

**THE CASA KANE COUNTY
CASA/GAL TRAINING PROGRAM**



**WHO PARTICIPATES
IN A CASE ?**

Who Participates in a Case?



THE CHILD

Why is the child's case in court?

- A petition has been filed alleging abuse or neglect

What does the child need during court intervention?

- The child needs the court to order an appropriate intervention and treatment plan so he/she can live in a safe, stable home without ongoing need for intervention from the child protection agency.
- The areas the child needs addressed include: safety/protection, placement if the child is out of the home, family contact, belonging to a family, financial support, a support system, education, mental health and physical health.
- The child needs the court intervention to be focused and timely.
- The child needs services provided that will meet his/her needs.
- Other _____

Who Participates in a Case, Cont'd.

CASA/GAL VOLUNTEER

In my area this person is called _____

What does the CASA/GAL volunteer do in the case?

- Independently gathers information about the child's case
- Determines the child's needs
- Explores family and community resources to meet the child's needs
- Makes recommendations to the court
- Advocates for the child
- Monitors the case
- Is the voice for what is in the child's best interest
- Is the voice for the child's expressed wishes
- Other _____

What does the CASA/GAL volunteer bring to the case?

- An interest in improving the life of the child through the court process
- Time, energy and focus
- Longevity (he/she often stays on the case from beginning to end)
- An "outside the system" point of view and an independent perspective
- The community's standard for the care and protection of its children
- Other _____

When is the CASA/GAL volunteer involved in the case?

- In my jurisdiction: _____

Who Participates in a Case, Cont'd.

ATTORNEY FOR THE CASA/GAL PROGRAM OR CHILD

In my jurisdiction, this attorney represents [circle one]:

The child's wishes The child's best interest The CASA/GAL program

What does the attorney for the program/child do in the case?

- Translates the CASA/GAL volunteer's research and recommendations into a form that the court can effectively use to address the child's needs (within the law, within the scope of the volunteer role, fact-based, etc.)
- Provides legal consultation to the CASA/GAL volunteer and program staff regarding the case (if the attorney represents the program rather than the child directly)
- Files legal documents relevant to the child's case
- Other _____

What does the attorney for the program/child bring to the case?

- Legal expertise, facilitation and negotiation skills and courtroom experience

When is the attorney for the program/child involved in the case?

- From the petition filing through the end of the court case

Who Participates in a Case, Cont'd.

PARENTS/CARETAKERS NAMED IN THE PETITION

In my area this person is called _____

Why are the parents/caretakers involved in the case?

- They have been forced into this court action because the child protection agency asked the court to intervene to protect the child from maltreatment and/or to have his/her basic needs met.
- They need to comply with the child protection agency's intervention plan and correct the conditions that led to the child's removal, thereby effectively protecting their child and/or enabling their child to return home.
- They need to follow the orders of the court or risk having their parental rights terminated.

What do the parents/caretakers bring to the case?

- Love for the child, family ties, history of parenting, abilities, resources and skills as parents, interactions with the child and each other, mental, emotional and physical health or illness, support system, housing and income and their own issues/problems

Who Participates in a Case, Cont'd.

ATTORNEY FOR THE PARENT/CARETAKER

What does the attorney for the parent/caretaker do in the case?

- Represents the wishes of the parent/caretaker he/she represents
- Protects the legal rights of the parent/caretaker in court
- Advises the parent/caretaker on legal matters
- Files legal documents relevant to the case
- Other _____

What does the attorney for the parent/caretaker bring to the case?

- Legal expertise, facilitation and negotiation skills and courtroom experience

When is the attorney for the parent/caretaker involved in the case?

- From the petition filing through the end of the court case

Who Participates in a Case, Cont'd.

CHILD PROTECTION AGENCY CASEWORKER

In my area this person is called _____

What is the role of the child protection agency caseworker in the case?

- The caseworker has completed a risk assessment process and, based on risk and/or substantiated allegations of abuse and/or neglect, has determined the need for court intervention. The caseworker petitioned the court to intervene on the child's behalf because:
 - He/she has developed an intervention plan with the family, which has not resulted in eliminating the risk that child maltreatment will recur, or
 - Due to risk of imminent danger, he/she has removed the child from his/her home to ensure the child's safety.
- The caseworker needs the court to order that the agency's intervention and treatment plan be followed by the parents/caretakers and other service providers so that the need for continuous agency intervention is not required to ensure the child receives proper care and protection.
- The caseworker is responsible for managing the case and arranging for court-ordered services to be provided to the child and the child's family.
- Other _____

What does the child protection agency caseworker bring to the case?

- Training in analyzing risk, assessing service needs and providing guidance, and directing services for families to provide them with the knowledge, skills and resources necessary for change
- Links to other service providers so that the family can access resources outside the child protective services system

When is the child protection agency caseworker involved in the case?

- From the initial contact with the family and/or child until the agency's services are no longer needed

Who Participates in a Case, Cont'd.

ATTORNEY FOR THE CHILD PROTECTION AGENCY OR THE COUNTY OR THE STATE

In my area this person is called _____

In my jurisdiction this attorney represents [circle one]:

The child protection agency

The county

The state

What does this attorney do in the case?

- Represents the position of the agency/county/state in court
- Protects the agency/county/state from liability
- Advises the agency/county/state regarding its responsibilities as outlined in the law
- Files legal documents relevant to the case
- Other _____

What does this attorney bring to the case?

- Legal expertise, facilitation and negotiation skills and courtroom experience

When is this attorney involved in the case?

- From the petition filing through the end of the case

Who Participates in a Case, Cont'd.

INDIAN CHILD'S TRIBE

What does the Indian child's tribe do in the case?

- Ensures that the parents, the child and the tribe have all the rights they are afforded pursuant to ICWA (Indian Child Welfare Act)
- Brings to the attention of the court culturally relevant service options and dispositional recommendations
- Protects the tribe's interest in the child and ensures the preservation of the child's ties to the tribe and its resources
- Where appropriate, offers or requires that the tribe take jurisdiction of the matter
- Files legal documents when it is necessary
- Other _____

What does the tribe bring to the case?

- A very special perspective on preservation of the child's ties to the tribe
- Knowledge of relevant cultural practices and culturally relevant services that can be considered as potential resources for the child

Who Participates in a Case, Cont'd.

JUDGE

What does the judge do in the case?

- Determines if there is a continued safety issue for the child that necessitates continued out-of-home placement if the child has been removed from the home
- Decides if the child is abused or neglected, and if so, orders services that will address the needs of the child
- Orders appropriate reviews
- Hears testimony, motions, etc., regarding the case
- Approves the permanent plan for the child
- Orders termination of parental rights when appropriate
- Settles disputed adoption cases
- Closes the court case when there is no longer a need for court intervention or the permanent plan has been achieved
- Other _____

When is the judge involved in the case?

- From the request for emergency custody at the petition filing until the court case is closed (or, if the child is not removed from home, from the arraignment or adjudication hearing, depending on jurisdiction, until the court case is closed)