CASAs may be dismissed from a case in one of two ways.

1. **Minute Entry by the Court**—If a court hearing is scheduled near the date of dismissal, county coordinators may request that the CASA be dismissed at the hearing. If the judge agrees to dismiss, he or she will make a statement dismissing the CASA, and the statement will be included in the minute entry filed with the Clerk's Office. The minute entry notifies all legal parties to the case that the CASA is dismissed.

2. **County Program Notification**—The county coordinator or support staff may prepare a *Rescinding Order of Appointment* and obtain judicial signature. The original Rescinding Order is filed with the Clerk's Office, and a copy filed with the Order of Appointment in the county program's case file. In this case, all legal parties must be notified of the rescission via the same procedure as appointing a CASA.

In all instances where a CASA is no longer assigned to a case, all confidential information, such as the case file, Contact Log/Journals, etc., must be returned to the county program office with a signed and dated *Program Material Checklist* form.

Case Reassignment

If a CASA has been dismissed from an open dependency case, and another CASA assignment is anticipated within a short time frame, the previous CASA's case file should be saved. The county coordinator or support staff should organize the previous CASA's file to:

1. Ensure all appropriate documents are in the file.

2. Ensure that the CASA's file and the program's file are exact duplicates.

Procedures for appointment of the new CASA are the same as those for the original appointment, ensuring that the new CASA and the program files are duplicates.

Co-CASA Appointments

Under certain circumstances, it may be appropriate to assign Co-CASAs to cases. Some reasons may include there are many children in the case and it would be difficult for one CASA to manage a case that large, a CASA may only be in the county part-time (winter visitor), or there may be a team that wants to work together. Procedures for appointing Co-CASA are the same as for regular CASA appointment.

Courtesy CASA Appointments

If a child is placed outside the county having jurisdiction over the dependency case, a Courtesy CASA can be assigned if one is available in the placement county. The function of a Courtesy CASA is to make contact with the child and relevant individuals and inform the Primary CASA of how the child is doing in the placement and what the child's needs may be. The Primary CASA continues to be appointed to the case, attends court and FCRB hearings, staffings, and other meetings. If there is not a Primary CASA on the case, the county coordinator should be the point of contact for the Courtesy County, providing the Courtesy CASA with case information and receiving updates from the Courtesy CASA.

In rare instances, other states may request a Courtesy CASA for children placed in Arizona. In this case, the county coordinator must work with the requesting CASA Program and its judge to appoint the Courtesy CASA. The order of appointment must originate from the requesting CASA Program since they are the court of jurisdiction.

Basic Assumptions

1. Effective communication among **all** county coordinators and CASAs is essential. The focus remains at all times on the best interests of the children we serve.

2. The Primary CASA attends the court hearings, FCRB meetings, and staffings on the case. The Courtesy CASA may attend in person or telephonically, or not at all.

3. Both CASAs submit monthly Contact Logs to their respective county coordinators.

4. Both CASAs contact their county coordinators at least on a monthly basis.

5. Both county coordinators communicate at least monthly with each other, to notify of any changes (i.e., legal parties, contact numbers, addresses, case plans, placements, etc.).

6. To receive a Courtesy CASA appointment, a Primary CASA ideally needs to be appointed. However, when a Primary CASA is not available, the county coordinator from the county of jurisdiction shall attend court, FCRB meetings, staffings, etc.

7. The Primary CASA is responsible for writing the court report with the assistance of the Courtesy CASA. However, if no Primary CASA is appointed, this becomes the responsibility of the Courtesy CASA.

8. If there is disagreement between the CASAs on critical issues involving the child, the Courtesy CASA may submit a supplemental report limited to the specific issues of controversy.

9. Both counties report hours and miles of their CASAs on their Quarterly Progress Reports.

10. If concerns or complaints arise regarding performance of either CASA, each county coordinator is responsible for addressing the issues with his/her respective CASA.

11. The county program office of the Courtesy CASA shall be listed on **all** distribution lists in order for the CASA to remain informed and up-to-date on the case.

Courtesy CASA Challenges

1. Tracking cases is challenging, as the courtesy county program does not always know when the originating case has closed and is not notified of the closure. Court dismissals often do not include copies to the Courtesy CASA county program office.

Solution

- Work with the county program of jurisdiction to make sure the courtesy county program is on the court distribution list.
- When the case is closed, the county program of jurisdiction notifies the courtesy county program.

2. The county program of jurisdiction requests a Courtesy CASA but is put on a waiting list. When there are changes in the case (closed or no longer a need), the requesting county program does not notify courtesy county program of the change and the courtesy county program still has an open request.

Solution

- Requests for a Courtesy CASA should include a review date. On that date, the request should be reviewed by the county program of jurisdiction for whether it should remain an open request or be withdrawn, and the courtesy county program should be informed of the status of the request.

3. The Primary CASA does not agree with the recommendations of the Courtesy CASA who has been visiting the child.

Solution

- List the conflicting opinions under the "Opinions and Concerns" and "Recommendations" sections in the Court Report. Those opinions need to show which opinion and recommendation belongs to each CASA.

4. The Courtesy CASA does not visit the child or turn in Contact Logs on a monthly basis.

Solution

- The county coordinators, with the CASAs, negotiate the outcome.
- The county coordinator of the county of jurisdiction shall call the courtesy county coordinator and request specific action. In extreme cases, county coordinators

may request that the state program manager facilitate issues between county coordinators and CASAs.

5. Paperwork in either of the county program does not reach either of the CASA (Primary or Courtesy) in a timely manner.

Solution

- County programs collaborate to ensure appropriate representation on court distribution lists.
- When the case is closed, the county program of jurisdiction notifies the Courtesy county program.

Helping CASAs Get Started

After attending CASA Advocacy Academy, CASAs may be overwhelmed. It is important that county coordinators encourage CASAs and address the questions and concerns they have as they begin their CASA service. The question most asked after the Academy is, "Now what?" Following is a list of activities that follow case appointment.

1. **Read the complete file**. CASAs should become familiar with all aspects of the case, including why children were removed, what has occurred on the case, and who the pertinent parties are.

2. **Get information together**. CASAs should have copies of their Order of Appointment, Minimum Performance Standards, and other materials that explain the CASA Program and the CASA's role.

3. **Contact the case manager**. CASAs should contact the case manager and make an appointment to discuss the case. If the CASA does not already have case plan information, the CPS initial report, psychological evaluations, or counseling reports, that information may be obtained or requested at this meeting. Some case managers allow CASAs to make copies of pertinent information in the case manager's office. Case managers also have access to the Children's Information Library and Data Source (CHILDS) database system and can share information with the CASA. CASAs should inform the county coordinator if they are not receiving the necessary information, and the county coordinator may follow up with the case manager.

4. **Contact the child's placement**. CASAs should make an appointment to visit their assigned children in their placement**.** Information exchanged during the visit should include the CASA's role, each child's progress, bonding issues, and any medical, educational, or behavioral concerns the placement has about the child. As with all other interactions, the CASA must be professional and respectful, keeping in mind that placements may experience a number of visitors for each child in the placement and that scheduling and consistency are important to both the placement and the child.

5. **Contact other parties to the case.** Effective working relationships depend on all parties having a complete understanding of the CASA's role.

   Following are some of the case-related parties and suggestions for information exchanges that may assist CASAs in performing their duties.

   Biological parents. CASAs should determine parents' perceptions of current circumstances as well as their desired outcomes. Parents should be referred to the case manager to obtain case-related information; however, it is appropriate for CASAs to discuss case plan goals and progress with parents.

   Other family members. CASAs should regularly contact family members who are actively involved with the family to determine the roles they play or would be willing to have in the children's lives. CASAs should not share case-related information with family members.

   Attorneys. CASAs should inquire about how the attorney feels the case is progressing for their client, ask about upcoming hearings, or may share or ask the attorney to share any legal concerns he/she may have.

   Counselors/therapists. CASAs should inquire about the progress or lack of progress in reaching treatment goals, missed visits, medication, diagnosis, and recommendations from professionals.

   Health care providers. CASAs should obtain information about the child's medical history, including immunizations, dental, hearing and vision services, prior physical abuse, prior hospitalizations or emergency room visits, missed appointments, and follow-through of doctor's recommendations.

School nurses. CASAs may ask about the frequency and nature of visits, medication concerns, and recommendations.

School teachers. Teachers are CASAs primary source of information regarding academic progress, attendance, behavior, special education classes, counseling, behavioral problems, Individual Education Plan (IEP), and the assignment of a surrogate parent. It is not appropriate for the CASA to discuss the case with teachers.

Gathering and Documenting Information

All case activity must be documented. CASAs are required to keep accurate Contact Log/Journals of case activity that may include, but not be limited to research, writing, filing, report and minute entry reviews, court and FCRB hearings, visit information, phone calls, and contact with county coordinators or mentors. CASAs should also document other work performed, such as assisting in the office, mentoring other volunteers, recruitment, or administrative duties. Contact logs must be submitted to the county program office on a monthly basis.

Contact Logs/Journals are important for a variety of reasons.

1. When the court report needs to be prepared, it may have been several months since the last review. The contact log serves as a chronological summary of case events and can assist the CASA in deciding what recommendations are needed.

2. It can provide pertinent information for county coordinators covering hearings for their CASAs.

3. It can provide needed information in court and enhance the credibility of the CASA's opinions, recommendations, and formal testimony with the court and other parties to the case.

4. Information contained in the Contact Log/Journal is used by county program staff in their quarterly reporting to the state program office.

5. It provides statistical data for grant applications, state funding, and the annual Legislative Report.

There are a variety of ways to document case activity and complete the required monthly contact forms. County program staff should provide this information to all CASAs. Contact Log forms may be obtained online in the Arizona CASA Program's website at: www.azcasa.org

Difficulty in Gathering Information

Occasionally, CASAs have difficulty obtaining information and may need to provide the hesitant party with copies of the *Legal Party Memorandum*, the *Order of Appointment,* or *Minimum Performance Standards*. CASAs who continue to meet with resistance should contact their county coordinator, specifically stating what information is required and why the initial requests were denied. County coordinators should assist CASAs in this regard and, in extreme cases, may need a court order to obtain the information.

County coordinators and CASAs should be aware that federally-funded substance abuse treatment facilities are not required to release information unless a release has been signed by the child's parents.

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) is a federal law restricting providers from releasing information to other parties. Basically, HIPAA is related to confidentiality and has caused many agencies to reconsider their release of private information. Generally, because of a CASA's court order and adherence to all confidentiality statutes, CASAs should be able to receive information from these agencies. CASAs should consult with their county coordinators if they have continued difficulty in obtaining information.

Developing Relationships

The county program is ultimately the judge's program, so it is important for the county coordinator to develop a positive rapport with all judges and meet with them on a regular basis. The county coordinator should discuss with judges how and when interaction is to occur if there are program questions or issues. In addition, the county coordinator is encouraged to invite the judge to participate in training opportunities and to meet with CASAs on an ongoing basis.

The county coordinator will have many opportunities to develop relationships with CPS staff. It is important to maintain a professional and positive relationship with that agency, even in the midst of difficult case matters and disagreements on case progress. There may be times when mutual agreement is not reached, and it is important for the

county coordinator to educate CPS case managers, and often supervisors, about the role of the CASA, explaining the duties and responsibilities of the CASA and the objective viewpoint that CASAs are mandated to provide the judge. Positive relationships with CPS can be maintained by frequent contact and communication. This can be accomplished by monthly or quarterly meetings with CPS staff to discuss the policies and procedures of both organizations, and to clarify the roles of each. In addition, the county program can invite CPS staff to either provide training for CASAs, or to participate in training being offered to CASAs through the CASA program.

The county coordinator may also be involved with other parties to CASA cases. Interaction with attorneys, biological parents, and foster parents may be an important part of supporting CASAs in their case work. Successful relationships depend on the positive attitude shown to these individuals. Although there may be an inherent potential for disagreement with any of these parties, the county coordinator must continue to show respect, and also request that respect in return, both for themselves as individuals and for the CASA program.

CASAs will be interacting and developing relationships with all parties to a case. County coordinators should talk with CASAs about who they will be interacting with and how best to develop those relationships. CASAs should understand that they can look to the county coordinator for support in this effort, by the county coordinator becoming personally involved in discussion with the parties, setting up meetings to discuss issues, or through conversation with the CASA about "next steps" in moving forward in these relationships.

CASA Visits with Children

A large responsibility of a CASA is to visit the children, either in their placements or in taking the children for an outing away from their current home. By policy, CASAs should not take children alone to isolated areas without other adults nearby. This protects the CASA from potential liability issues.

Visits with children can be one of the most effective ways CASAs form a bond and get to know them as individuals. The age of the child may determine the frequency of the CASA's visits. When visiting infants, CASAs may want to stay in the placement and discuss things with the caregiver, including developmental progress, parental visitation and its effect on the child, and medical concerns (immunizations and health issues).

For older children, more frequent visits are appropriate. It might be more comfortable for the child for the first visit to be held at the placement. At visits, the CASA's time should be spent listening! Some topics for discussion may include how the child feels about being removed, how they feel in the placement, how visits with parents are going if they are occurring, relationships with siblings and/or foster siblings, and the child's hopes and expectations for the future.

Tips for CASAs

1. Do ***not*** ask too many questions in one visit.

2. Do not upset children by talking about things that they are not ready to discuss. Let the child lead the conversation.

3. End each visit on a positive note.

CASAs may experience challenges in coordinating visits with placements, either foster homes, group homes, residential treatment centers, or detention and correctional facilities. The county coordinator should help CASAs understand the obligations of the placements and that they may be caring for several children, each of whom has many individuals involved in their lives. Schedules may be hectic with appointments, and the placement may be unsure of how to provide time for one more visit. In the event that the placement is hesitant or resistant to the CASAs requests for visits, the county coordinator may have to intervene and either aid the CASA in providing information to the placement, or by personally calling the placement and educating them on the duties of a CASA and the importance of the visits. Often, it may take a mutual agreement on a specific schedule of visits to avoid the same circumstances from happening again.

Procedures

Courtesy CASA Appointments

1. The county coordinator in the county of jurisdiction contacts the county coordinator in the receiving county (county where the child is placed). The originating county coordinator completes a *Courtesy CASA Referral* form and forwards it to the receiving county coordinator. The referral form should contain enough information about the case to enable the receiving county coordinator to determine if there is an appropriate CASA available for the courtesy assignment.

2. When accepted for Courtesy CASA assignment, the county of jurisdiction shall copy all case information for the courtesy CASA. The courtesy county should make a duplicate file for the county program office.

3. The county of jurisdiction prepares the Order of Appointment of the Courtesy CASA and files it with their Clerk's Office. They prepare and distribute copies of the *Legal Party Memorandum*, *CASA Minimum Performance Standards*, and a copy of the *Courtesy CASA Order of Appointment* to all legal parties to the case.

4. All database information is completed by the county of jurisdiction.

5. Courtesy CASAs report hours and miles for their county program. These logs should be copied and forwarded to the county of jurisdiction for inclusion in their case file for informational purposes only.

6. Court reports are filed by the original CASA with information provided by the Courtesy CASA.

Termination of a Courtesy CASA

1. The county of jurisdiction notifies the courtesy county program of case closure or the need to no longer have a Courtesy CASA involved. The county of jurisdiction prepares an order rescinding the Courtesy CASA and files it with its Clerk of the Court. A copy is sent to the courtesy county program office for the volunteer file.

2. The case files maintained in the courtesy county program and by the Courtesy CASA are destroyed following procedures for closing a case file.

VOLUNTEER MANAGEMENT

CASA Functions

There are a number of roles the CASA may perform within the Arizona CASA Program.

Primary CASA—The main function of a CASA is to advocate for the child.

Mentor—An experienced CASA who assists in the training, guidance, and support of other CASAs.

Mentor Qualifications—CASAs who possess the following minimum requirements may be assigned as mentors:

1. At least one year's experience as a CASA and appointment to at least one dependency case.

2. A working knowledge of CPS and juvenile court proceedings including, but not limited to dependency, delinquency, severance, and adoption.

3. Effective skills in organization, oral and written communication, leadership, and advocacy.

4. Mentor training as required by the state program office.

The mentor may or may not currently be appointed a case. CASAs who are between cases may want to serve as mentors. Mentors shall comply with Arizona Statutes, Rules of Procedure for the Juvenile Court, Administrative Order Rules, Arizona Code of Judicial Administration, and policies and procedures.

With county coordinator supervision, a mentor may perform the following duties:

1. Assist the county coordinator by providing ongoing support to CASAs.

2. Assist CASAs in developing advocacy skills; e.g., negotiation, interviewing parties to the case, conflict resolution, effective communication and relationships, and providing court testimony to a judge or jury.

3. Provide ongoing assistance to CASAs regarding documentation (Contact Log/Journal), report writing, and case management.

4. Maintain contact with assigned CASAs as directed by the county coordinator.

5. Maintain contact with the county coordinator to alert or to discuss high profile cases or problems as they arise. This contact includes reporting developments as directed by the county coordinator.

6. Provide additional information to assigned CASAs regarding available community resources.

7. Attend staffings, FCRB meetings, and court hearings at the direction and supervision of the county coordinator.

8. Facilitate CASA support groups at the direction and supervision of the county coordinator.

9. Consult at least monthly with the county coordinator regarding case activity and assigned CASAs.

10. Screen dependency cases for appropriateness of assignment, and organize and/or facilitate Getting Started Academy and Beyond the Basics Academy.

Co-CASA—May be assigned to a case along with another CASA. This appointment may be made in situations where one CASA is on vacation for the summer, where there are numerous children in the case, or other circumstances.

Courtesy CASA—If a child on an assigned case is living outside the jurisdictional county, a Courtesy CASA may be appointed. The Courtesy CASA will regularly meet with the child and will share information with the assigned Primary CASA. If a Primary CASA is not assigned, information should be shared with the county coordinator. (See section 8, Dependency Case Management)

CASA Status

The CASA Administrative Code, (J)(1) reads:

> "A CASA serves at the pleasure of the court. The court may terminate the services of a CASA without cause. The county coordinator shall take action toward any CASA not adhering to the minimum performance standards of the CASA program, which may include limitations on types of cases, suspension, or termination."

In the Arizona CASA Program, CASAs are either "active" or "inactive." CASAs shall be on active status if they are:

1. Appointed to a dependency or delinquency case.

2. Involved in the administrative aspect of the county program office.

3. Serving as a mentor to other CASAs.

4. Otherwise regularly involved with the county program.

Upon approval of the county coordinator, CASAs may be placed on inactive status for **no longer than six months** if they are not engaged as specified above. While on inactive status, CASAs shall provide performance-based assessment reviews and comply with the required in-service training each calendar year.

CASA Supervision

Supervision of the CASAs, like other staff, requires the same care and skill level of communication for effective interpersonal relations. It is very important to develop a relationship with CASAs and understand their work styles, motivations, and personal measures of success. High morale and high productivity are engendered by the county coordinator who expects good quality work and recognizes achievement. The important thing is that recognition is given and significant achievements are openly acknowledged.

The county coordinator has many responsibilities and time demands; however, supervising CASAs and case activity are the most critical aspects of the job. It is very

important to understand the expectations regarding supervision of CASAs. *County coordinators and CASAs are required to have and document* ***at least*** *monthly case discussions.*

The county coordinator may have weekly or even daily conversations with CASAs depending on case activity and must be available to support CASAs in their advocacy efforts. CASAs require different levels of supervision, based on individual ability, readiness, and willingness to do the work. No one supervision style will be effective with all CASAs; however, all CASAs must receive some type of supervision.

County Coordinator Availability—County coordinators need to be available as much as possible during normal business hours. However, CASAs may need additional assistance outside the scope of the normal work week. For that reason, the county coordinator may choose to give a home phone number to the CASA, particularly to a mentor. The county coordinator may also be available by pager or cell phone. What works best in one county may not work in another, so county coordinators should maintain flexibility while providing the necessary support. In addition to the county coordinator, mentors may be readily available to assist CASAs.

Monthly Contact

The county coordinator has many avenues for contacting CASAs on a monthly basis. Areas of discussion may include:

1. **Case/Activity Consultation.** County coordinators must stay abreast of case activity to properly guide and supervise CASAs or in the event that they need to act or respond to situations in the CASA's place if they are unavailable. Depending on the level of case activity, the county coordinator should periodically inquire about how the CASA is doing on the case or in other program assignments. Questions the county coordinator may ask include:

    - What are the CASA's frustrations?
    - What positive things have happened?
    - Is the CASA interested in a more challenging or a supplemental assignment?
    - Are there specific issues or conflicts to be resolved?
    - How can the county coordinator assist the CASA?

