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Tribal Court CASA: A Guide to Program Development

by Heather E. Frey

The National Court Appointed Special Advocate Association (National CASA) began the Tribal Court CASA Project in 1994 to support programs in which volunteers act as advocates for abused or neglected American Indian and Alaska Native children. CASA volunteers are lay people assigned by judges to represent the best interests of children with cases before the court. National CASA administers two grants that support tribal court programs.

The National Grants Program, administered in partnership with the Office of Juvenile Justice and Delinquency Prevention (OJJDP), provides subgrants to help local communities develop and strengthen CASA programs nationwide. This grants program is funded under the Victims of Child Abuse Act (Public Law 101-647) and has been operating since 1993. Tribal communities are eligible to apply for these funds, and, in 2001, seven tribes received funding under the National Grants Program.

The CASA Program Development for Native American Tribal Courts provides funds to help tribal communities develop and strengthen Native American CASA programs. In 1995, the program's initial funding was supplied by the Office for Victims of Crime (OVC) and administered by OJJDP.

In 1995, the CASA Program Development for Native American Tribal Courts grant program gave funding to two tribal court CASA programs. Since that time, it has funded two to three tribal court CASA programs yearly, with three receiving funds in 2001. In August 2000, OVC began partnering directly with National CASA to administer this program.

Federally recognized American Indian tribes may also receive funding for Tribal Court CASA programs through OJJDP's Tribal Youth Program (TYP) to carry out the following TYP objectives:

- ◆ Reduce, control, and prevent crime and delinquency both by and against tribal youth.
- ◆ Provide interventions for court-involved tribal youth.
- ◆ Improve tribal juvenile justice systems.
- ◆ Provide prevention programs focusing on alcohol and drugs.

The Tribal Court CASA Project recognizes that although all tribal programs share some problems and challenges, each one must tailor its design to the community it serves. Therefore, the project offers guidance in program development and management instead of a rigid program design. In support of the project, National CASA offers training and technical assistance in partnership with the Tribal Law and Policy Institute. To assist communities in developing Tribal Court CASA programs, the partners published *Tribal Court CASA: A Guide to Program Development* (the *Guide*) in 2000. The *Guide*, which is designed to lead tribal communities through each step of planning and running a Tribal Court CASA program, provides overviews of CASA and Tribal Court CASA and includes sections on planning a quality program, working with volunteers, and managing the program. The *Guide* also includes an appendix with sample policies, forms, and other documents for use by Tribal Court CASA programs.

Planning a Quality Program

The first step in planning a Tribal Court CASA program in a community is assessing the community's problems with child abuse and neglect and its response to the problems, including how well the child welfare and judicial systems work together. The first section of the *Guide* provides both an assessment questionnaire to help a tribal community decide whether it would benefit from a Tribal Court CASA program and a list of questions to help determine whether a program has a realistic chance of success.

Once a community determines that a Tribal Court CASA program is both desirable and feasible, it needs to enlist appropriate volunteers, obtain the judicial support that is crucial to the program's success, and design the program. The *Guide* describes the major stages of the planning process and explains three possible administrative models for a Tribal Court CASA program (under a tribe, under another organization, or as an independent organization) and three functional models for CASA volunteers (guardian *ad litem*, friend of the court, and monitoring). The *Guide* also offers practical advice on funding (including fundraising and grantwriting tips), staffing, and establishing an office.

Working With Volunteers

Because volunteers make up the majority of a Tribal Court CASA program's staff, their selection, training, and management are essential to a program's success. The second section of the *Guide* offers step-by-step guidelines for recruiting volunteers from the tribal community, outlines the training process, and explains important aspects of managing and retaining volunteers.

The *Guide* explains how to determine the appropriate type and number of volunteers, create a recruitment plan, and screen applicants. A careful review of references and criminal records is especially important because CASA volunteers are involved in sensitive situations that affect children who have been abused or neglected. Samples of a reference questionnaire and an information release form appear in the appendix.

Managing the Program

Although Tribal Court CASA programs usually rely on the financial departments of participating tribes to manage their finances, program directors should understand the program's finances and develop a written financial policy. The *Guide*'s third section begins with a chapter on financial management, which offers basic guidance on setting up a financial system that complies with generally accepted accounting principles.

Risk management is an increasingly important concern for all volunteer organizations. The *Guide*'s next chapter describes the three categories of risk that generally apply to CASA programs: liability of the individual volunteer, liability of the organization to the volunteer, and liability of the organization because of the actions of volunteers. The chapter also discusses approaches to minimizing risk and considerations in purchasing liability insurance. A program cannot be established without a tribe's prior approval and support. Therefore, risk management should be established based on the guidelines set forth by the tribe.

The *Guide*'s final chapter explains the use of formal rules and procedures to support program operations. It recommends items to be included in a manual of policies and procedures, discusses confidentiality and personnel policies, and outlines procedures for handling complaints. The chapter also offers guidance on keeping case records and gathering statistical data.

For Further Information

More information about Tribal Court CASA is available online at www.casenet.org/program-services/tribal/. The *Guide* can be downloaded from the Web site.

For supporting materials that explain the history of CASA and its effect in tribal communities, including a free video on the development of Tribal Court CASA programs, and to order free printed copies of the *Guide*, contact:

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Information about the Tribal Youth CASA Project is also available from the Tribal Law and Policy Institute:

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The Office of Juvenile Justice and Delinquency Prevention is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance, the Bureau of Justice Statistics, the National Institute of Justice, and the Office for Victims of Crime.

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