



PLEDGE OF COMPLIANCE Advocate Policies and Procedures

First and Last Name (print)

Relationship to CASA:
(Circle Applicable)

Advocate
Helping Heart
Employee

I, _____, acknowledge by my signature on this page that I have received and fully understand CASA policies that govern Advocates. Further, I agree to execute my duties in strict accordance with these policies. It is my clear understanding that, if I violate CASA's policies, I am subject to immediate termination of my relationship with this organization.

Signature: _____ Date: _____

ADVOCATE POLICIES AND PROCEDURES

Mission:

Our mission is to provide and promote court appointed advocacy so that every abused and neglected child can have the opportunity to thrive in a safe, nurturing permanent home.

CASA Advocates:

CASA Advocates are the heart of our organization. Through dedicated efforts of our Advocates, CASA is able to service abused and neglected children in our community. Having Advocate policies demonstrates to our community that CASA Child Advocates of Montgomery County (CASA):

- Respects and protects the children we serve
- Values the time, skills and commitment of our Advocates
- Maintains policies and procedures for accountability and effective management
- Works to continually evaluate and improve the CASA Program

The policies in this CASA Advocate manual are intended to provide overall guidance and direction for our Advocates so that they can effectively advocate in the best interest for the abused, neglected and/or dependent children of CASA.

CASA Advocates are welcome to direct questions about these policies to the CASA program staff at any time.

Section 1 - General Policies

1.1 Requirements to Become a Child Advocate

- Minimum age of 21
- Complete 30 hours of pre-service training
- Observe three hours of Child Protective Services (CPS) court
- Complete a written application
- Complete an interview with the Director of Training
- Pass National criminal, National sex offender and Child Abuse and Neglect Central Registry background checks
- Provide 3 or more satisfactory unrelated personal references prior to pre-service training
- Take an oath of confidentiality
- Complete 12 hours of continuing education training annually after the first year of service
- Advocate should be able to speak and write English
- Advocate should have access to a computer

CASA does not accept or retain Advocates if they or an immediate family member, have been convicted or have prior charges, or have charges pending for a felony or misdemeanor involved in a sex offense, violent act, child abuse or neglect, or related acts that would pose risks to children or to the CASA program's credibility. Advocates must immediately notify CASA of any charges of Class B misdemeanor or higher and of any criminal conviction.

Advocates are prohibited from having direct or indirect financial interest in the assets, leases, business transactions or professional services of the program.

Advocates shall not serve as foster parent for any child whose conservatorship is through CPS unless the Advocate is related to the child.

Advocates shall not be related to any parties or litigants involved in the case, or are employed in a position and/or agency that might result in a conflict of interest.

Advocates shall not serve as CPS mediators.

1.2 Child Abuse, Non-Violent Verbal/Non-Verbal Disciplinary Methods

Rarely will an Advocate be faced with a situation where it is appropriate to discipline a child. However, it is reasonable to assume this situation may occur. Therefore, CASA takes the following position regarding disciplinary methods.

It is expected that CASA Advocates will comply with all laws regarding child abuse as specified in the Texas Family and Criminal Codes. Furthermore, CASA does not endorse or condone any form of violent disciplinary methods toward children. Physical discipline may not be used by anyone representing CASA under any circumstance. Using language or mode of speech that is degrading or embarrassing (i.e. abusive verbal communication) is not an acceptable means of discipline. Discipline must be constructive and educational in nature. Correction must be fair, reasonable, consistent and related to the specific misbehavior. Discipline should be individualized and age appropriate.

Any incident of unacceptable verbal/non-verbal discipline (as described/defined above) of a child that occurs while conducting CASA business will be considered child abuse and appropriately reported to the Texas Department of Family and Protective Services. Any staff or Advocate who is alleged to have engaged in any form of child abuse will be reported to the Texas Department of Family and Protective Services and immediately placed on administrative leave for the duration of the investigation. If child abuse allegations are substantiated, the Advocate involved will be subject to immediate termination.

If any Advocate has reason to believe a child has been mistreated, that person has an obligation to comply with the Texas Family Code 261.101 regarding the requirement to report child abuse and neglect. Child abuse can be reported to TDFPS at 1-800-252-5400.

1.3 Confidentiality

CASA Advocates often work with confidential, proprietary information and materials. Confidential information (and all documentation and information relating thereto) will be kept strictly confidential by Advocates.

