



# Practicing the **CASA/GAL** Volunteer Role— Gathering Information

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# CHAPTER 8

## Practicing the CASA/GAL Volunteer Role —Gathering Information



### **HOMEWORK RECAP**

#### **THE KAYLEE MOORE CASE**

For homework, you read an introduction to the Kaylee Moore case, which appears at the beginning of this chapter. This case is designed to unfold throughout Chapters 8 and 9, as you learn to perform various aspects of your role as a CASA/GAL volunteer.

#### **COMMUNITY RESOURCES**

Earlier in training, you selected an agency to research. A worksheet was provided as a tool to assist you in gathering information on services provided, access to services, etc. You will share the materials and information you gather during the Chapter 9 training session, when community resources will be introduced.

If you are having any trouble collecting information, be sure to ask for help from the staff of your local program.



### **GOAL**

In this chapter, I will learn about the elements of a child's court case, become familiar with court forms, and practice the skills necessary to gather the information needed to be an effective advocate.

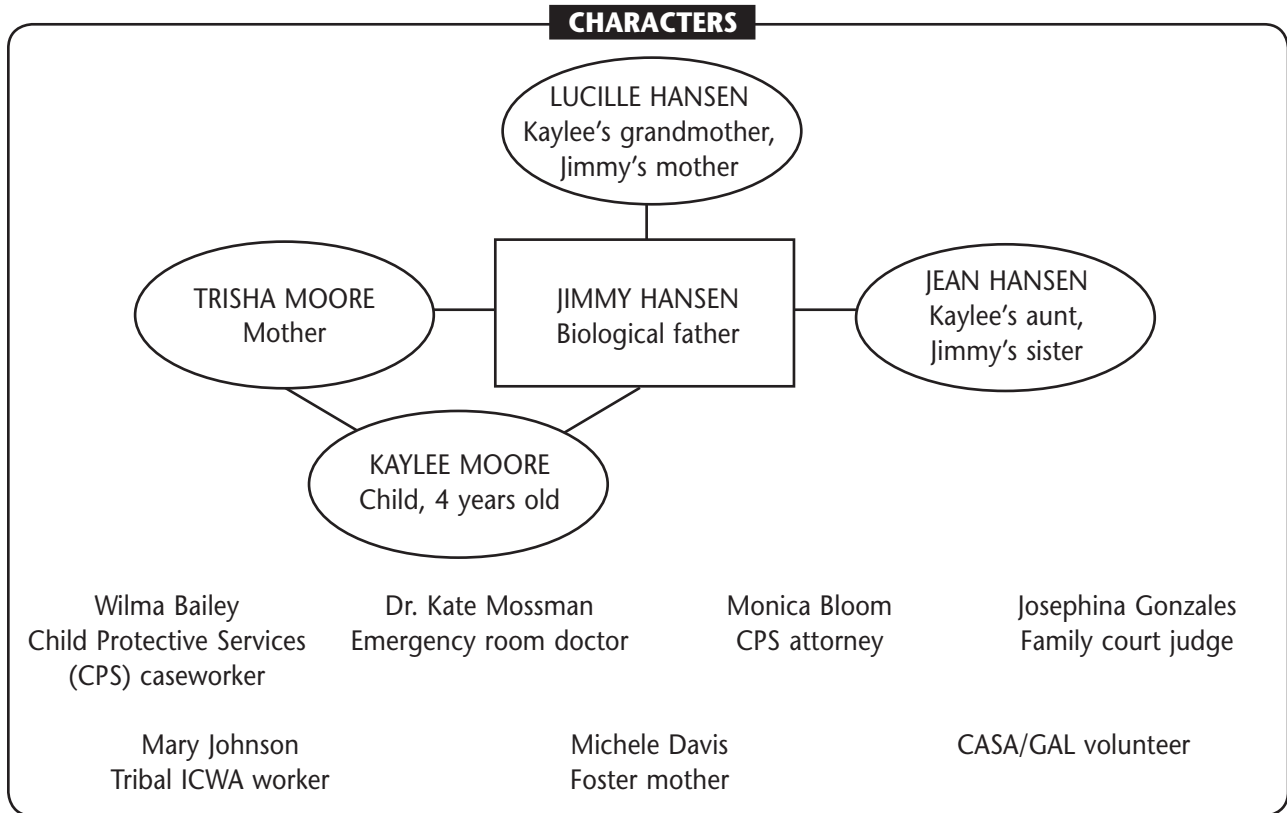


### **OBJECTIVES**

By the end of this chapter, I will be able to . . .

- ✓ Describe how a CASA/GAL volunteer is appointed to a case
- ✓ Develop a plan to gather information about a case
- ✓ Conduct a CASA/GAL volunteer interview
- ✓ Take thorough and appropriate notes for a case
- ✓ Complete an investigation for a case
- ✓ Apply the requirements of the Indian Child Welfare Act to a case

# The Kaylee Moore Case



Trisha Moore, age 22, brought her 4-year-old daughter, Kaylee, to the emergency room with burns on her legs. When hospital staff asked about how the burns occurred, Trisha just shook her head and would not answer any questions. Dr. Kate Mossman examined Kaylee and determined that the child had third-degree burns on her legs. After running a toxicology screen, the doctor concluded that Kaylee had been exposed to chemicals used to manufacture methamphetamine. When the doctor asked Kaylee how she got burned, she said that her house caught on fire again. She said her mother and her mom's boyfriend were cooking their medicine and it caught on fire.

