

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 7: Administrative Office of the Court Programs
Chapter 1: Dependent Children's Services
Section 7-101: Court Appointed Special Advocate Program

The following is an excerpt of the code. The full code can be found at:
<http://www.azcourts.gov/AZSupremeCourt/CodeofJudicialAdministration.aspx>

J. Volunteer Status.

1. A volunteer serves at the pleasure of the court. The court may terminate the services of a volunteer without cause.
2. The CASA coordinator shall address any volunteer's failure to adhere to the minimum performance standards of the CASA program. The CASA coordinator shall make recommendations to the presiding judge of the juvenile court, or another judge, with the approval of the presiding judge, regarding limitations on types of cases assigned to the volunteer, suspension, or termination.
3. A volunteer shall have access to documents and information pursuant to A.R.S. § 8-522(F) as described in (G)(6).
4. A.R.S. § 8-522(G) provides for notice to the CASA volunteer as follows: "The special advocate shall receive notice of all hearings, staffing, investigations and other matters concerning the child. The special advocate shall have a right to participate in the formulation of any agreement, stipulation or case plan entered into regarding the child."
5. A.R.S. § 8-522(H) provides: "A special advocate is immune from civil or criminal liability for the advocate's acts or omissions in connection with the authorized responsibilities the special advocate performs in good faith."
6. A volunteer shall be on active status if the volunteer is appointed to a dependency case.
7. A volunteer shall be on active unassigned status if the volunteer is:
 - a. Pending a case assignment; or
 - b. Serving as a mentor or peer coordinator to other volunteers.
8. A volunteer shall be on administrative unassigned status if the volunteer is involved in the administrative aspect of the county program office.
9. Volunteers who are on active unassigned or administrative unassigned status shall provide a minimum of three hours per month in organized program activities and shall document those activities monthly.
10. A volunteer may be placed on inactive status if all of the following conditions are met:
 - a. Approved by the CASA coordinator, for no longer than six months;

- b. Not currently appointed to a dependency case;
- c. Not on active unassigned or administrative unassigned status pursuant to (J)(7) and (8).

K. Volunteer Minimum Performance Standards.

1. The volunteer shall adhere to the following performance requirements:

a. A.R.S. § 8-522(E) provides:

A special advocate shall:

- 1. Meet with the child.
- 2. Advocate for the child's safety as the first priority.
- 3. Gather and provide independent, factual information to aid the court in making its decision regarding what is in the child's best interest and in determining if reasonable efforts have been made to prevent removal of the child from the child's home or to reunite the child with the child's family.
- 4. Provide advocacy to ensure that appropriate case planning and services are provided for the child.
- 5. Perform other duties prescribed by the supreme court by rule.

b. Disclose to the CASA coordinator or court, before appointment:

- (1) Any pre-existing relationship with a child or the child's family;
- (2) Any relation to any parties in the case; or
- (3) Any employment or affiliation at any agency that might result in a conflict of interest.

c. Accept appointments in dependency, Title 8 guardianship, and termination actions pursuant to Rule 112, Rules of Procedure for the Juvenile Court and A.R.S. § 8-522(A).

d. Accept appointment as guardian ad litem pursuant to A.R.S. §§ 8-221(G) and 8-522(A) and Rule 305, Rules of Procedure for the Juvenile Court.

e. Comply with applicable statutes, including but not limited to, A.R.S. §§ 8-807 and 41-1959, Arizona Rules of Court, including but not limited to Rule 123, Rules of the Supreme Court and the Rules of Procedure for the Juvenile Court, administrative rules regarding confidentiality, ACJA 1-303: Code of Conduct for judicial employees, administrative orders, rules, this section, and program policies and procedures.

f. Serve and respond to requests without bias of race, religion, sex, age, national origin, or physical impairment.

g. Use public resources, property, and funds under the volunteer's control responsibly and for the purpose intended by law and not for any private use.