All confidential documents should be marked "*Confidential.*" It will be the recipients' responsibility to control and return the documents.

Confidential Information:

It is important that each Advocate is able to identify what information is considered confidential. Listed below are items which must be kept confidential:

- Case files
- Donor, Advocate, board member, staff personnel records
- Any information related to the cases assigned to CASA and any information to the families and children served by CASA Advocates. This includes but is not limited to the following: medical and psychological reports or information regarding the child and/or their family members.
- Any CASA documentations such as staffings or discussions related to information that may be included in a case file

- Attorney's offices, staff/Advocate generated court reports and communications with attorneys
- Any documents from CPS, law enforcement, the District Attorney's offices, the County. This includes but is not limited to the following: the name and identifying information of the individual who initially reported abuse and neglect to CPS.
- Any document (hard copy or electronic media) marked "Confidential"

Precautions for Individuals Working with Confidential Information:

Maintaining Confidentiality:

- Keep all confidential documents out of view and/or locked away in your desk
- Close all doors when confidential discussions occur
- Confidential information on your personal computer should be password protected and never left open when you step away. Confidential documents should not be stored on your personal hard drive.
- CASA central case file records are not allowed to leave the CASA office. The Advocate must maintain the security of all confidential records when in their personal possession, and must maintain the security of those records when they are not in the person's possession, such as when they must be temporarily left at home or in a vehicle. Case records and notes shall be secured and kept private and inaccessible to unauthorized persons.

Maintaining Confidentiality when Printing, Copying and/or Disposing:

- Monitor the printer when printing confidential documents. Do not leave such print jobs unattended.
- Remove all confidential documents from the copy machine. In the event of a jam, make sure all confidential papers are removed.
- Shred confidential documents at the CASA office.

Maintaining Confidentiality on the Telephone:

- Close doors when confidential conversations are being made on the phone.
- All conference calls where confidential information may be discussed should be conducted behind closed doors.
- Individuals should be careful what they say when leaving voice mail messages that may contain confidential information.
- Be discrete in communications with others to ensure that unauthorized disclosures do not occur.

Maintaining Confidentiality when Mailing:

- Confidential mail sent by regular mail or courier should be sent in sealed envelopes and marked "Confidential."

- Mark all confidential information mailed from the CASA office as "Confidential."

Maintaining Confidentiality When E-Mailing

- Before sending any confidential information via electronic mail, individuals should make sure the intended recipient is the sole user of the address.
- Discretion should be used when sharing confidential information by electronic mail since it can be accessed fairly easily by experienced users.
- The following confidentiality notice should be included on all confidential electronic mail:

"CONFIDENTIALITY NOTICE: This communication and any attachments may contain confidential and privileged information for the use of the designated recipients named above. This transmission is strictly confidential. If you are not the intended recipient of this message, you may not disclose, print, copy or disseminate this information. If you have received this in error, please reply and notify the sender (only) and delete the message. Unauthorized interception of this email is a violation of federal criminal law."

Maintaining Confidentiality When Faxing:

- When using a fax machine to transmit confidential information, make arrangements for recipient to be available to monitor the fax machine to retrieve the document.
- Verify all fax numbers prior to sending information by facsimile and include the notice of confidentiality with all faxes:

"CONFIDENTIALITY NOTICE: This communication and any attachments may contain confidential and privileged information for the use of the designated recipients named above. This transmission is strictly confidential. If you are not the intended recipient of this message, you may not disclose, print, copy or disseminate this information. If you have received this in error, please contact us immediately upon receipt."

1.4 Identification

- The CASA program staff will provide all CASA Advocates with a copy of the Court Order and Certificate of Acceptance to the case. The CASA Advocate should have these items in their possession when executing any of their roles and responsibilities as a CASA Advocate. All CASA Advocates will be given an identification badge upon completion of the training. All Advocates should show this badge to interested parties to validate the Advocate's involvement in the case and should always wear this badge when on CASA business.
- CASA Advocates should not use their personal physical address in any communication or correspondence related to the execution of their duties as a CASA Advocate. If the CASA Advocate is asked to provide his or her contact information, the Advocate should give the CASA office contact information.

Should an individual request further information, the Advocate should refer him/her to the CASA program staff.

- Each CASA Advocate will be required to set up an email address that is specifically for CASA business.

