

Children's Law Section CASA

Albuquerque CASA Role Outline

1. Appointment

By Court; after adjudication, only in Albuquerque - Other parts of the state different

Serves as officer of the Court.

Not a party to the proceeding.

Not substitute social workers, or Guardians ad litem.

2. Focus D.A,

Special advocate for the child.

3. Duties (in order of importance):

A. Monitor progress toward established goals as ordered by the Court.

Assist Court in keeping child's case "in plain sight," until permanency established.

Serve as "squeaky wheel," as necessary, to ensure treatment plan is carried out, and alert court of substantial non-compliance.

Identify on-going risk factors.

B. Facilitate resolution of identified problems.

CASA must expect significant changes to occur in the child's life, and with the respondents, during the pendency of the case.

CASA is not to usurp role of social worker. Don't deal with problems that might otherwise bog down the worker, i.e., transport clients, etc.

C. Recommend a course of action to the Court.

Such recommendations are now made by CYF, the respondents, the GAL, and the Citizen's Review Boards. The CASA will add an additional voice to the process, based solely on the CASA's perceptions of the child's best interests.

CASA will not testify in court, but will present recommendations to the Court in writing, similar to the procedure at present followed by GALs, whose recommendations are usually presented orally.

D. Investigate the facts of the case.

Again, the CASA should not be duplicating or usurping the role of CYF. The CASA should keep in continuous contact with the child, the respondents and foster parents, if any, and communicate significant developments to the court.

4. Confidentiality:

Confidentiality is a primary obligation of all persons involved with the family, including the CASA. Don't give out information to anyone other than the court and the parties who need to know that information. Do not give information to non-parties. If tempted, call advisor or coordinator.

5. Influence

CASA recommendations are just that, recommendations only.

Influence of CASA will be directly related to the individual CASA's credibility, diligence and devotion to the CASA duties, and to the spirit of cooperation fostered by CASA.

6. Duration of Appointments:

Until dismissed by Court because:

- A. Proceeding dismissed upon (1) return of child to parents, or (2) entry of a decree of adoption, or
- B. CASA not properly discharging her/his duties.

7. Reminder about CASA Role:

Certain roles are not performed. CASAs are not Big Brothers or Big Sisters. CASAs are not guardian angels. CASAs are not attorneys speaking the child's wishes or social workers planning for the entire family. CASAs are "the eyes and ears" of the court, making independent; objective recommendations regarding the child's best interests.

How involved do CASA's become? What criteria are used to determine if the involvement is appropriate and legitimate? Will the CASA become a meaningful part of the child's life, and then leave, as many other adults in his or her life have done? Will the CASA unintentionally promote fantasies for the child that can never be met in the real world? Whose needs are being met? We look to each child's circumstances for the answers.