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Idaho Guardian Ad Litem: 2022 Program Evaluation

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IDAHO
GUARDIAN AD LITEM
2022
PROGRAM EVALUATION



BOISE STATE UNIVERSITY
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IDAHO GUARDIAN AD LITEM 2022 PROGRAM EVALUATION EXECUTIVE SUMMARY

Idaho's Court Appointed Special Advocate (CASA) Programs serve children and youth across the state in child protection cases. These Programs support the state's guardians ad litem (GALs) who are appointed by the courts to represent children and youth and their best interests in child protection cases. The Idaho Supreme Court commissioned the School of Public Service (SPS) at Boise State University to perform an external and impartial evaluation of Idaho's Guardian Ad Litem Program, focusing on a number of research questions aiming to assess recruitment and retention of GALs, perceptions of GALs and CASA programs, and alignment with relevant national CASA standards, Idaho statutes, and Idaho Juvenile Rules.

KEY FINDINGS

- Idaho CASA Programs are making concerted efforts to align with national best practices for child advocacy and with key provisions of Idaho Code §§ 16-1632-33 as well as Idaho Juvenile Rule 35
- Idaho's seven CASA Programs effectively train GALs on a variety of statutorily-mandated topics.
- Magistrate judges, CASA Program directors, and GALs all indicate overwhelmingly that GALs adequately advocate for the best interests of the child.
- Over the study period (2016-2020) 93% of children and youth in child protection cases had a GAL assigned to their case.
- Consistent challenges were identified by both GAL staff and volunteers and Executive Directors across the state. These challenges have also been noted in previous reports on child welfare in Idaho and include the need for more GALs and an improved working relationship with other key stakeholders in child protection matters.
- Many CASA Programs have plans for recruiting and retention, but need additional support in order to have enough GALs to serve children/youth in child protection cases.



INTRODUCTION

Idaho's Court Appointed Special Advocate (CASA) Programs serve children and youth across the state in child protection cases. Each of Idaho's seven judicial districts has its own nonprofit CASA Program that recruits, trains, supports, and supervises volunteers, known as guardians ad litem (GALs) or court-appointed special advocates (CASA) who represent children and youth and their best interests in child protection cases (for the purposes of this report we refer to the volunteers as GALs and the programs as CASA Programs). Previous evaluations of Idaho's child welfare programs have centered on 1) implementation challenges across multiple systems and agencies¹ and 2) whether effective advocacy is being provided by CASA Programs.²

This report, conducted by School of Public Service (SPS) at Boise State University and commissioned by the Administrative Office of the Idaho Supreme Court (ISC), focuses on current policies and practices being implemented with a particular focus on GALs who represent children and youth in child protection cases and the CASA Programs under which they serve. Specifically, SPS sought to perform an external and impartial evaluation with the objectives to 1) evaluate the CASA Programs in Idaho regarding their effectiveness in recruiting, training, and retaining volunteer advocates, 2) examine whether Idaho CASA Programs align with national best practices for child advocacy, and 3) assess the effectiveness of Idaho's GAL Programs in achieving best practices for child advocacy and in fulfilling their duties and responsibilities pursuant to Idaho Code §§ 16-1632-33 (I.C. 16-1632, I.C. 16-1633) as well as Idaho Juvenile Court Rule 35 (IJR 35), to the extent this assessment is feasible given time and budget constraints.

BACKGROUND

GALs serve a critical role in the lives of Idaho's children and youth. In child protection (CPS) cases in Idaho, legal parents or guardians are legally viewed as potentially lacking capacity to provide sufficient care for their children. In those instances, the state takes over the obligation to ensure the child's protection and safety and GALs advocate for the child's best interest. In 1974, the federal government enacted the Child Abuse Prevention and Treatment Act,³ which mandated that each state receiving federal funds for child protection services have child representation. Per Idaho Code § 16-1614, every child (11 years old or younger) or youth (12 years to 17 years old) who is the subject of a child protection case is required to be appointed an attorney or GAL.⁴

