

Memorandum of Understanding with the Court

MOU WITH THE COURT CHECKLIST

A Memorandum of Understanding (MOU) should include the following items. Any additional roles of the Court or CASA/GAL Program should also be included. Be sure to review your state statutes, and court rules for appropriate language.

TITLE

Memorandum of Understanding between the XXXX CASA/GAL Program and XXXX Juvenile Court

NAMES OF THE PARTIES

- The XXXX CASA/GAL Program
- The XXXX Juvenile / Dependency Court
- May also include Child Welfare Agency

MISSION OF THE CASA/GAL PROGRAM

Mission Statement of XXXX CASA/GAL Program

PURPOSE OF THE MOU

This Memorandum of Understanding (MOU) sets forth the terms and understanding between the XXXX CASA/GAL Program and the XXXX Court to ensure any child alleged to be abused or neglected is appointed a CASA/GAL volunteer if available.

CASE TO BE REFERRED TO CASA/GAL PROGRAM

In every judicial proceeding, the court shall appoint a Court Appointed Special Advocate as the Guardian ad Litem (GAL) / Court Appointed Special Advocate (CASA) for any child alleged to be abused or neglected.

ROLES AND RESPONSIBILITIES OF CASA/GAL VOLUNTEER

Training. The CASA/GAL volunteer must have received appropriate training

Duties. The CASA/GAL volunteer is charged with the representation of the child's best

interests and shall perform the following general duties:

- conduct investigations to ascertain the facts constituting the alleged abuse or neglect;
- interview or observe the child who is the subject of the proceeding;
- have access to court, medical, psychological, law enforcement, social services, and school records pertaining to the child and the child's siblings and parents or custodians;
- make written reports to the court concerning the child's welfare;
- appear and participate in all proceedings, to the degree necessary, to adequately represent the child and make recommendations to the court concerning the child's welfare;
- perform other duties as directed by the court; and
- the CASA/GAL volunteer will continue in active service on the case until the CASA/GAL Program management, in consultation with the Court, determines that the assignment should be ended.

ROLES AND RESPONSIBILITIES OF CASA/GAL PROGRAM

- Responsible for all volunteer management duties including but not limited to:
 - recruitment
 - screening
 - training
 - assignment of volunteers
 - supervision of volunteers
- Responsible for conducting initial and on-going in-service training for CASA/GAL volunteers
- Certification of volunteers who have completed the training program as being ready to begin service
- Contingent upon availability of a volunteer appropriate for the case, the CASA/GAL Program will assign a CASA/GAL volunteer and will notify the Court of the assignment

ROLES AND RESPONSIBILITIES OF THE COURT

Swear in CASA/GAL Volunteers

- Conduct swearing in ceremonies of CASA/GAL volunteers
- Appointment will remain in effect until such time as the CASA/GAL volunteer's service is terminated
- Assignment of Cases
 - Identify cases appropriate for assignment of a CASA/GAL volunteer at the earliest possible stage and notify the CASA/GAL Program

- Once notified by the CASA/GAL Program of the assignment of a volunteer, the Court will issue an order confirming the assignment of the CASA/GAL volunteer

- Hearsay
 - Acknowledge that information contained in a report filed by the CASA/GAL volunteer or testimony regarding a report filed by the CASA/GAL volunteer is not hearsay when it is used to form the basis of the CASA/GAL volunteer's opinion as to the best interests of the child
- Removal of CASA/GAL
 - Any party may petition the court for the removal and replacement of the CASA/GAL volunteer if the CASA/GAL volunteer fails to perform the duties of the appointment.

Appointment Order

- Format of the volunteer report
- Regular meetings between Court and CASA/GAL program
- Court participation in training
- Access to court for volunteer training, Board members, staff, and others

SIGNATURES

- CASA/GAL Program Director
- Judicial Signature

TERM OF AGREEMENT

Example. This agreement will be effective from the date of signature. This agreement will be reviewed annually.

OTHER CONSIDERATIONS

- Updated Appointment Orders Needed?
Access to records included in the