1.5 Public Access Statement

CASA will not allow public access to the information in the custody of CASA that relates to an Advocate's home address, home telephone number, social security number, or any information about their family members without written consent from the Advocate.

1.6 Conflict of Interest

A CASA Advocate should not be related to or otherwise acquainted with any party involved in his/her case, or be employed in a position and/or agency that might result in a conflict of interest. A CASA Advocate should not enter into a business, service or professional agreement with any party to the case to which he/she is currently assigned. This includes, but is not limited to, client families and attorneys.

1.7 Sexual Harassment and Discrimination

CASA will seek to maintain an environment within the program which is free from intimidation, discrimination, coercion or harassment. Discrimination against an Advocate on the basis of age, race, religion, national origin, marital status, or sexual preference will not be tolerated. In the event of a question, complaint or allegation regarding the harassment or discrimination of any kind, the Advocate should speak with the CASA Supervisor. If the allegation involves the CASA Supervisor, the Advocate should speak with the CASA Program Director. If the allegation involves the Program Director the CASA should speak with the CASA Executive Director. If the allegation involves the Executive Director then the Advocate should speak with the Chairperson of the CASA Board of Directors. Contact information is available in the CASA office. The matter will be investigated in a discreet and confidential manner and after consideration of the facts; appropriate action will be taken in the best interests of the Advocate and the program. Such action may include recommendation for counseling, disciplinary warnings and termination.

1.8 Weapons

Advocates are prohibited from possessing firearms, weapons, ammunition or explosives on the property of Child Advocates of Montgomery County, Inc., or while engaged in the duties or functions as employee, volunteer or Board member of Child Advocates of Montgomery County Inc. Currently active law enforcement agents are exempt from this policy.

1.9 Substance Abuse

Advocates are prohibited from being under the influence of, using, possessing, selling or otherwise being involved with illegal drugs or alcohol while engaging in their role as a CASA Advocate. CASA reserves the right to randomly drug test any Advocate who is believed to be under the influence of a substance while performing his/her role as a CASA Advocate. The cost of this testing is paid for by CASA and the results are confidential.

1.10 Returning CASA Refresher Course

Due to the changing format of the commonly used work forms of CASA, it is the policy of CASA to offer a mandatory refresher course to any CASA Advocate who takes a leave of absence, whether medically or otherwise, for a length of time that exceeds one (1) calendar year from the time of departure of Advocate work with CASA. The refresher course will consist of twelve (12) hours of online, in person and in service training to review changes in practices, policies and procedures and resources.

1.11 In-Service Training

All CASA Advocates are required to achieve a minimum of twelve (12) Continuing Education hours following completion of their first full year, CASA records training hours on a grant year (9/1 - 8/31) and in-service hours will be prorated so that all Advocates are on the same recording schedule.

1.12 Speaking on Behalf of the Agency

Advocates are encouraged to speak about the program, in general, throughout the community. However, the Recruiting Director must be informed of any speaking engagements the Advocates may wish to arrange on behalf of CASA, so the staff may assist with written materials or go with the volunteer to help with the presentation.

Advocates are prohibited from speaking about details of any case within the CASA program. Advocates are prohibited from speaking to the media about CASA, unless granted permission to do so from the Executive Director. Failure to follow this policy can result in dismissal.

1.13 Immunity

CASA adheres to Texas Family Code 107.009 which states: (a) A guardian ad litem, an attorney ad litem, or an amicus attorney appointed under the chapter is not liable for civil damages arising from an action taken, a recommendation made, or an opinion given in the capacity of guardian ad litem, attorney ad litem, or amicus attorney. (b) Subsection (a) does not apply to an action taken, a recommendation made or an opinion given: (1) with conscious indifference or

reckless disregard to the safety of another; (2) in bad faith or with malice; or (3) that is grossly negligent or willfully wrongful.

1.14 Access to Legal Counsel

CASA does not and will not appoint an attorney for an Advocate's personal use. CASA does not and will not provide legal consultation for an Advocate's personal use. CASA does not and will not participate in any legal activities in which a current, former and/or prospective Advocate is involved, unless subpoenaed by the court. CASA will monitor any legal case pertaining to a current, former and/or prospective Advocate, in the interest of preventing a risk to the credibility of CASA.

CASA does not provide access to legal counsel with relevant legal expertise to clarify the meaning of laws or regulations governing its program or operations.