2. **Contact Logs/Journals.** Case and program activity documentation must be forwarded to the CASA office monthly. Following are ideas for reminding CASAs of this requirement.

    - County newsletter
    - Personal conversation/calls
    - Recognition events (giving an award for turning them in as required)
    - Postcards
    - Mentor calls (peer-to-peer)

    Remind CASAs of the importance of contact logs. If not completed and turned in:

    - The CASA will not have specific information to write court reports.
    - The CASA could lack credibility in court, particularly during testimony.
    - It may affect their performance assessment.
    - The CASA would be unable to be a mentor to new CASAs.
    - The lack of this information could effect funding for the program.

3. **Reminders.** Because CASAs also have busy personal lives, it may be necessary for county coordinators to provide reminders of important events or deadlines including court hearings, court reports, CPS staffings, FCRB meetings, and Child and Family Team meetings**.**

4. **Support Group Meetings (Peer Group Meetings).** County programs may facilitate case support or peer group meetings, and should inform CASAs of the date, time and location of the meetings. Purposes of support group meetings include the following:

    - Provide a forum for CASAs to discuss case issues (without identifying information)
    - Share resources
    - Network
    - Brainstorm
    - Provide an in-service training opportunity

    Typically, meetings are two hours in length and can be held at a variety of convenient locations. Meetings may be scheduled in various parts of the county and at different times of the day or week to allow for increased CASA participation. County coordinators are encouraged to attend as part of their supervision of CASAs. County coordinators or designated mentors may facilitate

the meetings. It is important that the facilitator keeps the meetings focused so appropriate topics are discussed and equitable time is given to all participants.

The facilitator documents in-service training hours by providing a sign-in sheet for CASAs. County program staff enters the information into DCATS to ensure proper training credit with the Arizona CASA Program.

5. **Annual In-service Training.** County coordinators should regularly monitor training credit and remind CASAs about training opportunities.

Relationships

Through the interview process, county coordinators get to know the CASA's knowledge base, needs, likes, dislikes, etc. If county coordinators transport CASAs to the CASA Advocacy Academy, that opportunity should be used to get to know the CASAs and develop a positive, effective working relationship with appropriate boundaries. Relationships between county coordinators and CASAs are continually being cultivated as CASAs work with the program and advocate on their case. Continual contact and honest communication provide CASAs with the reassurance that they are supported and valued, and offers them opportunities to express their feelings and frustrations within an accepting and safe environment.

Tips: Building and Maintaining Relationships with CASAs

1. Give CASAs adequate training for the tasks to be performed.

2. Do not push CASAs to increase their commitment if they are not willing or able to do so. Balance appreciation with the expectation that they will fulfill all requirements and be accountable.

3. Provide opportunities to participate in activities, recognizing that some CASAs may be available to attend activities during the weekday, others in the early afternoon or evening.

4. Ensure that CASAs understand the various roles of team members.

5. Be available and easily accessible. Knowing that the county coordinator is available to discuss case issues is a valuable aspect of the relationship building process.

6. Provide a variety of CASA experiences. CASAs' interests vary and opportunities to use their strengths should be utilized. For example, public speaking, recruitment and community awareness, office work, public relations, and mentoring may be appealing to CASAs who seek additional opportunities with the program.

7. Encourage CASAs to suggest program improvements and implement their ideas when appropriate.

8. Regularly communicate with CASAs and highlight them via a CASA newsletter.

9. Recognize CASAs regularly, remembering to acknowledge effort as well as outcomes and achievements.

10. Serve as a resource by providing community resources and information and aid in problem-solving.

Healthy Boundaries

It is essential that all staff and CASAs represent the program with the utmost integrity, professionalism, and objectivity. County coordinators must maintain boundaries with CASAs, and it is equally important that CASAs have appropriate boundaries with the appointed children, families, and other parties to the case. Because the primary role for the CASA is to make recommendations to the court, the CASA must maintain objectivity to advocate effectively.

For instance:

1. It is inappropriate for CASAs to purchase extravagant gifts for children as it changes the relationship between the child and CASA, and may establish expectations for future or ongoing gifts. Although it is acceptable for CASAs to purchase small gifts, they should exercise caution and common sense in doing so.

2. It is not appropriate for CASAs to influence the child or family with personal or religious beliefs.

3. **It is** within the role and scope of CASAs to alert case managers about special needs of the child or family, and to locate or help coordinate resources for fulfilling those needs.

To effectively advocate, CASAs write objective court reports. If they have lost sight of the role and purpose in advocating, court report effectiveness may be compromised. For example, a CASA could bond with the foster parents more than the child's biological parents, and could ultimately advocate for the foster parents rather than for the child.

It is important for county coordinators to recognize "red flags" and help CASAs regain objectivity when necessary. CASAs are not extended family; they are professionals who advocate for the child's best interests.

Clear and appropriate lines of behavior need to be drawn between CASAs and all related case parties. Boundaries define territories and protect personal space (physical, emotional, mental, sexual, spiritual, and financial). It is impossible for healthy relationships to exist where there are no boundaries, or direct, honest communication. Healthy boundaries create healthy relationships.

County Coordinators—It is essential that county coordinators maintain appropriate boundaries to effectively supervise CASAs and facilitate/mediate between various entities (CASA/case manager, CASA/CASA, and CASA/attorney). County coordinators supervise CASAs, and assessing performance may be difficult if minimum performance standards are not being met and the county coordinator cannot objectively see the situation. Supervision becomes especially difficult if appropriate boundaries are not established and exercised with CASAs.

> **Example**: The county coordinator becomes "friends" with a CASA and begins to share personal and intimate information or begins to complain to the CASA about the program.
>
> **Example:** A CASA doesn't want to perform certain aspects of the CASA obligations, so the county coordinator completes the work for the CASA, for example, writing a court report. This sends mixed message to all parties regarding accountability, appropriate use of staff resources, and the roles of both the CASA and the county coordinator.

CASAs—Sometimes CASAs become too enmeshed in relationships with people in their case, whether it is with the appointed child, family, or foster placements. When a boundary is unhealthy, CASAs can no longer be objective, and this affects how team members view their professionalism and input into case decisions.

> **Example**: A CASA has become friends with the foster mother who wants to adopt the appointed child. In the court report, the CASA appears to advocate solely for the

foster mother to be able to adopt the child rather than being able to see objectively what is in the best interests of the child.

Healthy Boundary Strategies

1. Fully understand roles and parameters, increasing the likelihood that appropriate boundaries will be maintained.

2. Don't make promises beyond the scope of authority to do so.

3. Utilize effective conflict resolution skills.

4. Respect differences of opinion while maintaining objectivity, flexibility, and program standards.

Cycles of CASA Enthusiasm

Honeymoon Phase. When new CASAs join the program, there is often two-fold enthusiasm. County coordinators are enthused to have a new CASA, and CASAs are enthused to be "a powerful voice in a child's life." CASAs return from an intense CASA Advocacy Academy and are motivated to become actively involved in their case. This may be the easiest part of the county coordinator's job because of the newness and enthusiasm of both people. It is at this point that rapport and relationship building strengthen, and the bond continues through subsequent training, case assignment, and the ongoing support provided by the county coordinator to the CASA.

In-Depth Relationship Development. Unless there are major issues with the children's placement, visitation, or needed services, the case may become a matter of "Are the parents complying with the case plan?" After initial removal of the children from their home, children find some level of stability in a temporary placement, and the case may become less "crisis driven." Where CASAs had initially been very busy interviewing and getting to know the parties, learning the roles, assessing the child's needs, and reviewing the services being provided, the case suddenly becomes more "automatic." The answer to the question "What should I be doing now?" will be different each time. Each case will require a different answer. ***It is critical for county coordinators to remember that CASAs want to be helpful and the guidance given at this point may determine future motivation levels of the CASA.***

During this time, county coordinators should encourage CASAs to obtain additional training that serves to educate them on issues in the case, or offer opportunities to serve in other areas such as outreach, special projects, or mentoring, if appropriate and interesting to the CASA.

Frustration Phase. CASAs often become frustrated with the progress of the children, the parents' lack of compliance, deficits in various systems, or the general direction in which the case is heading. For example, some children are in need of such a wide range of services that the case manager is unable to provide them as rapidly as the CASA prefers. County coordinators should use these opportunities to educate or remind CASAs about the various components of the system (i.e., often it takes over six weeks for an appointment to be arranged).

Unfortunately, CASAs often face issues over which they and their county coordinator have no control. For example, hearings may be continued for no readily apparent reason. It is important for the county coordinator to stress that CASAs are one member of a team and cannot independently determine every outcome. It is important to listen and point out how the CASA has been a positive influence on the case. Celebrate all successes, large and small!

Grieving Process. As cases end, CASAs may experience a grieving process. It is helpful for county coordinators to realize that when cases are dismissed, CASAs may need to review and process accomplishments and case resolution. It is an easy process if the case ended to the CASA's satisfaction, but much more difficult if the case ended differently than the CASA envisioned. In either circumstance, it is equally important that CASAs understand the positive scope of their influence.

Motivating CASAs

(Adapted from the National CASA Association)

County coordinators can help discouraged CASAs by "reframing," a term used to describe the process of helping a person view a situation from a different perspective. It doesn't discount the situation but shifts the focus from blame and hopelessness to finding the "silver lining." For example, if the court returns a child to a parent despite the CASA's recommendations, the county coordinator may reframe the situation in a variety of ways.

1. Discuss that the move brings a faster resolution and results in less time in foster care.

2. Remind the CASA of a similar case with a positive outcome.

3. Commend the CASA on the level of caring and competence in working on the case.

4. Brainstorm options for monitoring the child's well-being.

Remaining hopeful in the face of adversity is difficult for most people, but contrary to conventional wisdom, it is a skill that can be taught. In his book, *Learned Optimism*, Dr. Martin Seligman's research indicated that people who view setbacks as temporary and specific retain a positive outlook. People who view misfortunes as permanent and general feel helpless to change the situation, and are prone to depression. County coordinators can motivate discouraged CASAs by helping them view distressing events as temporary and specific. In the example cited earlier, the CASA may feel the child's placement in the home is never going to change, and that the CASA has let the child and the program down. To counteract that negativity, county coordinators should reinforce the positive view. If the home situation is not adequate, change in the child's placement is likely, the child remains in Head Start, and the child still has a caring grandmother and the CASA advocating for them.

CASA Retention

CASAs volunteer for a variety of reasons as individualized as the CASAs themselves. To assist in retention, county coordinators must understand what motivates CASAs to advocate for children, how to utilize their strengths, and how to balance maintaining accountability with the CASA's busy personal life and family demands. Based on the Arizona CASA Program's former exit questionnaire, there are four main reasons CASAs leave the program:

1. The CASA is employed full-time and finds it difficult to give sufficient time to the program.

2. The CASA gets tired of fighting with system issues and sees little progress for the assigned child and permanency.

3. Inadequate supervision and the CASA feeling alienated or not sufficiently connected to the program.

4. Changes in the family and work-related circumstances.

Important Factors for CASA Retention

- ***Structure***—CASAs should be part of an organized group that has structure, but allows for some flexibility.

- ***Responsibility***—The CASA should be largely self-directed and not have to double check all decisions.

- ***Reward***—CASAs should be rewarded appropriately for a job well done. A good program will emphasize positive rewards.

- ***Risk***—CASAs should be challenged and have permission to take calculated risks.

- ***Warmth***—The feeling of good fellowship in the work group atmosphere is also important. It helps if a program has a prevailing mood that is friendly and informal while maintaining its professionalism.

- ***Support***—A good program fosters a sense of mutual support and demonstrates helpfulness on the part of managers and others in the group.

- ***Standards***—The emphasis should be on doing the job well and in a professional manner.

- ***Conflict***—Differences in opinion are not a liability. Problems should be discussed and resolved, not ignored. Other opinions are heard and valued.

- ***Identity***—CASAs like to belong to a group and be a valuable member of a working team.

- ***Evaluation***—CASAs deserve an evaluation of personal strengths and weaknesses in the advocacy role to provide for personal and professional growth.

- ***Preventing Burnout***—CASAs should feel comfortable voicing concerns about multiple demands and know how and when to convey that demands may be excessive and unrealistic. CASAs also need to tactfully address comparisons to other CASAs by other parties or team members without becoming defensive. When the demands of the case become excessive, CASAs must be able to set stricter limits. Without such assertiveness, they may be at risk for becoming overloaded, burned out, and quitting.

Evaluating CASAs

Assessing the CASA's performance identifies training and support needs, gives opportunities for individual feedback, and allows time to solicit suggestions for program enhancement from the CASA or tools needed to make the CASA's work successful. Solicit the observations of others who work with the CASA, but respect confidentiality. Be objective and concrete in your feedback and be open to constructive criticism from the CASA.

The evaluation session should be an open dialog with two-way communication. It is a chance to talk about the CASA's performance, giving both praise and suggestions for improvement. It should also be the CASA's opportunity to share suggestions for the county and state programs and the CASA's participation in the program, which might even include discussing additional duties or projects or moving to a new CASA position.

The Assessment Tools—The Assessment Tools are designed for county coordinators and CASAs to share feedback. The goal is to ascertain the degree to which the needs and expectations of both the CASA and the organization are met so that job assignments can be continued, amended, or refined as necessary. This process can serve as recognition of CASA accomplishments as well.

New county coordinators may draw from volunteer and case files, as well as from other program staff, to obtain more information about the CASA's history and case participation.

The Evaluation Process—Program Assessments may be mailed to CASAs with a cover letter explaining the evaluation process, or given to them by the county coordinator. Describe why the program assessment is needed. If CASAs have participated in the program evaluation process before, they need not answer the first two questions about being introduced to the program. Explain that the county coordinator will complete an assessment of the CASA, and that the county coordinator and the CASA will review both assessments together in person to discuss and provide constructive, two-way feedback.

County coordinators may choose to review the assessment less formally by taking the CASA out to coffee or lunch, or in a more formal setting, such as the program office. The review may reveal areas of improvement for both the CASA and the program and should provide an opportunity to discuss and resolve issues productively. County coordinators should also use the evaluation review to provide recognition of and positive feedback for the CASA.

Evaluations may show areas of improvement for the program. Remain open minded!

Documenting Successes and Concerns—In gathering and documenting information to be used in assessments, use only factual information and reports, and date each entry. When joining the CASA program, CASAs sign a form indicating that they understand the expectations of the program, and these are what they will be assessed against.

CASA performance deficits must be addressed under the following circumstances.

1. Performance interferes with program goals
2. There is a negative impact on the children, parties, the public, other CASAs, program staff, or the working environment
4. The behavior incurs legal risk for the program or the individual

Documentation and evaluation practices must be applied consistently with all CASAs.

Working with Problem Behaviors

At any time when dealing with unsatisfactory performance, county coordinators should consider the following guidelines when speaking to a CASA and implementing corrective action.

1. **Don't Smile.** This is a serious subject and the county coordinator may confuse the CASA if non-verbal communication is different than the verbal message.

2. **Don't "Gunny Sack."** Do not save up a lot of small criticisms and drop them on the CASA all at once. Concerns should have been dealt with individually during regular CASA/supervisor conversations.

3. **Be Specific.** Discuss the expectations and role of the CASA. Rather than speaking vaguely about the CASA's attitude or motivations, speak specifically about the

CASA's actions or behaviors. Indicate that the county coordinator and the program expect quality performance and admit disappointment with the unsatisfactory work.

4. **Put it in Perspective**—If the CASA has done good work in other areas or at other times, remind the CASA of that good performance.

Discuss concerns privately, in person. Remind the CASA of the expectations for program performance, and allow the CASA to respond. Be open to uncovering a different situation than expected—the CASA may, in fact, be acting appropriately or have been misunderstood.

If appropriate, establish a probationary period for the CASA to improve or adjust his or her performance. Provide a written copy of an agreement for the CASA to review. The agreement should be signed and dated by both the CASA and the county coordinator.

Complaint Process—The structure of the Arizona CASA Program provides a multi-tiered complaint process. Complaints may be made to the county coordinator, program supervisor, presiding judge, or the state program manager.

All judicial officers and state and county program staff shall, and any person may, notify the county coordinator if it appears that a CASA has violated Arizona statutes, Rules of Court, including Rules of Procedure of the Juvenile Court, the code, administrative orders, rules, or program policies. 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.

Investigations may be conducted at any of the levels designated in the complaint process and may be for the purposes of:

- Determining whether a complaint is valid.
- Determining whether a CASA violated code or other applicable statutes, rules, and policies.
- Securing information useful in the administration of the program or code.

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 CASA from duties as a CASA. Any investigation under this provision shall be reported to all three levels designated in the complaint process. 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 the complaint process.

The county coordinator shall document any complaints in the CASA's file and send a copy to the state program office. Information and documentation shall be confidential and available only for use in considering the CASA's continuing certification for review by the manager.

If the complaint involves alleged criminal activity as listed in, but not limited to, code, 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 the complaint process. (Refer to CASA Administrative Code and Policies Manual in Appendix A)

Dismissal of a CASA

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. Grounds for dismissal or termination of a CASA from the program include, but are not limited to, the following.

- Taking action that endangers the child or is outside the role of the statutory authority of the CASA program.
- Failing to adhere to Arizona statutes, Rules of Court, including the Procedures of the Juvenile Court, ACJA, administrative orders, rules, and program policies.
- Failing to demonstrate an ability to effectively carry out assigned duties.
- Falsifying the application or misrepresenting facts during the screening process.
- A finding against the CASA of child abuse or neglect by a court or any authorized governmental agency.
- Existing conflict of interest which cannot be resolved.

- Allowing the appointed child to visit the CASA's home or stay overnight with the CASA, unless specifically ordered by the court.

- Any action that would have required initial denial of certification as a CASA.

A CASA shall be suspended immediately pending:

- An allegation of existing child abuse and neglect against the CASA.

- A determination of alleged child abuse or neglect.

- An investigation of an allegation of conduct that would be grounds for mandatory or discretionary denial of certification.

A CASA shall be dismissed immediately if there has been a judicial or administrative determination of abuse or neglect, or if the CASA uses illegal drugs or alcohol while performing CASA duties. (See Dismissing a CASA From a Case in section 8, Dependency Case Management)

ADVOCACY

As advocates for children, a large part of your CASAs' time will be spent on communicating their opinions about their case to other interested parties. Advocacy occurs throughout the life of the case and is not about gathering information and holding it until a report is written. Effective advocacy involves the ability to assertively address the issues and concerns the CASA has, bringing to the attention of others what the CASA believes to be in the best interest of the child. Advocacy can occur both informally and formally.

Informal Advocacy

Informal advocacy occurs on an ongoing basis throughout the life of the case by sharing and gathering information. "Casual conversations" with interested parties are part of the informal advocacy process. When discussing placement, educational needs, services, visitation, etc, with the CPS case manager, CASAs are informally advocating. Similarly, conversations and interactions with other case parties are informal advocacy as well.

County coordinators should remind CASAs to exercise caution and discretion when working with placements. While placements can provide information about the child, including daily activities, peer and sibling interaction, and individual progress, ***CASAs must remember that placements are not legal parties to the case and are entitled to receive only the information necessary to care for the children, not all case related information***. Sometimes, placements may attempt to get the CASA to advocate for them rather than objectively advocating for the child, especially if there is confusion about the "adoptability" of the child and the interest of the placement for a future with that child. County coordinators should work with CASAs to ensure that they maintain objectivity and are not the conduits of information for the placement about the parents' case compliance and/or involvement.

Advocating for Services

CASAs directly impact the case by recommending specific services for the child and/or family members. The following qualities need to be present for a service to be effective.

Availability: Does the type of service the client needs exist within a specific agency?

Adequacy: Can the organization supply the service in a sufficient amount to meet the client's needs?

Appropriate: Does the existing service meet the specific needs of this client? Is it a good fit?

Acceptable: Does the proffered service meet the client's preferences?

Accessibility: How easily can the client obtain services from this agency?

DES, community agencies, and contract providers offer a variety of services on a free or "sliding scale" basis. Available services may vary by county and may change based on state contracts with providers.

County coordinators should be available to assist CASAs in researching relevant services for their cases. The Parent Assistance Program hotline in Metro Phoenix (602) 452-3580 or outside Metro Phoenix at 1-800-732-8193, will refer callers to direct service providers or the community information referral service in the appropriate county. In addition, an information website is maintained by the state government, and it provides human services information as well. The website is www.az211.gov.

Services provided to families must address the core issues that led to removing the children from the home. CASAs have proven to be instrumental in locating appropriate services and resources for the children and families with whom they work.