There are some key differences in types of representation in child protection cases. A GAL always serves to represent the child or youth's best interest. On the other hand, public defenders can also be appointed in these cases and their ethical obligation is instead to advocate for the child or youth's wishes. This distinction is critical in any given case; some children may wish to be legally reunited with their parents, even if a GAL would not see that as being in the child's/youth's best interests. In such a situation, a public defender would be legally bound to argue for reunification, while a GAL would not. Similarly, if a GAL becomes aware a child/youth is being abused, they are mandated by Idaho laws⁵ to report this to the court. A public defender in the same situation must first obtain informed consent from the child/youth to disclose such information.⁶

While the appointment of a representative or attorney is key, so too is the quality of the representation. Several conditions are associated with quality representation of children and youth in CPS cases.⁷ First, representatives should be appointed early in the process, ideally within 60 days. However, Idaho Juvenile Rule 36 states that a GAL should be appointed “as soon as practical after the filing of the petition.” Early appointment reduces costs, improves case planning, and facilitates a quicker permanent placement for the child/youth. Second, volunteers should receive specific training on several unique issues, including child/youth development, state and federal child protection laws, trauma, child abuse and neglect, and cultural competency. Third, outcomes improve when a child or youth is represented by the same person for the duration of their case. This allows them to build strong bonds, which increases trust and communication. As discussed in more detail below, there are also more specific relevant provisions for the current evaluation in Idaho such as I.C. 16-1632, I.C. 16-1633, and IJR 35.

Additional research further supports the positive effects of representation. Children with a GAL typically experience fewer placements than a child/youth without one,⁸ which results in fewer disruptions and transitions for the child/youth. Representation is also associated with a higher likelihood of adoption⁹ and more services being ordered for the child/youth and family.¹⁰ In addition, children/youth who are represented report higher levels of hope, which is a predictor of academic success, general well-being, and positive social relationships.¹¹

National-level research has also focused on skills associated with effective child advocacy. Specifically, the National Quality Improvement Center on the Representation of Children in the Child Welfare System (QIC – Child Rep) at Michigan Law School researched child representation across the United States for a decade.¹² Their work identified six core competencies (within three major themes) for effective advocacy in a child welfare context. First, advocates should listen; this involves entering the child’s/youth’s world and assessing their safety. Next, advocates must counsel, which requires advance case planning and actively evaluating the child or youth’s needs. Third, based on these first two, GALs must strongly advocate for their clients, which requires developing a case theory and advocating effectively for the child’s/youth’s best interest. Critically, underpinning these skills is an assumption by the developers of QIC – Child Rep that representatives are aware of relevant laws and procedures and have basic trial advocacy skills.¹³ This assumption again highlights the critical nature of volunteer training.

In addition, there are many standards CASA Programs across the country seek to meet. These National Standards are presently being implemented in Idaho. Previously, one of the eligibility requirements for district offices to apply for grant funding through the ISC was to “be in substantial compliance with NCASAA [National CASA/GAL Association for Children] standards.” The ISC recently adopted a new set of policies and procedures for the grant program so that this is no longer a requirement, though a few of the specific standards have been built into the new grant eligibility criteria. At present, there are 11 National Standards; those relevant to the evaluation are described below.

IDAHO CASA PROGRAM GOVERNANCE AND PAST REPORTING

As mentioned, each of Idaho's seven judicial districts has a nonprofit organization providing representation to children and youth in child protection cases. These CASA Programs in Idaho are governed by several key statutes and rules and this report focuses on three: I.C. 16-1632, I.C. 16-1633, and Idaho IJR 35 (see Appendix A for full text of each).

Section 16-1632(1) explains the duties and responsibilities of CASA Program offices, including maintaining a district wide office that provides services in each county of the district, providing GALs for every child in a child protective proceeding, establishing a program for attorneys to represent the GALs, developing criteria to "screen, select, train and remove guardians ad litem," and establishing a priority list for appointment of GALs in districts that may not have enough GALs to meet the overall need.¹⁴ The remainder of Section 16-1632 focuses on the annual report required for each program as well as mandating fingerprint-based background checks which must include "a statewide criminal identification bureau check, federal bureau of investigation criminal history check, and statewide sex offender registry check."¹⁵ The Idaho Supreme Court also incorporated each of these into the eligibility requirements to apply for grant funds.

