

The CASA Advocate contacts the judge directly to discuss recent events in the case.

The judge is the person responsible for the appointment of the CASA Program. The judge will expect the CASA Advocate to keep the court informed on what the CASA Advocate believes to be in the child's best interest. Ethical and legal principles prohibit the judge from participating in what are legally termed "ex parte" communications. The judge will not discuss the case outside of proceedings and the CASA Advocate will not inappropriately approach the judge directly with an interest in discussing a case.



The CASA Advocate decides which laws have been violated.

The attorney for the child, the CASA Advocate, the DCFS Case Manager and the attorney for the parents represent the interests of their clients in the legal setting. The judge makes the ultimate decision as to whether any laws have been violated. The CASA Advocate is not a prosecutor or defense attorney.

The CASA Advocate has free access to question parents about the allegations in a case.

The parents will be an important contact to gain information about the child. The legal framework and the rights of parents in these proceedings may set up obstacles to a CASA Advocate's ability to freely approach them. The CASA Advocate will inform the attorney of the appointment and the intention to talk with the parents. The parent's attorney will want to protect the client's interests and may not wish the CASA Advocate to speak with them. Certainly the parents themselves can refuse to talk with the CASA Advocate. The CASA Advocate is interested in learning about the parent's interest and ability to effectively parent the child or their ability to develop effective parenting skills. The CASA Advocate may ask their impressions of the contents of the petition, but should not address guilt/innocence issues.

The CASA Advocate writes legal documents for the court.

Again, the CASA Advocate does not practice law. These legal documents are prepared by the attorneys in the case. It is possible, however, that court reports submitted by the CASA Advocate may become a part of the legal record of the case.

The CASA Advocate proves or disproves the allegations in the petition.

The District Attorney is the person responsible for proving the allegations in the case. The lawyer for the parents is responsible for protecting the parent's rights and, if need be, disproving the allegations. The CASA Advocate is more appropriately concerned with the child in the case. For the CASA Advocate, the allegations are most appropriately viewed as areas of concern which should be considered while making recommendations for the child.



The CASA Advocate transports the child to appointments and visitations.

CASA Advocates are not permitted to transport the child in their case for any purpose. It is the responsibility of the DCFS Case Worker, foster caregiver, or other legal guardian to provide transportation for the child.

The information contained in this brochure is not an exhaustive listing of the roles and responsibilities of the CASA Advocate, but serves to provide a basic understanding of what to expect from the CASA Advocate.



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CASA Advocates Can:

The following statements are **true**. An explanation of the CASA Advocate's role follows each statement.

The CASA Advocate can challenge the system to do what it should be doing.



The CASA Advocate has both the luxury and the responsibility of working outside the established bureaucracies of the legal and social work professions. The CASA Advocate's position adds objectivity to the process and ensures that the system acts responsibly toward the child. The CASA Advocate provides consistent follow-up on a case's progress and each parties' compliance with the court order.

The CASA Advocate researches the case.

The CASA Advocate has access to all court documents relating to the case. The CASA Advocate is expected to review the case documents and talk with individuals. However, you must keep in mind that the CASA Advocate is not focused on guilt/innocence issues but rather on information that relates to the child's welfare.



The CASA Advocate influences what gets included in a case plan

Being able to access, respond to and have input in the case planning process is critical to the CASA Advocate's ability to serve the child.

The CASA Advocate negotiates as a peer with other system personnel.

The CASA Advocate is a peer to the other professionals involved in the case. The professionalism represented by CASA is a unique combination of many factors. CASA Advocates are peers by nature of their:

- Position:** CASA Advocates are appointees of the Juvenile Court with recognized responsibilities. CASA Advocates represent the CASA Program and others who work for the interest of the child.
- Competence:** CASA Advocates are highly trained and therefore have the ability to do the job.
- Integrity:** CASA Advocates deal with people honestly and don't beat around the bush.



The CASA Advocate focuses on the child's best interest.

Advocacy is the bottom line for the CASA Advocate. The CASA Advocate is involved in the case for the child. While other professionals are certainly concerned with the child's interests they must also be concerned with the interests of other parties in the proceedings. The CASA Advocate has the sole luxury and responsibility of watching out for the interests of the child

The CASA Advocate conducts an independent assessment of the facts and issues of the case from the perspective of a neutral third party.

The CASA Advocate must develop recommendations based on sound common sense and objectivity. The ability to remain neutral and to retain independence help CASA Advocates to make clear concise recommendations to the court. CASA Advocates reserve judgment until they have reviewed all relevant information.



The CASA Advocate questions DCFS Case Managers about the appropriateness of the case plan for the child.

The case plan is the official written document which outlines the steps for ensuring permanent placement for the child. The DCFS Case Manager is responsible for building and managing the case plan for the case. The CASA Advocate should have input on the case plan. The CASA Advocate needs to know how to look at the plan; determine what pieces may be missing; encourage the DCFS Case Manager to consider alternative plans for the child if necessary, i.e. question the contents of the plan and its compatibility with the child's best interest.

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The CASA Advocate develops recommendations for the court.

The CASA Advocate prepares a recommendation based on information gathered from the child, parents, foster caregivers, DCFS Case Managers, teachers, and others with relevant information. The judge relies on the CASA Advocate as the voice of the community. The judge will also look for evidence of the CASA Advocate's familiarity with the case, thorough evidence of objective review, and sound recommendations based on what the CASA Advocate has observed and noted. The judge will expect the CASA Advocate to present those recommendations in court.