Remember: Existence of a service does not guarantee that:
—The service is available.
—The service is appropriate to the family needs.
—The family qualifies for the service.
—The person(s) expected to participate will do so.

Formal Advocacy

Formal advocacy consists of attendance at formal meetings regarding the management of the case, court reports to the court, and verbal testimony at hearings and/or trials. By statute (A.R.S. § 8-522), CASAs must be invited to all meetings and should participate in all decisions regarding the case.

CPS Case Staffings

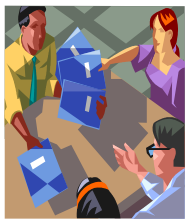
A CPS staffing is a meeting at which the case plan is formally developed and reviewed, and accomplishments and/or concerns are discussed and documented. A staffing is a team effort to which all parties of the case should be invited by the case manager. This includes the CASA, biological parents, foster parents, service providers, and the assigned attorneys.

Per CPS Policy, a case plan staffing must occur at least every six months. Per A.R.S. § 8-522(G), CASAs must be notified of all hearings, staffings, investigations, and other matters concerning the child. If CASAs are not notified of staffings, they should contact their county coordinator for assistance. Depending on the consistency or severity of the exclusions, the CASA may wish to state that information in the court report. It is very important that CASAs make every attempt to attend CPS staffings in person or by phone. If CASAs are unable to attend, they should inform the county coordinator as soon as possible so the county coordinator or a mentor may attend.

A case plan staffing serves to modify the case plan, clarify issues, implement consequences as set forth in the case plan, discuss barriers to success, assess placement of the children, communicate and discuss case situations and issues, and determine if the case plan objective remains the same or needs to be amended. County coordinators should work with CASAs on their objectives for staffings, including what their recommendations will be. CASAs should be vocal in their advocacy at CPS staffings.

At the conclusion of a staffing, participants are asked to sign a signature sheet that acknowledges agreement with the case plan. CASAs should sign only a case plan that they are in agreement with and that is complete at the time of signature.

If staffings are not occurring or CASAs feel one is needed to discuss case issues, they may ask the case manager to schedule one.



Foster Care Review Board (FCRB)

Foster Care Review Board (FCRB) consists of trained community volunteers who review, every six months, each case of children **in out-of-home care**. Boards are located in each county of Arizona. The Foster Care Review Board meets the requirement established in 1980 that administrative reviews be held that are open to parents and conducted by a panel.

A.R.S. § 8-515.03 provides that Foster Care Review Boards:

1. Determine efforts by the agency (CPS) to carry out the permanent plan.

2. Review cases assigned for early review by the judge within 60 days after removal of the child from the home.

3. Submit recommendations to the juvenile court regarding efforts of CPS toward permanency, efforts by the agency to carry out the case plan, and other recommendations as the board chooses.

4. Encourage and facilitate timely return of the child to parents or, if appropriate, encourage initiation of severance proceedings to free the child for adoption.

5. Promote and encourage the agency to maximize stability and family continuity by discouraging unnecessary changes in placement.

6. Assist the agency in informing parents, foster parents, and other interested parties of their rights and responsibilities.

Each month, FCRB notifies the CASA program of the FCRB hearing schedule. CASAs may receive separate notification; however, county coordinators are responsible for ensuring that CASAs have received appropriate notification. If CASAs are unable to attend, they may participate telephonically, send a written statement or provide a statement by telephone prior to the board meeting, or their county coordinator may attend in their place.

Foster Care Review Board meetings are an opportunity for CASAs to formally advocate on their cases by sharing information about their assessments, opinion on reasonable efforts, and case plan objectives. During an FCRB meeting, a Program Specialist records the CASA's input in a Findings and Recommendations report that is disclosed to all legal parties. FCRB may hear everyone involved in the case together, hear only one interested party at a time, or hear statements from a group of legal parties at one time.

FCRB policy states that all remarks become part of the written record, with the following exceptions:

1. CASAs may request that sensitive information be reworded to convey the information with minimal adverse impact.

2. If critical information cannot be reworded to minimize adverse impact, CASAs may request to provide information "off the record," allowing them to share information without damaging relationships or causing undue trauma.

The FCRB report will include recommendations as to what the Board believes should occur on the case and will be mailed to the juvenile court's appropriate Judicial Officer, all legal parties, and the CASA office. The report should be forwarded to the CASA and a copy placed in the case file.

CASA Court Reports

The most formal method of advocacy is the CASA court report. The court report is a standardized and mandated instrument that all CASAs use**. It is the county coordinator's responsibility to review and edit every court report before it is in final form and given to all appropriate parties.**

CASAs may obtain a court report template on-line in the "Advocate" section of the state program's website at:

www.azcasa.org

CASA court reports follow a specific statewide format and contain objective facts about case activity, child and family services provided/not provided, the CASA's opinions of the case, and recommendations to the court. Court reports must be submitted to the county program at least two weeks before the hearing so county coordinators have ample time to edit and discuss reports with CASAs, and arrange for copies to be made and distributed in a timely manner. CASAs may submit their court reports by mailing, personally delivering them to the CASA office, or through the Arizona CASA Program's secure website. Instructions for using the secure website may be found in section 2, Nuts and Bolts. Court Reports may not be sent via email, as it is a non-secure medium.

Note:
If case updates are necessary after submitting their reports, CASAs may make a statement in court or complete an Addendum to their submitted report.
County coordinators assist CASAs in this process.

Editing

When editing CASA court reports:

- Ensure that all categories are covered.

- Ensure that all information is categorized appropriately. For example: "I believe that Johnny needs to have a dental assessment" should go in the Opinion section rather than the Assessment section. Sentences in the Assessment section should be factual and based on observation. If assessment sentences don't answer the questions "who," "what," "when," and "where," the sentence should be placed in another section of the report.

- Ensure that grammar, word tenses, and punctuation are accurate.

- Remove words that add nothing to the sentence or thought.

- Make sure there are not too many pronouns (he, she, they) that make the information unclear as to who is being talked about. Make sure names and titles are spelled correctly and that dates are correct.

- If the CASA is including quotes, be sure the quotes are accurate and in the right context.

- Ensure that good suggestions in the body of the report are also included in the Recommendations section.

County coordinators may not change court reports without the knowledge of the CASA, and the CASA must submit the court report through the county coordinator.

Presenting Constructive Feedback

In the editing process, county coordinators will work with CASAs to discuss elements of the court report. County coordinators should remember that it is the work product of the CASA, and the CASA's "voice" should be heard through the report. County coordinators will work with CASAs either in person at the CASA office or by phone to make changes and finalize the court report. The feedback process should be approached thoughtfully by the county coordinator, relying heavily on interpersonal

communication skills and positive discussion. County coordinators may need to "lead" CASAs where they want them to go in a report, making suggestions for more information, alternative word choices, or grammatical changes. CASAs may have different reactions to this process; some may feel slightly insulted that they are asked to amend things, and others may give the county coordinator "carte blanche" to make whatever changes the county coordinator feels are necessary. It should be emphasized to CASAs that the county coordinator's comments should not be taken personally. The purpose of feedback is not to criticize the report, but to ensure that it is a product that demonstrates the professionalism of both the CASA and the CASA program.

Court Report Distribution

After county coordinators approve court reports, they are ready for distribution. The original is made on CASA pre-printed court report paper and is provided to the judge of record via the county-specific method, either through the court file, judge's box, or directly to the judge's office. Copies are made; one filed in the Clerk's Office and others distributed to all legal parties via fax, mail, or boxes located in the court. In some counties, staff provides the CASA with a *Court Report Distribution* form, which the CASA is to complete and return with the court report. This form lists all parties to whom the court report will be given. Since the CASA is most familiar with all the parties, the CASA is the best suited to provide the most up-to-date names, addresses, and fax numbers. Court reports must be treated with the strictest confidentiality; therefore, it is critical that county program staff take extreme care to ensure the correct fax number is dialed and that all parties' names and addresses have been properly verified.

Testifying in Court

Another formal type of advocacy is providing testimony in court. CASAs may be asked questions by the judge in any hearing, and they may also be asked to formally testify in a trial.

Types of Questioning

Voir Dire Examination—Determines a witness's competency. CASAs may be examined regarding qualifications before presenting testimony or providing opinions.

Direct Examination—Questioning by the judge or the attorney who called the witness. The questioning generally focuses on the petition, case conversations, observations, and interactions with the child and family.

Cross-Examination—Questioning by attorneys who did not initially call the witness, conducted at the conclusion of direct examination. CASAs are usually asked to elaborate on specific incidents mentioned in the direct testimony. Cross-examination is designed to discover any untruths or weaknesses in testimony, and the questioning attorney may attempt to discredit the witness by uncovering inconsistencies.

Rebuttal or Redirect Examination—Conducted at the conclusion of cross-examination by the attorney who called the witness. Redirect questions are designed as a rebuttal to information discovered on cross-examination. The scope of rebuttal is limited to subjects discussed on cross-examination.

Recross-Examination—After redirect examination has been completed, opposing counsel may conduct a recross-examination, asking questions on subjects covered during the redirect examination. Questioning is then complete. The judge may ask questions at any time during the process and may even interrupt during questioning by the attorney.

Preparing the CASA to Testify

The CASA's credibility depends on many things, and professionalism is one of the most important. County coordinators must help CASAs be prepared when testifying. CASAs need to review the file and be able to easily locate needed information. However, CASAs may not be allowed to refer to the records in court and during testimony. They may find it beneficial to prepare a chronology to assist them in recalling important case events.

The following is important information for the county coordinator to share with the CASA who will be testifying.

1. Pertinent information such as the number of months on the case, the number of times the CASA has seen the child, trainings attended, and the CASA's background contribute to credibility as a competent witness.

2. Eye contact with the person asking the question.

3. Normal hands and body movement. Restricted (or nonexistent) animation often suggests nervousness, defensiveness, or detachment.

4. Normal conversational delivery with normal inflection, avoiding special formalities, drama, and monotone. Speak clearly.

5. Listening carefully to questions and pausing before responding. Long pauses suggest lack of preparation, but short pauses are normal and show a thoughtful, professional style.

6. Do not answer unclear questions without seeking clarification or make claims that are not supported with good reasons or observations. CASAs should admit any lack of knowledge or information. "I don't know" is a perfectly acceptable answer.

7. Use short sentences and simple words, avoiding the jargon of law or the behavioral sciences. Rephrasing, summarizing, and repetition of key points are techniques restricted in trial, but allowed in hearings where the objective is to ensure that the judge has complete information.

8. Answer only the question asked and do not attempt to answer perceived upcoming questions.

9. Do not speak when anyone else is speaking. Court reporters are unable to record two speakers at the same time, and the importance of the CASA's testimony may be lost.

10. If necessary, preface a difficult "yes" or "no" question's response by stating that the question requires more than a "yes" or "no" answer.

11. Provide straightforward responses that provide information and do not use the opportunity to further advocate. If the judge sustains an objection, no answer should be provided. If the objection is overruled, the question must be answered.

12. Keep in mind that skilled attorneys seldom ask a question to which they do not know the answer.

ONGOING CERTIFICATION

General Information

CASAs must complete ongoing certification every two years, using the date of the first Order of Appointment as the original effective date. It is the county program's responsibility, based upon its established procedures, to notify CASAs of their recertification requirements and ensure their completion.

To complete ongoing certification, CASAs shall follow the same process as used for initial certification:

1. Sign a statement under oath that the CASA has not been arrested, charged, indicted, convicted of, or pled guilty to, any felony or misdemeanor since the CASA's last certification.

2. Sign a statement that the CASA has not engaged in any conduct that would be grounds to deny certification.

3. Authorize the CASA program to secure an updated check of criminal history, MVD, and DES Central Registry information as permitted by state and federal laws. A readable fingerprint card from prior certification may be resubmitted, avoiding the need to re-fingerprint the CASA. (See Procedure)

4. Provide proof of automobile insurance and any additional requirements set by the AOC if driving a vehicle to transport children, staff, or any other individuals in the course and scope of CASA duties. If, between certifications, the CASA's status changes from not transporting children to transporting them, the CASA must notify the county coordinator in writing, providing proof of automobile insurance with the notification.

Procedure

Steps in Ongoing Certification

County program staff should establish a procedure with which it will comply with the requirement to do ongoing certification of each CASA every two years.

1. Notify CASAs that ongoing certification is required and inform them of the process. CASAs may be notified by phone call, in person, or by mailing the *Ongoing Certification Notification letter*.

2. Ensure that the CASA completes **and has notarized** the *Ongoing Certification Statement.*

3. If the CASA has a readable fingerprint card from the initial certification, the original card may be used a second time. That means a CASA is not required to come into the office to be fingerprinted. On the original card, cover (do NOT use whiteout) the old DPS inventory sheet number and replace with the new inventory sheet number. Cross out the bar code label printed by DPS. Lastly, in small letters in the upper left-hand corner of the card, write the word "ongoing." If there is no fingerprint card available, the CASA will need to submit a new one.

4. Submit fingerprint card to DPS, following the initial fingerprint processing steps.

5. If a definitive fingerprint check cannot be accomplished after an initial and a resubmit, the CASA need only sign the *Ongoing Certification Statement.* The statement includes the same language that is in the Criminal Disclosure Statement.

6. The state program office will forward the results of the background check, the MVD check, and the Central Registry check to the county program office.

7. File all results and forms in the Volunteer file.

DATABASE

General Information

A historical perspective of a program tracks growth in specific areas, and justifies its existence. The Arizona CASA Program's statistics are collected through a database software program called Dependent Children Automated Tracking System (DCATS). In addition to DCATS, some counties tabulate their own information using their own software programs.

Specific information must be collected by each county and entered into DCATS. From individual county statistics the state program office staff compiles statistics that provide a statewide perspective of the Arizona CASA Program. This information is used in reporting to the Arizona Legislature, funding county programs, determining equipment needs, evaluating recruitment needs, Operational Review visit preparation and reporting, and addressing training requirements.

The DCATS database is used only after the county program staff has been trained on DCATS by state program office staff. If, after the formal DCATS training from the state program office staff, the user would like to practice using DCATS before making any formal entries, a training database can be provided. The training database is a separate database, and is a copy of the live database containing only information that was current as of the day the copy was made. Information input in the training database does not affect the live database. For this reason, if using the training database, hardcopy database forms must be completed and submitted to the state program office for input into the live database. Database forms and accompanying lists of tables are explained and provided by the state program office. The state program office requests that counties on the training database, or otherwise not "live" on DCATS, submit database forms frequently; preferably on a weekly basis, but at a minimum on a quarterly basis.

Quarterly Database Reports

To ensure correct data entry, county programs are required to verify DCATS data quarterly by reviewing three DCATS reports: CASA Master Volunteer List, CASA Master Case List, and CASA Volunteer Assignment List. Instructions for verifying the reports accompany the reports when sent to the county program office.

The state program office will print and mail the reports to each county program office, accompanied by a memo outlining the information to be verified and the date that corrected reports are due. County programs using the training database will need to submit accompanying database forms for corrections, and return the reports and database forms to the state program office staff for processing. County programs using the live database may make corrections directly into DCATS, and return the reports with a statement that all corrections have been made. Submission of reports within the required timelines is a component of the Operational Review audit.

CASA Master Volunteer List

The CASA Master Volunteer list contains each **CASA's status** (active or inactive), function (mentor, etc.), address**,** and phone number. County program staff verifies the accuracy of the report and makes necessary corrections.

CASA Master Case List

The CASA Master Case List is a roster of **CASA cases** in the county program. The list contains the case name, children in the case, Juvenile Dependency Number (court assigned number), Child's Gender, Child's Ethnicity, Child's Age, Reason for Entering Care, Placement, Initial Number of Placements, Legal Status, whether assigned an Attorney or Guardian ad Litem (GAL), and the CASA's name and social security number.

A case appearing on this report *without* a CASA's name and social security number means the case is *unassigned*.

CASA Volunteer Assignment List

This list is a roster of **all cases to which each CASA is assigned**, containing the CASA's name, assigned cases, number of children in the case, and the function of the CASA(s) assigned; i.e., Primary CASA or Co-CASA.

JOLTS Dependency

The Juvenile On-Line Tracking System (JOLTS) is a statewide database used to track information on dependency and delinquency cases. Unless county coordinators or support staff are directly involved in the new dependency process or designated a JOLTS Coordinator, they may not need to know this particular database system;

however, if county programs use or retrieve statistical information from JOLTS, training should be obtained from the county's Information Services Department.

BUDGET PROCESS

County programs are responsible for all program expenditures, and must submit financial reports signed by a designated judicial officer.

Program Plan and Budget Request

The state program office funds county programs on a fiscal year. To determine the level of funding each year, the county program must complete a Program Plan and Budget Request, typically in April. When the state program office receives the completed form, the state Program Manager may negotiate with appropriate persons at the local level to determine what the actual funded amount will be. A *Funding Agreement* and *Addendum A* form is completed and forwarded to the county program for final approval and signature by the judicial officer.

Funding Agreement and Addendum A

The Funding Agreement is a legal and binding contract between the Arizona Supreme Court and the county juvenile court. It enables the county program to operate with an established budget.

The Addendum A is an attachment to the Funding Agreement. It reflects the awarded amount by line item, and the date and amounts of fund disbursements.

Disbursements

Funds awarded to county programs are disbursed in quarterly payments by the state office as outlined by the Addendum A. A copy of the disbursement check and cover letter is mailed to the county program office with copies to the appropriate judicial officer and/or financial staff, if designated by the county. Documentation of the quarterly disbursements should be filed in the county program office.

Quarterly Financial Statement

Like the Quarterly Progress Report, a Quarterly Financial Statement is required from all county programs. Because these reports are required within specific time lines, the AOC audits this information for compliance. Some county coordinators are responsible for

completion of these quarterly statements and other counties require the Finance Department to complete and process the forms.

The statement lists the funds awarded for each line item, expenditures during the quarter, and funds expended to date, reflecting the remaining funds in each budget category. This enables the county program to manage its funds. Three Quarterly Financial Statements and one Closing Financial Statement are required from all county programs.

Budget Modification

Throughout the fiscal year, county programs may need to modify budgets or reallocate line items to effectively manage the budget. This can be accomplished through the *Budget Modification* form. (See Procedures)

Vacancy Savings Report

The Vacancy Savings Report form assists the state program office to more accurately track budget savings associated with vacant positions statewide. If the county program has savings associated with vacant positions, the report will identify how much of those savings will impact the amount of the fourth quarter disbursement.

1) When vacancy savings reports are required, county program staff will be notified by the state program office. Reports must be completed by the county program and returned to the state program office on or before January 31 annual The same procedures apply as in the quarterly financial statement process, with the exception of the requirement of a judicial signature.

2) State program office staff will review the completed report and notify the county coordinator or administrator should changes to the last disbursement be warranted. If vacancy savings are to be retained, a new Addendum A will be negotiated and the fourth quarter disbursement adjusted accordingly. All information is to be retained in the county program office.

Closing Financial Statement

For three quarters (July–September, October–December, January–March), county program staff should complete the Quarterly Financial Statement as described above. The Closing Financial Statement differs from the Quarterly Financial Statement in that it

includes information about **total** fiscal year disbursements and expenditures. If there are unexpended funds, the form indicates the amount to be returned to the state program office. County program staff is encouraged to work with county finance staff to ensure the accuracy of the document. The Closing Financial Statement is due to the state program office by August 15 of each year.

Closing Financial Statements are completed by following the same procedures as the Quarterly Financial Statement. In addition, if there are unexpended funds to be returned to the state program office, the designated entity (judge, county finance department, county coordinator) must mail a revertment check to the state program office by August 31st. All documentation of the Closing Financial Statement is to be filed in the county program office.

Retention of Information

The Funding Agreement states that all program information, including financial reporting, must be saved for five years after the date of the report.

Procedures

Quarterly Financial Statement

The quarterly statements are due 30 days after the end of the quarter (October, January, and April).

1. Depending on the county, as part of county procedures, CASA supervisors or county coordinators may consult with county finance staff to ensure the document is official and correct.

2. This report requests information on expenditures during the quarter just completed. Please ensure that all categories are completed.

3. The report includes the funds that were awarded for each line item (personnel, ERE, contract services, travel, operating expenses, equipment, other), expenditures during the quarter, and funds expended to date.

4. This report must have an authorized judicial signature documenting the judicial officer's approval of the report.

5. County program staff may fax or email the completed report to the state program office with the acknowledgement that the original form is to be mailed the same day.

Budget Modification

Per the Funding Agreement, the procedures for Budget Modifications are as follows:

1. County program staff must receive permission both from CASA supervisory staff in the county and from the CASA state program manager to modify their budgets prior to doing so.

