RULE 3.
ESTABLISHMENT OF CASA LOCAL RULES

(a) Title. These Rules shall be known as the CASA Local Rules for Cowlitz County, Washington.

(b) Scope. These Rules shall be applicable to all dependency cases in the Cowlitz County Juvenile Court. These cases include children who are alleged to be dependent, neglected, or abandoned; in all cases in which termination of parental rights is involved; or in any other appropriate dependency proceeding pending in Cowlitz County Juvenile Court. Once CASA has been appointed for a child(ren), that appointment will continue until further order of the court irrespective of the increasing age of the child(ren).

(c) Application. These Rules shall supplement the existing local rules and the Washington Juvenile Court Rules (JuCR) which shall apply in addition to these Rules. These Rules may be modified or waived by the sitting juvenile court judge, by special order, when, in the opinion of said Judge, such waiver or modification is necessary in order to do justice, or to arrive at the equities of the case between, or among, the parties involved. Each person appearing in this court is charged with the knowledge of all applicable rules.

(d) Definitions.

(1) Juvenile Rules Definitions. The definitions of JuCR 1.3 shall apply in these cases.

(A) "CASA" means The Cowlitz County CASA, which is the non-profit corporation that provides specially trained and sworn adults to the court as CASA volunteers. It is the designated CASA organization for all Cowlitz County CASA cases. CASA also stands for "Court Appointed Special Advocates," which refers to the organization's volunteers.

(B) A "CASA Volunteer" means a responsible adult who has been specially trained as a court appointed special advocate and who has taken a special oath from a superior court judge. The person is charged with making recommendations in the form of reports and testimony to the judge regarding the best interests of the child(ren). The volunteer serves only upon the order of and at the discretion of the judge.

i. "CASA" Volunteer Affiliate" means a CASA volunteer who has met the state training requirements to perform the duties of a guardian ad litem in juvenile court dependency matters but who is required to perform these duties under direct supervision of a CASA volunteer mentor for a minimum of six (6) months.

ii. A "CASA Volunteer Certified" means a CASA volunteer who has met the state training requirements to perform the duties of a guardian ad litem in juvenile court dependency matters and who has successfully completed a minimum of six (6) months of direct supervision by a CASA volunteer mentor as a CASA volunteer affiliate.

iii. A qualified "CASA Volunteer Mentor" means a CASA volunteer who has performed the duties of a guardian ad litem as a CASA volunteer certified for a minimum of one (1) year and has been identified by the Cowlitz County CASA as a mentor.

(C) "CASA Report" means any report prepared by the CASA volunteer addressed to the judge giving a thorough background investigation of the child(ren), including, but not limited to, information about the parents, relatives, and others who have knowledge about or concerning the child(ren). The report contains advisory recommendations as to the best interest of the

child(ren).

(D) "CASA Order" means the order signed by a judge, or a court commissioner, which appoints CASA as guardian ad litem. The order remains effective until CASA is ordered released from the child(ren)'s case.

(E) "CASA Director" means the executive director of the Cowlitz County CASA, as hired by its board of directors, or as designated by its board of directors. The CASA director is the person charged with the supervision of all CASA volunteers, CASA reports, and CASA cases.

(e) Establishment of CASA Cases and Orders.

(1) Requests for CASA. The court may appoint a CASA volunteer upon its own initiative, or a request for appointment of a CASA volunteer to a case or for a child(ren) may be made by any person or agency having knowledge of facts which indicate that a CASA volunteer is appropriate. A request for a CASA volunteer may be made by motion filed by any person or agency. The court clerk shall accept the filing of the motion and note upon it the date and time of filing.

(2) Preliminary Inquiry. Except in situations where the court orders a CASA volunteer appointed upon its own initiative, the clerk shall forward a copy of any request or motion filed to the CASA director within ten (10) days of its filing. The CASA director will make a preliminary investigation of the case. If the case appears appropriate, the director will recommend to the court the signing of a CASA order and provide the name of an available CASA volunteer. If the case does not appear appropriate, the CASA director will recommend that CASA not be appointed to the case. The preliminary inquiry shall be completed within ten (10) days of receiving the request or motion from the court clerk.

(3) Hearing. Within ten (10) days after a request or motion for a CASA volunteer is filed, the CASA director will file with the court a response to the motion based upon the preliminary inquiry conducted. Thereafter, the court may, if necessary, hold a hearing, at which time any person or agency may present proof for or against appointment of a CASA volunteer. Following the hearing, or, in the event a hearing is not necessary and the court has received a response, the court shall enter an order either granting or denying the request or motion. Notwithstanding the above,the court may enter an order appointing a CASA volunteer at any time for a child(ren) in a proceeding, upon its own initiative, during or following the preliminary inquiry and with or without conducting any hearing, by signing a CASA order.

