

**620.500 Definitions for KRS 620.500 to 620.550.**

As used in KRS 620.500 to 620.550, unless the context otherwise requires:

- (1) "Association" means the state Court-Appointed Special Advocate Association established in KRS 620.530;
- (2) "Court" means family court or, if there is no family court in the county where the CASA program is located, then District Court;
- (3) "Court-appointed special advocate case" and "CASA case" mean a child or group of siblings who are within the jurisdiction of the court as a result of abuse, neglect, or dependency proceedings and for whom the court has appointed and the program director has assigned a CASA volunteer;
- (4) "Court-appointed special advocate program" and "CASA program" mean a program by which trained community volunteers are provided to the court for appointment to represent the best interests of children who have come into the court system as a result of dependency, abuse, or neglect;
- (5) "Court-appointed special advocate volunteer" and "CASA volunteer" mean a person who completes training through and is supervised by a CASA program and appointed by a judge to represent the best interests of dependent, abused, and neglected children in court;
- (6) "Local board" means the local board of directors appointed or selected in accordance with KRS 620.505 to govern local CASA programs;
- (7) "Program director" means the director of each local CASA program selected in accordance with KRS 620.505;
- (8) "State board" means the state board of directors elected in accordance with KRS 620.530; and
- (9) "State director" means the director of the state association provided for in KRS 620.537.

**Effective:** July 13, 2004

**History:** Amended 2004 Ky. Acts ch. 138, sec. 1, effective July 13, 2004. -- Amended 1996 Ky. Acts ch. 245, sec. 2, effective July 15, 1996. -- Created 1990 Ky. Acts ch. 264, sec. 1, effective July 13, 1990.

**620.505 Court-appointed special advocate program -- Local board of directors -- Program director -- CASA volunteers.**

- (1) For the purpose of providing an independent, efficient, and thorough representation for children who enter the court system as a result of dependency, abuse, or neglect, there may be established a court-appointed special advocate program by the chief judge of family court or, if none, then by the Chief District Judge.
- (2) Local CASA programs shall be governed by a local board of directors. For new CASA programs, the board shall initially be appointed by the chief judge of family court or, if none, then by the Chief District Judge. Members shall be selected by the existing board members thereafter. Each board shall include at least fifteen (15) members. Each board member shall have a demonstrated interest in child welfare issues and commitment to the purpose and role of the court-appointed special advocate volunteers. Cabinet employees shall not be eligible to serve as officers of the board. Members shall, as far as practicable, be representative of the racial and ethnic composition of the area served by the CASA program. The board shall:
  - (a) Determine major personnel, organization, fiscal, and program policies including, but not limited to, the following:
    1. Measures to be taken to safeguard the CASA program's information relating to children, their families, and the CASA volunteers;
    2. The procedures for the recruitment, screening, training, and supervision of CASA volunteers; and
    3. The procedure for and circumstances warranting dismissal of a CASA volunteer from the CASA program;
  - (b) Determine overall plans and priorities for the CASA program, including provisions for evaluating progress against performance;
  - (c) Approve the program budget;
  - (d) Enforce compliance with all conditions of all grants contracts;
  - (e) Determine rules and procedures for the governing board;
  - (f) Select the officers and the executive committee, if any, of the governing board;
  - (g) Meet at least four (4) times each year;
  - (h) Submit an annual report to the association in the uniform manner required which shall include, but need not be limited to, the following information:
    1. Number of CASA volunteers in the program;
    2. Number of program staff;
    3. Number of children served;
    4. Number of volunteers receiving initial training;
    5. Number of and topics for in-service training;
    6. The type of source of the funds received and the amount received from each type of source during the previous fiscal year;
    7. The expenditures during the previous year; and

