

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Public Welfare

The Executive Board approved a reorganization of the Department of Public Welfare effective June 16, 1999.

The organization chart at 29 Pa.B. 3634 (July 10, 1999) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of Code).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 99-1091. Filed for public inspection July 9, 1999, 9:00 a.m.]

Title 237—JUVENILE RULES

JUVENILE COURT JUDGES' COMMISSION

PART II. STANDARDS

[237 PA. CODE CH. 201]

Standards Governing the Qualifications and Training of Court-Appointed Special Advocates

Under 42 Pa.C.S. § 6342(f), the Juvenile Court Judges' Commission, established under the act of December 21, 1959 (P. L. 1962, No. 717), has developed a statement of policy regarding the qualifications and training of court-appointed special advocates to read as set forth in Annex A. The statement of policy shall take effect upon publication in the *Pennsylvania Bulletin*.

JAMES E. ANDERSON,
Executive Director

(Editor's Note: A statement of policy of the Juvenile Court Judges' Commission is added in 237 Pa. Code §§ 201.1, 201.2, 201.11 and 201.21 to read as set forth in Annex A.)

Fiscal Note: 23-NOT-1. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 237. JUVENILE RULES

CHAPTER 201. STANDARDS GOVERNING THE QUALIFICATIONS AND TRAINING OF COURT-APPOINTED SPECIAL ADVOCATES

GENERAL

§ 201.1. Appointment.

Under 42 Pa.C.S. § 6342 (relating to court-appointed special advocates), court-appointed special advocates (CASAs) may be appointed to participate as advocates for children who are dependent or alleged to be dependent. CASAs shall be appointed only by the court and shall be

sworn in by the court in recognition of both the importance and confidential nature of their duties.

§ 201.2. Program.

Court-appointed special advocates (CASAs) shall, at all times, be under the supervision of a CASA program which has the legal authority to operate, and which is recognized and supported by the court. Unless the CASA program is administered by the court, the program shall likewise have a written agreement with the court defining the working relationship between the CASA program and the court. CASAs may not be assigned to a case until it is determined that all preservice training and qualification requirements have been met.

QUALIFICATIONS

§ 201.11. Qualifications.

(a) A court-appointed special advocate (CASA) shall be 21 years of age or older.

(b) Prior to appointment, a CASA shall:

(1) Successfully pass all screening requirements, including criminal history and child abuse background checks.

(2) Complete a written application containing information about educational background and training, employment history and experience working with children.

(3) Submit the names of three or more references of persons unrelated to the prospective CASA.

(4) Authorize the CASA program and other appropriate agencies to conduct a criminal record check, a child protective services background check as permitted by the laws of the Commonwealth and, if the duties of the CASA could include the transportation of children, a driving record check.

(5) Attend and participate in personal interviews with CASA program personnel.

(6) Be able to make a 12-month minimum commitment to a case, in addition to the time required for preservice training.

(c) A CASA shall respect a child's inherent right to grow up with dignity, in a stable, safe, loving and nurturing environment.

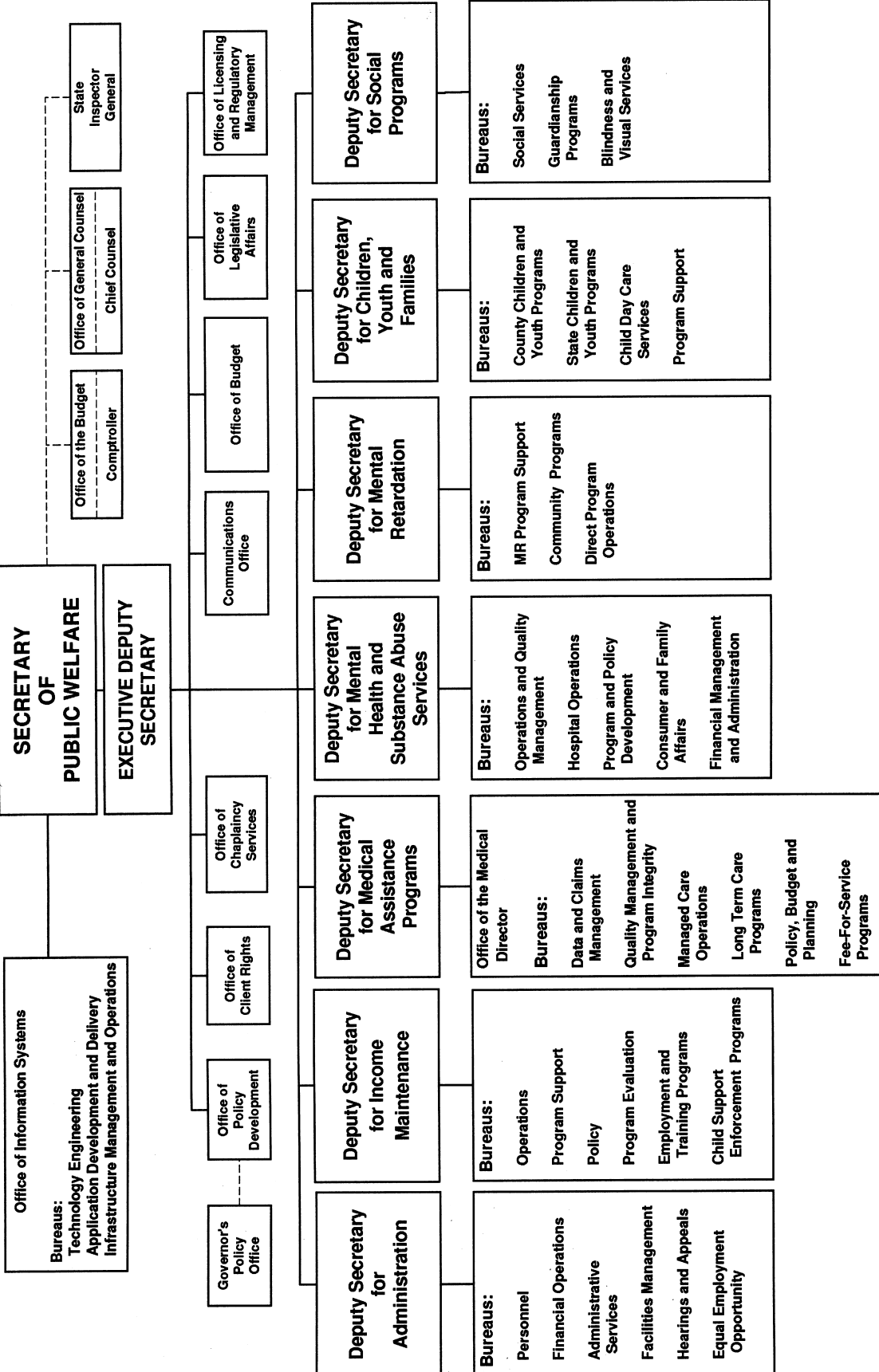
(d) A CASA shall have the ability to relate effectively to the children and families to whose cases the CASA may be assigned.