Section 16-1633, on the other hand, describes the duties of GALs in Idaho. The statute begins by stating, "Subject to the direction of the court, the guardian ad litem shall advocate for the best interests of the child and shall have the following duties which shall continue until resignation of the guardian ad litem or until the court removes the guardian ad litem or no longer has jurisdiction, whichever first occurs."¹⁶ These duties are 1) conducting an objective factual investigation of the circumstances; 2) filing applicable written investigations in a timely fashion; 3) acting as an advocate for the child at every stage of the proceedings, fully participating in any proceeding, and conferring with the child or other relevant parties/family members; 4) monitoring the circumstances of the child to ensure that the court's terms are being fulfilled; 5) maintaining confidentiality.¹⁷

Idaho Juvenile Rule (IJR) 35's provisions provide further guidance on the purpose, duties, and training for CASA Programs. Included in this Rule are the requirements that each CASA Program have a governing body to oversee compliance with relevant laws and rules, work with other agencies in the state, and follow written policies for inclusiveness, training, retention, and evaluation of all paid personnel. This Rule also contains several provisions regarding recruitment, selection, training, supervision, roles and responsibilities, and dismissal of volunteers. Included in this subsection (IJR(e)) is the condition that volunteers complete 30 hours of training prior to any service and complete 12 hours of service per year.¹⁸ Sixteen topics mandated for volunteer training are also listed, including court processes, confidentiality, permanency planning, and relevant community agencies and resources. Additional provisions also require some of the same items as listed above, such as the requirement for fingerprint-based background checks and the requirements to maintain confidentiality.

As mentioned above, CASA Programs in Idaho were recently evaluated, though in different contexts. In 2017, the Office of Performance Evaluation (OPE) wrote the Child Welfare System (CWS) report, which focused on identifying gaps in four areas of Idaho's child welfare system: 1) out-of-home foster placements, 2) workload challenges across the system (e.g., social workers, GAL volunteers), 3) organizational culture of child welfare

agencies, and 4) the cooperation, coordination, and collaboration required across systems in the state. The CWS report was highly detailed. First, the report identified varying perspectives across CASA Programs, foster parents, and Child and Family Services (CFS) on whether GALs were “effective sources of accountability for Child and Family Services activities,” which indicated that further study of CASA Programs would be beneficial.¹⁹ Further, there were many descriptions of disagreement among parents, GALs, and CFS regarding permanency goals and almost three-quarters of GALs surveyed stated they did not believe social workers had sufficient time to serve their cases well. The CWS report also identified some divergence across GALs, relative to CFS programs and judges. While they all agreed that the key role of child welfare was to ensure that children could live securely with their parents, GALs also emphasized two additional key roles: finding the “best suited” home for the child, and ensuring that there is a home where the child can thrive.²⁰

Perhaps most relevant in the CWS report was the identification of three critical implementation challenges for CASA Programs: 1) struggle to recruit a sufficient number of volunteers; 2) the range of professional training and skills across volunteers; 3) program resources. In the present evaluation, these issues are explored in more depth.

Shortly after the CWS report, in 2018, OPE released a report specifically on CASA Programs: Representation for Children and Youth in Child Protection Cases (2018 report). This report focused on one broad key question, “Does the CASA program provide effective advocacy for the best interest of children in the child protection system in Idaho?”²¹ The report identified a gap in representation of children and youth, as 81% of children and youth in fiscal year 2017 were served by a CASA Program.²²

The 2018 report also noted that GAL roles were more defined and structured compared to public defenders, in part due to Idaho Code §16-1633 describing six distinct duties, compared to Idaho Code §16-1614(3), which only nominally describes public defender roles when representing children and youth. Challenges for all types of representation (GAL, public defender, or a combination of both) were also identified. For example, stakeholder surveys identified that children and youth might only see their public defender for a few minutes prior to a hearing due to defenders’ high caseloads and obligations. In addition, the potential conflict between the child’s wishes and the child’s best interests was also acknowledged as a concern.