Hospital staff called the county sheriff. Given the nature of the child's injuries, the sheriff determined he had probable cause to search Trisha Moore's car. Upon finding drugs, he arrested her.

The social worker at the hospital alerted Child Protective Services (CPS). CPS assigned Wilma Bailey to the case, and she went to the hospital to meet the child and Dr. Mossman. The doctor told Wilma that Kaylee would need to stay in the hospital a few more days but could then be released to a foster family. She would need some follow-up care, but the burns would heal.

Ms. Bailey discovered that Kaylee might be an Indian child as defined by the Indian Child Welfare Act (ICWA) and that her tribe (through her father) might be the Big River Nation. Wilma attempted to contact the tribal representative to notify the tribe that she was filing a petition for custody of Kaylee.

*Children who are around areas used as methamphetamine labs get exposed to highly toxic chemicals. According to a policy brief by Carneval Associates, 60% of children removed from lab sites in 2003 had methamphetamine in their systems.*



## LEARN MORE!

The Kaylee Moore case demonstrates how the Indian Child Welfare Act (ICWA) is applied to a case involving an Indian child. In preparation for working with this case throughout Chapters 8 and 9, please familiarize yourself with the text of this law, which appears in the Chapter 8 Resource Materials.

Ms. Bailey filed the necessary documents for an emergency custody hearing. She looked for a Native foster family for Kaylee to attempt to comply with the placement preferences of ICWA until a relative placement could be located. No Native foster homes were available, so she contacted a non-Native foster family and asked them to prepare.

## Activity 8A: CASA/GAL Volunteer Appointment & Court Forms

**Part 1:** Each local program has its own protocol for assigning cases. Listen as the facilitator shares information about volunteer appointment.

**Part 2:** The first information that you will receive when assigned to a case may include various forms and documents involved in a case. State and local laws and procedures dictate what forms are used. The facilitator will share copies of actual court forms used in your jurisdiction. On the following pages, there is space to fill in information about various court forms. The facilitator either will present this information and ask you to record it in your manual or will provide a handout with this information.

## How a CASA/GAL Volunteer Is Appointed to a Case

### THE PETITION

In my jurisdiction, this is called \_\_\_\_\_

It is prepared or submitted by \_\_\_\_\_

The information I will gain from it is \_\_\_\_\_

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### THE AFFIDAVIT

In my jurisdiction, this is called \_\_\_\_\_

It is prepared or submitted by \_\_\_\_\_

The information I will gain from it is \_\_\_\_\_

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### THE ORDER FOR EMERGENCY CUSTODY

In my jurisdiction, this is called \_\_\_\_\_

It is prepared or submitted by \_\_\_\_\_

The information I will gain from it is \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### THE SUMMONS (OR NOTICE)

In my jurisdiction, this is called \_\_\_\_\_

It is prepared or submitted by \_\_\_\_\_

It is important because \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### THE NOTICE TO THE TRIBE

In my jurisdiction, this is called \_\_\_\_\_

It is prepared or submitted by \_\_\_\_\_

It is important because \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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## THE ORDER FROM THE FIRST COURT APPEARANCE

In my jurisdiction, this is called \_\_\_\_\_

It is important because \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## THE ORDER TO APPOINT THE CASA/GAL VOLUNTEER

In my jurisdiction, this is called \_\_\_\_\_

It is prepared or submitted by \_\_\_\_\_

I will use this to \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## OTHER FORMS USED IN MY AREA

Name \_\_\_\_\_

Content \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name \_\_\_\_\_

Content \_\_\_\_\_

\_\_\_\_\_

 **LEARN MORE!**

Check out the Master Checklists from *Resource Guidelines—Improving Court Practice in Child Abuse and Neglect Cases* in the Chapter 8 Resource Materials. This information, created by the National Council of Juvenile and Family Court Judges, sets out best practices for each court hearing, such as who should attend and key decisions that should be made. Because the Master Checklists are written for a national audience, names of hearings may not apply in your jurisdiction. However, the checklists provide an overview of how cases progress through the court system.

**Activity 8B: Court Hearings**

Listen as the facilitator shares information about the court hearing process in your jurisdiction. Use the Hearing Date Checklist on the next page to record the name and time requirements for each type of hearing.



## Hearing Date Checklist

<b>Case Name:</b>		Kaylee Moore
<b>File #:</b>		
EVENT	Name in My Jurisdiction	Timing in My Area
Removal from Home		Occurred Today: _____
Emergency Custody Hearing		
Continued Custody Hearings		
Adjudication Hearing		
Disposition Hearing		
First Review		
Second Review		
Third Review		
Permanency Hearing		
Second Permanency Review		
Termination of Parental Rights (TPR) Hearing		
Post-TPR Hearing		
Review of Placement Plan		

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## Planning the Investigation & Gathering Information

Each case is unique and unfolds in its own way, requiring different information in order to meet the needs of a particular child. Your work as a CASA/GAL volunteer—conducting interviews, gathering facts, writing reports, testifying in court, advocating for the child, monitoring the case—has a significant impact on the case outcome. Each piece of the work is important. Throughout Chapters 8 and 9, you will see how each aspect will help you fulfill the mission of finding a safe, permanent home for the child, respecting the child’s sense of time.