2. If approval at both the county level and the state office is granted, county program staff completes a *Budget Modification* form, which includes the designated judicial officer's signature indicating approval of the transfer of funds.

3. County staff may fax or email the completed form to the state program office and mail the original. The state program office will obtain the appropriate AOC signatures on the original form and mail a copy to county program staff for filing.

QUARTERLY PROGRESS REPORT

General Information

Progress reports generated from the county's Annual Recruitment and Retention Plan are due to the state program office by **the 5th day after the quarter closes**. Timely submission of quarterly reports is part of the Operational Review audit. The report lists the county's progress toward the quarter's recruitment and retention goals.

The report also requires statistical information, some of which may be obtained from DCATS. Statistical information required includes: the projected number of new CASAs for that quarter (taken from Annual Recruitment & Retention Plan); the actual number of new applicants; the number of active, inactive, and certified but not yet active CASAs; and, CASA service statistics, such as number of court reports filed, number of hours served, and number of miles driven. In addition, the report requests statistics on dependency case screening completed in the county.

Due Dates

October 5
January 5
April 5
July 5

Before the Quarterly Progress Report can be completed, live DCATS entries and, if not live on DCATS, database forms submitted to the state program office regarding case and volunteer information, must be up-to-date. Please refer to section 12, Database for complete instructions on database entry.

Once the report is completed, signatures must be obtained from the county coordinator, court administrator, and the judicial officer. Because of that, county program staff will need to complete the report in advance of the due date.

The report may be faxed or emailed, but the original with signature must follow by mail.

OPERATIONAL REVIEW

Overview

The Administrative Office of the Courts retains administrative responsibility for all state court programs. The Dependent Children's Services Division has specific responsibility for conducting ongoing operational reviews regarding the dependency process in the Arizona juvenile court system, including the Court Improvement Project, the Court Appointed Special Advocate Program, and the Foster Care Review Board Program.

The Operational Review ensures that local juvenile courts are in compliance with applicable statutes, Supreme Court Administrative Orders, funding agreements, juvenile court rules, and local policies and procedures for their programs. CASA Programs are included in this review process. The review process was designed and implemented with the intent to maintain statewide accountability for the handling of dependency cases by juvenile courts and to provide technical assistance to juvenile courts to improve the status of dependent children.

Client Guide

A Client Guide has been developed to provide the user with information necessary to prepare for and participate in the DCSD operational review process. Users will find valuable information in the guide, including:

1. Requirements for each of the relevant programs based on statute, court rules of procedure, and individual program policies and procedures.

2. Operational Review timelines.

3. Initial information form requested by the review team at the onset of the review.

4. Operational Review instruments utilized by review team members.

5. Sample Funding Agreements for Court Improvement and CASA programs.

6. Sample Operational Review Report.

7. Dependency Glossary.

Operational Review information, including the Client Guide and review tools, can be found on the Court Improvement website at www.azcip.org or through a link on the state CASA website at www.azcasa.org.

Goal of the Operational Review Process

The Operational Review process examines efforts being made by the juvenile courts, CASA, and FCRB programs regarding the administrative and operational management of dependency case proceedings. Its objectives include the following:

1. To determine and report the extent to which courts conduct and manage dependency case proceedings and juvenile court-related programs in accordance with applicable statutes, administrative orders, juvenile court rules, funding agreements, and policies and procedures.

2. To determine and report the innovative approaches used by the courts to manage dependency case proceedings and juvenile court-related programs.

3. To determine and report the extent to which courts and counties comply with generally-accepted accounting principles.

4. To collect qualitative and quantitative data concerning the efficiency, effectiveness, and expediency of the courts' dependency case proceedings and juvenile court-related programs.

5. To document program resource needs and provide technical assistance where needed.

The Process

The Operational Review process can be divided into three different stages: preparation, fieldwork, and reporting.

A. Preparation

Prior to the operational review team's visit, the presiding juvenile court judge, juvenile court director, and court administrator, will receive correspondence from the DCSD

Operational Review Team regarding the upcoming review and Entrance Conference. Included with the correspondence will be the Initial Information Request (IIR) which should be completed and returned to the DCSD operational review specialist prior to the scheduled Entrance Conference. Each court will determine how the IIR is to be completed, and may ask the CASA county coordinator or supervisor to take part in this process.

In addition to the materials received from the county, the review team will utilize information from the Dependency Juvenile On-Line Tracking System (JOLTS) and the Dependent Children Automated Tracking System (DCATS).

B. Fieldwork

The Entrance Conference will be held prior to the on-site review, and will include AOC representatives from both the DCSD and the Juvenile Justice Services Division (JJSD). It is requested that the meeting include the presiding or lead juvenile court judge, the juvenile court director, the court administrator, the CASA county coordinator, and other personnel deemed appropriate by the county.

At the county's on-site review, the review team will review files, interview applicable personnel, observe court proceedings, and distribute and collect general survey information. The time required for the on-site portion of the review depends on several factors including the number of dependency petitions filed, the number of files being reviewed, the availability of personnel for interviews or survey completion, and the schedule of dependency court proceedings.

C. Reporting

Once the required data is collected, a Draft Report will be compiled and forwarded to the county for review. A review team member will then contact the county and arrange the Exit Conference which allows the county to share comments and ask questions to assist in crafting its response to the Draft Report. Within one month of the Exit Conference, the county provides written comments to the review team regarding the recommendations made in the draft report. The county's comments will be included both in the relevant portions of the report and appended in their entirety to the Operational Review Final Report.

Operational Review Process Time Line

Initial Information Request (IIR)

One month prior to the Entrance Conference

The opening cover letter and Initial Information Request (IIR) packet for both DCSD/JJSD are sent via the Juvenile Justice Services Division. The county response to the IIR is due one month after the packet is sent to the county. The CASA Program will complete or participate in the completion of its section of the IIR.

Entrance Conference

The Entrance Conference is scheduled at the convenience of the county's presiding juvenile judge and is an opportunity for the parties to be introduced to the members of the DCSD and JJSD review team, and the review process. Other county participants are left to the presiding juvenile judge's discretion, but typically include the juvenile court administrator, CASA county coordinator, the dependency coordinator, and the Clerk of the Court for the county.

On-Site Review

During the month following the Entrance Conference

The on-site review usually begins immediately following the Entrance Conference and consists of file review (court probation and CASA), courtroom observation, and staff interviews. Due to the differences in number of dependency petitions filed and the availability of hearings for observation, the two-month time period for this portion may vary.

Draft Report

Three weeks after On-Site Review ends

Once the required data is collected and compiled, the review team will forward the county a copy of the Draft Report. A member of the review team will contact the presiding juvenile judge to schedule the Exit Conference.

Exit Conference

Two weeks after Draft Report is sent to the county

The Exit Conference is an opportunity for the review team and the county to discuss the team's findings, the county's concerns, and the county's possible responses to the team's recommendations. This meeting may be held in person or by teleconference.

County Response to Draft Report

Due two weeks after Exit Conference

The county responds in writing regarding its specific plan to address the recommendations made by the team.

Final Report

Sent two weeks after receipt of county's response

The Final Report includes the county's responses both in the body of the report and as an appendix.

Follow-Up

Three months following distribution of Final Report

A representative from the review team will follow-up with the county to discuss progress in making the recommended adjustments. The county responds in writing regarding its progress in the applicable areas.

**Time frames associated with the various stages of the Operational Review process vary depending on the individual needs of the county in question.*

Operational Review Survey

In the data collection phase of the operational review process, participants will be asked to complete a survey (either a paper version or an online version) located at:

www.azcip.org

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
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http://www.supreme.state.az.us/casa

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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 (I)(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.

4. 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.

APPENDIX B—RELEVANT STATUTES

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§ 8-221. COUNSEL RIGHT OF JUVENILE, PARENT OR GUARDIAN; WAIVER; APPOINTMENT; REIMBURSEMENT; GUARDIAN AD LITEM

A. In all proceedings involving offenses, dependency or termination of parental rights that are conducted pursuant to this title and that may result in detention, a juvenile has the right to be represented by counsel.

B. If a juvenile, parent or guardian is found to be indigent and entitled to counsel, the juvenile court shall appoint an attorney to represent the person or persons unless counsel for the juvenile is waived by both the juvenile and the parent or guardian.

C. Before any court appearance which may result in institutionalization or mental health hospitalization of a juvenile, the court shall appoint counsel for the juvenile if counsel has not been retained by or for the juvenile, unless counsel is waived by both the juvenile and a parent or guardian with whom the juvenile resides or resided prior to the filing of a petition. The juvenile, parent or guardian may withdraw the waiver of counsel at any time.

D. Waiver of counsel pursuant to this section is subject to the provisions of rule 6, subsection (c) of the Arizona rules of procedure for the juvenile court.

E. If a juvenile is entitled to counsel and there appears to be a conflict of interest between a juvenile and the juvenile's parent or guardian including a conflict of interest arising from payment of the fee for appointed counsel under subsection G of this section, the juvenile court may appoint an attorney for the juvenile in addition to the attorney appointed for the parent or guardian or employed by the parent or guardian.

F. The county board of supervisors may fix a reasonable sum to be paid by the county for the services of an appointed attorney.

G. If the court finds that the juvenile or the parent or guardian of a juvenile has sufficient financial resources to reimburse, at least in part, the costs of the services of an attorney appointed pursuant to this section, the court shall order the juvenile or the parent or guardian to pay to the appointed attorney or the county, through the clerk of the court, an amount that the

parent or guardian is able to pay without incurring substantial hardship to the family. Failure to obey an order under this subsection is not grounds for contempt or grounds for withdrawal by the appointed attorney. An order under this section may be enforced in the manner of a civil judgment.

H. In a county where there is a public defender, the public defender may act as attorney in either:

1. A delinquency or incorrigibility proceeding when requested by the juvenile court.

2. Any other juvenile proceeding that is conducted pursuant to this title if the board of supervisors authorizes the appointment of the public defender.

I. In all juvenile court proceedings in which the dependency petition includes an allegation that the juvenile is abused or neglected, the court shall appoint a guardian ad litem to protect the juvenile's best interests. This guardian may be an attorney or a court appointed special advocate.

§ 8-522. DEPENDENCY ACTIONS; SPECIAL ADVOCATE; APPOINTMENT; DUTIES; IMMUNITY

A. The presiding judge of the juvenile court in each county may appoint an adult as a special advocate to be the guardian ad litem for a child who is the subject of a dependency action. The court shall make this appointment at the earliest possible stage in the proceedings. A child, through the child's guardian ad litem or attorney, has the right to be informed of, to be present at and to be heard in any proceeding involving dependency or termination of parental rights.

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. The appointment of the special advocate continues until the court relieves the advocate of the advocate's responsibilities or until the court dismisses the action before it.

D. A special advocate serves without compensation but is entitled to reimbursement of expenses pursuant to guidelines prescribed by the supreme court by rule.

E. A special advocate shall:

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 in reunifying the child with the child=s family.

4. Provide advocacy to ensure that appropriate case planning and services are provided for the child.

5. Perform other duties prescribed by the supreme court by rule.

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 produces may only be disclosed as provided for in section 41-1959.

G. 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.

H. 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.

§ 8-523. SPECIAL ADVOCATE PROGRAM

A. The court appointed special advocate program is established in the administrative office of the supreme court. The program shall establish local special advocate programs in each county. The supreme court shall adopt rules prescribing the establishment of local programs and the minimum performance standards of these programs.

B. The supreme court shall employ administrative and other personnel it determines are necessary to properly administer the program and to monitor local program performance.

C. Special advocate program personnel are not civilly or criminally liable for good faith actions they take in connection with their responsibilities.

§ 8-524. SPECIAL ADVOCATE FUND

A. The court appointed special advocate fund is established consisting of monies received pursuant to section 5-518. The fund is subject to annual legislative appropriation. Monies appropriated by the legislature from the court appointed special advocate fund for the court appointed special advocate program shall be used by the supreme court to operate, improve, maintain and enhance the program.

B. A court may request fund monies by submitting a program plan and funding request to the supreme court pursuant to rules adopted by the court.

§ 8-805. IMMUNITY OF PARTICIPANTS; NONPRIVILEGED COMMUNICATIONS

A. Any person making a complaint, or providing information or otherwise participating in the program authorized by this article shall be immune from any civil or criminal liability by reason of such action, unless such person acted with malice or unless such person has been charged with or is suspected of abusing, abandoning or neglecting the child or children in question.

B. Except as provided in subsection C of this section, the physician-patient privilege, husband-wife privilege, or any privilege except the attorney-client privilege, provided for by professions such as the practice of social work or nursing covered by law or a code of ethics regarding practitioner-client confidences, both as they relate to the competency of the witness and to the exclusion of confidential communications, shall not pertain in any civil or criminal litigation in which a child's neglect, dependency, abuse or abandonment is in issue nor in any judicial proceeding resulting from a report submitted pursuant to this article.

C. In any civil or criminal litigation in which a child's neglect, dependency, abuse or abandonment is an issue, a clergyman or priest shall not, without his consent be examined as a witness concerning any confession made to him in his role as a clergyman or a priest in the course of the discipline enjoined by the church to which he belongs.

§ 8-807. CPS INFORMATION; PUBLIC RECORD; USE; CONFIDENTIALITY; VIOLATION; CLASSIFICATION; DEFINITIONS

A. CPS information shall be maintained by the department as required by federal law as a condition of the allocation of federal monies to this state. All exceptions for the public release of CPS information shall be construed as openly as possible under federal law.

B. If there is a reasonable need for the CPS information, the department, or a person who receives CPS information pursuant to this subsection, shall provide CPS information to a federal agency, a state agency, a tribal agency, a county or municipal agency. A county attorney, a school, a community service provider, a contract service provider or any other person that is providing services pursuant to this chapter:

1. To meet its duties to provide for the safety, permanency and well-being of a child, provide services to a parent, guardian or custodian or provide services to family members to strengthen the family pursuant to this chapter.

2. To enforce or prosecute any violation involving child abuse or neglect, including provision of the CPS information to a defendant after a criminal charge has been filed.

C. The department shall disclose CPS information to a court, a party in a dependency or termination of parental rights proceeding or the party's attorney, the foster care review board or a court appointed special advocate for the purposes of and as prescribed in this title.

D. The department shall disclose CPS information to a domestic relations, family or conciliation court if the CPS information is necessary to promote the safety and well-being of children. The court shall notify the parties that it has received the CPS information.

E. A person or agent of a person who is the subject of CPS information shall have access to CPS information concerning that person.

F. The department:

1. May provide CPS information to confirm, clarify or correct information concerning an allegation or actual instance of child abuse or neglect that has been made public by sources outside the department.

2. May provide and, on request, shall provide summary information regarding a fatality or near fatality caused by abuse or neglect

3. May provide CPS information to a person who is conducting bona fide research, the results of which might provide CPS information that is beneficial in improving child protective services.

4. May provide access to CPS information to the parent, guardian or custodian of a child if the CPS information is reasonably necessary to promote the safety, permanency and well-being of the child.

G. Access to CPS information in the central registry shall be provided as prescribed in section 8-804

H. To provide oversight of child protective services, the department shall provide access to CPS information to the following persons, if the CPS information is reasonably necessary to for the person to perform the person's official duties:

1. Federal or state auditors.

2. Persons conducting an accreditation deemed necessary by the department.

3. A standing committee of the legislature or a committee appointed by the president of the senate or the speaker of the house of representatives for purposes of conducting investigations related to the legislative oversight of the department of economic security. This information shall not be further disclosed.

4. A legislator who is responsible for oversight of the enabling or appropriating legislation to carry out these functions. This information shall not be further disclosed. To request a file pursuant to this paragraph:

(a) The legislator shall submit a written request for CPS information to the presiding officer of the body of which the state legislator is a member. The request shall state the name of the person whose case file is to be reviewed and any other information that will assist the department in locating the file. The request shall also include the office of the department at which the legislator wants to review the file.

(b) The presiding officer shall forward the request to the department within five working days of the receipt of the request.

(c) The department shall make the necessary arrangements for the legislator to review the file at an office of the department, chosen by the legislator, within ten working days.

(d) The legislator shall sign a form, before reviewing the file, that outlines the confidentiality laws governing child protective services files and penalties for further release of the information.

5. A citizen review panel as prescribed by federal law, a child fatality review team as provided in title 36, chapter 35 and the office of ombudsman-citizen's aide.

I. A person who is not specifically authorized by this section to obtain CPS information may petition a judge of the superior court to order the department to release that CPS information. The court shall balance the rights of the parties entitled to confidentiality pursuant to this section against the rights of the parties seeking release of the CPS information. The may release otherwise confidential CPS information only if the rights of the parties seeking the CPS information and any benefits from releasing the CPS information sought outweigh the rights of the parties entitled to confidentiality and any harm that may result from releasing the CPS information sought.

J. Except as provided in subsection K of this section, before it released records under this section, the department shall take whatever precautions it determines are reasonably necessary to protect the

identity and safety of a person who reports child abuse or neglect and to protect any other person if the department believes that disclosure of the CPS information would be likely to endanger the life or safety of the person. The department is not required by this section to disclose CPS information if the disclosure would compromise the integrity of a child protective services or criminal investigation.

K. A person who is the subject of an unfounded report or complaint made pursuant to this chapter and who believes that the report or complaint was made in bad faith or with malicious intent may petition a judge of the superior court to order the department to release the CPS information. The petition shall specifically set forth reasons supporting the person's belief that the report or complaint was made in bad faith or with malicious intent. The court shall review the CPS information in camera and the person filing the petition shall be allowed to present evidence in support of the petition. If the court determines that there is a reasonable question of fact as to whether the report or complaint was made in bad faith or with malicious intent and that disclosure of the identity of the person making the report or complaint would not be likely to endanger the life or safety of the person making the report or complaint, it shall provide a copy of the CPS information to the person filing the petition and the original CPS information is subject to discovery in a subsequent civil action regarding the making of the report or complaint.

L. The department shall provide the person who conducts a forensic medical evaluation with any records the person requests, including social history and family history regarding the child, the child's siblings and the child's parents or guardians.

M. The department shall provide CPS information on request to a prospective adoptive parent, foster parent or guardian, if the information concerns a child the prospective adoptive parent, foster parent or guardian seeks to adopt or provide care for.

N. If the department receives information that is confidential by law, the department shall maintain the confidentiality of the information as prescribed in the applicable law.

O. A person may authorize the release of CPS information about the person but may not waive the confidentiality of CPS information concerning any other person.

P. The department may provide a summary of the outcome of a child protective services investigation to the person who reported the suspected child abuse or neglect.

Q. The department shall adopt rules to facilitate the accessibility of CPS information.

R. The department may charge a fee for copying costs required to prepare CPS information for release pursuant to this section.

S. A person who violates this section is guilty of a class 2 misdemeanor.

T. For the purposes of this section:

1. "CPS information" includes all information the department gathers during the course of a child protective services investigation conducted under this chapter from the time a file is opened and until it is closed. CPS information does not include information that is contained in child welfare agency licensing records.

2. "Near fatality" means an act that, as certified by a physician, places a child in serious or critical condition.

§ 13-3620. DUTY TO REPORT ABUSE, PHYSICAL INJURY, NEGLECT AND DENIAL OR DEPRIVATION OF MEDICAL OR SURGICAL CARE OR NOURISHMENT OF MINORS; MEDICAL RECORDS; EXCEPTION; VIOLATION; CLASSIFICATION; DEFINITIONS

A. A person who reasonably believes that a minor is or has been the victim of physical injury, abuse, child abuse, a reportable offense or neglect that appears to have been inflicted on the minor by other than accidental means or that is not explained by the available medical history as being accidental in nature or who reasonably believe there has been a denial or deprivation of necessary medical treatment or surgical care or nourishment with the intent to cause or allow the death of an infant who is protected under section 36-2281 shall immediately report or cause reports to be made of this information to a peace officer or to child protective services in the department of economic security, except if the report concerns a person who does not have care, custody or control of the minor, the report shall be made to a peace officer only. A member of the clergy, Christian science practitioner or priest who has received a confidential communication or a confession in that person's role as a member of the clergy, Christian science practitioner or a priest belongs may withhold reporting of the communication or confession if the member of the clergy, Christian science practitioner or priest determines that it is reasonable and necessary within the concepts of the religion. This exemption applies only to the communication or confession and not to personal observations the member of the clergy, christian science practitioner or priest may otherwise make of the minor. For the purposes of this subsection, "person" means:

1. Any physician, physician's assistant, optometrist, dentist, osteopath, chiropractor, podiatrist, behavioral health professional, nurse, psychologist, counselor or social worker who develops the reasonable belief in the course of treating a patient.

