

The Effectiveness of Court Appointed Special Advocates to Assist in Permanency Planning

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ABSTRACT: The effectiveness of permanency planning, which refers to efforts to move children through the court system in a timely and efficient manner, was analyzed by comparing outcome measures from a group of children having a court appointed special advocate (CASA) ordered and assigned to their case, and from a group of children who had no CASA assigned to their case. It was found that those cases having CASA involvement had significantly fewer placements, tended to be more likely to achieve permanency, and spent less overall time under wardship of the court.

The Child Abuse Prevention and Treatment Act (Public Law 93-247, Public Law 100-294) establishes as a matter of public policy the representation of the interests of the child in judicial proceedings (Poertner & Press, 1990). Seattle, Washington initiated a program to ensure that the child's best interests could be consistently presented to the court (Regnery, 1985). Instead of using traditional "guardian ad litem," which are attorneys appointed by the courts to represent children, they began to use community volunteers to act in the child's best interests in court. By the end of that same year, the Children in Placement Committee of the National Council of Juvenile and Family Court Judges (NCJFCJ) decided to incorporate the idea of the Seattle program into one of its models. This committee then developed the term "Court Appointed Special Advocate (CASA)" to refer to these trained volunteers who served the court on behalf of the child (Regnery, 1985). The term "guardian ad litem" is now used to refer to attorneys or trained volunteers who advocate for children. The National

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CASA Association (1996) reported that currently more than 642 CASA programs exist in 50 states and in the District of Columbia and Virgin Islands. They also reported that there are 38,000 trained CASAs advocating for 129,000 children.

The national CASA association mandates that CASA programs be highly structured with written guidelines, training curriculum, and support and supervisory staff (CSR, Inc., 1991). All CASAs participate in training which typically lasts about 10–40 hours. Training sessions focus on child abuse, family dynamics, child rearing styles, juvenile justice legal procedures, and foster care placement (local resources). When training is completed the CASA volunteer is expected to be involved in four types of activities (Regnery, 1985). First the CASA volunteer is required to investigate thoroughly all facts of the case through personal interviews with the child and significant others, review of relevant records, and communication with agencies with which the child has had contact. Second, the CASA volunteer is to advocate for the child's best interests in court. Although the term "best interests" is rather ambiguous, the CASA typically advocates for what is believed to be in the child's best interest while taking into account the wishes of the child (Ray-Bettineski, 1978). Third, the CASA volunteer must ensure that the services offered to the child are fulfilled appropriately and in a timely manner. For example, if a child is referred for a special education program, the CASA would make sure that whoever is responsible does indeed get that child into special education. Fourth, the CASA should monitor court orders to ensure compliance by all involved parties and bring to the court's attention any changes in circumstances that may require modification of the court order.

The concept of permanency planning began in the 1970's after research findings revealed a "drift" of children in foster care (Fein & Maluccio, 1992). This drift refers to the situation where children remain in the system for an extended period of time, with no case plans for an eventual return to their families. The goal of permanency planning was to alleviate this "drift" and to maintain children in a permanent home, to avoid these harmful separations and indeterminate stays (Jennings, McDonald, & Henderson, 1996). Permanency planning has been stated simply to mean safely reducing entrances into foster care and expediting exits from foster care via reunification and adoption (Barth, Courtney, Berrick, & Albert, 1994). The permanency planning concept was solidified with the 1980 Adoption Assistance and Child Welfare Act (P.L. 96-272). This Act encouraged permanency

planning through such options as returning to the biological parents, adoption, or long term foster care. This Act also advanced the idea of services to prevent an initial unnecessary separation of children from their families (Maluccio, Fein, & Olmstead, 1986). Federal and state laws limit the amount of time a child should stay in foster care, but unfortunately thousands of children end up staying for a much longer amount of time (Reilly, Hardcastle, & Ley, in press).

One of the major goals of the CASA program is to advocate for permanency by attempting to limit the number of placements children are in, to assist in finding the most appropriate permanent and safe home for the children, and to move children through the system in a timely manner. To accomplish this goal CASA volunteers should be involved in a number of activities including: fact-finding, advocacy, facilitation/negotiation, and monitoring court orders (Regnery, 1985).

Evaluation Research on CASA. Most research examining the effectiveness of the CASA programs has indicated that the programs are effective in achieving permanency. For example, Leung (1996) found that CASA programs seemed to be effective in reducing the length of time children spend in out-of-home care. He also demonstrated that CASA intervention tended to minimize the number of placement changes, as well as having a higher percentage of children returned to the home. Also, Abramson (1991) found, with minority children, cases with a volunteer were more likely to have a permanency plan than cases without a volunteer. Finally, the U.S. Advisory Board on Child Abuse and Neglect (1994) reported that children assigned a CASA volunteer spent about 15 months in foster care, compared to the average 27 months.

