

2.13 Dependency CASA Grievance Procedure

Upon receipt of a written grievance form, the CASA Program shall transmit a copy of the grievance to the CASA and to the Committee Chair or designee overseeing the Volunteer Committee. The Committee Chair or designee shall review the grievance as follows:

- (a) Screen the grievance for potential merit.
 - a. In determining potential merit, the Committee Chair or designee shall determine whether it alleges sufficient facts to support a determination that there has been a:
 - i. Violation of the Code of Conduct;
 - ii. Misrepresentation of qualifications to serve as a CASA;
 - iii. Breach of confidentiality;
 - iv. Falsified information in a report or testimony;
 - v. Gross negligence or recklessness in preparation of a report or testimony;
 - vi. Failure to report child abuse, when required;
 - vii. Ex-parte communication with a judicial officer;
 - viii. Actual conflict of interest or impropriety in performance of CASA responsibilities;
 - ix. Lack of independence, objectivity, and the appearance of fairness in dealings with parties and professionals; and/or
 - x. Any other actions or failure to take action with respect to the local rules or laws governing CASAs, which would reasonably place the suitability of the person to serve as a CASA in question.
- (b) Make a finding that the grievance is without merit on its face declining further review, and so inform the CASA, complainant and the program manager; or
- (c) Make a finding the grievance has potential merit on its face.
 - a. The Committee Chair or designee shall promptly notify the program manager or designee there is a grievance with potential merit. The program manager or designee shall inform the CASA and request a written response within 5 business days of the request. The program manager shall give the CASA a copy of the grievance and inform his/her CASA specialist and program attorney.
 - b. The complainant shall be given a copy of the CASA's response and 5 business days to submit a reply.
- (d) The CASA response and any reply shall be promptly transmitted to the Committee.

- (e) Upon receipt of CASA response and any complainant reply, the Committee Chair or designee shall make a finding as to the issues raised.
- (f) Such findings shall be in writing and state whether there is merit or no merit to the issue or issues.
- (g) The Committee Chair or designee shall have the authority to issue any or all of the following resolutions:
 - a. A written admonishment or reprimand;
 - b. Refer the CASA to additional training or additional supervision;
 - c. Removal from the case;
 - d. Dismissal from the program;
 - i. If dismissed from the program, the program manager shall give the Administrative Office of the Courts notice of such.
 - e. Any other action, deemed appropriate.
- (h) During the pendency of this process, the CASA may continue his/her work on assigned cases and/or take other cases unless informed otherwise by the Committee Chair or designee, based on initial screening for merit and seriousness of allegations.
- (i) During the pendency of this process, the CASA may voluntarily withdraw from the case or the program. However, the Committee Chair or designee may decide to complete the investigation notwithstanding the withdrawal and, may, in his or her discretion, report the results of the investigation to the Administrative Office of the Courts.
- (j) In making its findings, the Committee Chair or designee shall consider any prior grievances which resulted in corrective action or the lack of the same, and any mitigating or aggravating factors.
- (k) The complainant, individual CASA, program manager and director of family court operations shall be notified in writing of the Committee's decision.
- (l) Any record of grievances filed which are not deemed to have merit shall be confidential and shall not be disclosed except as required by law.
- (m) Grievances which involve an open case shall be resolved within 25 business days of the date of receipt of the written grievance.
- (n) Grievances which do not involve an open case shall be resolved within 60 days of the receipt of the written grievance unless the Committee Chair or designee deems the allegations call for expedited review.

- (o) All resolutions by the Committee Chair or designee shall be final and not subject to further appeal, except a CASA who has been removed from the program may appeal to the Presiding Judge. The CASA shall notify the program manager of the appeal within 10 business days of receipt of the removal notice and clearly state the basis for the appeal. The Presiding Judge shall make a finding within 14 business days and notify the CASA in writing of the determination, copying the Committee and the program manager.

- (p) The Committee Chair or designee and program manager shall maintain records of the grievance and disposition pursuant to the court's record retention policy.