The CASA Advocate participates in all hearings and settlements.

The court expects the CASA Advocate to be available to attend all proceedings that deal with the child. Attendance at these sessions will be critical to the ability to keep updated on the events of the case and to be certain that the interests of the child are an important consideration in any decisions or conclusions reached.



CASA Advocates Can't:

The following statements are *false*. An explanation about the role of the CASA follows each statement.



The CASA Advocate promises to never discuss any confidential information about the case.

There are specific laws and practices which govern the CASA Advocate and information about a case. The CASA Advocate can never discuss information about the case with the media. The CASA Advocate will never promise the child that they will not tell a piece of information. The CASA Advocate has a responsibility to professionally work with others on the case and may discuss the case with those professionals including: DCFS Case Managers; CASA Program staff; attorneys for the child, parents, CASA and District Attorney. The ability of the CASA Advocate to collect very private information about a case requires extreme care and sensitivity. As an appointee of the court, the CASA Advocate has a right to review the case documents that pertain to the child's welfare. The CASA Advocate also has a responsibility to talk with the various people involved in order to gather independent facts and observe behaviors. CASA Advocates supply Release of Information forms which will protect the individuals under discussion and the people who will share the information. This Release form is collected by the DCFS Case Manager and can be requested by the CASA Advocate when needed.

Any promises that cannot be guaranteed are a disservice to the child. As well-meaning and heartfelt as such promises may be, they can prove to be disastrous. CASA Advocates do not tell a child:

- I won't let anyone hurt you again.
- I wish you could be my little boy/girl.
- You won't ever have to go back there again.
- I will make sure that you can go home to your mommy and/or daddy.
- The judge will make everybody tell the truth.



The CASA Advocate diagnoses when the child has special needs. (i.e. medical, educational, psychiatric)

The CASA Advocate observes behaviors, discusses concerns with the DCFS Case Manager, and makes recommendations for certain counseling, treatment or medical attention. The CASA Advocate cannot propose to diagnose special needs for the child. Diagnosis is the role of the medical, education, or mental health professional.



The CASA Advocate becomes a friend to the child and helps them through rough times by taking them on overnight visits.

It would be unethical for the CASA Advocate to promote the child's dependency. The CASA Advocate ensures the child's needs are met by appropriate others as the case progresses. The CASA Advocate maintains a long term interest in the reunification of the family. The CASA supports emotional freedom from a family that does not meet the child's physical, emotional and psychological needs.

The CASA Advocate decides if parents need counseling.

Parents may choose to seek counseling voluntarily, or the judge may *order* the parents to receive counseling. The CASA Advocate does *not* make this decision.



The CASA Advocate asks questions of witnesses during court hearings.

Attorneys must understand and respect the limits of their roles and responsibilities. The CASA Advocate does not have a license to practice law.

The CASA Advocate provides a home for the child.

The CASA Advocate has no responsibility to provide a home for the child. The child's home is with the biological parents, guardians, or if so ordered by the court, with foster caregivers. It is not a responsibility of a CASA Advocate to remove a child from any of these settings.



The CASA Advocate makes arrangements for medical treatment for the child.

The CASA Advocate is not the *legal* guardian for the child. Medical arrangements are made by the parents, the DCFS Case Manager or the foster caregivers. However, The CASA Advocate may express concern about medical problems and advocate that medical attention be made available to the child.

The CASA Advocate manages a case plan.

The DCFS Case Manager's responsibility is to *manage* the agreed upon plan. In managing a case plan, the DCFS Case Manager will arrange for referral and payment of services; arrange for visitation, special education programs, financial assistance to the families, etc. These activities are all designed to ensure that the case plan has every opportunity to succeed.

The CASA Advocate makes arrangements for counseling sessions.



The CASA Advocate may identify a need for counseling or even possibly check out a potential provider for necessary counseling, CASA Advocates do not make arrangements for sessions. Decisions about the child's counseling should be discussed with the DCFS Case Manager.

The CASA Advocate signs permission slips for school trips.

The CASA Advocate is not the child's legal guardian and has no authority to approve activities for the child, sign the child up for classes, etc. Such authority is legally with the parents or the DCFS Case Manager.



The CASA Advocate supervises visitation between parents and children.

The court may decide to call for supervised visitation between the parent and child. Supervised visitation generally indicate the court's concern that the parent may pose a physical threat to the child or that the child would be more traumatized by a visit that did not include a third party. In such cases, the DCFS Case Manager has the responsibility to supervise that visit. In the course of a CASA Advocate's assessment of the case, they will want to observe the interactions between the parents and the child. It is *inappropriate*, however, for a CASA Advocate to be *responsible* for the supervision of a visit.

The CASA Advocate investigates the allegations in a case.

The CASA Advocate is not responsible for *investigating allegations*. Investigation is the responsibility of the law enforcement or social services personnel. The attorneys must examine allegations before the judge.



The CASA Advocate files legal documents with the court.



The District Attorney is responsible for filing the petition and presenting arguments which will prompt the court's intervention with a family. Attorneys for the parents, child and CASA Program will likewise file the legal documents pertinent to the case.