2. Any peace officer, member of the clergy, priest or christian science practitioner.

3. The parent, stepparent or guardian of the minor.

4. School personnel or domestic violence victim advocate who develop the reasonable belief in the course of their employment.

5. Any other person who has responsibility for the care or treatments of the minor.

B. A report is not required under this section for conduct prescribed by sections 13-1404 and 13-1405 if the conduct involves only minors who are fourteen, fifteen, sixteen or seventeen years of age and there is nothing to indicate that the conduct is other than consensual.

C. If a physician, psychologist or behavioral health professional receives a statement from a person other than a parent, stepparent, guardian or custodian of the minor during the course of providing sex offender treatment that is not court ordered or that does not occur while the offender is incarcerated in the state department of corrections, the physician, psychologist or behavioral health professional may withhold the reporting of that statement if the physician, psychologist or behavioral health professional determines it is reasonable and necessary to accomplish the purposes of the treatment.

D. Reports shall me made immediately by telephone or in person and shall be followed by a written report within seventy-two hours. The reports shall contain:

1. The names and addresses of the minor and the minor's parents or the person or persons having custody of the minor, if known.

2. The minor's age and the nature and extent of the minor's abuse, child abuse, physical injury or neglect, including any evidence of previous abuse, child abuse, physical injury or neglect.

3. Any other information that the person believes might be helpful in establishing the cause of the abuse, child abuse, physical injury or neglect.

E. A health care professional who is regulated pursuant to title 32 and who, after a routine newborn physical assessment of a newborn infant's health status or following notification of positive toxicology screens of a newborn infant, reasonably believes that the newborn infant may be affected by the presence of alcohol or a drug listed in section 13-3401 shall immediately report this information, or cause a report to be made, to child protective

services in the department of economic security. For the purposes of this subsection, "newborn infant" means a newborn infant who is under thirty days of age.

F. Any person other than one required to report or cause reports to be made under subsection A of this section who reasonably believes that a minor is or has been a victim of abuse, child abuse, physical injury, a reportable offense or neglect may report the information to a peace officer or to child protective services in the department of economic security, except if the report concerns a person who does not have care, custody or control of the minor, the report shall be made to a peace officer only.

G. A person who has custody or control of medical records of a minor for whom a report is required or authorized under this section shall make the records, or a copy of the records, available to a peace officer or child protective services worker investigating the minor's neglect, child abuse, physical injury or abuse on written request for the records signed by the peace officer or child protective services worker. Records disclosed pursuant to this subsection are confidential and may be used only in a judicial or administrative proceeding or investigation resulting form a report required or authorized under this section.

H. When telephone or in-person reports are received by a peace officer, the officer shall immediately notify child protective services in the department of economic security and make the information available to them. Notwithstanding any other statute, when child protective services receives these reports by telephone or in person, it shall immediately notify a peace officer in the appropriate jurisdiction.

I. Any person who is required to receive reports pursuant to subsection A of this section may take or cause to be taken photographs of the minor and the vicinity involved. Medical examinations of the involved minor may be performed.

J. A person who furnished a report, information or records required or authorized under this section, or a person who participates in a judicial or administrative proceeding or investigation resulting form a report, information or records required or authorized under this section, is immune from any civil or criminal liability by reason of that action unless

the person acted with malice or unless the person has been charged with or is suspected of abusing or neglecting the child or children in question.

K. Except for the attorney client privilege or the privilege under subsection L of this section, no privilege applies to any:

1. Civil or criminal litigation or administrative proceeding in which a minor's neglect, dependency, abuse, child abuse, physical injury or abandonment is an issue.

2. Judicial or administrative proceeding resulting from a report, information or records submitted pursuant to this section.

3. Investigation of a minor's child abuse, physical injury, neglect or abuse conducted by a peace officer or child protective services in the department of economic security.

L. In any civil or criminal litigation in which a child's neglect, dependency, physical injury, abuse, child abuse or abandonment is an issue, a member of the clergy, a Christian science practitioner or a priest shall not, without his consent, be examined as a witness concerning any confession made to him in his role as a member of the clergy, a Christian science practitioner or a priest in the course of the discipline enjoined by the church to which he belongs. Nothing in this subsection discharges a member of the clergy, a christian science practitioner or a priest from the duty to report pursuant to subsection A of this section.

M. If psychiatric records are requested pursuant to subsection G of this section, the custodian of the records shall notify the attending psychiatrist, who may excise from the records, before they are made available:

1. Personal information about individuals other than the patient.

2. Information regarding specific diagnosis or treatment of a psychiatric condition, if the attending psychiatrist certifies in writing that release of the information would be detrimental to the patient's health of treatment.

N. If any portion of a psychiatric records is excised pursuant to subsection M of this section, a court, upon application of a peace officer or child protective services worker, may order that the entire records or any portion of the record that contains information relevant to the reported abuse, child abuse, physical injury or neglect be made available to the peace officer or child protective services worker investigating the abuse, child abuse, physical injury or neglect.

O. A person who violates this section is guilty of a class 1 misdemeanor, except if the failure to report involves a reportable offense, the person is guilty of a class 6 felony.

P. For the purposes of this section:

1. "Abuse" has the same meaning prescribed in section 8-201.

2. "Child abuse" means child abuse pursuant to section 13-3623.

3. "Neglect" has the same meaning prescribed in section 8-201.

4. "Reportable offense" means any of the following:

(a) Any offense listed in chapters 14 and 35.1 of this title or section 13-3506.01.

(b) Surreptitious photographing, videotaping, filming or digitally recording of a minor pursuant to section 13-3019.

(c) Child prostitution pursuant to section 13-3212.

(d) Incest pursuant to section 13-3608.

§ 28-1381. DRIVING OR ACTUAL PHYSICAL CONTROL WHILE UNDER THE INFLUENCE; TRIAL BY JURY; PRESUMPTIONS; ADMISSIBLE EVIDENCE; SENTENCING; CLASSIFICATION

A. It is unlawful for a person to drive or be in actual physical control of a vehicle in this state under any of the following circumstances:

1. While under the influence of intoxicating liquor, any drug, a vapor releasing substance containing a toxic substance or any combination of liquor, drugs or vapor releasing substances if the person is impaired to the slightest degree.

2. If the person has an alcohol concentration of 0.08 or more within two hours of driving or being in actual physical control of the vehicle and the alcohol concentration results from alcohol consumed either before or while driving or being in actual physical control of the vehicle.

3. While there is any drug defined in section 13-3401 or its metabolite in the person's body.

4. If the vehicle is a commercial motor vehicle that requires a person to obtain a commercial driver license as defined in section 28-3001 and the person has an alcohol concentration of 0.04 or more.

B. It is not a defense to a charge of a violation of subsection A, paragraph 1 of this section that the person is or has been entitled to use the drug under the laws of this state.

C. A person who is convicted of a violation of this section is guilty of a class 1 misdemeanor.

D. A person using a drug prescribed by a medical practitioner licensed pursuant to title 32, chapter 7, 11, 13 or 17 is not guilty of violating subsection A, paragraph 3 of this section.

E. In any prosecution for a violation of this section, the state shall allege, for the purpose of classification and sentencing pursuant to this section, all prior convictions of violating this section, section 28-1382 or section 28-1383 occurring within the past thirty-six months, unless there is an insufficient legal or factual basis to do so.

F. At the arraignment, the court shall inform the defendant that the defendant may request a trial by jury and that the request, if made, shall be granted.

G. In a trial, action or proceeding for a violation of this section or section 28-1383 other than a trial, action or proceeding involving driving or being in actual physical control of a commercial vehicle, the defendant's alcohol concentration within two hours of the time of driving or being in actual physical control as shown by analysis of the defendant's blood, breath or other bodily substance gives rise to the following presumptions:

1. If there was at that time 0.05 or less alcohol concentration in the defendant's blood, breath or other bodily substance, it may be presumed that the defendant was not under the influence of intoxicating liquor.

2. If there was at that time in excess of 0.05 but less than 0.08 alcohol concentration in the defendant's blood, breath or other bodily substance, that fact shall not give rise to a presumption that the defendant was or was not under the influence of intoxicating liquor, but that fact may be considered with other competent evidence in determining the guilt or innocence of the defendant.

3. If there was at that time 0.08 or more alcohol concentration in the defendant's blood, breath or other bodily substance, it may be presumed that the defendant was under the influence of intoxicating liquor.

H. Subsection G of this section does not limit the introduction of any other competent evidence bearing on the question of whether or not the defendant was under the influence of intoxicating liquor.

I. A person who is convicted of a violation of this section:

1. Shall be sentenced to serve not less than ten consecutive days in jail and is not eligible for probation or suspension of execution of sentence unless the entire sentence is served.

2. Shall pay a fine of not less than two hundred fifty dollars.

3. May be ordered by a court to perform community service.

4. Shall pay an additional assessment of five hundred dollars to be deposited by the state treasurer in the prison construction and operations fund established by section 41-1651. This assessment is not subject to any surcharge. If the conviction occurred in the superior court or a justice court, the court shall transmit the assessed monies to the county treasurer. If the conviction occurred in a municipal court, the court shall transmit the assessed monies to the city treasurer. The city or county treasurer shall transmit the monies received to the state treasurer.

5. Shall pay an additional assessment of five hundred dollars to be deposited by the state treasurer in the state general fund. This assessment is not subject to any surcharge. If the conviction occurred in the superior court or a justice court, the court shall transmit the assessed monies to the county treasurer. If the conviction occurred in a municipal court, the court shall transmit the assess monies to the city treasurer. The city or county treasurer shall transmit the monies received to the state treasurer.

6. Shall pay an additional assessment of one thousand two hundred fifty dollars to be deposited by the state treasurer in the state general fund. This assessment is not subject to any surcharge. If the conviction occurred in the superior court or a justice court, the court shall transmit the assessed monies to the county treasurer. If the conviction occurred in a municipal court, the court shall transmit the assess monies to the city treasurer. The city or county treasurer shall transmit the monies received to the state treasurer.

J. Notwithstanding subsection I, paragraph 1 of this section, at the time of sentencing the judge may suspend all but twenty-four consecutive hours of the sentence if the person completes a court ordered alcohol or other drug screening, education or treatment program. If the person fails to complete the court ordered alcohol or other drug screening, education or treatment program and has not been placed on probation, the court shall issue an order to show cause to the defendant as to why the remaining jail sentence should not be served.

K. If within a period of eighty-four months a person is convicted of a second violation of this section or is convicted of a violation of this section and has previously been convicted of a violation of section 28-1382 or 28-1383 or an act in another jurisdiction that if committed in this state would be a violation of this section or section 28-1382 or 28-1383, the person:

1. Shall be sentenced to serve not less than ninety days in jail, thirty days of which shall be served consecutively, and is not eligible for probation or suspension of execution of sentence unless the entire sentence has been served.

2. Shall pay a fine of not less than five hundred dollars.

3. Shall be ordered by a court to perform at least thirty hours of community restitution.

4. Shall have the person's driving privilege revoked for one year. The court shall report the conviction to the department. On receipt of the report, the department shall revoke the person's driving privilege and shall require the person to equip any motor vehicle the person operates with a certified ignition interlock device pursuant to section 28-3319. In addition, the court may order the person to equip any motor vehicle the person operates with a certified ignition interlock device for more than twelve months beginning on the date of the department's receipt of the report of conviction, whichever occurs later. The person who operates a motor vehicle with a certified ignition interlock device under this paragraph shall comply with article 5 of this chapter.

5. Shall pay an additional assessment of five hundred dollars to be deposited by the state treasurer in the state general fund. This assessment is not subject to any surcharge. If the conviction occurred in the superior court or a justice court, the court shall transmit the assessed monies to the county treasurer. If the conviction occurred in a municipal court, the court shall transmit the assess monies to the city treasurer. The city or county treasurer shall transmit the monies received to the state treasurer.

6. Shall pay an additional assessment of one thousand two hundred fifty dollars to be deposited by the state treasurer in the state general fund. This assessment is not subject to any surcharge. If the conviction occurred in the superior court or a justice court, the court shall transmit the assessed monies to the county treasurer. If the conviction occurred in a municipal court, the court shall transmit the assess monies to the city treasurer. The city or county treasurer shall transmit the monies received to the state treasurer.

L. Notwithstanding subsection K, paragraph 1 of this section, at the time of sentencing, the judge may suspend all but thirty days of the sentence if the person completes a court ordered alcohol or other drug screening, education or treatment program. If the person fails to complete the court ordered alcohol or other drug screening, education or treatment program and has not been placed on probation, the court shall issue an order to show cause as to why the remaining jail sentence should not be served.

M. In applying the eighty-four month provision of subsection K of this section, the dates of the commission of the offense shall be the determining factor, irrespective of the sequence in which the offenses were committed.

N. A second violation for which a conviction occurs as provided in this section shall not include a conviction for an offense arising out of the same series of acts.

§ 28-1382. DRIVING OR ACTUAL PHYSICAL CONTROL WHILE UNDER THE EXTREME INFLUENCE OF INTOXICATING LIQUOR; TRIAL BY JURY; SENTENCING; CLASSIFICATION

A. It is unlawful for a person to drive or be in actual physical control of a vehicle in this state if the person has an alcohol concentration of 0.15 or more within two hours of driving or being in actual physical control of the vehicle and the alcohol concentration results from alcohol consumed either before or while driving or being in actual physical control of the vehicle.

B. A person who is convicted of a violation of this section is guilty of driving or being in actual physical control of a vehicle while under the extreme influence of intoxicating liquor.

C. At the arraignment, the court shall inform the defendant that the defendant may request a trial by jury and that the request, if made, shall be granted.

D. A person who is convicted of a violation of this section:

1. Shall be sentenced to serve not less than thirty consecutive days in jail and is not eligible for probation or suspension of execution of sentence unless the entire sentence is served.

2. Shall pay a fine of not less than two hundred fifty dollars. The fine prescribed in this paragraph and any assessments, restitution and incarceration costs shall be paid before the assessment prescribed in paragraph 3 of this subsection.

3. Shall pay an additional assessment of two hundred fifty dollars. If the conviction occurred in the superior court or a justice court, the court shall transmit the monies received pursuant to this paragraph to the county treasurer. If the conviction occurred in a municipal court, the court shall transmit the monies received pursuant to this paragraph to the city treasurer. The city or county treasurer shall transmit the monies received to the state treasurer. The state treasurer shall deposit the monies received in the driving under the influence abatement fund established by section 28-1304.

4. May be ordered by a court to perform community restitution.

5. Shall be required by the department, on receipt of the report of conviction, to equip any motor vehicle the person operates with a certified ignition interlock device pursuant to section 28-3319. In addition, the court may order the person to equip any motor vehicle the person operates with a certified ignition interlock device for more than twelve months beginning on the date of reinstatement of the person's driving privilege following a suspension or revocation or on the date of the department's receipt of the report of conviction, whichever occurs later. The person who operates a motor vehicle with a certified ignition interlock devise under this paragraph shall comply with article 5 of this chapter.

6. Shall pay an additional assessment of one thousand dollars to be deposited by the state treasurer in the prison construction and operations fund established by section 14-1651. This assessment is not subject to any surcharge. If the conviction occurred in the superior court or a justice court, the court shall transmit the assessed monies to the county treasurer. If the conviction occurred in a municipal court, the court shall transmit the assessed monies to the city treasurer. The city or county treasurer shall transmit the monies received to the state treasurer.

7. Shall pay an additional assessment of one thousand dollars to be deposited by the state treasurer in the state general fund. This assessment is not subject to any surcharge. If the conviction occurred in the superior court or a justice court, the court shall transmit the assessed monies to the county treasurer. If the conviction occurred in a municipal court, the court shall transmit the assessed monies to the city treasurer. The city or county treasurer shall transmit the monies received to the state treasurer.

E. Notwithstanding subsection D, paragraph 1 of this section, at the time of sentencing the judge may suspend all but ten days of the sentence if the person completes a court ordered alcohol or other drug screening, education or treatment program. If the person fails to complete the court ordered alcohol or other drug screening, education or treatment program and has not been placed on probation, the court shall issue an

order to show cause to the defendant as to why the remaining jail sentence should not be served.

F. If within a period of eighty-four months a person is convicted of a second violation of this section or is convicted of a violation of this section and has previously been convicted of a violation of section 28-1381 or 28-1383 or an act in another jurisdiction that if committed in this state would be a violation of this section or section 28-1381 or 28-1383, the person:

1. Shall be sentenced to serve not less than one hundred twenty days in jail, sixty days of which shall be served consecutively, and is not eligible for probation or suspension of execution of sentence unless the entire sentence has been served.

2. Shall pay a fine of not less than five hundred dollars. The fine prescribed in this paragraph and any assessments, restitution and incarceration costs shall be paid before the assessment prescribed in paragraph 3 of this subsection.

3. Shall pay an additional assessment of two hundred fifty dollars. If the conviction occurred in the superior court or a justice court, the court shall transmit the monies received pursuant to this paragraph to the county treasurer. If the conviction occurred in a municipal court, the court shall transmit the monies received to the state treasurer. The state treasurer shall deposit the monies received in the driving under the influence abatement fund established by section 28-1304.

4. Shall be ordered by a court to perform at least thirty hours of community restitution.

5. Shall have the person's driving privilege revoked for at least one year. The court shall report the conviction to the department. On receipt of the report, the department shall revoke the person's driving privilege and shall require the person to equip any motor vehicle the person operates with a certified ignition interlock device pursuant to section 28-3319. In addition, the court may order the person to equip any motor vehicle the person operates with a

certified ignition interlock device for more than twelve months beginning on the date of reinstatement of person's driving privilege following a suspension or revocation or on the date of the department's receipt of the report of conviction, whichever is later. The person who operates a motor vehicle with a certified ignition interlock device under this paragraph shall comply with article 5 of this chapter.

6. Shall pay an additional assessment of one thousand two hundred fifty dollars to be deposited by the state treasurer in the prison construction and operations fund established by section 41-1651. This assessment is not subject to any surcharge. If the conviction occurred in the superior court or a justice court, the court shall transmit the assessed monies to the county treasurer. If the conviction occurred in a municipal court, the court shall transmit the assessed monies to the city treasurer. The city or county treasurer shall transmit the monies received to the state treasurer.

7. Shall pay an additional assessment of one thousand two hundred fifty dollars to be deposited by the state treasurer in the state general fund. This assessment is not subject to any surcharge. If the conviction occurred in the superior court or a justice court, the court shall transmit the assessed monies to the county treasurer. If the conviction occurred in a municipal court, the court shall transmit the assessed monies to the city treasurer. The city or county treasurer shall transmit the monies received to the state treasurer.

G. Notwithstanding subsection F, paragraph 1 of this section, at the time of sentencing, the judge may suspend all but sixty days of the sentence if the person completes a court ordered alcohol or other drug screening, education or treatment program. If the person fails to complete the court ordered alcohol or other drug screening, education or treatment program and has not been placed on probation, the court shall issue an order to show cause as to why the remaining jail sentence should not be served.

H. In applying the eighty-four month provision of subsection F of this section, the dates of the commission of the offense shall be the determining factor, irrespective of the sequence in which the offenses were committed.

I. A second violation for which a conviction occurs as provided in this section shall not include a conviction for an offense arising out of the same series of acts.

J. A person who is convicted of a violation of this section is guilty of a class 1 misdemeanor.

§ 28-1383. AGGRAVATED DRIVING OR ACTUAL PHYSICAL CONTROL WHILE UNDER THE INFLUENCE; VIOLATION; CLASSIFICATION; DEFINITION

A. A person is guilty of aggravated driving or actual physical control while under the influence of intoxicating liquor or drugs if the person does any of the following:

1. Commits a violation of section 28-1381, section 28-1382 or this section while the person's driver license or privilege to drive is suspended, canceled, revoked or refused or while a restriction is placed on the person's driver license or privilege to drive as a result of violating section 28-1381 or 28-1382 or under section 28-1385.

2. Within a period of eighty-four months commits a third or subsequent violation of section 28-1381, section 28-1382 or this section or is convicted of a violation of section 28-1381, section 28-1382 or this section and has previously been convicted of any combination of convictions of section 28-1381, section 28-1382 or this section or acts in another jurisdiction that if committed in this state would be a violation of section 28-1381, section 28-1382 or this section.

3. While a person under fifteen years of age is in the vehicle, commits a violation of either:

   (a) Section 28-1381.

   (b) Section 28-1382.