### Activity 8C: Planning Your Investigation

Assume you are the CASA/GAL volunteer on the Kaylee Moore case. You were assigned just after the emergency custody hearing and are preparing for the adjudication hearing.

**Part 1:** In pairs, create an initial investigation plan for the Kaylee Moore case. Fill in the Initial Investigation Plan worksheet, which appears on the next page, using the knowledge you have so far about the case and the material in the Sources of Information chart, which follows the Initial Investigation Plan worksheet. Remember that the sources of information on a case may include both people and documents.

In the first column of the Initial Investigation Plan worksheet, list the questions you want answered during your investigation. Then, brainstorm all possible sources that might be able to answer your questions and write those sources in the second column. In the third column, prioritize the questions based on what you think you need to know first.

**Part 2:** In the large group, share the question that is your first priority and potential sources of information to answer it.

**Part 3:** On the index cards the facilitator provides, list the information sources from your investigation plan (both people and other sources) that you do not know how to access. Hand in your cards. During the unit on community resources in Chapter 9, the facilitator will describe how you can access each source in your community.

# Initial Investigation Plan

*This worksheet is a helpful tool for creating your investigation plan. Remember, the plan for your investigation will be different in each case because each child's situation is unique. A copy of this worksheet appears in the Chapter 8 Resource Materials. You may want to print it out for future use.*

<b>Date of Next Court Hearing:</b>		
<b>Type/Purpose of Hearing:</b>		
<b>Court Report Is Due:</b>		
Questions I Would Like Answered	Possible Sources of Information	Priority #
A.		
B.		
C.		
D.		
E.		
F.		
G.		
H.		
I.		
J.		

## Sources of Information

## CHILD

**Child Interviews**

*(Please note that it is not your role as a CASA/GAL volunteer to interview a child about the allegations; many of the children have been interviewed many times and additional interviews may be harmful to the child and to any potential criminal prosecution.)*

**Type of Information/Assistance**

If the child is verbal:

- History of the family situation
- Information about relationships (parents, families, foster families)
- Wishes and desires for the future
- Challenges or areas in need of help
- Likes/dislikes
- Information regarding visits with parents, siblings, other family
- Other: \_\_\_\_\_

**Best way to contact source:**

**Child Observations**

*(Visits with parents, visits with siblings, child in current setting, child at school or daycare, etc.)*

**Type of Information/Assistance**

- Affect
- Moods, mood changes
- Developmental stages
- Verbal ability
- Relationships, interactions with others
- Intellectual ability
- Other: \_\_\_\_\_

**Best way to arrange observation:**

## PARENTS &amp; FAMILY

**Parents**

*(When parents are represented by an attorney, follow program protocol before speaking with the parents.)*

**Type of Information/Assistance**

- Their version of the events stated on the petition
- Omissions or extenuating circumstances they feel are important
- Their child's developmental milestones, joys, fears, etc.
- Specific information about the child's behavior related to:
  - Visitations with parents and siblings
  - Adjustments in school
  - Behavior problems and strengths
  - Medical concerns
- Adjustment to separation/loss
- Their background
- Other: \_\_\_\_\_

**Best way to contact source:**

**Family****Type of Information/Assistance**

- What they've seen happening as it relates to the life of the child
- Potential resources for the child and family
- Other: \_\_\_\_\_

**Best way to contact source:**

UNIT  
1UNIT  
2UNIT  
3UNIT  
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## Sources of Information (cont.)

8

CHAPTER

TRIBE	
<p><i>(Applies only if you are working with an Indian child as defined by the Indian Child Welfare Act.)</i></p>	
<p><b>Type of Information/Assistance</b></p> <ul style="list-style-type: none"> <li>• Potential service resources</li> <li>• Tribal enrollment issues</li> <li>• Potential transfer of jurisdiction</li> <li>• Information regarding whether anyone is going to appear in court for the tribe and whether the tribe is going to formally intervene, send a representative, or make a written recommendation; information regarding recommendations</li> <li>• Potential cultural responses to the current family problem</li> <li>• Extended family or members of the tribe who may be a potential placement alternative for the Indian child</li> <li>• Other: _____</li> </ul> <p><b>Best way to contact source:</b></p>	
PROFESSIONALS	
<p style="text-align: center;"><b>Child Protection Agency Caseworkers</b></p> <p><b>Type of Information/Assistance</b></p> <ul style="list-style-type: none"> <li>• Where the child is placed</li> <li>• Documentation, case record</li> <li>• Case plan within 30 days of placement</li> <li>• Names, addresses, and phone numbers of other principals in the case</li> <li>• Contact information (e.g., for foster parents, parents, etc.)</li> <li>• Response to your observations</li> <li>• Community or educational resources</li> <li>• Progress of case plan</li> <li>• Safety issues, if any</li> <li>• Medical status of child</li> <li>• Educational status of child</li> <li>• Anything else the CASA/GAL volunteer should know</li> <li>• Other: _____</li> </ul> <p><b>Best way to contact source:</b></p>	<p style="text-align: center;"><b>Child's Teacher or Childcare Provider</b></p> <p><b>Type of Information/Assistance</b></p> <ul style="list-style-type: none"> <li>• Child's behavior at school</li> <li>• Educational problems or delays, strengths</li> <li>• Changes in behavior</li> <li>• Child's appearance</li> <li>• Peer relationships</li> <li>• Grades</li> <li>• Parental involvement</li> <li>• Likes/dislikes</li> <li>• Attendance prior to/post removal</li> <li>• School nurse reports</li> <li>• School counselor reports</li> <li>• Other: _____</li> </ul> <p><b>Best way to contact source:</b></p>
<p style="text-align: center;"><b>Legal Personnel</b></p> <p><b>Type of Information/Assistance</b></p> <ul style="list-style-type: none"> <li>• Criminal records, other court records</li> <li>• Other: _____</li> </ul> <p>• <b>Best way to contact source:</b></p>	<p style="text-align: center;"><b>Child Protection Agency Attorney/Prosecutor</b></p> <p><b>Type of Information/Assistance</b></p> <ul style="list-style-type: none"> <li>• Progress report</li> <li>• Other: _____</li> </ul> <p><b>Best way to contact source:</b></p>