8. Other information as deemed appropriate.
- (3) Local CASA programs shall comply with the National CASA Association and Kentucky CASA Association Standards for Programs. Local programs shall ensure that CASA volunteers are adequately supervised by providing at least one (1) supervisory staff person for every thirty (30) CASA volunteers that have been appointed by the court and assigned by the program director. Each local CASA program shall be managed by a qualified director whose service may be voluntary or who may be paid a salary. The program director's duties shall include:
- (a) Administration of the CASA program as directed by the local and state boards;
  - (b) Recruitment, screening, training, and supervision of CASA volunteers and other program staff;
  - (c) Facilitation of the performance of the court-appointed special advocates' duties; and
  - (d) Ensuring that the security measures established by the local and state boards for safeguarding the information relating to children, their families, and the CASA volunteers are maintained.
- (4) CASA volunteers shall, as far as practicable, be representative of the socioeconomic, racial, and ethnic composition of the area served.
- (5) CASA volunteers may be removed by the court for nonparticipation or other cause or by the program director pursuant to subsection (2) of this section.
- (6) All written court-appointed special advocate reports submitted pursuant to KRS 620.525 shall become part of the cabinet's record of the child.
- (7) Employees of the cabinet shall not become volunteers or employees of the court-appointed special advocate program.
- (8) Each CASA volunteer, program director, and other program staff shall take an oath, administered by a member of the Court of Justice, to keep confidential all information related to the appointed case except in conferring with or reports to the court, parties to the case, the cabinet, the Citizen Foster Care Review Board, others designated by the court, and as provided by law.
- (9) CASA volunteers shall be appointed by the presiding judge to represent the best interest of the child, subject to judicial discretion, and only after confirmation from the program director that the CASA volunteer has been properly screened and trained.

**Effective:** July 13, 2004

**History:** Amended 2004 Ky. Acts ch. 138, sec. 2, effective July 13, 2004. -- Amended 1998 Ky. Acts ch. 278, sec. 18, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 245, sec. 3, effective July 15, 1996. -- Created 1990 Ky. Acts ch. 264, sec. 2, effective July 13, 1990.

**620.510 Support services and funding for CASA programs.**

- (1) Secretarial and support services for each CASA program may be provided by the family court, the District Court, the circuit clerk, or a combination thereof, as ordered by the chief judge of family court or, if none, then by the Chief District Judge. The Administrative Office of the Courts may also provide secretarial and support services.
- (2) CASA programs may receive private funds and local, state, and federal government funding to insure total or partial funding of program activities.

**Effective:** July 13, 2004

**History:** Amended 2004 Ky. Acts ch. 138, sec. 3, effective July 13, 2004. -- Amended 1996 Ky. Acts ch. 245, sec. 4, effective July 15, 1996. -- Created 1990 Ky. Acts ch. 264, sec. 3, effective July 13, 1990.

**620.512 Kentucky CASA network fund -- Creation and administration.**

- (1) The Kentucky CASA network fund is hereby created as a separate trust fund. The fund shall be administered by the Justice and Public Safety Cabinet.
- (2) The fund shall receive amounts collected from the income tax checkoff established in KRS 141.449, and any other proceeds from grants, contributions, appropriations, or other moneys made available for the purposes of the fund. Moneys in the fund shall be used to support CASA programs in Kentucky.
- (3) Notwithstanding KRS 45.229, fund amounts not expended at the close of a fiscal year shall not lapse but shall be carried forward to the next fiscal year.
- (4) Any interest earned on moneys in the fund shall become a part of the trust fund and shall not lapse.
- (5) Moneys in the fund are appropriated for the purposes set forth in this section and shall not be appropriated or transferred by the General Assembly for any other purposes.

**Effective:** July 14, 2018

**History:** Created 2018 Ky. Acts ch. 62, sec. 2, effective July 14, 2018.

**620.515 Minimum requirements for CASA volunteer -- Training -- Oath.**

- (1) A CASA volunteer shall meet the following minimum requirements:
  - (a) Be at least twenty-one (21) years of age;
  - (b) Be of good moral character;
  - (c) Complete a written application providing the names of at least three (3) references;
  - (d) Submit to a personal interview with program staff;
  - (e) Submit to a criminal record check; and
  - (f) Submit to a check of the child abuse and adult protection registry maintained by the cabinet.
- (2) If found acceptable, then the applicant shall receive a minimum of thirty (30) hours of initial training and take an oath of confidentiality administered by a family court judge or, if none, then a District Judge.
- (3) Training, both initial and in-service, of volunteers shall be provided by the program director or staff following standards adopted pursuant to KRS 620.535.