Key strengths as well as challenges for effective representation in Idaho were also identified in the 2018 report. The main conclusion was while Idaho’s child welfare system has some strengths, including appointing representation early, “the biggest system challenge for effective representation is consistency and stability.”²³ This includes CASA Programs struggling to recruit and train a sufficient number of volunteers to serve all children in their districts. Due to this, some children and youth are represented by CASA Program staff as opposed to volunteer GALs. Though this may not be in line with National CASA standards, the report acknowledges this method increases the number of children represented overall. Difficulties serving in rural areas and inconsistencies across stakeholders (judges, Department of Health and Welfare, foster placement availability, etc.) were also noted. Another critical challenge identified was funding; CASA Programs are supported partially by state grant funds and partially through fundraising efforts. In addition, the intricate interplay between multiple entities (counties, courts/judges, nonprofit organizations, and agencies) further creates challenges in determining who is

responsible for fulfilling the state's duty to provide representation to all children and youth entitled to it.

Several recommendations for strengthening representation were provided in the 2018 report, including 1) recognizing all forms of representation (GALs, CASA Program staff serving as GALs, public defenders, and combinations of those), 2) providing more support and training to public defenders working in child protection, and 3) identifying a statewide entity to provide “stability and consistency” for the organizations providing representation.²⁴ This report was followed up by a shorter supplemental report titled Best Interest of the Child, which explored varying definitions of the phrase and how it might affect practices in Idaho.²⁵

METHODOLOGY

This report is focused on current policies and practices being implemented with a particular focus on GAL volunteers who represent children in child protection cases and the CASA Programs under which they serve. The following 11 research questions guided this evaluation:

1. To what extent are Idaho GAL programs in alignment with key provisions of Idaho Code § 16-1632 and Idaho Code § 16-1633?
2. To what extent are Idaho GAL programs in alignment with key provisions of Idaho Juvenile Rule 35?
3. To what extent are Idaho GAL programs in alignment with national best practices for child advocacy?
4. How well are GAL programs in Idaho recruiting volunteers?
5. How well are GAL programs in Idaho training volunteers?
 - i. How many volunteers started or completed training?
 - ii. What type of training are volunteers receiving?
 - iii. How many total in service training hours were completed by volunteers?
6. How well are GAL programs in Idaho retaining volunteers?
 - i. How many active volunteers does the program maintain?
 - ii. How long, on average, do volunteers stay with the agency?
 - iii. What are the volunteer demographics?
7. To what extent are Idaho's GAL programs able to provide volunteer GAL services to children with open child protection cases:
 - i. What percentage of children under the age of 12 are represented by a volunteer GAL?
 - ii. What percentage of children 12 and older are represented by a GAL volunteer?
 - iii. Are children served by volunteers or staff?
8. What are GAL program staff and volunteer perceptions regarding:

- i. Their ability to fulfill their duties and responsibilities?
 - ii. Barriers to fulfilling their duties and responsibilities and providing effective child advocacy?
9. What are judges' perceptions regarding:
 - i. The ability of GAL programs to carry out their role?
 - ii. The effectiveness of GALs in providing effective advocacy?
10. How many children are the programs serving each year?
11. What are the demographics of the children served?

In regard to alignment with key provisions of I.C. 16-1632, I.C. 16-1633, and IJR 35, ISC identified the key provisions (see Appendix A) for use in the evaluation. In regard to alignment with national best practices for child advocacy, ISC identified the National CASA/GAL Association for Children Standards (National Standards) relevant to the current evaluation as they align with Idaho statute, court rule, and the ISC GAL Grant Program Policies and Procedures (see Appendix B).