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## Sources of Information (cont.)

## PROFESSIONALS (cont.)

UNIT  
1**Attorney for the CASA/GAL Program  
or for the Child***(If there is one appointed)***Type of Information/Assistance**

- Assistance with the legalities of the case
- Assistance with complex legal situations particular to the case
- Assistance in negotiating settlements in preparation for trial
- Filing of legal documents
- Subpoenas of witnesses
- Other: \_\_\_\_\_

**Best way to contact source:**UNIT  
2UNIT  
3UNIT  
4**Attorneys for the Parents***(If the CASA/GAL program is represented by counsel, the attorney should follow program protocol regarding contacting other attorneys on a case.)***Type of Information/Assistance**

- Arrangements to talk to his/her clients
- Anything the volunteer should know about the client
- Other: \_\_\_\_\_

**Best way to contact source:****Medical Personnel****Type of Information/Assistance**

- Child's medical condition as related to the abuse and/or neglect
- Past medical history, medical records
- Follow-up services that may be required to address medical conditions resulting from abuse and/or neglect
- A particular medical condition that should come to the attention of the caseworker, foster parents, courts, etc.
- Contact with parent(s), if any
- Other: \_\_\_\_\_

**Best way to contact source:****Psychological/Psychiatric Professionals****Type of Information/Assistance**

- Nature of referral information they received
- How they came to a particular conclusion
- What the diagnosis means in practical terms and how progress is measured
- Discrepancies in opinion
- Possible counseling or therapeutic models being recommended for the child, parents, family, etc.
- Other: \_\_\_\_\_

**Best way to contact source:****Foster Parents & Independent Living Coordinators****Type of Information/Assistance**

- Specific information about the child's daily life and about the child's behavior related to:
  - Visits with parents and siblings
  - Adjustments in school
  - Behavior problems and strengths
  - Medical concerns
  - Contacts made by parents through letters, phone calls, etc.
  - Child's daily functioning
  - Adjustment to separation/loss
- Other: \_\_\_\_\_

**Best way to contact source:**

### **Activity 8D: Note Taking**

Read the information below about note taking. The facilitator will tell you if guidelines differ in your jurisdiction.

In the large group, answer the following question:

- Why do you need each piece of information?

## ***Keys to Good Note Taking***

As a CASA/GAL volunteer, you will gather information from many different sources during the course of your investigation and monitoring of a case. People and their stories run together. Facts can become cloudy, especially if the case is not heard in court immediately. It is vital that you keep accurate and thorough notes about the date and content of each case contact, whether it is a planned interview, an impromptu visit to a school, a phone call, or a review of a record. Following are important elements to include in your notes about each case contact:

- Person contacted
- Type of contact (telephone call, email, in-person conversation, review of record, etc.)
- Date and time
- Place (parent's home, job, jail, etc.)
- Factual observations
- Feelings expressed by those interviewed
- Facts gathered
- Summary of what happened
- Your plan of action
- Other person's plan of action
- Decisions

Ultimately, you will use your notes about information you gather to formulate recommendations regarding the child's best interest. Your written court report and testimony are the vehicles by which these recommendations are presented to the court. Clear, fact-based reports and recommendations will enhance the judge's ability to make good decisions about the child you represent.

## A Successful CASA/GAL Volunteer Interview

### Activity 8E: Interviewing Skills

Watch the role-play of a CASA/GAL volunteer conducting an interview with a parent. In the large group, discuss what the volunteer did well and what the volunteer could improve.

### Activity 8F: Interview Stages

Listen as the facilitator presents the interview stages that National CASA suggests you use when planning and conducting your interviews. Share your questions in the large group.

## *The Four Stages of Interviewing*

### GREETING

- Identify yourself and clarify or confirm the role of the CASA/GAL volunteer.
- Create a cooperative, respectful, and professional climate.
- Have your goals clearly in mind.

### OPENING

In the opening, you provide the interviewee with a clear understanding of what to expect and set the context for the interview:

- Explain the reason for the interview.
- Agree with the interviewee how much time will be allotted to the interview.
- Summarize what you hope to learn during the interview.

