



## **MONDAY MORNING MEMO**

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### ***A Child's Voice in Writing: The Art and Science of CASA Court Reports***

The National CASA Volunteer Training Curriculum cites the CASA report as “the most essential aspect of your work.” Court reports from Court Appointed Special Advocates are key to the effectiveness of the program, and its ability to comply with the Court Rules’ stipulation that CASA regularly provide the court with “thorough information about the health, safety, well-being and permanency plans of children and their families.” (Section 43.1 of the Rules of the Chief Judge, State of New York.)

The training curriculum highlights two central features of every court report:

- a) *That they be child-focused.* This means that all aspects of the child’s safety and well-being – health, mental health, education, developmental needs, and social supports – be included. Information about parents or other resources should be tied back to the child’s needs: how does this information impact the child’s safety and permanency?
- b) *That they be fact-based.* All statements in a CASA court report are attributed to a source, including those comments that derive from a CASA volunteers’ own observations. The circumstances of those observations should be noted in the report.

While National CASA outlines in its curriculum the key elements of a court report, there are variations by state and even by county. For example, in New York State, most CASA programs do not list recommendations at the end of the report. The report may include just factual reporting, or “Concerns” may be noted at the end, issues to bring to the court’s attention such as delays in obtaining services, a parent’s lack of compliance with treatment, or a child’s education needs. Family Court Judges and local CASA programs have over the years developed certain preferences regarding the styles of report; even judges within the same county may require different formats or distribution strategies.

Court rules require that all parties on a case are to receive the information from the CASA program. Where a party is represented by counsel, providing the CASA court report to the attorneys fulfills your obligation. Where the party is pro se, they are entitled to the report. In some counties, the CASA program does the report distribution; in others it is done by the court, or parties are asked to come to the court and read the report in the file. It is desirable to specify the format for the court report and distribution protocol in the CASA program’s Memo of Understanding with the Family Court.

Some suggestions for preparing quality reports:

- *Use strengths-based language:* Highlight what parents are doing right and how the child is demonstrating resilience, and what strengths can be built upon to move toward permanence.
- *Put the child first:* When listing the contacts CASA has made since the last report, list the child first. Some programs list the dates and hours of contact with the child, to assure the court that connection is being made. Some judges have asked the CASA program to put a picture of the child on the report, or include artwork the child has done. In other courts, the first item of the report is the number of months the child has been in care.



- *Edit not just for content but for professional writing style, grammar and spelling.* The report should not be conversational in tone. It should incorporate formal writing and structure, using no slang or contractions and referring to parties by surnames and/or appropriate professional titles.
- *Avoid legal or therapeutic jargon.* While all of the parties in the case may be familiar with the terms you use, it is still preferable to avoid acronyms and words that connote a level of expertise that is not the CASA volunteer's role. Using legal language can inadvertently create the impression CASA is issuing a legal opinion, or inappropriately providing legal advice. The same goes for psychological labels or sociology terminology; it is not CASA's place to diagnose a child, parent or family situation. CASA can report that a provider has issued a certain diagnosis or evaluation, but should not in its own description use terms that would connote a professional capability to make assessments.
- *Note collaboration.* CASA does not exist in a vacuum, and the report should note the collaborative efforts among stakeholders on a case. Along those lines, any disagreements with recommendations or positions of parties in the case should be done with respectful language and sufficient factual justification.
- *Note what the volunteer has done.* Where CASA volunteer actions have directly impacted the child's welfare, note that in the court report.
- *Be brief but thorough.* While making sure you have all of the critical information regarding the child's safety and permanency in the court report, keep it succinct and easy to read. Some counties use bulleted lists in the beginning of the Concerns section to clarify those areas. Make sure key points such as upcoming medical appointments or major unaddressed issues are highlighted in a manner that supports a quick review prior to a court date. Organizing the report into subheadings, such as sections devoted to education, mental health or other key issues in the case can be helpful.
- *Provide options to the court.* Sharing information about a variety of community services that may be available to the family is helpful in developing service plans. CASA reports should avoid recommending a particular service provider unless that agency offers a service unique to the area.
- *Use the report to educate stakeholders about CASA's role.* In some counties, the report begins with a stock paragraph briefly describing the CASA role. This is helpful for new attorneys and clients with whom they may share the report.
- *Submit the report on time.* While reports need to include the most current information, they should be given to the court in a timely fashion, allowing sufficient time for distribution and review. Best practice would be submission no later than 48 hours prior to a court appearance.
- *Stay objective.* The core value of the CASA program is its objectivity. Reports should be written in the third person ("The CASA Volunteer observed" not "I observed") and should present all sides of the story, every relevant interview, and be devoid of personal opinion.

