

FIFTH JUDICIAL DISTRICT CASA
COURT REPORT GUIDANCE
(ADAPTED FROM ARIZONA CASA)

Thank you for your diligent and persistent work as a Court Appointed Special Advocate (CASA). As a CASA, you have a very important advocacy role for the child you chose to serve. By documenting all the activity on the case to which you are appointed, you will be able to more easily and efficiently prepare your court report.

Your role as an independent investigator is vital. The work you do as an investigator must be documented and reported in order for it to be effective.

Following you will find guidance to assist you through your report writing. Under each report heading, specifics and examples will be provided.

This report form has been implemented for use throughout our program and has been developed through the input of our Judges.

Idaho Child Protective Act 16-1633 states:

- (1) To conduct an independent factual investigation of the circumstances of the child including, without limitations, the circumstances described in the petition.
- (2) To file with the court a **written report** stating the results of the investigation, the Guardian ad Litem's recommendations and such other information as the court may require. The Guardian ad Litem's written report shall be delivered to the court, with copies to all parties to the case at **least five (5) days** before the set for adjudicatory hearing. The report shall not be admitted into evidence at the adjudicatory hearing, and shall be used by the court only for disposition if the child is found to be in the purview of the act.

Attached you will find a blank Report Form for your use.

SAMPLE REPORT FORM WITH GUIDANCE

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IN THE DISTRICT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
MAGISTRATE DIVISION

In the Matter of:) Case no. CV- XXXX-XXX
Name of the child)
DOB: 0/00/00)
A Child under 18 years of age) Report of the Guardian ad Litem

PLACEMENT HISTORY:

Age at placement: Current age:
Number of placements:
Months in care:

CHILD/COURT COMMUNICATIONS:

The following needs to be stated in this report:

As stated in the amended Juvenile Rule 40(b), *child/children's name* has been notified by this CASA of his/her right to be heard during this court proceeding.

- o The above named child WILL attend court.
- o The above named child WILL NOT attend court. See explanation below.
 - o The child has requested to not attend the hearing. (Child may submit letter)
 - o The above named child is unable to attend court because he/she is geographically out of area. (may choose to communicate via phone call)
 - o It is in the child's best interest not to attend for psychological and or emotional or safety reasons.
 - o The child is unable to attend due to educational issues.
 - o The child is unable to attend due to illness or medical reason.
 - o Other: Explain

CONTACTS SINCE LAST HEARING:

Name relationship to child
Name relationship to child
Child's name Child of Concern
Child's name Child of concern

Jane

Foster Parent

REPORTS REVIEWED SINCE LAST HEARING:

IDHW Case Plan dated October 25, 2007

CARES Interview

Child Mental Health Evaluation

BRIEF HISTORY:

(VERY BRIEF!)

This section is to contain a brief history of why the child came into care. All details of the child's removal are not necessary; they should have been addressed in previous court reports. It is not necessary to duplicate information previously given to the court.

PERTINENT INFORMATION:

CASA reports should track what has been happening in the child's life since the last report. Each report can build on what was addressed in past reports, but should contain mostly new information about what has occurred. By doing this the judge and legal parties can follow what has been happening to the child from an independent point of view.

This section should provide the factual information on which you base your concerns and recommendations. This section should contain only the facts that were found during visitations, interviews, and research since the last court report. Behaviors, situations and important information from reviewed materials are also to be described. All information should be given with its source and can include direct quotes from people interviewed. Quotes must be correct and not taken out of context.

Describe the services that have been provided to the parents and children. Services should be explained by the type offered, how often rendered, who is providing the services and the result of the services.

This section should address your experience with the parents of the child. Any visitations you observed between the child and parent should be described, how well the parent and child interact, and any services that are needed by the family to allow the child to be returned home, if appropriate.

Court reports must be objective. Any statements or observations must be supported by factual information, witness, and quotes. Without a basis in fact, this section can be challenged as being biased and uninformed. Court report descriptions should also be as short and direct as feasible. Important details cannot be left out, but clear descriptions do not need redundancy.

In general, **relate the safety, security, and parenting ability of parents and their residence(s).**

EDUCATIONAL NEEDS:

Dependent upon the child's age and circumstances, this can be used or left out. Don't duplicate something that is in the Pertinent Information section.

For the child's academic needs, court reports should address how the child is doing in school. Note any changes, positive or negative, Also, the report should contain any descriptions of learning disorders or special needs that have not been met.

CHILD'S WISHES:

The Supreme Courts Child Protection Sub Committee has agreed that all GAL's will add this section to their reports.

This is where you will state what the child has told you they would like to see happen to them.

This may not be in their best interest, but you can state their wishes here and their best interest in sections to follow.

Has the child told you they are miserable where they are?

Has the child stated they are happy and comfortable in their placement?

....they love/hate their school

.....want to go home.

.....want to see siblings

OPINIONS AND CONCERNS:

This section is the only area in the court report where you can discuss personal feelings about the case. It is an open forum to mention anything the CASA feels the judge should know that was not mentioned in earlier section.

This section is meant to be a place for personal concerns. By listing concerns, you can give the judge a more personal feel for the case and how the child is being served. Even though these are opinions, they must still be objective and should not make personal attacks. Stating and outlining problems can be the best way to allow the system to correct them. Your opinions are important to help the system operate for the best interests of a child.

This should be less of a presentation of facts of the investigation (this is in the previous sections) as a summarized expression of impressions and reasoned judgment by you.

RECOMMENDATIONS:

Recommendations should be specific and based on the information provided earlier in this report.

Recommendations can encompass whether the child should remain in the custody of the State of Idaho and whether the current placement is best for the child. Visitation and additional services needed for either the parent or the child should be included in this section.

The first item on the recommendation list should be a statement as to whether or not the children should remain in the custody of the court or to be placed with the parents. Anything else the GAL feels would ultimately benefit the child's well being should be placed here. Factual information needs to be addressed previously in the report to have it considered as a recommendation. Without a factual basis, a volunteer's recommendations are nothing more than opinions and a court cannot base the future of a child on a personal opinion.

- Bullet your recommendations if possible for easy reading and quick reference.

MORE GUIDANCE

- Keeping an accurate and up-to-date contact log is very important for a CASA. You will need to identify people and associate the information gathered from those people several months after contact.
- Educational, medical and psychological evaluations can change over time and by dating when the information was gathered, a volunteer can be sure that the information used is the most current available.
- There are several points to remember about creating a court report. The most important is the need to remain unbiased.
- All assessments, recommendations, and conclusions must have a factual basis. Anything written in a report could be challenged by an attorney, so supporting documentation is essential. This also gives the report the added weight of a professional presentation and even prepares the CASA to answer direct questions in court.
- Use bullets after each heading. This makes for easy at a glance reading when referring to the report.

PROCEDURES

- ALL court reports are to be submitted to your coordinator **at least seven (7) days** in advance. This enables the coordinators to proofread the report as well as discuss any questions or concerns they may have before submitting it to our attorney.
- DO NOT submit your report directly to the GAL attorney. Reports need to go through Coordinators before submission.

***Some Guidance adapted by Arizona CASA