### BODY

In this stage, you explore for information and responses related to your goal for the interview. The interview develops through dialogue and questioning:

- Begin with broad, general, open-ended questions to facilitate participation and responses. An example of an open-ended question would be, “How would you describe your family?” or “Tell me about the day your children were taken into care.” Such questions don’t have a right or wrong answer and encourage open sharing of information—perhaps very different information than the interviewer anticipates.
- Move to more specific, closed questions to sort and refine information and zero in on a topic. An example of a closed question would be, “Is your aunt still living nearby?” or “When was the last time you saw your child?”



### LEARN MORE!

Check out the article “Culturally Sensitive Interviewing with Native Children” in the Chapter 8 Resource Materials.



- Avoid “why” questions, which tend to sound judgmental.
- Ask questions even if you think you know the answer. People’s responses may confirm what you already know or may reveal a different perspective.

## CLOSING

- Recap information learned and review any agreements you have made with the interviewee.
- Let them know if and when they may expect to hear from you again, when requested.

### Activity 8G: Preparing Your Questions

As a CASA/GAL volunteer, you make initial contacts with the child, the parents, and the foster parents—in whatever order is most relevant to the case. In almost every case, the child protection agency caseworker will be one of the first people you interview. You will also often include the child’s teacher or childcare provider and the child’s therapist (although this resource may not be part of your initial plan if the child has not been in therapy prior to coming into care). In cases involving an Indian child, you will also interview the tribal representative. Each of these people may be an information source for more than one question. In planning your interviews, it is helpful to write down your questions so that you cover all of the topics that seem important for your investigation.

In trios, plan a 5-minute interview with each of the following people in the Kaylee Moore case: Wilma Bailey, the CPS caseworker; Trisha Moore, the mother; and Kaylee Moore. Using the worksheets that follow, brainstorm questions for each of these interviews. Keep in mind the interviewing stages that appear above. Be sure to address everything you hope each person can answer for you.

## INTERVIEW TIPS

When planning an interview . . .

- Remember the age, maturity, and/or intellectual level of the person being interviewed
- Use language that is clear and nonjudgmental
- Avoid asking leading questions (e.g., “You wouldn’t leave your child alone, would you?”)

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# Interview Questions

Person to be interviewed: **Wilma Bailey, CPS caseworker**

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## Interview Questions

8

CHAPTER

Person to be interviewed: **Trisha Moore, mother**

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# Interview Questions

Person to be interviewed: **Kaylee Moore**

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## Activity 8H: Practice Interviews

**Part 1:** In the same trios from the previous activity, role-play each of the five-minute interviews that you planned—with Wilma Bailey, Trisha Moore, and Kaylee. Rotate roles so that each member of your trio takes a turn as the interviewer, the interviewee, and the observer. When it is your turn to conduct an interview, take notes about the information you learn.

**Part 2:** Still in your trios, use the questions below to evaluate and discuss the practice interviews.

As the interviewer:

- What did you learn from the interview you conducted?
- What other information do you think the interviewee could have given you?
- What leads did you get that you need to follow up on?

As the interviewee and the observer:

- What did the interviewer do well?
- What other relevant questions could the interviewer have asked?
- What suggestions for change do you have for the interviewer?

## Investigating a Case

### Activity 8I: Completing the Investigation for the Kaylee Moore Case

**Part 1:** The following pages contain excerpts from the CASA/GAL volunteer's notes from the Kaylee Moore case and a summary of additional case events. Read the following pages, noting in the margin your thoughts about the question below. You will ask yourself this question over and over as you advocate for a permanent plan for each child.

- Do you need additional information before you can make fact-based recommendations about what is in Kaylee's best interest at this time?

In the large group, share a sample of your responses and any questions you have.

### ***CASA/GAL Volunteer Notes***

Dates are not included in these notes because timelines differ by jurisdiction. The facilitator will give you a rough idea of a timeline for similar cases in your area.

#### **DISCOVERABILITY OF NOTES**

In some jurisdictions, you should not keep "process" notes in the file in case the file is ever subpoenaed to court. Instead, these notes should be used for designing interviews or creating other plans and then should be destroyed. When destroying any records regarding the case, it is important to guard the confidentiality of the material by shredding paper documents. The volunteer's "process" notes are included here to illustrate the planning process that you should use to determine the next steps. These notes appear in italics so you can identify which notes would not be kept as part of the case file.

#### **CALL FROM CASA/GAL PROGRAM ADMINISTRATOR**

At an emergency custody hearing, the CASA/GAL program received a referral regarding a 4-year-old female named Kaylee Moore. The child's mother, Trisha Moore, had taken her to the ER with severe burns on both legs. A toxicology screen at the ER revealed that Kaylee had been exposed to chemicals used to manufacture methamphetamine. The child is currently in the hospital for a few days. Mother was arrested for drug possession. Father hasn't been located.

According to CASA/GAL program administrator, CPS caseworker Wilma Bailey informed the court that the father is Jimmy Hansen, a member of the Big River Nation. She has contacted the tribal council about Kaylee's case. Ms. Bailey also informed the court that she ran a criminal background check on both parents. The mother, Trisha Moore, has one prior arrest for drug possession; the father has three priors, for driving under the influence, for operating a vehicle without a license, and for resisting arrest.