(4) CASA Order. The CASA order may be signed by the judge or a court commissioner in any case. The order shall be effective when signed and shall continue in full force and effect until a subsequent order is signed which orders the CASA volunteer released from the case. The CASA volunteer shall continue to serve on a pending case so long as the child(ren) continues under the jurisdiction of the court. The clerk of the court shall furnish the CASA director with a copy of each CASA order within five (5) days of entry of the order. The CASA order will also be served upon all parties or their attorney of record. Each CASA order shall have a copy of the relevant petition attached and a notice of the next scheduled hearing date, time, and location.

(5) Scope of the CASA Order. Upon entry of a CASA order appointing a CASA volunteer to a case, all persons and agencies are under an obligation to cooperate with the CASA volunteer to assist in determining the best interest of the child(ren). The CASA volunteer shall have access to the child(ren) (including any child(ren) in detention), the parents, any caretaker, or any other agency or party having information related to the child(ren). The CASA volunteer has the right to inspect and/or copy any documents deemed relevant by the volunteer to the child(ren)'s situation. The CASA volunteer shall consult and work with any attorney guardian ad litem appointed for the child(ren), as is necessary. The CASA volunteer shall maintain any information received during an investigation in a confidential manner. The CASA volunteer shall not

disclose any such information except in reports to the court and to parties to the proceeding, unless disclosure of any information has been limited by the court pursuant to CASA Rule 5(c). Nothing contained in these Rules shall be construed as permitting any non-attorney CASA volunteer to practice law before the court.

(f) Guardian ad Litem Appointments.

(1) Appointment. In cases involving CASA volunteers, the court may have appointed an attorney guardian ad litem who may represent the child(ren) in all legal proceedings, and who shall then serve with the CASA volunteer to so represent the child(ren) in all legal proceedings.

(2) Legal Services. The CASA volunteer shall not act as the legal representative of any child(ren) in any legal proceeding, unless the CASA volunteer is a licensed attorney. The CASA volunteer may fully participate in any proceedings involving the child(ren) for whom the CASA volunteer has been appointed. If called as a witness by the court or any party, the CASA volunteer shall testify as a witness in any proceeding.

(3) Compensation. The CASA volunteer shall not receive any compensation from the court or from any party to the proceedings. The CASA volunteer serves the court and as such shall receive no compensation or remuneration.

(4) Release. A CASA volunteer who wishes to be released from a case shall so petition the court, having first obtained the approval therefor from the CASA director.

(g) CASA Court Attendance and Reports.

(1) Attending Hearings. The CASA volunteer is charged with the notice of all hearings which involve the child(ren) assigned, and will attend all such hearings. In the event of a conflict, the CASA volunteer may request a continuance for good cause shown or may be excused by the court from appearing. Any party may call the CASA volunteer as a witness in the proceeding. CASA may be compelled to attend by any party with the service of a subpoena for the CASA volunteer, made by service upon the volunteer or by serving the CASA director, giving at least five (5) days' notice prior to the hearing, excluding Saturdays, Sundays, and legal holidays.

(2) Filing Reports. The CASA representative shall, absent special circumstances or unless excused by the judge, submit a written report at least five (5) working days prior to each dispositional or review hearing involving the child(ren). The report shall be addressed to the judge and shall contain such attachments and documents as are relevant to the proceedings. The report when filed shall become a permanent part of the applicable juvenile court legal file. The volunteer shall sign the report, but not under oath. The court is in no way bound by or obligated to adopt any CASA recommendations, the report being advisory in nature.

(3) Inspection of Reports; Confidentiality. Generally, the child(ren), the attorney, the parent, guardian or legal guardian, the attorney guardian ad litem, and any state or other agency involved in the proceedings, shall be entitled to inspect the CASA report, and all documents attached thereto except that information protected from disclosure by law. However, the court, in its discretion, may decline to permit inspection of CASA reports, or portions thereof, to anyone other than a party or an attorney of record in the proceeding, if it determines that such inspection would be detrimental to the child(ren). The court shall issue such orders as are necessary to maintain the confidential nature of information so classified.

(h) Special Compliance Reviews. The CASA volunteer is responsible for monitoring compliance with all court orders issued in any case or proceeding involving the child(ren) for whom the CASA volunteer was appointed. To that end, in the event that the CASA volunteer believes that any court orders are

not being complied with by any party, and the volunteer's efforts to obtain compliance have been unsuccessful, the volunteer may request the clerk of the court to place the case on the court's docket for early review, and the clerk shall give notice thereof. The judge may then examine the CASA volunteer, and any other witness, at a hearing to determine compliance or non-compliance with its orders. The court may issue such remedial order(s) as may be necessary or may issue a show cause order to any party to determine why compliance with its orders has failed. Special reviews may also be conducted by the court to determine compliance with the CASA order by any person or agency as described in CASA Rules 3(d) and 3(e).

[Adopted effective May 1, 1994; amended effective September 1, 2000; September 1, 2005; September 1, 2006; amended effective September1, 2012.]