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A CASA'S ROLE IN PERMANENCY

**Georgia CASA Conference
2009**

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**A Presentation by
Judge R. Michael Key**

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Who are you?

Rule Number One

If your gonna stay...

You gotta play!

Rule Number Two

We can't discuss specific
situations.

Rule Number Three (a-d)

- (a) We are all equals.
- (b) Everybody's opinion has value.
- (c) There are no dumb responses or comments.
- (d) Check your ego at the door.

Tale of Two Sissy's

Sissy goes to summer camp.

Sissy goes to Foster Care

The Covenant of Permanency

In a decent and free society, when we remove children from their homes, there is an implied promise, a covenant if you will, to effect permanency for that child, timely, efficiently, and compassionately, with due respect for that child's ethnicity and culture.

What is permanency?

“Permanency is where you go for Thanksgiving.”

Permanency for the children that we serve is that sense of belonging and security that we work for and covet for our own children.

What are the barriers to permanency?

- Achieving permanency is not for chickens!

“It must be understood that the best interests of a child are to find a safe, nurturing and permanent home for the child as soon as possible. Even with the heroic efforts of social workers and judges, it is not possible to predict the future with 100% accuracy. Temporary placement of children is damaging, although health and safety concerns often require it. A decision not to ‘decide’ is in reality a potentially damaging decision with long term implications for the child. Judicial officers must be leaders in ensuring that the safeguards provided for in the child protection process allow for the best decisions to be made **within the realm of existing knowledge**, and acknowledge that making decisions in these cases is not for the faint of heart.”

What are the barriers to permanency?

- The lack of a CASA for every child in foster care generally
- The lack of a CASA early in the case
- The absence of an attorney child advocate for every child in care
- The absence of the effective assistance of counsel for parents
- A court or court system that is not committed to timely permanency, or that just gives lip service

What are the barriers to permanency, continued?

- Lack of suitable relatives
- What does "suitable" mean"
- Policy over good practice
- Lack of understanding about waivers
- Poor case planning
- Lack of timely concurrent planning
- Failure to work concurrent plan

What are the barriers to permanency, continued?

- ICPC – Reg 7
- Continuances
- Time slipping away
- Lack of attention to time slipping away
- Expectations of parents are too high
- Lack of resources
- Underutilization of available resources

What are the barriers to permanency, continued?

- Lack of meaningful visitation
- Underutilization of reasonable efforts
- Not complying with policy
- Complying with policy too much

What role can a CASA play in overcoming the barriers?

Recommendations

1. Develop expertise within CASA on ASFA and Best Practices.
2. Ensure that CASA's work furthers ASFA compliance and reflects effective practices.
3. Understand the role of CASA and the Court.
4. Establish an ethically appropriate individual and organizational relationship with the judge that promotes an open dialogue on systemic issues.

Recommendations

5. Encourage the judge to convene and support regular stakeholder meetings.
6. Work individually and in concert with stakeholders to promote ASFA compliance and implementation of effective practices.
7. Develop and consistently utilize systems to track timeliness of the movement to permanency.

Recommendations

8. Ensure that reports to the court provide information that provides ASFA compliance and recommendations that reflect effective practices. Include a timeline summary in the report, with critical time limits highlighted.
9. Promote outcome measurements that reveal successes and failures of the system.

Recommendations

10. Where there are deficiencies in individual cases or in overall court performance, provide the Court with specific solutions.
11. Celebrate successes and give the Court due credit.
12. Encourage the judge to participate in National Council of Juvenile and Family Court training and activities.

The kids we serve.

- Their belongings in a bag, their hearts on a sleeve, or tucked securely away,
- Their futures not their own, but held in the hands of those who do not know them.
- Their worlds asunder; insecurity and mistrust their constant companions.
- They come to us looking for answers, for understanding, for hope, for resolution.
- What we give them will determine who they are and who they will forever be.
- Equally as important, what they become because of their having passed our way, will define our lives and our place in history.