**Effective:** July 13, 2004

**History:** Amended 2004 Ky. Acts ch. 138, sec. 4, effective July 13, 2004. -- Amended 1996 Ky. Acts ch. 245, sec. 5, effective July 15, 1996. -- Created 1990 Ky. Acts ch. 264, sec. 4, effective July 13, 1990.

**620.520 Information available to program directors and CASA volunteers.**

- (1) The clerk of the court shall:
  - (a) Notify and provide a copy of all dependency, abuse, and neglect petitions to the program director, as soon as the court makes a referral to the program director for assignment of a CASA volunteer to the case;
  - (b) Provide a copy of all court orders issued pursuant to this section; and
  - (c) Notify the program director of all scheduled court hearings for cases to which a CASA volunteer has been assigned.
- (2) Upon appointment by the court to represent a child, the CASA volunteer shall have access to all information and records pertaining to the child including, but not limited to, the records of the following entities: the cabinet; child-caring facilities operated or licensed by the cabinet; public and private schools; physical and mental health care providers; law enforcement agencies; and other entities deemed appropriate by the court.
- (3) With court approval, the CASA volunteer may have access to information and records pertaining to the parents or persons exercising custodial control or supervision of the child assigned to the CASA volunteer, including information and records of the court, the cabinet, public and private child care facilities, private and public schools, and the medical and psychological records of the child assigned to the volunteer. The volunteer shall have access to the medical and psychological records of parents when the court determines that the information is essential to the welfare of the child and the court orders it.

**Effective:** July 13, 2004

**History:** Amended 2004 Ky. Acts ch. 138, sec. 5, effective July 13, 2004. -- Amended 1996 Ky. Acts ch. 245, sec. 6, effective July 15, 1996. -- Created 1990 Ky. Acts ch. 264, sec. 5, effective July 13, 1990.

**620.525 Duties of CASA volunteers.**

- (1) CASA volunteers who have a conflict of interest in a case shall not be appointed to the case.
- (2) The CASA volunteer shall:
  - (a) Attend all court hearings except that the CASA volunteer may be excused by the court or the program director if emergency circumstances arise;
  - (b) Submit a written report and recommendation to the judge for consideration in determining the best interest of the child at the dispositional hearing, dispositional review hearings, other hearings as requested by the court, and at least one (1) report every six (6) months for as long as the case is assigned to a CASA volunteer;
  - (c) Monitor the case by visiting the child as often as necessary to observe whether the child's essential needs are being met and whether court orders are actually being carried out;
  - (d) Participate in any treatment planning conferences and reviews involving the child to assess whether reasonable efforts are being made to provide services to the child and family and determine the appropriateness and progress of the child's permanent plan;
  - (e) Advocate a prompt, thorough review of the case if the child's circumstances warrant the attention of the court;
  - (f) Interview parties involved in the case, including interviewing and observing the child;
  - (g) Maintain complete written records about the case;
  - (h) Report any incidents of child or adult abuse or neglect to the appropriate authorities and to the program director;
  - (i) Remain actively involved in the case until dismissed from the case by the program director or judge with competent jurisdiction, or when an adoption proceeding is finalized;
  - (j) Return all case-related materials including, but not limited to, written notes, court reports, and agency documents, to the program director upon the request of the program director; and
  - (k) Work with the cabinet representatives to advocate the best interest of the child.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 245, sec. 7, effective July 15, 1996. -- Created 1990 Ky. Acts ch. 264, sec. 6, effective July 13, 1990.



**620.530 Court-Appointed Special Advocate Association.**

- (1) A state Court-Appointed Special Advocate Association shall be established. All CASA volunteers, local board members, program directors, and staff shall be eligible for membership in the association. Other categories of membership may be created by the association.
- (2) The association shall meet annually to elect a board of directors to manage the business of the association. The board shall, annually, elect a president, a vice president, a secretary, and a treasurer. The board shall meet at least four (4) times a year, and meetings may be held more frequently when called by the president of the board or by a majority of the board members.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 245, sec. 8, effective July 15, 1996. -- Created 1990 Ky. Acts ch. 264, sec. 7, effective July 13, 1990.