1.15 Religion

Advocates will respect the beliefs of the child and/or family for whom they are advocating. Advocates may not attempt to persuade a child or family with regard to any religious belief or moral conviction.

1.16 Exception to Policies

On occasion, certain exceptions may be made to any of these policies at the discretion of the Executive Director.

Section 2 - Program Policies

2.1 Advocate-Child Relationship

The Advocate is responsible for establishing a relationship with the child that promotes the child's well being and enhances the Advocate's objectivity while serving as the Guardian ad Litem. In order to establish such a relationship, the Advocate is prohibited from the following:

- Introducing or identifying the child as a CASA child to anyone not professionally related to the child's case
- Involving the child with anyone who is not related to the child's case
- Taking the child to the Advocate's home or to the home of the Advocate's personal friends or family
- Purchasing expensive gifts or providing significant material support to the child or family
- Accepting expensive gifts or significant material support from the child or family

- Giving legal advice or therapeutic counseling
- Making placement arrangements for the child
- Taking the child on an overnight outing
- Causing dependency for services that other agencies provide
- Transporting the child in the Advocate's car or on any public transportation

2.2 Direct Services

Advocates shall not become inappropriately involved in a case by providing direct service delivery to any parties that could (a) lead to a conflict of interest or liability problems; or (b) engage in activities which are likely to result in conflict of interest or expose the program or Advocate to criminal or civil liability; or cause a child or family to become dependent on the Advocate for services that shall be provided by other agencies or organizations. Such activities may jeopardize the safety of the child, the integrity of the program, or the objectivity of the volunteer.

2.3 Length of Commitment

CASA Advocates are asked to commit to the CASA program for a minimum of twelve (12) months or until the case to which they are assigned is closed by the Child Protection Court.

2.4 Supervision

CASA Advocates are assigned a CASA Case Supervisor. Each CASA Advocate is responsible for submitting information to their supervisor upon request. Each CASA Advocate is responsible for submitting a court report to the Case Supervisor one week before the court date. The supervisor will not change or alter the court report without the knowledge and agreement of the Advocate. CASA Advocate shall discuss any recommendations to the court with the supervisor prior to court. Failure to adhere to this policy can result in the dismissal of an Advocate.

2.5 Professional Conduct

All CASA Advocates are expected to conduct themselves in a professional manner at all times. Personal and Professional conduct should uphold the credibility and positive reputation of CASA in the courtroom and community. CASA Advocates should dress appropriately for court and other meetings the CASA Advocate needs.

2.6 Advocate Minimum Expectations

1. In a timely manner after appointment, obtain first hand a clear understanding of the needs and situation of the child by reviewing all relevant documents and records and interviewing the child, parents, social workers, teachers and other persons to determine the facts and circumstances of the child's situation. *I.e. persons*

*interviewed: child, parents, CPS, teacher, placement provider/shelter;
records/documents reviewed: CPS case file; school record, medical records; court
record, order of CASA appointment.*

2. Maintain confidentiality of all issues and records of the case, returning all case files to the CASA program after the case is closed.
 3. Notify all parties on the case of CASA's appointment.
 4. Communicate with DFPS caseworker after appointment and at least one time per month for the duration of the case.
 5. Communicate with the Attorney ad Litem at least quarterly for the duration of the case.
 6. Meet with the child in a timely manner after appointment and meet in person with the child at least one time per month. *50% of these visits each year must be where the child lives.*
 - If the child is placed one to three driving hours away, then CASA will meet in person with the child at least once every three months. *50% of these visits each year must be where the child lives.*
 - If the child is placed more than three driving hours away, then CASA will meet in person with the child at least once every six months. *50% of these visits each year must be where the child lives.*
- Note: if the child is placed outside of the driving capabilities of CASA, a request for courtesy assistance from appropriate nearby program may be made.*
7. Have other types of contact with the child, including telephone calls, e-mails, and/or letters as applicable for the child's age and interest.
 8. Meet in-person with the child's primary placement provider in a timely manner after placement occurs, and communicate with the placement provider at least once a month thereafter for the duration of the assignment of the child's case.
 9. Advocate for the child's best interest in the community by interfacing with mental health, medical, legal, educational and other community systems to assure the child's needs in these areas are met at least once every three months. *i.e. psychologist, psychiatrist, doctor/nurse, educators, daycare providers, attorneys*
 10. Determine if a permanent plan (including: Permanency & Concurrent Goal; Child's Plan of service, and Family Plan of Service), educational passport (binder), and health passport (binder) has been created for the child.
 11. Participate in all scheduled case related meetings. *i.e. ARD, FGC, PC, COS, informal conferences, mediations*