The judge at the hearing ruled that there was sufficient reason to remove the child from the care of her mother and set a hearing date for further review of the case. She ordered that a CASA/GAL volunteer be appointed.

### VISIT TO CASA/GAL PROGRAM OFFICE

Picked up the petition, affidavit, and order assigning me to the case from the CASA/GAL program office. Learned that the adjudication hearing will be on \_\_\_\_\_ ( \_\_\_\_ days from now) and my court report will be due to the CASA/GAL office on \_\_\_\_\_.

UNIT  
1

### MEETING WITH CPS CASEWORKER WILMA BAILEY

Spoke with Wilma Bailey of CPS regarding the emergency hearing. She confirmed that she'd been present at the hearing, along with Monica Bloom, the CPS attorney. Judge Josephina Gonzales had presided.

UNIT  
2

CPS has taken Kaylee into custody. She is currently in a non-Native foster home. Trisha Moore has been charged with possession of drugs with the intent to sell, manufacturing an illegal substance, and criminal damage. Learned that the next county over had a file on Kaylee Moore, but they closed it after six months because they could not locate the family.

UNIT  
3

### VISIT WITH KAYLEE MOORE

Met with Kaylee at the home of Michele Davis, the foster mother. Michele reported that Kaylee hoards food and doesn't know how to brush her teeth or hold a fork or spoon. She prefers to sleep in the corner on the floor of her room, rather than in her bed.

UNIT  
4

When I first met Kaylee, she asked if I was going to make her leave. I explained why I was there and asked if she would like to read a book. Kaylee said she couldn't read but she liked to be read to; she said her aunt Jean used to read to her. I asked Kaylee where her aunt Jean lived, and she said, "Near where my grandma used to live." Kaylee indicated that she hadn't seen her grandma for a long time—not since her mom had a new boyfriend. She said she loved her grandma and missed her.

### MEETING WITH TRISHA MOORE, MOTHER

Met with mother at the jail. She said she didn't know how Kaylee got burns on her legs. She also said she didn't know where the father was. She did confirm that Kaylee has an aunt and a grandma, Lucille—the sister and mother, respectively, of Jimmy Hansen, Kaylee's father. Trisha reported being estranged from her adoptive parents. Trisha has Native American background, but does not know her biological parents. Overall she was jumpy and upset that Kaylee had been taken from her.

### NOTES—SOME QUESTIONS THAT I THINK NEED TO BE ANSWERED

- *Where is father? Is he a viable placement option?*
- *Are either the aunt or the grandmother placement options? Do they want to be in the child's life? How long has it been since they have seen Kaylee? Have they made efforts to stay in touch with her?*
- *What is mother's relationship with Kaylee's aunt and grandmother?*

- Does Kaylee have a developmental delay? If so, what are the resources available?

### EMAIL EXCHANGE WITH WILMA BAILEY

Asked Ms. Bailey if she knew about aunt and grandmother. She knew about Jean, but not Lucille. Learned that Jimmy Hansen, father, is living with his sister Jean and her husband and children. Ms. Bailey will call Mary Johnson, Big River Nation's ICWA worker, and ask her about doing home studies on both aunt and grandmother.

Reported foster mother's concerns to Ms. Bailey and suggested that an evaluation be done on Kaylee.

### CALL TO MARY JOHNSON, BIG RIVER NATION ICWA WORKER

Learned that tribal council has approved the initiation of home studies on Jean Hansen and Lucille Hansen. Ms. Johnson reported that Jean Hansen lives with her husband, their four children, and Jean's brother, Jimmy (Kaylee's father). Lucille Hansen lives alone. She is involved in native language preservation efforts and is a respected member of the community. Ms. Johnson gave me contact information for the aunt and grandma.

### CALL TO LUCILLE HANSEN, GRANDMOTHER

Set up time to meet with Ms. Hansen.

### VISIT WITH LUCILLE HANSEN, GRANDMOTHER

Met with Lucille Hansen at her home on the Big River Reservation. She said she was happy to be contacted about Kaylee. She hasn't seen the child in a year and a half, since Trisha started seeing a new boyfriend. (*I believe this is the same one with whom she was allegedly manufacturing meth.*) Ms. Hansen said that she and Trisha had been somewhat close, even after Jimmy and Trisha were no longer together. Ms. Hansen had been worried about Trisha and the baby because she knew Trisha's parents had kicked her out when they found out she was pregnant. Ms. Hansen reported that Jimmy has had trouble with alcohol since he was a teenager. She said that Trisha drank too, but had tried to clean up when she found out she was going to have a baby. Jimmy hadn't, and Ms. Hansen said he pretty much disappeared. He'd never been involved in Kaylee's life. Ms. Hansen said she had encouraged Trisha to find out more about her biological family to see if they could offer some support. Trisha had started to look into it, but then met the boyfriend and got involved in drugs again.

Ms. Hansen asked many questions about Kaylee, her injuries, and how she was doing in the foster home. Because she is not a party to the case, I could not answer her questions other than to say that Kaylee was doing fine. I referred her to the CPS caseworker. When I asked if she would consider providing a home for Kaylee, she immediately said yes.