4. While the person is ordered by the court or required pursuant to section 28-3319 by the department to equip any motor vehicle the person operates with a certified ignition interlock device, does either of the following:

   (a) While under arrest refuses to submit to any test chosen by a law enforcement officer pursuant to section 28-1321, subsection A.

   (b) Commits a violation of section 28-1381, section 28-1382 or this section.

B. The dates of the commission of the offenses are the determining factor in applying the eighty-four month provision provided in subsection A, paragraph 2 of this section regardless of the sequence in which the offenses were committed. For purposes of this section, a third or subsequent violation for which a conviction occurs does not include a conviction for an offense arising out of the same series of acts.

C. The notice to a person of the suspension, cancellation, revocation or refusal of a driver license or privilege to drive is effective as provided in section 28-3318 or pursuant to the laws of the state issuing the license.

D. A person is not eligible for probation, pardon, commutation or suspension of sentence or release on any other basis until the person has served not less than four months in prison if the person is convicted under either of the following:

   1. Subsection A, paragraph 1 of this section.

   2. Subsection A, paragraph 2 of this section and within an eighty-four month period has been convicted of two prior violations of section 28-1381, section 28-1382 or this section, or any combination of those sections, or acts in another jurisdiction that if committed in this state would be a violation of section 28-1381, section 28-1382 or this section.

E. A person who is convicted under subsection A, paragraph 2 of this section and who within an eighty-four month period has been convicted of three or more prior violations of section 28-1381, section 28-1382 or this section, or any combination of those sections, or acts in another jurisdiction that if committed in this state would be a violation of section 28-1381, section 28-1382 or this section is not eligible for probation, pardon, commutation or suspension of sentence or release on any other basis until the person has served not less than eight months in prison.

F. A person who is convicted under subsection A, paragraph 3, subdivision (a) of this section shall serve at least the minimum term of incarceration required pursuant to section 28-1381.

G. A person who is convicted under subsection A, paragraph 3, subdivision (b) of this section shall serve at least the minimum term of incarceration required pursuant to section 28-1382.

H. A person who is convicted of a violation of this section shall attend and complete alcohol or other drug screening, education or treatment from an approved facility. If the person fails to comply with this subsection and is placed on probation, in addition to the provisions of section 13-901 the court may order that the person be incarcerated as a term of probation as follows:

1. For a person sentenced pursuant to subsection D of this section, for an individual period of not more than four months and a total period of not more than one year.

2. For a person sentenced pursuant to subsection E of this section, for an individual period of not more than eight months and a total period of not more than two years.

I. The time that a person spends in custody pursuant to subsection H of this section shall not be counted towards the sentence imposed if the person's probation is revoked and the person is sentenced to prison after revocation of probation.

J. On conviction for a violation of this section, the court:

1. Shall report the conviction to the department. On receipt of the report, the department shall revoke the driving privilege of the person. The department shall not issue the person a new driver license within three years of the date of the conviction and, for a conviction of a violation of subsection A, paragraph 1, 2 or 4, or paragraph 3, subdivision (b) of this section, shall require the person to equip any motor vehicle the person operates with a certified ignition interlock device pursuant to section 28-3319. In addition, the court may order the person to equip any motor vehicle the person operates with a certified ignition interlock device for more than twelve months beginning on the date of reinstatement of the person’s driving privilege following a suspension or revocation or on the date of the department’s receipt of the report of conviction, whichever occurs later. The person who operates a motor

vehicle with a certified ignition interlock device under this paragraph shall comply with article 5 of this chapter.

2. In addition to any other penalty prescribed by law, shall order the person to pay an additional assessment of two hundred fifty dollars. If the conviction occurred in the superior court or a justice court, the court shall transmit the monies received pursuant to this paragraph to the county treasurer. If the conviction occurred in a municipal court, the court shall transmit the monies received pursuant to this paragraph to the city treasurer. The city or county treasurer shall transmit the monies received to the state treasurer. The state treasurer shall deposit the monies received in the driving under the influence abatement fund established by section 28-1304. Any fine imposed for a violation of this section and any assessments, restitution and incarceration costs shall be paid before the assessment prescribed in this paragraph.

3. Shall order the person to pay a fine of not less than seven hundred fifty dollars.

4. In addition to any other penalty prescribed by law, shall order the person to pay an additional assessment of one thousand five hundred dollars to be deposited by the state treasurer in the prison contraction and operations fund established by section 41-1651. This assessment is not subject to any surcharge. If the conviction occurred in the superior court or a justice, court, the court shall transmit the assess monies to the county treasurer. If the conviction occurred in a municipal court, the court shall transmit the monies received pursuant to this paragraph to the city treasurer. The city or county treasurer shall transmit the monies received to the state treasurer.

5. In addition to any other penalty prescribed by law, shall order the person to pay an additional assessment of one thousand five hundred dollars to be deposited by the state treasurer in the state general fund. This assessment is not subject to any surcharge. If the conviction occurred in the superior court or a justice, court, the court shall transmit the assess monies to the county treasurer. If the conviction occurred in a municipal court, the court shall transmit the monies

received pursuant to this paragraph to the city treasurer. The city or county treasurer shall transmit the monies received to the state treasurer.

K. After completing the period of suspension required by section 28-1385, a person whose driving privilege is revoked for a violation of subsection A, paragraph 3 of this section may apply to the department for a special ignition interlock restricted driver license pursuant to section 28-1401.

L. Aggravated driving or actual physical control while under the influence of intoxicating liquor or drugs committed under:

1. Subsection A, paragraph 1 or 2 or paragraph 4, subdivision (b) of this section is a class 4 felony.

2. Subsection A, paragraph 3 or paragraph 4, subdivision (a) of this section is a class 6 felony.

M. For the purposes of this section, "suspension, cancellation, revocation or refusal" means any suspension, cancellation, revocation or refusal.

§ 41-1959. CONFIDENTIAL INFORMATION; PERMISSIBLE DISCLOSURE; RULES; VIOLATION; CLASSIFICATION

A. Unless otherwise provided by law, all personally identifiable information concerning any applicant, claimant, recipient, employer or client or concerning any person involved in an adult protective services action, other than a perpetrator against whom an allegation of abuse, neglect, or exploitation has been substantiated pursuant to section 46-458, is confidential and shall not be released unless ordered by a superior court judge or provided for by rule of court except as provided in subsections B, C and D of this section. Records and files that relate to investigations conducted by child protective services in the department are confidential. The department shall release this information only as prescribed by section 8-807.

B. Employees of the department of economic security, the department of law and the court may obtain the information described in subsection A of this section in the performance of their duties as authorized by rules adopted by the director.

C. Employees of the department of economic security, the department of law and the court may release any information which is otherwise held confidential under this section under any of the following circumstances:

1. To the applicant, claimant, recipient, employer or client if a request is made in writing by any of such persons specifically requesting information which directly relates to the person requesting such information.

2. To the extent necessary to make claims on behalf of a client for public or private assistance, insurance or health or medical assistance pursuant to title 11, chapter 2, article 7 or title 36, chapter 29 to which the client may be entitled.

3. In oral and written communications involving the provision of services or the referral to services between employees of, persons under contract with, or persons holding a general employment relationship with the department of economic security, the department of law or the juvenile court.

4. If the disclosure of otherwise confidential information is necessary to protect against a clear and substantial risk of imminent serious injury to a client.

5. To agencies of the federal government, this state or any political subdivision of this state for official purposes. All information received by a governmental agency pursuant to this paragraph shall be maintained as confidential, except where pertinent to a criminal prosecution.

6. To foster parents and persons certified to adopt if necessary to assist in the placement with or care of a child by such persons.

7. To an officer of the superior court, the department or any agency required to perform an investigation pursuant to section 8-105 if the information is pertinent to the investigation. All information received by the officer, department or agency pursuant to this paragraph may be disclosed to the court but shall otherwise be maintained as confidential.

8. In any judicial or administrative proceeding involving an adult protective services client if the director of the department considers the information pertinent to the proceeding.

D. Notwithstanding the provisions of sections 8-519, 8-541, 8-542 and 46-135, a standing committee of the legislature or a committee appointed by the president of the senate or the speaker of the house of representatives may obtain the information described in subsection A of this section on written notification to the director. Information obtained pursuant to this subsection may be used only for purposes of conducting investigations related to legislative oversight of the department. Information which is personally identifiable shall not be further disclosed.

E. Any violation of this section is a class 2 misdemeanor.

F. The department shall establish safeguards against the unauthorized use or disclosure of confidential information in title IV-D cases.

APPENDIX C—DEPENDENCY PROCESS

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Dependency Process

Overview

When one or more children are taken into temporary custody by CPS, parents are served with a Temporary Custody Notice (TCN). The notice contains several pieces of information including the date and time for the first scheduled court hearing and the name and phone number of an attorney who will represent them, if they financially qualify.

Time periods for hearings may be delayed for specified periods according to the Rules of Procedure for the Juvenile Court.

Hearings and Timeframes—Attendance at Hearings Rule 41

A. Only those persons permitted by law may attend dependency, guardianship and termination of parental rights proceedings. The court may exclude any person whose presence the court finds would impede the full and fair presentation of the evidence.

B. The court may limit the presence of a participant to the time of the participant's testimony if:

   1. It is in the best interest of the child; or

   2. It is necessary to protect the privacy interests of the parties and will not be detrimental to the child.

C. The court may impose reasonable restrictions as may be required by the physical limitations of the facility or to maintain order and decorum.

D. On the record, the court shall advise the parent, guardian or Indian custodian of the right to request that a hearing or trial be open to the public.

E. Upon a request or a motion made prior to a proceeding under these rules by a parent, guardian or Indian custodian of a child who is the subject of the proceeding, the court shall order that the proceeding is open to the public unless the court finds good cause for all or part of the proceeding to remain closed. Before opening a proceeding to the public, the court shall consider:

1. Whether doing so is in the child's best interests.

2. Whether doing so would endanger the child's physical or emotional well-being or the safety of any other person.

3. The privacy rights of the child, the child's siblings, parents, guardians and caregivers, and any other person whose privacy rights the court determines need protection.

4. Whether all parties have agreed to allow the proceeding to be open.

F. The court shall consider the request of a child to close the proceeding if the child is at least 12 years of age and a party to the proceeding.

G. If a hearing is open, at the beginning of the hearing the court shall admonish all attendees that they are prohibited by order of the court from disclosing outside the hearing personally identifiable information about the child, the child's siblings, parents, guardians, or caregivers, and any others mentioned in the hearing. A person who knowingly and voluntarily remains in the courtroom after the admonition submits to the jurisdiction of the court and shall abide by the orders of the court prohibiting disclosure of that information. Failure to abide by the orders shall be deemed contempt of court. The court shall explain contempt of court to all attendees, including observers, and the possible consequences of violating an order of the court. For the purposes of this subsection, "personally identifiable information" includes name, address, date of birth, social security number, tribal enrollment number, telephone or facsimile number, driver license number, places of employment, school identification or military identification number, or any other distinguishing characteristic that tends to identify a particular person.

H. The court may close an open hearing at any time during the proceeding.

In-Home Intervention Rule 48.1

A. Purpose. Subject to criteria established by law, in-home intervention allows the child to stay in the home under supervision of the Department of Economic Security and the court after the filing of a dependency petition, but before adjudication of that petition.

B. **Time Frame.** Any request by the petitioner for in-home intervention shall be made in the dependency petition.

C. **Procedure.** After the filing of a dependency petition, the court may order in-home intervention, whether or not it is requested, if the court makes all of findings required by this rule.

1. **Hearing.** The court may schedule an in-home intervention hearing. At the initial hearing in which in-home intervention is addressed, the court shall inquire whether the parent, guardian or Indian custodian wishes to participate in an in-home intervention and agrees to a case plan and participation in services. If the parent, guardian or Indian custodian does not agree, the court may order the appropriate party to file an amended petition.

2. **Findings.** Before ordering in-home intervention, the court must find that all of the following are true:

   a. The child has not been removed pursuant to article 2, chapter 10, and title 8 of the Arizona revised statutes.

   b. In-home intervention appears likely to resolve the risk issues described in paragraph.

   c. The parent, guardian or Indian custodian agrees to a case plan and participation in services.

   d. One of the following conditions exists:

      i. The child is at risk of harm due to the inability or unwillingness of the parent, guardian or Indian custodian to provide food, clothing, shelter or medical care.

      ii. The parent, guardian or Indian custodian is unable to provide proper care, control and supervision of the child.

3. **Orders.** The in-home intervention order may include a training or treatment plan for the parent, guardian or Indian custodian and the child. The order shall include a specific time for completion of in-home intervention, which shall not exceed one year without review and approval by the court. Unless the petition is dismissed, the petitioner shall file a status report with recommendations at least two weeks prior to the mandated one-year time requirement. The court shall dismiss the dependency petition if the specific time for completion of in-home intervention has expired without being extended by the court.

4. **Compliance.** If the parent, guardian or Indian custodian violates the in- home intervention order, the court may take whatever steps it deems necessary to obtain compliance or may rescind the order and set the dependency adjudication hearing. If the child is removed as a result of the parent's non-compliance, upon removal, the court shall make the determinations required by Rule 47.1. If the removal is contested, the court shall order the appropriate party to file an amended petition.

Pre-Hearing Conference (PHC) Rule 49

A. **Purpose**. The PHC or Preliminary Protective Conference (PPC) is held within five to seven working days of a child being removed from the home. The PHC is typically scheduled immediately before the preliminary protective hearing.

B. **Participants**. Those persons authorized by law to attend the preliminary protective hearing may attend the pre-hearing conference.

C. **Appointment of Facilitator**. Prior to the commencement of the pre-hearing conference, the court shall appoint a facilitator who may not be a party or the representative of a party to the proceedings. The facilitator shall foster orderly communication, encourage the participation of all parties and identify areas of agreement among the parties.

D. **Procedure.** The facilitator, parties and participants shall meet outside the presence of the court in an effort to reach agreement on the custody and placement of the child, visitation, and the services to be provided to the child and family. The court may impose reasonable restrictions upon those in attendance as may be required by the physical limitations of the facility, to maintain order and decorum and to ensure the ability of the parties to fully participate in the conference. At the conclusion of the pre-hearing conference, the parties shall proceed to the preliminary protective hearing.

Preliminary Protective Hearing Rule 50, 51

(Following Pre-Hearing Conference)

A. **Purpose.** At the Preliminary Protective Hearing, the court shall determine whether continued temporary custody of the child is necessary and shall enter appropriate orders as to custody, placement, visitation and the provision of services to the child and family.

B. **Procedure.** At the Preliminary Protective Hearing, the court shall: advise the parties of the right to request that the Preliminary Protective Hearing and subsequent hearings be open and, if appropriate under Rule 41, grant that the hearing be open and the court shall also:

1. Inquire if any party has reason to believe that the child at issue is subject to the Indian Child Welfare Act.

2. Appoint counsel pursuant to Rule 38(B).

3. Determine whether service has been completed pursuant to Rule 48 or waived as to each party.

4. Identify all documents the court has received and will consider.

5. Review any agreements or stipulations reached at the Pre-Hearing Conference to determine whether the agreement gives paramount consideration to the health and safety of the child. The court may approve or modify any agreements reached by the parties and enter orders as appropriate.

6. Conduct a review of temporary custody as set forth in Rule 51 if no agreement as to placement has been approved by the court.

7. Conduct the Initial Dependency Hearing as set forth in Rule 52 for any party who is present and has been served. The court shall set a continued initial hearing as to any party who was not served and did not appear.

8. Determine whether a proposed case plan for services has been submitted and is appropriate.

9. Determine whether the Arizona Department of Economic Security has made arrangements for the assembly of the medical records of the child, a medical assessment of the child, the implementation of referrals and the communication of recommendations and results, as provided by law.

10. Make any determinations required by Rule 47.1. (mandatory judicial Determinations.)

- Whether continuation in the home would be contrary to the welfare if the child.

- Reasonable efforts are made.

C. **Findings and orders.** All findings and orders, including any agreements reached by the parties, shall be in writing and signed by the court, in the form of an order or minute entry, and shall be provided to the parties at the conclusion of the hearing. The court shall:

1. Make findings and enter orders regarding temporary custody as required by law and Rule 51; (Temporary Custody Orders)

2. Make findings and enter orders as required by Rule 52(D); (Initial Dependency Hearing)

3. Order the petitioner to obtain verification of the child's Indian status from the child's Indian tribe or from the United States Department of Interior, Bureau of Indian Affairs, if the court has reason to believe the child is an Indian child;

4. Make findings and enter orders regarding services for the child and family, including visitation, as required by law;

5. Address the parent, guardian or Indian custodian in open court and advise the parent, guardian or Indian custodian that failure to attend the Pretrial Conference, the Settlement Conference or the Dependency Adjudication Hearing, without good cause shown, may result in a finding that the parent, guardian or Indian custodian has waived legal rights and is deemed to have admitted the allegations in the dependency petition. The court shall advise the parent, guardian or Indian custodian that the hearings may go forward in the absence of the parent, guardian or Indian custodian and may result in a finding of dependency based upon the record and evidence presented. The party shall also be advised that failure to participate in reunification services may result in the termination of parental rights or the establishment of a permanent guardianship of the child. The court shall make specific findings that it advised the parent, guardian or Indian custodian of the consequences of failure to attend subsequent proceedings and participate in reunification services;

6. If the Indian Child Welfare Act applies, the court shall make findings pursuant to the standards and burdens of proof as required by the Act, including whether placement of the Indian child is in accordance with Section 1915 of the Act or whether there is good cause to deviate from the preferences; and

7. Make findings and enter any other orders as may be appropriate or required by law, including the preparation of a disposition report as required in Rule 56. (services, Placement, Planning)

At the conclusion of the Preliminary Protective Hearing, the court shall proceed with the Initial Hearing for those parties present, pursuant to Rule 50 (C). *Copies of all orders made by the court at the PPH shall be distributed to the parties in writing at the conclusion of the hearing*.

Initial Dependency Hearing Rule 52

(21 days after petition is filed)

This Hearing is consolidated with the PPH if both parents are present.

A. Purpose. At the Initial Dependency Hearing, the court shall determine whether service has been completed and whether the parent, guardian or Indian custodian admits, denies or does not contest the allegations contained in the dependency petition.

B. Time Frame. The initial hearing shall be held at the time of the Preliminary Protective Hearing if the parent, guardian or Indian custodian appears or within twenty-one (21) days of the filing of the petition. If service by publication is required, the initial hearing shall be held no sooner than ten (10) days following the completion of service.

C. Procedure. At the initial hearing, the court shall:

1. Inquire if any party has reason to believe that the child at issue is subject to the Indian Child Welfare Act;

2. Appoint counsel pursuant to Rule 38(B);

3. Determine whether service of process has been completed pursuant to Rule 48 or waived as to each party;

4. Advise the parent, guardian or Indian custodian of their rights as follows:

    a. The right to counsel, including court appointed counsel if the parent, guardian or Indian custodian is indigent;

    b. The right to cross examine all witnesses who are called to testify against the parent, guardian or Indian custodian;

    c. The right to trial by the court on the allegations in the dependency petition;

    d. The right to use the process of the court to compel the attendance of witnesses; and

    e. The right to request prior to the hearing that any hearing be open to the public.

5. Determine whether paternity has been established as to any father and take testimony from the mother concerning the identity and location of any potential father; and

6. Inquire of the parent, guardian or Indian custodian whether they wish to admit, deny or not contest the allegations contained in the dependency petition.

    a. Admission/No contest**.** If the parent, guardian or Indian custodian admits or does not contest the allegations in the petition, the court shall proceed with the dependency adjudication hearing pursuant to Rule 55 (Disposition) and set or conduct a disposition hearing pursuant to Rule 56.

    b. Denial**.** If the parent, guardian or Indian custodian denies the allegations contained in the petition, the court shall set a Settlement Conference, Pretrial Conference or Mediation and continue the child as a temporary ward of the court pending adjudication.

    c. Failure to appear**.** If the parent, guardian or Indian custodian fails to appear at the initial hearing without good cause shown, and the court finds the parent, guardian or Indian custodian had notice of the hearing, was properly served pursuant to Rule 48, and that the notice of hearing advised the parent, guardian or Indian custodian regarding the consequences of failure to appear, including a warning that the hearing could go forward in the absence of the parent, guardian or Indian custodian, and that failure to appear may constitute a waiver of rights and an admission to the allegation contained in

the dependency petition, the court may adjudicate the child dependent if the petitioner has established grounds upon which to adjudicate the child dependent, based upon the record and evidence presented. The court shall enter findings and orders pursuant to Rule 55.