We have discussed developing an online tutorial on court reporting for new CASA volunteers, and would welcome your comments and suggestions about that project, as well as hearing from local directors interested in reviewing test drafts as they are developed. Feel free also to email any questions or concerns about the above to Darlene Ward at [daward@courts.state.ny.us](mailto:daward@courts.state.ny.us)



**~~~~~ The A-Train ~~~~~**

***Video Training Set for January 25 on NYS Laws and Permanency Timelines***

Just a reminder that we will be hosting a video training this Friday, January 25, from 1 to 2:30 p.m. The training, titled "A CASA Guide to New York's Laws, Child Welfare Procedures and Family Courts: Moving a Child to Permanence" will feature **Christine Kiesel**, Statewide Project Manager, Child Welfare Court Improvement Project and will be viewable through COURTNET on computers in local Family Courts. If you have not yet made arrangements to view the training, please contact Darlene Ward at [daward@courts.state.ny.us](mailto:daward@courts.state.ny.us).

Much thanks to **Paul Drezero** in the Office of Alternative Dispute Resolution and Court Improvement Programs and the OCA technology staff for their patience and assistance in planning this training.

**~~~~~ Save the Dates ~~~~~**

**February 28, 2008**                      **Geneva, NY**  
**March 4, 2008**                         **Poughkeepsie, NY**  
**Regional Succession Planning Trainings**

**March 31-April 1, 2008**    **Latham, NY**  
**CASA Spring Program Directors' Meeting**

**April 2, 2008**                         **Latham, NY**  
**Adapting to Addiction: A Child's Perspective**  
*An overview of substance abuse and the impact on families*

**~~~~~ What's New at OCA ~~~~~**

***New Staff at Office of ADR&CIP Assisting with UCS CASA Contracts***

**Janelle Perez** joined the Office of Alternative Dispute Resolution and Court Improvement Programs this December as an Assistant Court Analyst. She is working as part of the team to support the office's administrative operations, and will be working with Amelia Hershberger on fiscal management and on the CASA contracts. She is looking forward to acquainting herself with the CASA network.

Janelle came to us from the NYS Office of General Services. She was an Assistant to the Commissioner and also worked on the Moynihan Task Force. Her experience with coordinating travel, purchasing and working on contracts will be helpful to her new position at OCA. During her time at OGS Janelle was awarded Employee of the Month and also nominated for Employee of the year.



**Success Stories**

***Nassau County CASA Program Assists Boy in Relative Placement***

A nine-year-old boy whom we'll call Keith entered foster care as a result of a neglect petition, after being born with a positive toxicology to cocaine. Keith was placed in a foster home in New York where he stayed for four years until being placed in a kinship foster home in South Carolina. Five years later, his placement was disrupted and he was placed in a Hope for Youth-Family Ties diagnostic group home back on Long Island in NYS.

When the Nassau County CASA Program was assigned to the case, the volunteer became aware of Keith's deteriorating psychological condition and helped the local Department of Social Services (LDSS) become aware that Keith was not receiving the therapy that had been requested. The CASA program was also able to provide the group home with information on Chance to Advance, a mentoring and enrichment program run by EAC, the administering agency of the CASA programs in Nassau and Suffolk Counties. Keith was subsequently included in the summer camp activities offered by the program.

After speaking with LDSS and obtaining contact information for several family members, CASA ascertained that Keith not only had other relatives in South Carolina but also had two maternal grandaunts on Staten Island. CASA contacted a granddaughter who was interested in adoption but concerned about the financial burdens. CASA provided the woman with brief information on adoption and adoption subsidies, and also assisted her in overcoming some delays in obtaining fingerprints and certification.

During Keith's participation in the Chance to Advance Summer Camp, CASA and camp facilitators witnessed a decline in Keith's behavior while at the group home. CASA reported the behavior to LDSS and as a result, the boy was removed from the group home and placed with his granddaughter. Keith is currently enrolled in school and is, at last report, doing well.

**Quote of the Week**

"I have decided to stick with love. Hate is too great a burden to bear."

*- Martin Luther King, Jr.*

*This is a publication of the*  
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