However, there are a few notable negative findings about the effectiveness of CASA programs. For example, Smith (1992) found that children with CASA volunteers had significantly more foster homes and placements, and were in care longer before reaching permanency than children without a CASA volunteer. Also, Leung and Mastrini (1990), who evaluated a CASA program in Denver, Colorado, found there were no significant differences in time in out-of-home placements between cases assigned a CASA volunteer and cases where a CASA volunteer was not involved with a volunteer.

Present Study. The current research examined the Clark County CASA Program in Clark County, Nevada. Clark County includes the city of Las Vegas and the surrounding communities. The Clark County CASA Program began in 1980 and exists within the Juvenile Justice system. It is a private, non-profit agency serving over 1,200

children in 1993 with nine full-time staff members and over 160 CASA volunteers. The volunteers complete a 40 hour training course, which includes education in such areas as the juvenile court process, communication and information gathering, advocacy skills, and the dynamics of child abuse and neglect within the family. The primary goal of the present study was to determine whether the Clark County CASA program was meeting its permanency goal, i.e., reducing the length of time children spend under wardship of the court, reducing the number of placements children are in, and finding permanent homes for children.

Method

Sample

Data was obtained from 189 court cases in which a child became a ward of the court in Clark County in 1994. Sixty-eight of these children had a CASA ordered and later assigned to their case (CASA). One hundred and twenty-one of the children never had a CASA assigned to their case (NO CASA). All children were between the ages of zero and 18. Cases in which the child had been in care no less than three months were omitted from the case records review. Also omitted from the CASA group were any cases where a CASA was ordered, but was not assigned within three months.

Procedure

The study consisted of a review of case records. Most of the work in abstracting the cases, even when working from the narrative material kept on each case, did not require a judgment on the part of the abstractor. For the most part, reviewing the records was a clerical task that required transferring data from the case file to the abstracting form, rather than interpretation.

Measures. A case abstracting instrument was developed that enabled a coder to assess the case characteristics associated with the assignment of a CASA volunteer to a case and the permanency planning process. The measure consisted of a number of questions pertaining to individual case characteristics. The first several questions examined the age, gender, and ethnicity of the children. The next

questions asked for the date when the child became a ward of the court, if and when the case closed, and the total number of out-of-home placements a child had while in care. Then, whether there had been identification of a permanency plan and what type of permanency plans had been identified were recorded. The next several questions related to the status of achievement, date of achievement, and type of achieved permanency plan. Also three questions pertained to whether a CASA was ordered to the case, assigned to the case, as well as the dates of order and assignment.

If a CASA was assigned to the case, the abstractor continued to the next set of questions concerning the activities of the CASA. These included items dealing with the total number and types of contacts the CASA had made since assigned to the case. The number of contacts that a CASA makes is purported to measure the component of fact-finding.

The last set of questions concerned issues related to case severity. In the severity measure, the first two questions concerned the severity and history of the abuse or neglect. The next question related to the general level of stress that the family had experienced, for example financial or housing problems. Two questions then asked about a history of substance abuse and criminal activity within the natural family. The last few questions concerned the mental and physical health of the child, as well as a question concerning the child's use of substances.

Results

A set of analyses was conducted to ensure that the CASA and NO CASA groups were equivalent to one another. The two groups were compared on the variables of gender, ethnicity, and severity of the case. Gender was examined in a Chi Square analyses and the CASA group sampled was found to be 56% male and 44% female and the NO CASA group sampled was found to be 52% male and 48% female. No significant difference between the groups in the distribution of gender was found ($X^2 = 0.25, p = 0.61$). To examine ethnicity the sample was divided into four groups representing persons of European descent, African descent, Hispanic descent, and persons from other groups. Using a Chi Square analysis, the variable ethnicity was examined to determine whether there was a disproportionate representation within groups in terms of the race of the child. No significant

between groups differences were found ($p = 0.24$). To examine whether there were between groups differences in terms of case severity, an overall severity rating was calculated for each case. To determine the overall severity rating, the scores from the eight severity measures were summed to give one total severity rating per case. The mean severity rating for the CASA group was 4.16 and the mean severity rating for the NO CASA group was 4.25. When analyzed in a one-factor (CASA vs. NO CASA) Analysis of Variance (ANOVA), no significant between groups differences were found $F(1, 186) = 0.61$, $p = 0.61$.

Outcome Measures. One of the goals of the CASA program is to reduce the number of placements children experience while in the care of the courts. To examine whether the cases with CASA services would have fewer placements than those cases without CASA services, the number of placements were analyzed in a one factor (CASA vs. NO CASA group) ANOVA. As expected, those cases with CASA involvement were found to have significantly fewer placements ($M = 3.29$, $SD = 2.081$) compared to those cases without CASA involvement ($M = 4.55$, $SD = 4.84$), $F(1, 187) = 4.17$, $p = 0.04$.