Both qualitative and quantitative data were used to complete this evaluation. The evaluation utilized data primarily from the last five calendar years (2016-2021). Statistical data pulled from CASA Manager and other data management systems used by Idaho's CASA Programs, and Odyssey, ISC's data system, answered the quantitatively-focused research questions. In addition, researchers utilized a literature review to inform development of three survey instruments (see Appendix C) deployed via Qualtrics to: 1) CASA Program directors, 2) GALs (volunteers and CASA Program staff), and 3) magistrate judges. After data collection, researchers analyzed quantitative survey data and coded qualitative responses. To track CASA Program-related information (i.e., recruitment and retention strategy, training program, etc.) researchers utilized CASA Program executive director survey responses and analyzed documents from CASA Program (see Appendix D for document request).

LIMITATIONS

First, at the time of this report, the clerks in Idaho are only trained to add the GAL as a party/participant to the case rather than assign GAL to individual children. Therefore, at this time, the data from Odyssey only matches a GAL with a case number, which may have multiple children. The clerks are trained, however, to assign attorneys to individual children. If a child had more than one attorney, there would be one row of data for each attorney-child assignment. In this way, we can track attorney assignment per child or youth.

Second, although all districts were represented in the surveys, response rates varied.

Third, it is noted that though all districts were provided with guidance and templates for providing data, districts may have interpreted some of the questions for data request differently, potentially altering data comparability across districts. In addition, not all seven CASA Programs reported data for each of the data points for each of the years, therefore averages were utilized throughout most of the report. Judicial districts (and thus CASA

districts) across Idaho also vary significantly in geographic location and size and thus averages may still be somewhat skewed, depending on which districts reported data for which years. More recent years, specifically 2018-2020, had the highest reporting rates as a whole and EDs expressed the highest confidence in the accuracy of those years. Therefore, in some of the data presented in this report, we eliminated years where data was skewed due to underreporting. Appendix E lists the number of districts providing data for each figure per year. Districts are not individually identified in this report for confidentiality reasons.

Fourth, several districts indicated concerns about data accuracy (stored in their software - either Optima or CASA Manager), particularly for older data. Multiple districts also indicated throughout the evaluation that they were aware of this issue and were working towards ameliorating it; one in particular indicated they had just completed a training to improve data input and management.

RESULTS

OVERVIEW

This report evaluates alignment with a number of different Idaho statutes/rules and National CASA standards, as well as perceptions of CASA staff/volunteers, executive directors, and judges who handle child protection cases. Due to this, there is significant overlap across research questions and thus, the report below is organized thematically, as opposed to in order of the eleven research questions presented above. The two main themes identified in the research questions and results are 1) CASA Programs and 2) GAL Services. As we move through each theme below, we will refer back to the research question numbers outlined in the methodology section.

CASA PROGRAMS

BEST-INTEREST ADVOCACY (RQ 3)

All seven CASA Programs have mission statements that include the goals and purpose of the program which align with CASA/GAL best-interest advocacy, aligning with the national standard. However, only two of the CASA Programs have stated values regarding best-interest advocacy. Examination of each of the CASA Programs core documents, however, indicates each organization has values consistent with CASA/GAL best-interest advocacy, even if it isn't overtly written into a policy or values statement. GAL, CASA Program executive director, and magistrate judge perceptions regarding best-interest advocacy efforts are overwhelmingly positive and described in the advocacy perception section below.

FAMILY PRESERVATION AND/OR REUNIFICATION (RQ 3)

Although none of the CASA Programs have a specific written policy regarding the importance of family preservation and/or reunification, which is the national standard, many (5) either include its importance or are writing it into mission or vision statements, strategic plans, volunteer/staff/board manuals, logic models, core goals or guiding principles. In some cases, Programs have each volunteer, staff, and board members sign guiding principles regarding family preservation and reunification.

GAL RECRUITMENT POLICY (RQ 1, RQ 2, RQ 3)

Each CASA Program in the state has some form of recruitment strategy for GALs, aligning with I.C. 16-1632, Juvenile Rule 35, ISC, and National Standards. Although not standardized across CASA Programs, each has documents and/or a process for recruitment and screening process for GALs.

