

Beyond the Bench: 2019

Outline of Panel Presentation: CASAs , Dual and CSEC Youth

Goal:

Presentation of CASA and Court experience with Dual and CSEC youth, demonstrating that CASA advocacy and support is important to the rehabilitation and future functioning of youth involved with the juvenile justice system.

Objectives:

1. To familiarize the audience with the unique characteristics of youth in the Dual system and those on CSEC calendars and to illustrate how these youth present in court and to the CASA program.
2. To offer case examples of the role of CASAs with these youth;
3. To illustrate, through role playing by audience members, some of the unique relationship and evidentiary issues that work with this population presents for the Court and CASAs.

Presentations:

Carol:

1. 2016-WIC sec. 101 explicitly states that CASAs may advocate and support youth in the JJ system.
 - a. As a result, many judges have begun requesting CASAs for JJ youth, and many CASA programs are trying to accommodate those requests.
 - b. Data: Well over 70% of the youth on probation in the state have some prior familial contact with CPS; clear that kids in the JJ system have been exposed to chaos and trauma that has impacted their functioning. Like dependent youth, these youth can begin to overcome trauma and thrive with a supportive, trusting relationship with a CASA
2. However, as we hope our discussion will illustrate, many of the kids in the JJ system present unique emotional, social and legal

issues for the court and the CASA programs. Cannot just take a CASA from dependency and assign him or her to a JJ youth without special training and supervision.

3. We'll illustrate all this through a look at the CASA program's involvement with San Diego's Dual and CSEC calendars. Although other courts may not have these specialized calendars, what's important is to recognize the unique characteristics of these youth and that CASA advocacy and support is vital to their successful rehabilitation--- regardless of how these youth are handled on local calendars

Marian:

4. Unique issues presented by Dual and CSEC youth for the Juvenile Court.
 - a. Enter the system because of their own anti-social acts, not as a result of parental neglect or abuse;
 - b. Describe and discuss kids—homeless; isolates-families not equipped to handle; lack of placements; mental health problems; impulsive—angrier.
 - c. Do Dual and CSEC youth have needs different from each other and from other kids in JJ system?
 - i. Duals—abused and neglected and acting out--In some ways—worse off than dependent kids-(Duals =DQ+Dep.)
 - ii. CSEC-Nowhere to go when get out of court system-

5. Stephen:

- a. Do Dual and CSEC youth look any different to the CASA program than dependent kids? (Duals are more “system savvy;” “more hardened”);
- b. Require you to train and supervise CASAs any differently than is usual for the CASAs assigned to dependent children?
 - i. Briefly explain your CASA training program for JJ youth (teach about JJ process not dependency),but focus on these issues:

1. holding kids accountable for their own behavior, not their parents—CASA recognition of this;
 2. different role than in dependency—not investigating the case—in fact, should not do so;
 3. CASA apprehension about working with JJ kids—kids don't look good on paper—negative labels; “Don't judge the book by its cover.”
 4. Necessary to teach them about CSEC?
- ii. Working with Probation? (some “steamrolling”);

6. Marian:

- a. Briefly describe Dual and CSEC calendars—(mention the pre-court team meetings?)
- b. The value of CASAs on these calendars—Case Illustration, especially one where CASA's support was similar to dependency but different in terms of advocacy and issues dealt with.

7. Stephen

- a. Stephen and Marian share the case presentation demonstrating value of the CASA from the viewpoint of the Judge and the CASA.
- b. Emphasis on any differences in the role of the CASA from dependency.

8. Carol:

- a. CASAs cultivate a close, trusting relationship, but this comes with potential perils for the relationship and for JJ kids.
- b. Explain the evidentiary/legal issue if CASAs are privy to incriminating information from the youth. CASA's need to set boundaries early.
 - i. The CASA must explain to the youth reporting obligations both as a mandated child abuse reporter and the duty to

report to the court information about serious probation violations or new offenses.

- ii. Illustrate why this is with Court orders that require CASA to report information to the court—they are officers of the court.

- c. Invite comments from Marian

9. Marian:

- a. Comments on importance of judges asking the CASA “the right” questions—can avoid CASA having to be the “cop.”
 - 1. e.g., A CASA’s expressed concern about a particular area may be sufficient—Court may not need for all the details.

10. Carol:

Introduces role playing (Shawna case example—we can summarize the version I gave you) , illustrating the boundary/relationship issues that arise when CASAs work with JJ kids; suggestions for how to manage the relationship.