



Subject Text

Meeting materials
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File #: 17-164, Version: 1

Title

Juvenile Law: Court Appointed Special Advocates (Action Required)

Summary

The Family and Juvenile Law Advisory Committee recommends amending the rule that establishes requirements for Court Appointed Special Advocate (CASA) programs to clarify the relationship between these programs and the court and to comply with legislation which authorized appointment of CASAs for delinquent youth and nonminor dependents. The committee also recommends approval of a new form to enable CASA programs to obtain consent from the nonminor dependent before reviewing the nonminor dependent's court file.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2019:

1. Amend rule 5.655 of the California Rules of Court to:
 - a. Clarify that the local court is the entity that designates a CASA program;
 - b. Delete the references to the creation of a policies and procedures manual and clearly state that CASA programs must comply with this rule to be eligible to receive Judicial Council funding;
 - c. Repeal subdivision (b) and incorporate the definition of CASA program that was previously contained in subdivision (b) into current subdivision (a);
 - d. Move current subdivisions (k), (l), and (m) up to become subdivisions (b), (c), and (d), respectively and reletter the remaining subdivisions of the rule;
 - e. State that the relationship between the court and the CASA program must be clearly defined in a memorandum of understanding (MOU);
 - f. Specify that a CASA program may serve more than one court as long as it executes MOUs with each court;
 - g. Define the role of an advisory council for a CASA program serving under the auspices of a public agency or umbrella nonprofit organization;
 - h. Delete the requirement that the presiding juvenile judge participate in the CASA volunteer selection process;
 - i. Include nonminor dependents among the population of young people served by CASA volunteers;
 - j. Include the training topics stated in rule 5.664 among the optional training requirements for CASA volunteers;
 - k. Include the nonminor dependent as a person who should receive information about the roles and responsibilities of the CASA volunteer; and
 - l. Specify that the nonminor dependent must consent to the CASA volunteer accessing his or her nonminor dependent court file.
2. Approve new Nonminor Dependent-Consent to Copy and Inspect Nonminor Dependent Court File (form JV-474) to enable CASA programs to obtain consent from the nonminor dependent before reviewing the nonminor dependent's court file.