### CALL TO SHEILA SIMS

Talked to Ms. Sims, who has been assigned to do a developmental assessment of Kaylee Moore for CPS. She agreed to forward a copy of



her report to me when it is finalized but doubts the written report will be ready before the adjudication hearing. If she finds Kaylee to be developmentally delayed, she may recommend occupational therapy. And since emotional trauma may be a factor in Kaylee's behavior, Ms. Sims may also recommend individual mental health counseling.

#### **PLAN—SOME NEXT STEPS**

- *Talk to aunt and biological father.*
- *Talk to CPS caseworker about the developmental assessment. Find out when Kaylee's medical exam will occur.*
- *Explore treatment resources for both parents.*

#### **NOTES—QUESTIONS I WOULD LIKE TO ASK THE CHILD**

*None about the actual burns [CASA/GAL volunteers do not reinterview a child, especially when there are criminal charges that might mean there are already many interviews and interviewers]. I would like to observe her with her mother and (separately) with her grandmother to see how she interacts with them. I want to ask her where and with whom she would like to live.*

#### **VISIT WITH JIMMY HANSEN & JEAN HANSEN**

Visited Kaylee's biological father, Jimmy, and her aunt, Jean, together at Jean's home. Jimmy said that he thinks his mother, Lucille, would provide a good home for Kaylee. He would like visitation to get to know Kaylee. Jean Hansen said she is willing to provide a home for Kaylee but would like to be the last resort because she already has four children to care for. Jean supports placement with Lucille.

#### **CALL TO WILMA BAILEY**

Ms. Bailey reported that both parents have signed the CPS case plan. She gave me a brief summary over the phone: Jimmy Hansen agrees to get substance abuse treatment, stay sober, find employment, provide child support, and attend parenting classes. CPS has made referrals and has set up intake appointments. I asked if Jimmy has any means of transportation. Ms. Bailey said she would check into it; if not, CPS will arrange for a cab to get him to intakes. Trisha Moore agrees to get substance abuse treatment, stay sober, and have no contact with her boyfriend. Ms. Bailey is looking into treatment options for Trisha.

#### **SUMMARY OF ADDITIONAL CASE EVENTS**

At the adjudication hearing, the court did the following:

- Found Kaylee to be an abused child
- Found that continued custody of the child by the parent was likely to result in serious emotional or physical damage to the child
- Found that there was good cause to deviate from ICWA placement preferences because no Native placement was available and relative home study is scheduled
- Granted weekly supervised visitation for Jimmy Hansen

UNIT  
1UNIT  
2UNIT  
3UNIT  
4

- Ordered weekly phone contact and monthly supervised visitation for Trisha Moore until she is released from jail, and weekly supervised visitation thereafter
- Found that active efforts are being made to provide remedial services and rehabilitative programs designed to prevent the breakup of an Indian family
- Ordered a psychological evaluation for Jimmy Hansen
- Approved the case plan
- Approved the initial case plan goal of reuniting Kaylee with Trisha Moore, with a concurrent plan for Lucille Hansen to provide long-term guardianship
- Ordered that Kaylee be placed with Lucille Hansen (contingent upon a favorable home study) and that Ms. Hansen act as Kaylee's educational decision maker
- Ordered that Kaylee receive any services indicated in her developmental assessment, including, but not limited to, occupational therapy and individual counseling
- Ordered that Trisha Moore and Jimmy Hansen have access to Kaylee's educational records and school activities

The police found Trisha Moore's boyfriend, who was the primary offender in their drug manufacturing incidents. The state plans to reduce Trisha's drug manufacturing charges to the lesser charge of drug possession. The criminal prosecutor says that the hearing should occur within the next month. She expects that Trisha will be ordered to get treatment but will most likely end up on the waiting list. She may have to attend treatment in jail because there are no beds available elsewhere.

### **Activity 8I: Completing the Investigation for the Kaylee Moore Case**

**Part 2:** Pair up with the same partner you had in Activity 8C, when you created an initial investigation plan for the Kaylee Moore case. Look back at your plan and identify any questions that have not yet been answered. What additional questions do you have?

**Part 3:** Listen as the facilitator gives an overview of the CASA/GAL Volunteer Responsibilities Checklist that follows. Put a check mark in the appropriate column to indicate items that have been completed in the Kaylee Moore case and those that are in process.

In the large group, answer the following questions:

- What are the next four activities on the CASA/GAL Volunteer Responsibilities Checklist you think the CASA/GAL volunteer on the case should undertake?
- How should the volunteer go about completing each of these four activities?