- h. Consult with the CASA coordinator to address any ethical issues that arise.
 - i. Perform authorized functions in a professional and impartial manner.
 - j. Provide a written report, previously discussed and reviewed with the CASA coordinator, prior to every hearing in a format and manner outlined in CASA program policies.
 - k. Attend all court hearings pertaining to the appointed case and provide information orally to the court when requested. The volunteer shall also provide sworn testimony to the court if subpoenaed as a witness or ordered by the court.
 - l. Meet in-person with the child once every 30 days at a minimum. An exception may be granted at the discretion of county program coordinator.
 - m. Monitor the child's placement and observe the child's behavior in the placement to assess the child's needs and identify any problems discovered in a written report to the court.
 - n. Inform the CASA coordinator promptly of urgent developments in the case so that the CASA coordinator staff can notify the court through appropriate means.
 - o. Consult at least monthly with the CASA coordinator in case/program discussion and document the discussion in the contact log.
 - p. Maintain an accurate and complete contact log on the case and provide the documentation on at least a monthly basis to the county program office.
 - q. Comply with the required in-service training each calendar year.
 - r. Return case files to the program after the case is closed.
 - s. Sign and date an acknowledgement of receipt and agreement to comply with this section and CASA program policies and operational procedures. The signed acknowledgement shall be placed in the volunteer's file.
 - t. The volunteer who reasonably believes that a child is in imminent danger or is, or has been, the victim of physical injury, abuse, a reportable offense, or neglect should report these observations to the appropriate authorities and inform the CASA coordinator.
 - u. Inform the CASA Coordinator promptly, if the volunteer has been arrested for, charged with, indicted for, convicted of, or pled guilty to any misdemeanor or felony since the applicant's last certification.
2. The volunteer shall not:
- a. Be appointed to a case where the volunteer is related to any parties involved in the case.

- b. Engage in the following activities:
 - (1) Give legal or medical advice.
 - (2) Provide therapeutic counseling.
 - (3) Provide health care services.
 - (4) Make placement arrangements for the child.
 - (5) Give expensive or excessive gifts to the child or the child's family or caregiver. The volunteer must consult with the CASA coordinator to define the value of a gift in the context of this section.
 - (6) Take the appointed child to any home other than the child's placement without notifying the CASA coordinator, and without receiving prior approval from the DCS supervisor or DCS case manager.
 - (7) Take the appointed child to the volunteer's home or permit the child to stay overnight with the volunteer, without receiving prior approval of the DCS supervisor, DCS case manager, CASA coordinator, and a specific order from the court.
 - (8) Take the appointed child to isolated places involving only the CASA volunteer and the child.
 - (9) Perform home studies for out-of-state or in-state agencies.
 - c. Transmit confidential information via home computers unless transmission is through the AOC's secure web server or a secure web server provided by the county and approved by the administrative director.
 - d. Request or accept any fee or compensation in the course of CASA volunteer service.
 - e. Use or attempt to use the volunteer's official position to secure unwarranted privileges or exemptions.
 - f. Testify in a deposition, hearing, or trial regarding information obtained in the course of their appointment unless a subpoena is served and a court order is issued.
3. A volunteer shall meet the following requirements for certification renewal:
- a. All volunteers must renew their certification every four years.
 - b. CASA coordinators shall ensure that a new criminal history background check is completed no earlier than three months prior to the expiration of a volunteer's first four years of service. The years of service shall be calculated from the date of initial certification. This renewal process shall continue every four years thereafter.
 - c. Volunteers shall submit a current authorization for the CASA program to secure a criminal history records check, MVD records check, and DCS central registry information check as permitted by state and federal laws.
 - d. The CASA coordinator may recertify a volunteer based on compliance with these requirements and based on the volunteer's continued ability to meet the initial certification requirements.

4. The certification reinstatement process is only available to an applicant who has left the program for less than one year and is eligible for return. In order to obtain certification reinstatement the applicant shall submit a signed statement under oath that the applicant has not been arrested for, charged with, indicted for, convicted of, or pled guilty to, any misdemeanor or felony since the applicant's last certification. The CASA coordinator may reinstate the volunteer's certification based on compliance with these requirements.