**620.535 Duties of association.**

The association shall:

- (1) Adopt and approve state standards for all CASA volunteers, program directors, and other staff, including, but not limited to, guidelines for training;
- (2) Adopt and approve the uniform annual data reporting procedures for local programs pursuant to KRS 620.505(2)(h); and
- (3) Evaluate and make recommendations by February 1 in odd-numbered years to the Supreme Court, the Governor, the Legislative Research Commission, and the cabinet regarding:
  - (a) Laws of the Commonwealth and practices, policies, and procedures within the Commonwealth affecting the welfare of children and families; and
  - (b) The effectiveness, or lack thereof, and the reasons therefor, of local CASA volunteers advocating for permanent placement for the children in the Commonwealth.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 245, sec. 9, effective July 15, 1996. -- Created 1990 Ky. Acts ch. 264, sec. 8, effective July 13, 1990.

**620.537 Director of association -- Qualifications -- Duties.**

If the state board employs a full-time staff person to serve as the director of the association, then:

- (1) The state director shall be a person who by a combination of education, professional qualification, training, and experience is qualified to perform the duties of this position. The state director shall be of good moral character with at least two (2) years of experience working in a position managing a human services program and who has received a:
  - (a) Master's degree in social work, sociology, psychology, guidance and counseling, education, criminal justice, or other human service field; or
  - (b) Baccalaureate degree in social work, sociology, psychology, guidance and counseling, education, criminal justice, or other human service field with, in addition to the work experience required in this subsection, at least two (2) more years of experience working in the human services field.
- (2) The duties of the state director shall be:
  - (a) To manage the state court-appointed special advocate office, including staff;
  - (b) To coordinate the activities of the association;
  - (c) To monitor the policies and practices of local CASA programs for compliance with state laws, National CASA Association Standards for Programs, and reporting requirements established by the state association; to assist local CASA programs in efforts to achieve compliance; and to report to the state association the status of compliance by local CASA programs;
  - (d) Upon request of local CASA programs, to provide technical assistance to local CASA programs;
  - (e) To provide technical assistance and support to chief judges of family courts, Chief District Judges, and others in development of new local CASA programs;
  - (f) To coordinate a statewide public awareness campaign for generating interest in developing new CASA programs, recruiting volunteers, and informing the public of the issues concerning child abuse and neglect; and
  - (g) Other duties as directed by the association.

**Effective:** July 13, 2004

**History:** Amended 2004 Ky. Acts ch. 138, sec. 6, effective July 13, 2004. -- Created 1996 Ky. Acts ch. 245, sec. 13, effective July 15, 1996.

**620.540 Support services and funding for board.**

- (1) Secretarial and support services for the state board may be provided by the Administrative Office of the Courts.
- (2) The association may receive private funds, and local, state, and federal government funds to financially assist existing local CASA programs, assist local efforts to start a CASA program, or other activities deemed appropriate by the association.

**Effective:** July 13, 2004

**History:** Amended 2004 Ky. Acts ch. 138, sec. 7, effective July 13, 2004. -- Amended 1996 Ky. Acts ch. 245, sec. 10, effective July 15, 1996. -- Created 1990 Ky. Acts ch. 264, sec. 9, effective July 13, 1990.

**620.545 Reports from CASA programs.**

Each CASA program shall forward annually to the association and cabinet a report, pursuant to KRS 620.535(2) and KRS 620.505(2)(h), and any recommendations regarding the policies and practices of the court, the cabinet, and child-care facilities and child-placement agencies affecting the children being represented by the CASA volunteers.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 245, sec. 11, effective July 15, 1996. -- Created 1990 Ky. Acts ch. 264, sec. 10, effective July 13, 1990.

**620.550 Notification of treatment planning conferences and reviews.**

The cabinet shall notify the CASA volunteer, the CASA program, and the court when it schedules treatment planning conferences and reviews.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 245, sec. 12, effective July 15, 1996. -- Created 1990 Ky. Acts ch. 264, sec. 11, effective July 13, 1990.