D. **Findings and Orders.** All findings and orders shall be in writing and signed by the court, in the form of an order or minute entry. At the conclusion of the initial hearing, the court shall:

1. Enter findings as to notification and service upon the parties and the court's jurisdiction over the subject matter and persons before the court;

2. Order the petitioner to effectuate service by publication if the requirements of Rules 4.1(n) or 4.2(f), Ariz. R. Civ. P. are established, and it appears that the party cannot reasonably be located;

3. Order the petitioner to obtain verification of the child's Indian status from the child's Indian tribe or from the United States Department of Interior, Bureau of Indian Affairs, if there is reason to believe the child is an Indian child;

4. Order that paternity be established, through paternity testing or authorize the execution of affidavits of paternity, as to any alleged father;

5. Set a continued initial hearing as to any party who was not served and did not appear;

6. Affirm prior orders making the child a temporary ward of the court;

7. Set a Settlement Conference, a Pretrial Conference or order the parties to attend mediation;

8. Address the parent, guardian or Indian custodian in open court and advise the parent, Guardian or Indian custodian that failure to attend the pretrial conference, the settlement Conference or the Dependency Adjudication Hearing, without good cause shown, may result in a finding that the parent, guardian or Indian custodian has waived legal rights and is deemed to have admitted the allegations in the dependency petition. The court shall advise the parent, guardian or Indian custodian that the hearings may go forward in the absence of the parent, guardian or Indian custodian and may result in a finding of dependency based upon the record and evidence presented. The party shall also be advised that failure to participate in reunification services may result in the

termination of parental rights or the establishment of a permanent guardianship of the child. The court shall make specific findings that it advised the parent, guardian or Indian custodian of the consequences of failure to attend subsequent proceedings and participate in reunification services;

9. If the Indian Child Welfare Act applies, the court shall make findings pursuant to the standards and burdens of proof as required by the Act, including whether placement of the Indian child is in accordance with Section 1915 of the Act or whether there is good cause to deviate from the preferences; and

10. Make findings and enter any other orders as may be appropriate or required by law, including the preparation of a disposition report as required in Rule 56.

E. Continuance. The court may continue the Initial Dependency Hearing, upon a showing of good cause, for reasons which may include:

1. Service of process and/or notification pursuant to the Indian Child Welfare Act has not been completed as to the parties;

2. Additional time is requested by the child's tribe or if additional time is required to comply with the requirements of the Indian Child Welfare Act; or

3. Additional time is required to obtain and/or consult with counsel and the best interests of the child would not be adversely affected.

Settlement Conference/Mediation Rule 53

A. Purpose. A Settlement Conference may be held for the purpose of identifying and resolving issues in a non-adversarial manner. In order to facilitate the conference, counsel shall meet with their clients prior to the conference.

B. Settlement Conference Memorandum. At least five days prior to the Settlement Conference, each party shall provide the court with a confidential Settlement Conference Memorandum, which shall address the following:

1. A general description of the issues to be litigated and the position of each party with respect to each issue;

2. A general description of the evidence to be presented by each party;

3. A summary of any attempts to settle the matter;

4. An assessment by each party of the anticipated result if the matter did proceed to trial; and

5. Any other information a party believes would be helpful to the settlement process, including acceptable settlement proposals.

C. Procedure.

1. The assigned trial judge shall only participate in settlement discussions with the consent of the parties. In all other cases, the discussions shall be held before another judicial officer.

2. Statements made in the course of settlement negotiations shall not be used in future hearings, except as permitted by Rule 40.8, Ariz. Rules of Evidence;

3. The court may engage in ex-parte communications with the consent of all those participating in the conference; and

4. If the parties are unable to reach agreement as to all issues, the parties shall advise court of those issues which will be litigated and the time needed to conduct the Dependency Adjudication Hearing.

D. Findings and Orders. All findings and orders shall be in writing and signed by the court, in the form of a minute entry or order. At the conclusion of the Settlement Conference, the court may:

1. Adjudicate the child dependent and enter findings and orders pursuant to Rule 55 and set or conduct a Disposition Hearing pursuant to Rule 56, if the court finds the parent, guardian or Indian custodian admits or does not contest that the child is dependent;

2. Adjudicate the child dependent and enter findings and orders pursuant to Rule 55 and set or conduct a Disposition Hearing pursuant to Rule 56 if the court finds that the parent, guardian or Indian custodian failed to appear at the Settlement Conference without good cause shown, had notice of the hearing, was properly served pursuant to Rule 48 and had been previously admonished regarding the consequences of failure to appear, including a warning that the hearing could go forward in the absence of the parent, guardian or Indian custodian and that failure to appear may constitute a waiver of rights and an admission to the allegations contained in the dependency petition. The court may adjudicate the

child dependent based upon the record and evidence presented if the petitioner has established grounds upon which to adjudicate the child dependent;

3. Set a Dependency Adjudication Hearing and may set a Pretrial Conference if the parties are unable to reach agreement;

4. Address the parent, guardian or Indian custodian in open court and advise the parent, guardian or Indian custodian that failure to attend the pretrial conference or the Dependency Adjudication Hearing, without good cause shown, may result in a finding that the parent, guardian or Indian custodian has waived legal rights and is deemed to have admitted the allegations in the dependency petition. The court shall advise the parent, guardian or Indian custodian that the hearings may go forward in the absence of the parent, guardian or Indian custodian and may result in a finding of dependency based upon the record and evidence presented. The party shall also be advised that failure to participate in reunification services may result in the termination of parental rights or the establishment of a permanent guardianship of the child. The court shall make specific findings that it advised the parent, guardian or Indian custodian of the consequences of failure to attend subsequent proceedings and participate in reunification services;

5. If the Indian Child Welfare Act applies, the court shall make findings pursuant to the standards and burdens of proof as required by the Act, including whether placement of the Indian child is in accordance with Section 1915 of the Act or whether there is good cause to deviate from the preferences; and

6. Make findings and enter any other orders as may be appropriate or required by law, including the preparation of a disposition report as required in Rule 56.

Dependency Adjudication Hearing Rule 55

A. Purpose. The court shall conduct the Adjudication Hearing for the purpose of determining whether the petitioner has met the burden of proving the child dependent.

B. Time Limits. The Dependency Adjudication hearing shall be completed within ninety (90) days of service of the dependency petition on the parent, guardian or Indian custodian. The court may continue a Dependency Adjudication Hearing beyond the time prescribed by law only upon a finding of extraordinary circumstances. Extraordinary circumstances include, but are not limited to acts or

omissions that are unforeseen or unavoidable. Any party requesting a continuance shall file a motion for extension of time, setting forth the reasons why extraordinary circumstances exist. The motion shall be filed within five (5) days of the discovery that extraordinary circumstances exist. The court's finding of extraordinary circumstances shall be in writing and shall set forth the factual basis for the continuance.

C. **Burden of Proof.** The petitioner must prove the allegations in the petition by preponderance of the evidence or, in the case of an Indian child, by clear and convincing evidence. In addition, if the child is an Indian child, the petitioner must prove, by clear and convincing evidence, including testimony from a qualified expert witness, that continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child. The petitioner must satisfy the court that active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and that those efforts have proven unsuccessful.

D. **Procedure.** The presentation of evidence at the Dependency Adjudication Hearing shall be as informal as the requirements of due process and fairness permit and shall generally proceed in a manner similar to the trial of a civil action before the court without a jury.

1. **Admission/No Contest.** A parent, guardian or Indian custodian may waive the right to trial on the allegations contained in the dependency petition by admitting or not contesting the allegations. An admission or plea of no contest may be oral or in writing. In accepting an admission or plea of no contest, the court shall:

    a. Determine whether the party understands the rights being waived;

    b. Determine whether the admission or plea of no contest is knowingly, intelligently and voluntarily made;

    c. Determine whether a factual basis exists to support a finding of dependency; and

    d. Proceed with entering the findings and orders as set forth in subsection (E) of this rule.

2. **Failure to Appear.** If the parent, guardian or Indian custodian fails to appear at the Dependency Adjudication Hearing without good cause shown and the court finds the parent, guardian or Indian custodian had notice of the hearing, was properly served pursuant to Rule 48 and had been previously admonished regarding the consequences of failure to appear, including a warning that the hearing could go forward in the absence of the parent, guardian or Indian custodian and that failure to appear may constitute a waiver of rights and an admission to the allegations contained in the dependency petition, the court may adjudicate the child dependent based upon the record and evidence presented if the petitioner has proven grounds upon which to adjudicate the child dependent. The court shall enter its findings and orders pursuant to subsection (E) of this rule.

3. **Amendments to Conform to Evidence.** Any amendments made to conform to the evidence shall be made pursuant to Rule 15(b), Ariz. R. Civ. P.

E. **Findings and Orders.** All findings and orders shall be in writing and signed by the court, in the form of a minute entry or order. As to each parent, guardian or Indian custodian, based upon the record and evidence presented, the court shall:

1. Enter findings that the court has jurisdiction over the subject matter and persons before the court;

2. Dismiss the petition and return the child to the parent, guardian or Indian custodian if the petitioner fails to meet the required burden of proof; or

3. Set forth specific findings of fact in support of a finding of dependency and adjudicate the child dependent, as defined by law, if the petitioner met the burden of proof; and

4. Conduct the Disposition Hearing pursuant to Rule 56 or set the Disposition Hearing within thirty (30) days and order the preparation of a disposition report as required by Rule 56(C);

5. Enter orders concerning the placement and custody of the child pending disposition;

6. Address the parent, guardian or Indian custodian in open court and advise the parent, guardian or Indian custodian that failure to attend further proceedings without good cause shown and failure to participate in reunification services may result in the termination of parental rights or the establishment of a

permanent guardianship of the child, based upon the record and evidence presented. The court shall advise the parent, guardian or Indian custodian that the hearings may go forward in the absence of the parent, guardian or Indian custodian. The court shall make specific findings that it advised the parent, guardian or Indian custodian of the consequences of failure to attend subsequent proceedings and participate in reunification services;

7. If the Indian Child Welfare Act applies, the court shall make findings pursuant to the standards and burdens of proof as required by the Act, including whether placement of the Indian child is in accordance with Section 1915 of the Act or whether there is good cause to deviate from the preferences; and

8. Make findings and enter any other orders as may be appropriate or required by law.

Disposition Hearing Rule 56

NOTE: The disposition may be held at the same time as the adjudication (contested, default, or admission), or on a date not more than 30 days after adjudication.

A. Purpose. The court shall conduct a Disposition Hearing to determine the appropriate placement of a child who has been adjudicated dependent and shall review the permanent case plan which has been established for the child.

B. Time Limits. The Disposition Hearing shall be held within thirty (30) days of the Dependency Adjudication or in conjunction with the Preliminary Protective Hearing, initial Dependency Hearing, Mediation, Settlement or Pretrial Conference or Dependency Adjudication Hearing.

C. Disposition Report. The court may order the petitioner to prepare and file a disposition report, which shall include dispositional recommendations and the basis for the recommendations made. The report shall be provided to the court and the parties five (5) days prior to the hearing, unless otherwise ordered by the court.

D. Procedure. The court shall determine the appropriate disposition and may consider evidence, in the form of testimony or documents, which may include:

1. The oral or written disposition reports of the parties;

2. Documents previously entered into evidence at prior proceedings;

3. Expert testimony or reports;

4. Documents agreed upon by the parties; and

5. Any other evidence admitted by the court.

E. **Findings and Orders**. All findings and orders shall be in writing and signed by the court, in the form of a minute entry or order. The court shall determine the appropriate case plan and shall:

1. Enter orders concerning appropriate services required to achieve the case plan;

2. Enter orders concerning the placement and custody of the child;

3. Set a review hearing within six (6) months and set the Permanency Planning Hearing;

4. Order concurrent planning if appropriate;

5. Address the parent, guardian or Indian custodian in open court and advise the parent, guardian or Indian custodian that failure to attend further proceedings without good cause shown and failure to participate in reunification services may result in the termination of parental rights or the establishment of a permanent guardianship of the child, based upon the record and evidence presented. The court shall advise the parent, guardian or Indian custodian that the hearings may go forward in the absence of the parent, guardian or Indian custodian. The court shall make specific findings that it advised the parent, guardian or Indian custodian of the consequences of failure to attend subsequent proceedings and participate in reunification services;

6. If the Indian Child Welfare Act applies, the court shall make findings pursuant to the standards and burdens of proof as required by the Act, including whether placement of the Indian child is in accordance with Section 1915 of the Act or whether there is good cause to deviate from the preferences; and

7. Make any determinations required by Rule 8.1 and make any other findings and enter any other orders as may be appropriate or required by law.

Review Hearing Rule 58

Note: Reviews must be set at least every six months, except for reviews of in-home intervention petitions.

A. **Purpose.** The court shall conduct review hearings, as provided by law, in order to review the progress of the parties in achieving the case plan goals and determine whether the child continues to be dependent. The review must be set at least every six months, except for reviews of in-home intervention petitions.

B. **Reports.** The petitioner shall provide a report to the court and the parties at least fifteen (15) days prior to the hearing, which shall address:

1. The placement of the child;

2. The services being provided to the child and family;

3. The progress the parties have made in achieving the case plan goals; and

4. Whether the child continues to be dependent.

C. **Contested Issues.** Any party seeking an evidentiary hearing on any issue shall file a motion requesting that the matter be set for a contested hearing. The motion shall identify the issues to be litigated, the names and addresses of all witnesses and the estimated time the parties will need to present evidence. The court may reset the matter or proceed with the hearing as scheduled.

D. **Procedure.**

1. Absent any objection by a party, the court may consider the oral or written reports of the parties, documents previously entered into evidence at prior proceedings, documents agreed upon by the parties and any other reports, pursuant to Rule 45; and

2. All documents which the parties wish the court to consider as evidence shall be marked and admitted prior to the conclusion of the hearing.

3. The court shall address the recommendations of the Foster Care Review Board on the record, as provided by law.

E. **Findings and Orders.** All Findings and orders shall be in writing and signed by the court, in the form of a minute entry or order. At the conclusion of the hearing, the court shall:

1. Dismiss the petition and return the child to the parent, guardian or Indian custodian if the court finds the child is not dependent; or

2. Make specific findings of fact that the child continues to be dependent;

3. Enter appropriate orders concerning placement and custody of the child and services to be provided to the family;

4. Set a review hearing within the time as provided by law;

5. Set a permanency hearing not more than twelve (12) months from the date the child was removed from the home;

6. Address the parent, guardian or Indian custodian in open court and advise the parent, guardian or Indian custodian that failure to attend further proceedings without good cause shown and failure to participate in reunification services, if appropriate, may result in the termination of parental rights or the establishment of a permanent guardianship of the child, based upon the record and evidence presented. The court shall advise the parent, guardian or Indian custodian that the hearings may go forward in the absence of the parent, guardian or Indian custodian.

   The court shall make specific findings that it advised the parent, guardian or Indian custodian of the consequences of failure to attend subsequent proceedings and participate in reunification services;

7. If the Indian Child Welfare Act applies, the court shall make findings pursuant to the standards and burdens of proof as required by the Act, including whether placement of the Indian child is in accordance with Section 1915 of the Act or whether there is good cause to deviate from the preferences; and

8. Make findings and enter any other orders as may be appropriate or required by law.

Permanency Hearing Rule 60

A. Purpose. At the permanency hearing, the court shall determine the future permanent legal status for the child and shall enter such orders as may be necessary to accomplish the plan within a specific time frame.

B. Consolidation of Hearings. On a motion of any party, or the court's own motion, the court may order that a motion or petition to terminate parental rights or to establish a permanent guardianship be filed prior to the permanency hearing and may consolidate the permanency hearing and the initial termination or guardianship

hearing, so long as the permanency hearing is held within twelve (12) months of the child's removal and all of the following are true:

1. The child was removed from the custody of the parent, guardian or Indian custodian;

2. The parent, guardian or Indian custodian has been offered reunification services;

3. The child has not been returned to the parent, guardian or Indian custodian; and

4. A party is requesting the termination of parental rights or the establishment of a permanent guardianship.

C. **Time Limits.** The permanency hearing shall be held:

1. Within thirty (30) days of the disposition hearing, if the court did not order reunification services; or

2. Within twelve (12) months of the child's removal from the home, unless otherwise permitted by law.

D. **Procedure.** At the permanency hearing, the court shall consider evidence from the parties, in the form of testimony or documents admitted into evidence, which may include hearsay, in whole or in part, in order to determine what permanent legal status is appropriate for the child. The court shall consider the final plan prepared by the Department of Economic Security, pursuant to prior order of the court.

E. **Findings and Orders.** All findings and orders shall be in writing and signed by the court, in the form of a minute entry or order. The court shall make findings based upon the evidence presented and shall:

1. Determine the appropriate permanent plan for the child, make the determination required by Rule 47.1 and order the petitioner to accomplish the plan within a specific time frame;

2. Set a review hearing within the time required by law;

3. Order the petitioner or the child's attorney or Guardian ad Litem to file a motion or petition to terminate parental rights or to establish a permanent guardianship within ten (10) days after the permanency hearing, if the court determines that termination of parental rights or the establishment of a permanent guardianship

is clearly in the best interests of the child, and appoint counsel for the parent as provided in Rule 38B;

4. Address the parent, guardian or Indian custodian in open court and advise the parent, guardian or Indian custodian that failure to attend further proceedings without good cause shown and failure to participate in reunification services, if appropriate, may result in the termination of parental rights or the establishment of a permanent guardianship of the child, based upon the record and evidence presented. The court shall advise the parent, guardian or Indian custodian that the hearings may go forward in the absence of the parent, guardian or Indian custodian. The court shall make specific findings that it advised the parent, guardian or Indian custodian of the consequences of failure to attend subsequent proceedings and participate in reunification services;

5. If the Indian Child Welfare Act applies, the court shall make findings pursuant to the standards and burdens of proof as required by the Act, including whether placement of the Indian child is in accordance with Section 1915 of the Act or whether there is good cause to deviate from the preferences; and

6. Make findings and enter any other orders as may be appropriate or required by law.

Initial Guardianship Hearing Rule 62

A. **Purpose.** At the Initial Guardianship Hearing, the court shall determine whether service has been completed, whether notice of the hearing has been provided to those persons identified pursuant to Rule 61(B) and the parent or Indian custodian and the child's tribe, and whether the parent, guardian or Indian custodian admits, denies or does not contest the allegations contained in the motion for guardianship.

B. **Time Frame.** If a motion for permanent guardianship is filed, the initial hearing shall be held within thirty (30) days of the permanency hearing.

C. **Procedure.** At the initial hearing the court shall;

1. Inquire if any party has reason to believe that the child at issue is subject to the Indian Child Welfare Act;

2. Appoint counsel pursuant to Rule 38(B), unless counsel had previously been appointed;

3. Appoint counsel for the child if a Guardian ad Litem has not been appointed;

4. Determine whether service of process has been completed or waived as to each party pursuant to Rule 61, and whether notice of the hearing has been provided to those persons identified in Rule 61(B), in addition to the parent, Indian custodian and the child's tribe;

5. Determine whether the investigation and report ordered by the court has been completed and provided to the parties;

6. Advise the parent, guardian or Indian custodian of their rights as follows:

    a. The right to counsel, including court appointed counsel if the parent, guardian or Indian custodian is indigent;

    b. The right to cross examine all witnesses who are called to testify against the parent, guardian or Indian custodian;

    c. The right to trial by the court on the guardianship motion or petition; and

    d. The right to use the process of the court to compel the attendance of witnesses.

7. Determine whether the parent, guardian or Indian custodian admits, denies or does not contest the allegations contained in the motion or petition for guardianship.

    a. **Admission/No Contest.** If the parent, guardian or Indian custodian admits or does not contest the allegations, the court shall proceed with the Guardianship Adjudication Hearing and enter findings and orders, pursuant to Rule 63.

    b. **Denial.** If a motion for guardianship was filed and the parent, guardian or Indian custodian denies the allegations, the court shall set the matter for trial within ninety (90) days of the permanency hearing. The court may schedule a Settlement Conference, a Pretrial Conference or Mediation, if appropriate.

    c. **Failure to Appear.** If the parent, guardian or Indian custodian fails to appear at the Initial Guardianship Hearing without good cause shown, and the court finds the parent, guardian or Indian custodian had notice of the hearing, was properly served pursuant to Rule 61, and had been previously admonished regarding the consequences of failure to appear, including a warning that the

hearing could go forward in the absence of the parent, guardian or Indian custodian, and that failure to appear may constitute a waiver of rights and an admission to the allegations contained in the guardianship motion, the court may proceed with the adjudication of guardianship based upon the record and evidence presented if the moving party has proven grounds upon which to establish a guardianship. The court shall enter its findings and orders pursuant to Rule 63.

