

WASHINGTON STATE JUDICIAL BRANCH
 2013-2015 BIENNIAL BUDGET REQUEST
 Detailed Decision Package

Agency: Administrative Office of the Courts
Decision Package Title: Restoration of CASA Funding
Budget Period: 2013-2015 Biennial Budget Request
Budget Level: Policy Level

Recommendation Summary Text

Court Appointed Special Advocate (CASA) volunteers are community volunteers who are appointed by judges to advocate in court for abused and/or neglected children.

Prior to 2009, the total amount distributed to support local CASA programs via the Administrative Office of the Courts was \$7,332,000 per biennium. This amount was distributed through a funding formula based on average active dependency caseloads. Due to legislatively imposed budget reductions to AOC, CASA funding was reduced in the amount of \$1,506,000.

Fiscal Detail

Operating Expenditures	FY 2014	FY 2015	Total
001-1 General Fund-State	\$753,000	\$753,000	\$1,506,000
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Staffing	FY 2014	FY 2015	Total
FTEs	0	0	0

Package Description

Maintaining CASA funding to support local programs is jointly supported by the Superior Court Judges' Association, the Washington Association of Juvenile Court Administrators, the Legislature, and the State CASA Organization. RCW 13.34.100(1) requires superior courts to appoint a guardian ad litem to represent dependent children in state welfare cases, absent good cause finding the appointment unnecessary. CASA programs manage volunteer programs that recruit, educate, and support CASAs who are assigned as guardians ad litem to dependent children. CASA volunteers are appointed by judges to watch over and advocate for abused and neglected children and to fulfill all of the responsibilities of

a paid guardian ad litem. Ideally, the CASA remains with each case until it is closed and the child is placed in a safe and permanent home.

Currently, Washington Courts operate thirty-five CASA programs. Funding for CASA programs is typically a blend between state and local funding. For the state portion, funding is authorized by the Legislature and appropriated to the Administrative Office of the Courts (AOC). The funds are then passed through to support local court and tribal court CASA programs through contracts with each superior court or tribal council.

AOC requires semi-annual reports from CASA programs that record information on dependency filings, CASA appointments, paid GAL appointments, amount of state funding, amount of county funding, amount of other funding, staff FTE and total number of volunteers.

Without state funding appropriated by the Legislature to support CASA programs, their continued existence is doubtful. The basic premise is that volunteer programs that have standards and support provide the same quality of representation at a lower cost than hiring professional guardians ad litem. The volunteer CASA programs in our courts have a reputation for being highly professional, maintaining integrity, and serving dependent youth effectively. Volunteer programs, while cost effective, require comprehensive oversight by court staff and/or program managers. Each and every funding reduction results in less support for volunteers. Without direct supervision of volunteers, fewer CASAs are recruited, approved, and resignation of current volunteers increases.

State funding pays for program infrastructure, particularly the cost of volunteer coordinators and managers.

Narrative Justification and Impact Statement:

- **This package contributes to the Judicial Branch Principle Policy Objectives as noted below.**

Fair and Effective Administration of Justice in All Civil and Criminal Cases. *Washington courts will openly, fairly, efficiently and effectively administer justice in all criminal and civil cases, consistent with constitutional mandates and the judiciary's duty to maintain the highest level of public trust and confidence in the courts.*

Dependent children have unique legal needs that must be met according to the statute. The court can appoint either a guardian ad litem or CASA to represent dependent children. The CASA programs offer a level of advocacy that is personal and attentive to children with unique personal and legal needs. Experience with the court is sometimes associated with threat and instability to a child, and the connection and trust of a CASA provides a uniquely valuable sense of security in the view of a dependent child. Absent secure funding to provide stability to the infrastructure of a CASA program, experienced and professional advocacy services are at risk of faltering.

Accessibility. *Washington courts, court facilities and court systems will be open and accessible to all participants regardless of cultural, linguistic, ability-based or other characteristics that serve as access barriers.*

CASA volunteers receive training on legal and cultural issues before being assigned cases.

Access to Necessary Representation. *Constitutional and statutory guarantees of the right to counsel shall be effectively implemented. Litigants with important interest at stake in civil judicial proceedings should have meaningful access to counsel.*

CASA programs meet a critical need in providing adequate levels of representation to dependent children in our legal system. No one disagrees that this is a particularly vulnerable population who deserve the best representation in our legal process that has various pressures to process cases. The state's investment in CASA is not simply because it offsets considerable resources by providing volunteer services at a cheaper rate, which it does, but CASA also provides the quality of representation and the personal level of advocacy needed by these children.

Measure detail

Impact on clients and services

Dependent youth are the consumers of the services provided by CASAs. They need strong advocacy for their best interests in the context of court or basic case management services. Their CASA representative must be competent in legal, mental health, child development, and cultural issues.

Impact on other state programs

Effective advocacy for dependent children improves timeliness to permanence. CASA programs are able to provide quality case management to dependent youth which improves outcomes for children. If parties have adequate representation and advocacy, the more likely the case will be resolved quickly and disruption to the lives of the families is lessened. This has the possibility to significantly impact budgets related to foster care and services.

Relationship to Capital Budget

None

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None

Alternatives explored

The alternative is to fund CASA at the current level, which over time weakens the infrastructure and limits the programs' ability to recruit, train, and retain a competent and qualified volunteer pool.

Distinction between one-time and ongoing costs and budget impacts in future biennia

This request is ongoing in nature.

Effects of non-funding

If state CASA funding is lowered or continues at the current reduced level, the basic program elements are difficult to maintain. At the current budget level, CASA programs have been challenged to effectively recruit, train, and retain volunteers.

Expenditure calculations and assumptions

The joint request of the trial court associations, Superior Court Judges' Association and the Washington Association of Juvenile Court Administrators, is for the Supreme Court to restore CASA funding to be equivalent to the 2009 allocation.

There are approximately 14,000 dependent children in Washington State. If the reduction to the CASA budget was restored, approximately 1,500 additional dependent children could be served. This assumption is based on the national standards: 1 coordinator can support 30 volunteers, who will then serve 45 youth.

<u>Object Detail</u>	<u>FY2014</u>	<u>FY2015</u>	<u>Total</u>
Staff Costs	\$753,000	\$753,000	\$1,506,000
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$753,000	\$753,000	\$1,506,000