L. Complaints, Discipline, and Dismissal of Volunteers.

1. The presiding juvenile judge, or another judge, with the approval of the presiding judge, shall designate a person to be responsible for receiving, investigating, and processing complaints against CASA volunteers. This person shall be referred to as the Designated CASA Investigator (DCI). While processing the complaint, the DCI shall conform to all requirements set forth in this section and the CASA Policies and Procedures Manual.
2. A complaint shall be in writing with sufficient specificity to warrant further investigation. The name and telephone number of the complainant shall also be provided.
3. All judicial officers and state and county program staff shall, and any person may, notify the DCI if it appears that a volunteer has violated Arizona statutes, Rules of Court, including Rules of Procedure for the Juvenile Court, this section, administrative orders, rules, or program policies.
4. While an investigation is pending, the DCI may seek a temporary order from the assigned judge, suspending the volunteer from duties as a CASA in the appointed case or cases. Volunteers who are suspended may not be appointed to another case or volunteer in another capacity under this section until resolution of the complaint. The DCI shall seek immediate suspension of a volunteer under the following circumstances:
 - a. An allegation of child abuse and neglect against the volunteer.
 - b. Any allegation of conduct that would be grounds for mandatory or discretionary denial of certification.
5. Upon review of all evidence, the DCI shall make a report and recommendation to the presiding juvenile judge, or another judge, with the approval of the presiding judge, for resolution of the complaint. The presiding juvenile judge, or another judge, with the approval of the presiding judge, shall take action up to and including dismissal from the program and notify the DCI.
6. The CASA coordinator, or designee, shall document any complaints and resolutions in the volunteer file and take action necessary to follow up on the resolution. Information and documentation shall be confidential and available only for use in considering the volunteer's continuing certification as a CASA volunteer.
7. CASA volunteers serve at the pleasure of the presiding juvenile judge, or another judge, with the approval of the presiding judge. Particular actions may require immediate termination or

dismissal by the presiding juvenile judge, or another judge, with the approval of the presiding judge. Such actions include but are not limited to:

- a. Taking action that endangers the child or is outside the role of the statutory authority of the CASA program;
 - b. Failing to adhere to the Arizona statutes, Arizona Rules of Court including the Rules of Procedure for the Juvenile Court, ACJA, administrative orders, rules, and program policies;
 - c. Failing to demonstrate an ability to effectively carry out assigned duties;
 - d. Falsifying the application or misrepresenting facts during the screening process;
 - e. A finding against the volunteer of child abuse or neglect by a court order or any authorized governmental agency;
 - f. Existing conflict of interest which cannot be resolved;
 - g. Allowing the appointed child to visit the volunteer's home or stay overnight with the volunteer unless specifically ordered by the court;
 - h. Any action that would have required initial denial of certification as a CASA volunteer;
 - i. Exhibiting substance-induced impaired behavior while performing CASA duties; and
 - j. Using illegal drugs, marijuana, or alcohol while performing CASA duties.
8. A CASA volunteer shall be suspended immediately under the following circumstances:
- a. An allegation of child abuse and neglect against the volunteer; or
 - b. An allegation of any conduct that would be grounds for mandatory or discretionary denial of certification.
9. A volunteer shall be dismissed immediately if there has been a judicial or administrative determination of abuse or neglect against the volunteer.
10. A volunteer shall be dismissed immediately if the volunteer uses illegal drugs or alcohol while performing CASA duties, or exhibits substance-induced impaired behavior while performing CASA duties.

Adopted by Administrative Order 2000-85 effective November 28, 2000. Amended by Administrative Order 2001-108 effective October 31, 2001. Amended by Administrative Order 2005-13 effective February 3, 2005. Amended by Administrative Order 2019-06 effective January 16, 2019. Amended by Administrative Order 2021-24, effective February 10, 2021. Amended by Administrative Order 2023-196, effective November 8, 2023. Amended by Administrative Order 2024-183, effective September 13, 2024.