RULE 7.
GUARDIAN AD LITEM DISCIPLINARY PROCEDURES FOR CASA VOLUNTEERS

(a) There shall be a complaint review committee, hereinafter referred to as the "committee," consisting of three (3) individuals designated by the superior court judges of Cowlitz County. The committee is empowered by the court to review all complaints made regarding the guardian ad litem services provided by CASA volunteers.

7. One member of the committee shall be a superior court judge.

(b) All complaints must be in writing and must be submitted to the complaint review committee. Complaints shall remain confidential until resolved.

(c) Upon receipt of a written complaint concerning a CASA volunteer, the superior court judge shall advise the director of the Cowlitz County CASA of the complaint. If the judge finds the complaint sufficiently serious, the matter will be referred directly to the committee. Otherwise, the complaint will be forwarded to the director who will meet with all parties involved in the dispute in an attempt to resolve the problem at the director's level.

(1) A copy of the complaint and the resolution or lack of resolution shall be forwarded to the juvenile court administrator.

(2) If the complaint is not resolved to the satisfaction of the complainant, the matter will move to (d) of this policy.

(d) Upon receipt of the written complaint (unresolved) and findings from the director of the Cowlitz County CASA, or upon a direct referral from a judge, the juvenile court administrator shall convene the committee within ten (10) business days to review the complaint. Upon review of the complaint, the committee shall either:

Make a finding that the complaint has no merit on its face, and decline to review the complaint and so inform the complainant; or

Make a finding that the complaint does appear to have merit and request a written response from the CASA volunteer within ten (10) business days, detailing the specific issues in the complaint to which the committee desires a response. The committee shall provide the CASA volunteer with a copy of the original complaint. The failure of a CASA volunteer, subject to the complaint, to respond within the required ten (10) business days, in the absence of good cause shown, will result in the immediate suspension of the CASA volunteer.

In considering whether the complaint has merit, the committee shall consider, but not be limited to, whether the complaint alleges the CASA volunteer has:

(1) Violated the code of conduct;

(2) Misrepresented his or her qualifications to serve;

(3) Not met the annual training update requirements set forth in the statute;

(4) Breached the confidentiality of the parties;

(5) Falsified information in a report to the court or in testimony before the court;

(6) Failed to report abuse of a child;

(7) Communicated with a judicial officer ex-parte;

(8) Represented the court in a public forum without prior approval of the court;

(9) Violated state or local laws, rules, or this policy in the person's capacity as a CASA volunteer; or,

(10) Taken, or failed to take, any other action which would reasonably place the suitability of the person to serve as a CASA volunteer in question.

(e) Upon receipt of a written response to a complaint from the CASA volunteer, the committee shall, within ten (10) business days, make a finding as to each of the issues delineated in the committee's letter to the CASA volunteer that either there is no merit to the issue based upon the response of the CASA volunteer or that there is merit to the issue. The committee may, at its discretion, extend the time for entering findings to conduct additional investigation if necessary; however, in no case shall that extension be for more than twenty (20) business days and the CASA volunteer shall be notified.

(f) The committee shall have the authority to issue a written admonishment, written reprimand, refer the CASA volunteer to additional training, recommend to the presiding judge that the court, upon its own motion, remove the CASA volunteer from the current case or suspend or remove the CASA volunteer from the registry. In considering a response, the committee shall take into consideration any prior complaints which resulted in an admonishment, reprimand, referral to training, removal of the CASA volunteer from a particular case, or suspension or removal from a registry. If a CASA volunteer is listed on more than one registry, the suspension or removal may apply to each registry the CASA volunteer is listed on at the discretion of the committee.

(g) The complainant, the CASA volunteer, and the director of Cowlitz County CASA, shall be notified in writing of the committee's decision within ten (10) business days of receipt of the response of the CASA volunteer or longer if additional time for investigation is necessary pursuant to paragraph (e) above.

(h) A CASA volunteer may, within five (5) business days of receipt of notification that he/she has been suspended or removed from a registry, request a hearing on the committee's decision. The presiding judge shall designate a hearing officer. The sole purpose of the hearing shall be to review the appropriateness of the suspension or removal from the registry. The hearing officer shall review the written record of the instant complaint and any prior complaints the committee considered, and hear oral arguments from the CASA volunteer or his or her representative and a representative of the committee. Said hearing shall be conducted within twenty (20) days of the receipt of the request for the hearing. The decision of the hearing officer shall be final and binding upon the parties.

[Adopted effective September 1, 2002; amended effective September 1, 2012.]