## CASA/GAL Volunteer Responsibilities Checklist

*Review this list periodically while investigating and monitoring a case to ensure that your representation of the child is thorough and focused on the needs of the child.*

In Progress	Completed		
<input type="checkbox"/>	<input type="checkbox"/>	1.	Review the petition with CASA/GAL program staff. Request copies of any hospital records, police reports, photos, protective services investigations, or other documentation. Carefully review all CPS records—be sure to ask for past or closed records.
<input type="checkbox"/>	<input type="checkbox"/>	2.	Meet with the CPS caseworker and carefully review all CPS records—be sure to ask for past or closed records.
<input type="checkbox"/>	<input type="checkbox"/>	3.	Meet with the child at least once per month—no matter how old or young—to determine how the child feels about what is going on in his/her life, in order to determine best interest and whether the child can and should be in the courtroom.
<input type="checkbox"/>	<input type="checkbox"/>	4.	Meet with the parents—get permission from each parent’s attorney if they are represented. If the CASA/GAL program is represented by an attorney, the parents’ attorney(s) should be contacted by the attorney for the CASA/GAL program.
<input type="checkbox"/>	<input type="checkbox"/>	5.	If there is a nonrespondent parent or custodian (i.e., a parent or custodian not involved in the court case), talk with that person.
<input type="checkbox"/>	<input type="checkbox"/>	6.	Meet with the teacher, daycare worker, babysitter, or any person who has had substantial contact with the child on a frequent basis.
<input type="checkbox"/>	<input type="checkbox"/>	7.	Appear at all hearings.
<input type="checkbox"/>	<input type="checkbox"/>	8.	If there has been no physical examination of the child by a physician, and one is warranted, request one.
<input type="checkbox"/>	<input type="checkbox"/>	9.	If there has been no psychological evaluation of the child or the parents, and one is warranted, request one.
<input type="checkbox"/>	<input type="checkbox"/>	10.	Attend all staffings (e.g., meetings about the situation at school, Child Protective Services, mental health center) related to the child.
<input type="checkbox"/>	<input type="checkbox"/>	11.	Talk with psychologists and medical caregivers involved with the child and obtain their written reports.
<input type="checkbox"/>	<input type="checkbox"/>	12.	Determine what, if any, special problems or unmet needs the child has (e.g., counseling, a special school program, transportation, after-school care, medical treatment, etc.).
<input type="checkbox"/>	<input type="checkbox"/>	13.	Assist in developing resources for the child that meet his/her needs, and contact appropriate agencies or persons. This might be for special educational needs (e.g., tutoring), social needs (e.g., a mentor, a sports team, or a scouting opportunity), placement needs (e.g., contacting a relative), medical or psychological treatment needs, or resources for any other identified need.
<input type="checkbox"/>	<input type="checkbox"/>	14.	Meet with the attorney for the program/child to discuss the facts, evidence, and witnesses needed for the hearing; to discuss your recommendations for the disposition; and to learn whether or not the child will be present in the courtroom either as a witness or to observe the proceedings.
<input type="checkbox"/>	<input type="checkbox"/>	15.	Draft and review written recommendations for court with the attorney for the program/child.

UNIT  
1

UNIT  
2

UNIT  
3

UNIT  
4

## CASA/GAL Volunteer Responsibilities Checklist (cont.)

	In Progress	Completed		
UNIT 1	<input type="checkbox"/>	<input type="checkbox"/>	16.	Work with the attorney for the program/child in exploring an agreement that parties can present to the court.
UNIT 2	<input type="checkbox"/>	<input type="checkbox"/>	17.	If necessary, prepare the child for court hearings and for testimony; appear on behalf of the child; and assist the attorney for the program/child in presenting evidence on behalf of the child, including child support, visitation, and medical or psychological treatment.
UNIT 3	<input type="checkbox"/>	<input type="checkbox"/>	18.	Inform the child about the outcome of all court hearings and keep the child updated about other aspects of the case.
UNIT 4	<input type="checkbox"/>	<input type="checkbox"/>	19.	Continually monitor the case, repeating the above activities to ensure orders of the court are being followed by all parties and current needs of the child are being met. Make a determination as to whether the parents are correcting the situation that led to the petition and/or removal, simply "going through the motions," or ignoring the requirements for reunification.
	<input type="checkbox"/>	<input type="checkbox"/>	20.	Contact the attorney for the program/child if the child needs an early review.
	<input type="checkbox"/>	<input type="checkbox"/>	21.	Appear at all subsequent hearings.
	<input type="checkbox"/>	<input type="checkbox"/>	22.	Review the permanent plan to insure that it complies with ASFA guidelines and is in the best interest of the child.
	<input type="checkbox"/>	<input type="checkbox"/>	23.	Keep in touch with the CASA/GAL volunteer supervisor for guidance and support.
	<input type="checkbox"/>	<input type="checkbox"/>	24.	If parental rights have been terminated, review plans for permanent placement, requesting information and consulting with Child Protective Services so that appropriate placement occurs without delay.
	<input type="checkbox"/>	<input type="checkbox"/>	25.	If the child is an Indian child, make sure the tribe or Bureau of Indian Affairs has been notified of the case.
	<input type="checkbox"/>	<input type="checkbox"/>	26.	If the child is an Indian child, make sure the child's tribal enrollment rights are protected.
	<input type="checkbox"/>	<input type="checkbox"/>	27.	If the child is undocumented, consult your case supervisor.

## **Homework**

### **THE KAYLEE MOORE CASE**

Right before the next training session, review the material in Chapter 8 about the Kaylee Moore case. Many of the activities in Chapter 9 rely on knowledge about the case.

### **COMMUNITY RESOURCES**

**Reminder:** Earlier in training, you selected an agency to research. You will share the materials and information you've gathered during the next training session, when community resources will be introduced. If you are having any trouble collecting information, be sure to ask the facilitator for help.