D. **Findings and Orders.** All findings and orders shall be in writing and signed by the court, in the form of an order or minute entry. At the conclusion of the hearing, the court shall:

1. Enter findings as to notification and service upon the parties and those persons designated to receive notice and the court's jurisdiction over the subject matter and persons before the court;

2. Set a continued initial guardianship hearing as to any party who was not served and did not appear;

3. The court may schedule a Settlement Conference, Status Conference, Pretrial Conference or Mediation as deemed appropriate;

4. Address the parent, guardian or Indian custodian in open court and advise the parent, guardian or Indian custodian that failure to appear at the Guardianship Adjudication Hearing, without good cause shown, may result a finding that the parent, guardian or Indian custodian has waived legal rights and is deemed to have admitted the allegations in the motion for guardianship. The court shall advise the parent, guardian or Indian custodian that the Guardianship Adjudication Hearing may go forward in the absence of the parent, guardian or Indian custodian and may result in the establishment of a permanent guardianship based upon the record and evidence presented. The court shall make specific findings that it advised the parent, guardian or Indian custodian of the consequences of failure to attend subsequent proceedings;

5. If the Indian Child Welfare Act applies, the court shall make findings pursuant to the standards and burdens of proof as required by the Act, including whether placement of the Indian child is in accordance with Section 1915 of the Act or whether there is good cause to deviate from the preferences; and

6. Make findings and enter any other orders as may be appropriate or required by law.

Guardianship Adjudication Hearing Rule 63

A. Purpose. The court shall conduct the guardianship adjudication hearing for the purpose of determining whether the prospective guardian is a fit and proper person to become the permanent guardian of the child and whether guardianship is in the best interest of the child.

B. Time Limits. The guardianship adjudication hearing shall be set no later than ninety (90) days after the permanency hearing. The court may continue the hearing beyond the ninety (90) day time limit for a period of thirty (30) days if it finds that the continuance is necessary for the full, fair and proper presentation of evidence and the best interests of the child would not be adversely affected. Any continuance beyond thirty (30) days shall only be granted upon a finding of extraordinary circumstances. Extraordinary circumstances include but are not limited to acts or omissions that are unforeseen or unavoidable. Any party requesting a continuance shall file a motion for extension of time, setting forth the reasons why extraordinary circumstances exist. The motion shall be filed within five (5) days of discovery that extraordinary circumstances exist. The court's finding of extraordinary circumstances shall be in writing and shall set forth the factual basis for the continuance.

C. Burden of Proof. The moving party has the burden of proving the allegations contained in the motion by clear and convincing evidence or, in the case of an Indian Child, beyond a reasonable doubt. In addition, if the child is an Indian child, the moving party must prove, beyond a reasonable doubt, including testimony from a qualified expert witness, that continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child. The petitioner must satisfy the court that active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and that those efforts have proven unsuccessful.

D. Procedure. The presentation of evidence at the guardianship adjudication hearing shall be as informal as the requirements of due process and fairness permit and shall generally proceed in a manner similar to the trail of a civil action before the court without a jury.

1. Admission/No Contest. The parent, guardian or Indian custodian may waive the right to trial on the allegations contained in the motion for guardianship by admitting or not contesting the allegations. An admission or plea of no contest may be oral or in writing. In accepting an admission or plea of no contest, the court shall:

    a. Determine whether the party understands the rights being waived;

    b. Determine whether the admission or plea of no contest is knowingly, intelligently and voluntarily made;

    c. Determine whether a factual basis exists to support the establishment of a guardianship; and

    d. Proceed with entering the findings and orders as set forth in subsection (F) of this rule.

2. **Failure to Appear**. If the court finds the parent, guardian, or Indian custodian failed to appear at the guardianship adjudication hearing without good cause shown, had notice of the hearing, was properly served pursuant to Rule 61 and had been previously admonished regarding the consequences of failure to appear, including a warning that the hearing could go forward in the absence of the parent, guardian or Indian custodian that failure to appear may constitute a waiver of the guardianship based upon the record and evidence presented if the moving party has proven grounds upon which to establish a guardianship. The court shall enter its findings and orders pursuant to subsection (F) of this rule.

3. The court shall give primary consideration to the physical, mental and emotional needs of the child in determining whether to grant the motion for guardianship and shall appoint as guardian the person nominated as guardian by a child fourteen (14) years of age or older, unless the court finds it would not be in the child's best interest to do so.

E. Reports. In addition to reports admitted into evidence pursuant to Rule 45, the court shall admit into evidence and consider the investigative report prepared pursuant to Rule 61 (D).

F. Findings and Orders. All findings and orders shall be in the form of a signed order or contained in a minute entry. At the conclusion of the hearing the court shall:

1. Enter findings as to the court's jurisdiction over the subject matter and persons before the court;

2. If the moving party has met its burden of proof, as provided by law, the court shall;

    a. Make specific findings of fact in support of the establishment of a guardianship and appoint a permanent guardian;

    b. Enter appropriate orders governing the powers and duties of the guardian as set forth in A.R.S. § 14-5219;

    c. Enter appropriate visitation orders. The court may order the parent to contribute to the support of the child, if appropriate; and

    d. Set an annual review and order the preparation of a report, as required by law; and dismiss the dependency action.

3. If the moving party fails to meet the burden of proof, the court shall deny the guardianship motion, set a review hearing and order the parties to submit a revised case plan prior to the hearing;

4. If the Indian Child Welfare Act applies, the court shall make findings pursuant to the standards and burden of proof as required by the Act, including whether placement of the Indian child is in accordance with Section 1915 of the Act or whether there is good cause to deviate from the preferences; and

5. Make findings and enter any other orders as may be appropriate or required by law.

Initial Termination Hearing Rule 65

Note: This applies only to hearings on motions to terminate parental rights filed pursuant to A.R.S. § 8-862.

A. **Purpose**. At the Initial Termination Hearing, the court shall determine whether service has been completed and whether the parent, guardian or Indian custodian admits, denies or does not contest the allegations contained in the motion or petition for termination of parental rights, and in the case of a denial, whether a trial to a jury has been requested.

B. **Time Frame.** If a motion for termination of parental rights is filed, the initial hearing shall be held within thirty (30) days of the permanency hearing. If a petition for termination is filed, the hearing shall be held no sooner than ten (10) days following the completion of service.

C. **Procedure**. At the initial hearing, the court shall:

1. Inquire if any party has reason to believe that the child at issue is subject to the Indian Child Welfare Act;

2. Appoint counsel pursuant to Rule 38(B); unless counsel had previously been appointed;

3. Appoint counsel for the child if a Guardian ad Litem has not been appointed;

4. Determine whether service of process has been completed, pursuant to Rule 64 or waived as to each party;

5. Advise the parent, guardian or Indian custodian of their rights as follows:

    a. The right to counsel, including court appointed counsel if the parent, guardian or Indian custodian is indigent;

    b. The right to cross examine all witnesses who are called to testify against the parent, guardian or Indian custodian;

    c. The right to trial by the court or to a jury if properly requested on the termination motion or petition; and

    d. The right to use the process of the court to compel the attendance of witnesses.

6. Determine whether the parent, guardian or Indian custodian admits, denies or does not contest the allegations contained in the motion or petition to terminate parental rights and, in the case of a denial, whether a jury trial has been properly requested.

    a. **Admission/No contest**. If the parent, guardian or Indian custodian admits or does not contest the allegations, the court shall proceed with the termination hearing and enter findings and orders, pursuant to Rule 66.

b. **Denial**. If a motion for termination of parental rights was filed and the parent, guardian or Indian custodian denies the allegations, the court shall set the matter for trial within ninety (90) days of the Permanency Hearing. The court may schedule a Settlement Conference, a Pretrial Conference or Mediation, if appropriate. If a petition for termination was filed, the court may schedule mediation and shall set a Pretrial Conference or Status Conference.

c. **Failure to Appear**. If the parent, guardian or Indian custodian fails to appear at the Initial Termination Hearing without good cause shown and the court finds the parent, guardian or Indian custodian had notice of the hearing, was properly served pursuant to Rule 64 and had been previously admonished regarding the consequences of failure to appear, including a warning that the hearing could go forward in the absence of the parent, guardian or Indian custodian, and that failure to appear may constitute a waiver of rights and an admission to the allegations contained in the termination motion or petition, the court may proceed with the adjudication of termination based upon the record and evidence presented if the moving party or petitioner has proven grounds upon which to terminate parental rights. The court shall enter its findings and orders pursuant to Rule 66.

d. **Findings and Orders.** All findings and orders shall be in writing and signed by the court, in the form of an order or minute entry. At the conclusion of the hearing, the court shall:

1. Enter findings as to notification and service upon the parties and the court's jurisdiction over the subject matter and persons before the court;

2. Set a continued Initial Termination Hearing as to any party who was not served and did not appear;

3. Address the parent, guardian or Indian custodian in open court and advise the parent, guardian or Indian custodian that failure to appear at the Pretrial Conference, Status Conference or Termination Adjudication Hearing, without good cause shown, may result in a finding that parent, guardian or Indian custodian has waived legal rights including the right to trial to a jury, and is deemed to have admitted the allegations in the motion or petition for termination. The court shall advise the parent, guardian or Indian custodian that the hearings may go forward in the absence of the parent, guardian or Indian custodian and may result in the

termination of parental rights based upon the record and evidence presented. The court shall make specific findings that it advised the parent, guardian or Indian custodian of the consequences of failure to attend subsequent proceedings;

4. If the Indian Child Welfare Act applies, the court shall make findings pursuant to the standards and burdens of proof as required by the Act, including whether placement of the Indian child is in accordance with Section 1915 of the Act or whether there is good cause to deviate from the preferences; and

5. Make findings and enter any other orders as may be appropriate or required by law.

Termination Adjudication Hearing (Court) Rule 66

Note: This applies only to hearings on motions for termination of parental rights filed pursuant to A.R.S. § 8-862.

A. **Purpose**. The court shall conduct an Adjudicatory Hearing in which the court determines whether the moving party or petitioner has met the burden of proving grounds upon which to terminate parental rights and whether termination is in the best interest of the child.

B. **Time Frame**. If a motion for termination of parental rights was filed, the Termination Adjudication Hearing shall be held no later than ninety (90) days after the Permanency Hearing. The court may continue the hearing beyond the ninety (90) day time limit for a period thirty (30) days if it finds that the continuance is necessary for the full, fair and proper presentation of evidence and the best interest of the child would not be adversely affected. Any continuance beyond thirty (30) days shall only be granted upon a finding of extraordinary circumstances. Extraordinary circumstances include, but are not limited to, acts or omissions that are unforeseen or unavoidable. Any party requesting a continuance shall file a motion for extension of time, setting forth the reasons why extraordinary circumstances exist. The motion shall be filed within five (5) days of the discovery that extraordinary circumstances exist. The court's finding of extraordinary circumstances shall be in writing and shall set forth the factual basis for the continuance.

C. **Burden of Proof**. The moving party or petitioner has the burden of proving the allegations contained in the motion or petition by clear and convincing evidence or, in the case of an Indian child, beyond a reasonable doubt. In addition, if the child is an Indian child, the moving party or petitioner must also prove, beyond a reasonable doubt, including testimony from a qualified expert witness, that continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child. The petitioner must prove beyond a reasonable doubt that active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family, and that those efforts have proven unsuccessful.

D. **Procedure**. The presentation of evidence at the Termination Adjudication Hearing shall be as informal as the requirements of due process and fairness permit and shall generally proceed in a manner similar to the trial of a civil action.

1. **Admission/No contest**. The parent, guardian or Indian custodian may waive the right to trial, including the right to trial to a jury, on the allegations contained in the motion or petition for termination of parental rights by admitting or not contesting the allegations. An admission or plea of no contest may be oral or in writing. In accepting an admission or plea of no contest, the court shall:

a. Determine whether the party understands the rights being waived;

b. Determine whether the admission or plea of no contest is knowingly, intelligently and voluntarily made;

c. Determine whether a factual basis exists to support the termination of parental rights; and

d. Proceed with entering the findings and orders as set forth in subsection (B) of this rule.

2. **Failure to Appear**. If the court finds the parent, guardian or Indian custodian failed to appear at the Termination Adjudication Hearing without good cause shown, had notice of the hearing, was properly served pursuant to Rule 64 and had been previously admonished regarding the consequences of failure to appear, including a warning that the hearing could go forward in the absence of the parent, guardian or Indian custodian, and that failure to appear may constitute a waiver of rights, including the right to a trial to a jury, and an admission to the allegation contained in the motion or petition for termination,

the court may terminate parental rights based upon the record and evidence presented if the moving party or petitioner has proven grounds upon which to terminate parental rights. The court shall enter its findings and orders pursuant to subsection (E) of this rule.

E. **Termination Social Study**. A social study prepared pursuant to A.R.S. 8- 536 or by order of the court is admissible as evidence unless a party has filed a notice of objection as required by Rule 44 (B)(2)(e) and (D)(2). If the court sustains any objections, the court may:

1. Admit the social study into evidence after redacting those portions to which objections were sustained; and

2. Allow the petitioner a reasonable opportunity to call additional witnesses to testify regarding the redacted portions of the social study.

G. **Findings and Orders by the court.** All findings and orders shall be in writing and signed by the court, in the form of a minute entry or order. At the conclusion of the hearing, the court shall:

1. Enter findings as to the court's jurisdiction over the subject matter and persons before the court;

2. If the moving party or petitioner has met its burden of proof, as determined by the finder of fact, the court shall:

   a. If the court is the finder of fact, make specific findings of fact in support of the termination of parental rights and grant the motion or petition for termination;

   b. Appoint a guardian for the child or appoint a guardian for the child and vest legal custody in another person or authorized agency;

   c. Enter orders for financial support of the child;

   d. Set or reaffirm the Dependency Review Hearing; and

   e. If the Indian Child Welfare Act applies, the court shall make findings pursuant to the standards and burdens of proof as required by the Act, including whether placement of the Indian child is in accordance with Section 1915 of the Act or whether there is good cause to deviate from the preferences.

3. If the finder of fact determined that the moving party or petitioner did not meet its burden of proof, enter the verdict if applicable, deny the termination motion or petition, and order the parties to submit a revised case plan prior to the Dependency Review Hearing.

Arizona Court Appointed Special Advocate (CASA) Program

REPORT DUE DATE CHART

Report	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Quarterly Progress Report	5TH			5TH			5TH			5TH		
Quarterly Financial Statement	30TH			30TH			30TH			30TH		
Quarterly Database Report (DCATS)			X			X			X			X
Vacancy Savings Report	31st											
Budget Request				X								

X = Due date will be given when reports are sent to county program offices

APPENDIX E—GLOSSARY AND ACRONYMS

Glossary 2

Acronyms 34

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.

Academy See CASA Advocacy Academy

Active Volunteer A CASA 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	The term for 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.
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.
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 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.
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 change, used in DCATS, for an applicant who leaves the program before becoming certified (completing all screening requirements, including Getting Started Academy and Beyond the Basics Academy) and being assigned to a case.
Applicant Screening	The process of determining eligibility for becoming a CASA.
Arizona Department of Corrections (ADC or DOC)	See Department of Corrections.

Arizona Department of Education/Special Education Section (ADE/SES)	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.
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 Academy	See CASA Advocacy Academy—Beyond the Basics
CASA	A Court Appointed Special Advocate (CASA) is a specially screened and trained community volunteer, appointed by the court, who conducts an independent research of child abuse, neglect, dependency, or delinquency matters. The CASA submits a formal report offering objective and factual information with specific recommendations as to the best interests of the child.
CASA Advocacy Academy	The two-day training CASAs must attend before being assigned a case or considered active in the Arizona CASA Program. It is part of the 30-hours of initial training required for new CASAs by National CASA Association.
CASA Advocacy Academy—Beyond the Basics	Required training CASAs must attend after attending CASA Advocacy Academy. It is part of the 30-hours of initial training required for new CASAs by National CASA Association.
CASA Advocacy Academy—Getting Started	Required training CASAs must attend before attending CASA Advocacy Academy. It is part of the 30-hours of initial training required for new CASAs by National CASA Association.
Case Closed	This term is used as it pertains to the DCATS. When a CASA is dismissed from the 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.
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, members of the service team, attorneys, and CASAs.

Case Screening	The process used by county coordinators to determine the appropriateness of assignment of a CASA to a dependency or delinquency case.
Case/Child	A case is made up of all children in a family. Some county program office staff assign 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 conducts business not requiring a jury.
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 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 ACYF.

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	A CASA 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	CASAs 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 (CDMP)	The comprehensive Medical and Dental Plan 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 even baby formula can be obtained for foster children through CMDP. The case manager obtains a CMDP card for the child to be used throughout the duration of time in foster care, residential treatment, or other placement.
Confidentiality	All county coordinators, program staff, and CASAs are 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 in which 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.

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 that went into effect January 1, 1999; development and implementation of a statewide dependency data tracking system; training of Judicial Officers new to the dependency bench; and a dependency process 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 on the CASA's appointed case, to give the judge objective information and recommendations about the case.
Courtesy CASA	If a child is placed outside the county of jurisdiction, the county program where the child resides may allow one of their CASAs to be appointed a Courtesy CASA. The Courtesy CASA gathers information, visits the child, and reports to the Primary CASA. 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.
Database	Statistical information related to CASAs and cases which county program staff is required to submit to the state program office.
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.
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. Besides ACYF, 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	County coordinators are required to screen every dependency case at the initial hearing, or when the petition for dependency is filed. Screening assesses whether or not the case is appropriate for a CASA 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 CASA and FCRB program staff to track information on children in out-of-home care, and specific to CASA, about each CASA and the cases to which they are assigned.
Depravity	Morally bad or evil.
Destitute	Without money to maintain support; a person abandoned by those responsible for supporting him or her.
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.
Discretionary Travel	Funds to be used at the county coordinator's discretion for reimbursement of mileage to CASAs on whom traveling long distances for court hearings and visiting CASA children creates hardship.
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.
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.
Exit	The status used in DCATS to indicate a CASA 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 twofold: to explain why the child has remained in the shelter, and to help speed the process of finding placement.
Facilitator	One 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	See the definition of Foster Care Facility. This includes a home having the care of children less that 21 years old for whom the cost of care is provided pursuant to Arizona Revised Statutes § 46-134(14).
First Offender	An individual who violates the law and is prosecuted for the first time.
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-rained 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 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 Academy	See CASA Advocacy Academy—Getting Started
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.

A recruited, screened, and trained citizen volunteer without formal training, appointed by a judge to represent the best interests of an alleged abused or neglected child. See Court Appointed Special Advocate (CASA).

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.

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 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; needy.
Individual Education Plan (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. A CASA may serve as a surrogate parent and sign an IEP.
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.
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	Training hours that CASAs are required to have per calendar year. This training must be in related topics and 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.
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 the 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 include CPS case manager, and attorneys for parents and children. These parties shall legally receive copies of CASA court reports and minute entries.
Legal Status	The courts 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.
Meals and Incidental Expenses (M & IE)	Mileage, lodging, and meals when traveling for the Arizona CASA Program.
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 An experienced CASA who assists in the training, guidance, and support of other CASAs. With the supervision by the county coordinator, a mentor may also screen cases for appropriateness of CASA 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 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 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.
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.
Personnel Request Summary	A listing of all county program staff positions, FTEs, salaries, and ERE costs.
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 to a person 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.
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.
Program Plan and Budget Request	Forms used annually to request county program funds from the state program office.
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	The branch of medicine dealing with the diagnosis and treatment of mental disorders.
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 Professional trained in the assessment, evaluation, and treatment of various social/emotional dysfunctions. Like psychiatrists, the psychologist is referred to as a doctor but is not a medical doctor 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.

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. To be guilty of a crime, one must be proven guilty "beyond a reasonable doubt." 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.
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 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 CASA 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.
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 Plan (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 CASAs.
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. CASAs should be involved with staffings.

State Program Office	By statute the office is responsible for administering the Arizona CASA Program statewide.
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. 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 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.
Travel Request	A listing of travel expense requests for recruitment and attending CASA Advocacy Academy.
Unassigned Volunteer	A CASA who is temporarily not assigned to a case or active in some other role with the CASA program.
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)	A test conducted on a person's urine to determine 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.
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. 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	Also Known As
AOC	Administrative Office of the Courts
ARS	Arizona Revised Statutes

C

CASA	Court Appointed Special Advocate
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

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	Individual Education Plan
IPRT	Independent Professional Review Team
ISP	Individual Service Plan

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

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

TCN	Temporary Custody Notice

U

UA	Urine Analysis