Memorandum of Understanding with the Court

MOU with the court

# Memorandum of Understanding between the Marion CASA Program and Marion County Juvenile Court

WHEREAS, the mission of the MARION COUNTY CASA/GAL Program is to promote the best interests of children in abuse and neglect cases by providing trained, screened CASA/GAL volunteers in dependency proceedings under O.R.C. 2151.281 and Rules of Superintendence for the Courts of Ohio, Rule 48.

WHEREAS, the CASA/GAL Program and the MARION COUNTY Juvenile Court desire to set forth their mutual understanding of the principal framework under which they will work together.

NOW THEREFORE, in consideration of the mutual covenants and agreements set forth below, the CASA/GAL Program and the Court agree as follows:

# Section 1. PURPOSE OF THE MEMORANDUM of Understanding between CASA/GAL PROGRAM AND JUVENILE COURT

This Memorandum of Understanding (MOU) sets forth the terms and understanding between the MARION COUNTY CASA/GAL Program and the MARION COUNTY Court to ensure any child alleged to be abused or neglected is appointed a CASA/GAL volunteer consistent with O.R.C. 2151.281 and Rules of Superintendence for the Courts of Ohio, Rule 48, when a CASA/GAL volunteer is available.

# SEction 2. CASES to be referred to CASA/GAL Program by Court

A judge may appoint a court-appointed special advocate (CASA) volunteer in any proceeding when, in the opinion of the judge, a child who may be affected by such proceeding requires services that a volunteer can provide, and the court finds that the appointment is in the best interests of the child. [See also O.R.C. 2151.281 and Rules of Superintendence for the Courts of Ohio, Rule 48].

IT IS AGREED that the following categories of abuse and neglect cases under the jurisdiction of the MARION COUNTY Court are cases that may be referred to the CASA/GAL Program in accordance with [O.R.C. 2151.281 and Rules of Superintendence for the Courts of Ohio, Rule 48]:

1. when a child is removed from his or her surroundings due to serious endangerment pursuant to O.R.C. 2151.281 and Rules of Superintendence for the Courts of Ohio, Rule 48, or
2. if removal has not occurred, a CASA/GAL volunteer shall be appointed at the commencement of all neglect, abandonment, child abuse or voluntary relinquishment of a child cases.

# Section 3. ROLES AND RESPONSIBILITIES OF CASA/GAL VOLUNTEER

1. The CASA/GAL volunteer is a screened and trained advocate ensuring the best interest of the child is represented in the Court.
2. **Screening and Qualifications**. The CASA/GAL volunteer must be screened and have qualifications in accordance with National CASA/GAL Association for Children (National CASA/GAL) Standards.
3. **Training**. The CASA/GAL volunteer must have received appropriate training including 30 hours of National CASA/GAL Pre-Service Training and 12 hours of continued child welfare education annually in accordance with National CASA/GAL Standards.
4. **Duties**. The CASA/GAL volunteer is charged with the representation of the child's best interests and shall perform the following general duties:
5. conduct investigations to ascertain the facts constituting the alleged abuse or neglect;
6. interview or observe the child who is the subject of the proceeding;
7. 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;
8. make written reports to the court concerning the child's welfare;
9. 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;
10. perform other duties as directed by the court; and
11. the CASA/GAL volunteer will continue in active service on the case until the CASA/GAL Program management, in consultation with Court, determines that the assignment should be ended.

# Section 4. ROLES AND RESPONSIBILITIES OF CASA/GAL PROGRAM

The CASA/GAL Program shall be responsible for all volunteer management duties including but not limited to recruitment, screening, training, assignment of available volunteers, and supervision of volunteers.

1. **Recruitment and Screening.** The CASA/GAL Program shall recruit and train volunteers who meet the minimum qualifications required by the National CASA/GAL Standards [or O.R.C. 2151.281 and Rules of Superintendence for the Courts of Ohio, Rule 48]. The minimum qualifications for any prospective CASA/GAL volunteer are that he or she shall:
2. Be at least age 21 and have demonstrated an interest in children and their welfare
3. Complete an application, including required background information
4. Participate in a screening interview and required training

For the required background screening, the program director shall complete a record check of the volunteer applicant in accordance with National CASA/GAL Standards including:

1. Social security number verification.
2. Criminal records from the court jurisdiction in which the applicant currently resides and works.
3. State criminal records.
4. FBI or other national criminal database.
5. National Sex Offender Registry.
6. Child abuse registry or child protective services check where permissible by law.

The volunteer applicant must also provide at least three references of people who will attest to the applicant's character, judgment, and suitability for the position of a CASA/GAL volunteer [See also O.R.C. 2151.281 and Rules of Superintendence for the Courts of Ohio, Rule 48]

1. **Training**. The CASA/GAL Program will be responsible for conducting the initial 30 hours of National CASA/GAL Pre-Service Training and will provide access to 12 hours of continuing child welfare education annually. The CASA/GAL Program will provide certification of CASA/GAL volunteers who have completed the training program as being ready to begin service. [O.R.C. 2151.281 and Rules of Superintendence for the Courts of Ohio, Rule 48].
2. **Assignment.** Contingent upon availability of a CASA/GAL volunteer appropriate for the case, the CASA/GAL Program will assign a CASA/GAL volunteer and will notify the Court of the assignment.
3. **Supervision.** The CASA/GAL Program will be responsible for supervision of the CASA/GAL volunteer including reviewing court reports, providing on-going training and support of the CASA/GAL volunteer as appropriate. The CASA/GAL Program may accompany a CASA/GAL volunteer during court proceedings and may substitute for the CASA/GAL volunteer if the CASA/GAL volunteer is unable to attend proceeding.

# Section 5. ROLES AND RESPONSIBILITIES OF THE COURT

1. **Swear in CASA/GAL Volunteers.** The Court shall swear in CASA/GAL volunteers upon completion of National CASA/GAL Pre-Service Training.
2. **Assign Cases**. The Court shall identify cases appropriate for assignment of a CASA/GAL volunteer at the earliest possible stage of the case 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. Appointment will remain in effect until such time as the CASA/GAL volunteer’s service is terminated.
3. **Hearsay**. The Court acknowledges 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.
4. **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.

# SECTION 6. OTHER CONSIDERATIONS

[ENTER OTHER CONSIDERATIONS HERE]

# Section 7. TERM OF AGREEMENT

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

# SIGNATURES

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| COURT NAME |  |  |
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| JUDGE NAME  |  |  |
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| JUDICIAL SIGNATURE  |  | DATE |

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| CASA/GAL PROGRAM NAME |  |  |
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| PROGRAM DIRECTOR NAME  |  |  |
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| PROGRAM DIRECTOR SIGNATURE  |  | DATE |