

Amended Supreme Court Rule 110

The Kansas Supreme Court is accepting public comment on proposed amendments to Supreme Court Rule 110: CASA Volunteers and Programs. The rule establishes guidelines for Court Appointed Special Advocate programs in Kansas, including their relationship with the court, and volunteer requirements and duties.

If adopted, proposed amendments will align Kansas with requirements set out by the National CASA/GAL Association for Children, including that CASA volunteers be at least 21 years old. Proposed amendments also reflect current practices that standards for Kansas CASA programs are adopted by the Kansas Supreme Court and statistical data are submitted to the Office of Judicial Administration.

Amendments are shown using strikethrough for deletion and underlining for new language.

Comment may be made by email to publiccomments@kscourts.org until 5 p.m. Friday, July 15, 2022. The subject line must read "Rule 110."

Rule 110

CASA PROGRAMS AND VOLUNTEERS AND PROGRAMS

- (~~ab~~) **Program Standards.** A local court-appointed special advocate (CASA)~~volunteer~~ program must follow standards adopted by the Supreme Court. The standards ~~must~~ include ~~requirements for the following~~:
- (1) requirements for certification of a local CASA~~volunteer~~ program by the ~~judicial administrator~~ Office of Judicial Administration; and
 - (2) requirements for certification and training of a CASA volunteer by the local program.
- (~~be~~) **Written Agreement Required for Privately Administered Program.** A district court ~~using a privately administered CASA program~~ must have a written agreement with the person or group sponsoring managing the local program. The term of the written agreement ~~may~~ must not exceed two years. The agreement governs operation of the ~~privately administered CASA program~~ and must accomplish the following:
- (1) require the program to meet the standards for CASA ~~volunteer~~ programs;
 - (2) state the court's and the ~~CASA~~ program's responsibilities to each other;

- (3) require that ~~CASA~~ volunteers be certified by the local program;
 - (4) specify procedures for assigning the program to a case and for removal of the program from a case;
 - (5) establish procedures for resolving grievances and conflicts for both the ~~CASA~~ program and a ~~CASA~~ volunteer; and
 - (6) state the requirements the program must meet to be eligible to renew the agreement.
- (~~c~~) **Local Rules.** ~~A~~ The district court must adopt a local court rule governing operation of a local ~~CASA~~ program administered by the court. The rule must include the items specified in subsection (~~b~~) (1) through (5).
- (d) **CASA Volunteer Duties and Prerequisites.**
- (1) **Duties.** The primary duties of a ~~CASA~~ volunteer are to investigate and become acquainted with the facts, conditions, and circumstances affecting a child's welfare; to advocate for the best interests of the child; and to assist the court in obtaining the most permanent, safe, and homelike placement possible. A ~~CASA~~ volunteer should engage in the following activities:
 - (A) visit the child as often as necessary to monitor the child's safety and observe whether the child's essential needs are being met;
 - (B) attend court hearings involving the child or, if not excused from attendance by the court, arrange for attendance of a qualified substitute approved by the court;
 - (C) participate in staffings and, to the extent possible, other meetings about the child's welfare;
 - (D) participate in the development of a written reintegration plan ~~or~~ and any modification of an existing plan ~~or both~~;
 - (E) submit a written report to the court before each regularly scheduled court hearing involving the child; and
 - (F) act on the child's behalf as directed by the local program director and the standards ~~promulgated~~ adopted by the ~~judicial administrator~~ Supreme Court under subsection (a).

- (2) **~~Volunteer Prerequisites.~~** A ~~CASA~~ volunteer must meet the following prerequisites:
- (A) be at least ~~18~~ 21 years old;
 - (B) submit a written application to the local program; and
 - (C) successfully complete screening procedures and a review by the local program ~~staff~~.
- (e) **CASA Volunteer Notice and Access.** A ~~CASA~~ volunteer ~~must be given~~ is entitled to the following:
- (1) notice of a court hearing involving the child; and
 - (2) access to any district court record within the state pertaining to the child.
- (f) **Reporting Requirements.** The district court or a ~~privately administered CASA~~ local program, as applicable, must provide statistical and other information required by the ~~judicial administrator~~ Office of Judicial Administration.