(e) A CASA shall keep information confidential and work within the scope of established program guidelines and orders of the court, maintain objectivity and relate to a variety of people.

(f) A CASA may not accept reimbursement for time, or for routine travel or other expenses ordinarily incurred in the discharge of assigned duties, and shall comply with the requirements established by the CASA program under whose supervision the CASA is providing services.

(g) An individual may not be appointed as a CASA who is found to have been convicted of, or to have charges pending for, a felony or a misdemeanor involving a sex offense, child abuse or neglect, or related acts that would pose risks to children or the credibility of the CASA program. If a prospective CASA is found to have committed a misdemeanor or felony that is unrelated to or would not pose a risk to children and would not negatively

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impact the credibility of the CASA program, the program may consider the extent of the prospective volunteer's rehabilitation and other factors that may be relevant in determining whether to accept the applicant as a CASA volunteer.

(h) Grounds for dismissal of a CASA include the following:

(1) Taking action without CASA program or court approval that endangers a child or is outside the role or powers of the CASA program.

(2) Engaging in ex parte communication with the court.

(3) Violation of a program policy, court rule or law.

(4) Failure to complete required in-service training.

(5) Failure to demonstrate an ability to effectively carry out assigned duties.

(6) Falsification of an application, or a misrepresentation of facts during the preappointment screening process.

(7) Allegations that the CASA is the subject of child abuse or neglect allegations.

(8) Existence of a conflict of interest that cannot be resolved.

TRAINING

§ 201.21. Training.

(a) The Court-appointed special advocate (CASA) shall have the benefit of a training and skill development program that is offered by a CASA program and which is reviewed annually and revised based on the program's assessment of its training needs.

(b) Training provided to CASAs shall conform to the curriculum "Comprehensive Training for the CASA/GAL," available from the National Court Appointed Special Advocate Association, or its equivalent.

(c) The training that is offered to CASAs shall utilize a variety of instructors, including CASA program staff, attorneys, judges, agency representatives and volunteers.

(d) CASAs shall successfully complete at least 30 hours of preservice training before being assigned to a case. This preservice training shall, at a minimum, include the following:

(1) The roles and responsibilities of a CASA volunteer.

(2) Court process, including dependency proceedings under 42 Pa.C.S. §§ 6301—6365 (relating to the Juvenile Act) and involuntary termination of parental rights proceedings under 23 Pa.C.S. §§ 2101—2910 (relating to the adoption act).

(3) The dynamics of human behavior associated with child abuse and neglect.

(4) Relevant State and Federal laws.

(5) Confidentiality and recordkeeping practices.

(6) Child development.

(7) Child abuse and neglect.

(8) Permanency planning and resources.

(9) Community agencies and resources.

(10) Communication and information gathering, to include interviewing and report writing skill development.

(11) Advocacy.

(12) Special needs of the children served, including differences in cultural and socioeconomic norms, values and heritage.

(13) The identification of personal and institutional bias or discrimination as it relates to the children and families being served.

(14) The opportunity to visit and observe court proceedings conducted by judges and masters involving hearings under 42 Pa.C.S. §§ 6301—6365, as well as proceedings involving the involuntary termination of parental rights under 23 Pa.C.S. §§ 2101—2910.

(15) Ethics relating to the role of the CASA.

(16) Expectations regarding appearance and demeanor.

(e) CASA volunteers shall be provided with at least 12 hours of in-service training annually.

[Pa.B. Doc. No. 99-1092. Filed for public inspection July 9, 1999, 9:00 a.m.]