12. Seek cooperative solutions by acting as a facilitator among parties maintaining communication with the child's parent, family members, attorney ad litem, teachers, and other service providers as applicable.
13. Appear at all court hearings to advocate for the child's best interest and permanency. Provide testimony when necessary, making recommendations for specific appropriate services for the child and, when appropriate, the child's family. Provide written court report for all required hearing. *i.e. Court reports: status, initial permanency, permanency, merits, placement reviews; Recommendations: permanency/concurrent plans, services, visitation*
14. On each case assigned CASA staff and CASA volunteers will communicate at least once per month so as to update records and contact logs and participate together in scheduled case conferences.
15. Inform the court promptly of important developments in the case through appropriate means as determined by the court rules and statute.
16. Monitor implementation of service plans and court orders to assure court-ordered services are implemented in a timely manner and that review hearings are held in accordance with the law.
17. Participate in a minimum of twelve (12) hours of ongoing training per year of service.
18. Refrain from introducing or involving the Advocate's family members or friends not appointed to the case with the child or any other persons involved in the case.
19. Complete a Time and Mileage form each month for the duration of the case.

The criteria listed above are from the Texas CASA minimum expectations requirements and CASA Child Advocates of Montgomery County policies. Should these standards change, we reserve the right to change the minimum expectations for volunteer service.

2.7 Case Conflict

It is rare for an Advocate and Supervisor to be in conflict regarding their positions on a case; however, at times this situation arises. When an Advocate and Supervisor have a conflict that cannot be resolved among themselves, the Program Director will act as a mediator to resolve the conflict. The Program Director will make the final decision.

2.8 Case Closure

The role of a Court Appointed Special Advocate is by nature a transitory one. An effective Advocate recognizes that abused and neglected children face many

unpredictable transitions in their lives. In order to lessen the negative impact of such transitions, an Advocate is responsible for providing a healthy transition for the child/children when CASA is dismissed from the case. It is CASA's expectation that each Advocate will carefully plan and execute their final contact with their CASA child/children, and that their exit from the case not be abrupt. CASA expects Advocates to cease contact with the child/children after their case is closed. An Advocate's Case Supervisor can provide resources to assist in smooth transitions for children. Advocate shall return all case files to the CASA office immediately upon closure of the case.

2.9 Grounds for Immediate dismissal from a case:

- Taking action that endangers the child
- Initiating ex-parte communication with the court
- Violating a program policy, court rule or law
- Failing to demonstrate an ability to effectively carry out assigned duties
- Falsifying the application or misrepresenting facts during the screening process
- Existence of child abuse/ neglect allegations
- Existence of a conflict of interest which cannot be resolved

2.10 Assignment of Cases

Advocates shall not be assigned to more than two cases at a time unless they have exception documentation, and will not be assigned more than five cases under any circumstances.

2.11 Maintain Complete Records

Advocates must maintain complete records regarding the case. Case files must include complete documentation that minimum expectations of service have been met.

2.12 Crime Victim's Compensation Claim (VOCA)

In providing CVC benefit claims, the following procedures have been established:

- In cases where CASA has been appointed, the file will be reviewed to determine if criminally injurious conduct has occurred and if the wrongful acts have been reported to law enforcement. CASA will work with CPS to obtain a copy of the filed police report.
- CASA will check with the individual caseworker, as agreed with CPS, to determine if the CVC claims packet has been completed.
- Prior to permanent placement and case closure, CASA will follow-up with family or permanent caregiver to ensure that they have been provided with the necessary CVC documentation. Referral to the District Attorney's Victim Assistance Coordinator will also be provided.

- CASA staff and Advocates will receive training from the District Attorney's Victim Assistance Coordinator as to changes in the law with regard to eligibility, and/or the proper claim procedures.

2.13 Volunteer Safety

CASA Advocates should not put themselves in personal jeopardy while performing their volunteer role and carrying out their responsibilities. If a CASA Advocate is uneasy about entering a neighborhood or a particular building, or about meeting with a particular party, the Advocate should discuss these concerns with his/her Case Supervisor to make other arrangements. The CASA Case Supervisor may attend the meeting with the Advocate, to help relieve such apprehension