Another goal of the CASA program is to reduce the length of time children spend in care before being permanently placed. To discover whether the cases with CASA services resulted in shorter durations, the cases that had achieved permanency ($n = 109$) were examined. The number of months to achieve permanency for each of these cases was subjected to a logarithmic transformation and analyzed in a one-factor (CASA vs NO CASA group) ANOVA.¹ As expected, those cases with CASA involvement were found to have a mean shorter length of time in care ($M = 31.32$ months) as compared to those cases without CASA involvement ($M = 39.68$ months), $F(1, 107) = 4.23$, $p = 0.04$.

Also, for those cases that had achieved permanency ($n = 109$), the types of outcomes achieved were examined. The most desirable outcome (depending on circumstances) is the reunification of the child with his/her parents (Kelly & Ramsey, 1985). When achieved outcomes were examined, it was found that those cases with CASA involvement were more likely to achieve the most favorable type of permanency, reunification. Of CASA cases that achieved permanency

¹Because time data are invariably skewed with some trials being very slow all analyzes of time data reported in this paper have been subjected to a logarithmic transformation (see Kirk (1986) and Smith and Lerner (1986) for discussions of response latency transformations). The means reported in the text have been presented in their original form.

29.41% were reunified, while only 19.84% of cases without CASA involvement that achieved permanency were reunified. This difference approached, but did not achieve, the .05 level of statistical significance ($X^2 = 2.24$, $p = 0.14$).

Overall, the CASA program has the goal of facilitating the achievement of permanency. When cases with CASA involvement were compared to cases without CASA involvement, as expected a greater percentage of those cases with CASA involvement achieved permanency (64.7%) than those cases without CASA involvement (53.3%). However, this difference only approached the level of statistical significance, $X^2 = 2.15$, $p = 0.14$.

Description of Activities Performed by CASAs. CASAs had an average of 96.91 total contacts per case. They had an average of 17.6 contacts with children, 12.78 contacts with natural parents, 16.10 contacts with foster parents or other caretakers, 13.75 contacts with caseworkers, 11.84 contacts with other system personnel, 11.91 general telephone contacts, and 3.85 other contacts. In addition, CASAs attended an average of 0.57 case staffings per case.

Conclusions

The results of the outcome measures indicated that cases with CASA involvement have fewer placements. This difference in number of placements was not only statistically significant but also has potential real world importance. That is, cases with CASA involvement resulted in approximately a third less placements. This finding of fewer placements is consistent with examinations of other CASA programs (Leung & Mastrini, 1990; Leung, 1996).

Also, CASA involvement was associated with both statistical significant and real world significant reductions in time children spent in care. It is quite remarkable that children without CASA involvement are spending an average of over eight months longer in care, compared to children having CASA involvement. However, it should be noted that federal and state laws limit the length of time abused or neglected children should be in care to between 12 and 18 months (Reilly et al., in press). Hence, while CASAs do appear to have had some positive impact in reducing length of time in care, there is still a lot of work to be done toward the goal of reaching these federal and state guidelines.

Finally, cases with CASA involvement tended to be more likely to

achieve permanency and to achieve the desirable permanence of reunification with parents, than cases without CASA involvement. Although the differences between CASA and NO CASA groups were large, approximately 11% more achieved permanency in the CASA group and 9% more unification with parents in the CASA group, the differences were not statistically significant. Perhaps the differences would have been more profound if the CASAs had always been involved with the cases since their early stages of development. That is, often the CASA services were ordered long after the child in question had been under wardship of the court (see Leung, 1996, for discussion of the value of early involvement of the CASA). Nevertheless the lack of statistical significance indicates the differences should be approached with caution.

The present study, beyond demonstrating the effectiveness of the Clark County CASAs program, has a number of implications for CASA programs and child protection practices. First, the positive outcomes produced by the CASA volunteers were all associated with extensive CASA involvement with the case, i.e., on average the CASA volunteer had 96 contacts. In order to maintain this level of CASA activity, it is important to keep the case loads of CASA volunteers low. Second, the present research emphasizes the value of early involvement in the case by a CASA volunteer. The positive outcomes found in this study were with CASAs that were all assigned within three months of the court order. Third, the cost effectiveness of utilizing highly motivated and trained volunteers in child protection services is demonstrated by the present research. The inclusion of a CASA volunteer shortened the length of the case and reduced the amount of time needed by lawyers and other professionals. Also, children assigned a CASA volunteer were more likely to be placed in a permanent home, thus reducing the likelihood of future court involvement. Finally, present research underscores the importance of building evaluation procedures into CASA programs. In the present study, information about the activities of the CASA volunteers was obtained from examining court reports. Although the reports were generally of a good quality, there was no specific place to identify whether certain services were facilitated or whether non-compliance was identified. At times, the reports would directly remark upon these measures, but more often this information was left out. It is important to construct evaluation procedures that will identify which activities of the CASA volunteer promote the achievement of permanency.

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