Recruitment information is described in volunteer manuals, recruitment posters and brochures, recruitment plans, logic models, volunteer policy and procedure handbooks, job descriptions, and volunteer interview forms. When it comes to providing equal opportunity for volunteers, each program is required to abide by federal equal opportunity employment standards, but it is not clear if across the programs it is applied to volunteers.

GAL RECRUITMENT ABILITY (RQ 4) AND REACH (RQ 1)

Results from the CASA Executive Director (ED) survey suggest that many of the districts see barriers in recruiting GALs. Three of seven EDs stated COVID caused challenges with recruitment. These COVID-related barriers included meetings being virtual or cancelled, COVID making it harder to meet people in general, and the fact that older volunteers were more susceptible to COVID and thus less likely to have interest in volunteering. In addition, multiple EDs stated that face-to-face meetings tended to be more successful for recruitment. Other barriers to recruitment included: the difficulty of identifying the target GAL population (those with time and ability and more diverse populations), office name changes, the increasing number of children entering the system, limited funding, and a lack of public awareness regarding GALs.

One ED stated they needed new ideas for recruitment and one stated that they were not experiencing any barriers in recruiting. The difficulty in recruiting enough volunteers to serve as GALs has also been previously documented in reports in Idaho (Child Welfare System, 2017; Representation for Children and Youth in Child Protection Cases, 2018). These challenges reflected in overall GAL numbers, as described in the children served section below.

Despite this, EDs reporting (n=6) indicate their CASA Program reaches all counties within the district and GALs (n=268) indicate serving in 42 out of Idaho's 44 counties. GALs are likely serving in all counties as the two not reported are among the lowest populated counties in Idaho and we did not receive survey responses from every GAL in the state. In addition, five CASA Programs report they respond to all potential volunteer inquiries within five days, aligning with national standards. One reported they do not and one did not respond.

GAL ORIENTATION (RQ 3)

Six CASA Programs have volunteer orientation documents meeting the national standard. Volunteer orientation policies are described in volunteer manuals, advocate handbooks, volunteer policy and procedure handbooks, trainee checklists, volunteer booklets, volunteer management policies and strategic planning documents.

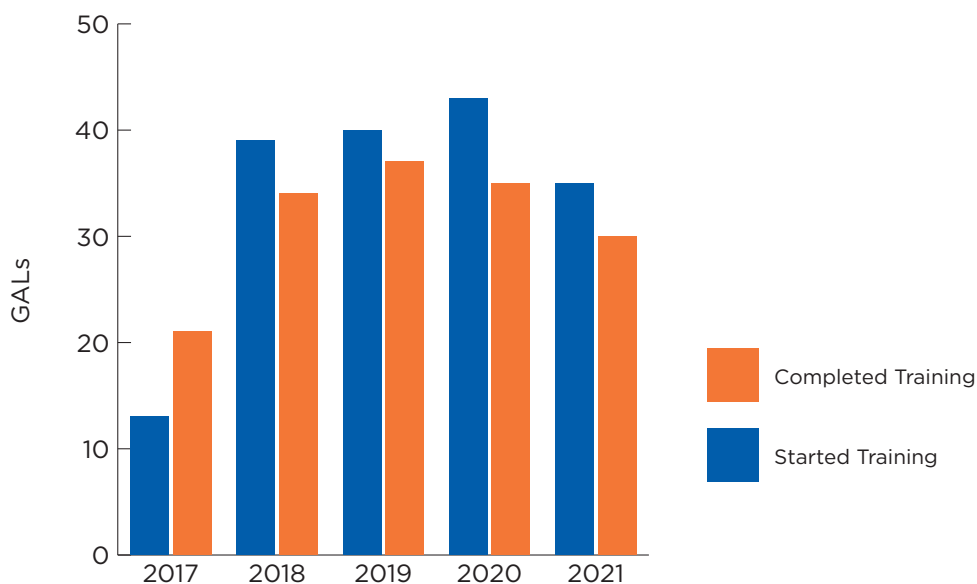
GAL TRAINING (RQ 1, RQ 2, RQ 3, RQ 5)

All CASA Programs have GAL training procedures. Such training is required of all GALs

and is described in volunteer manuals, workshop descriptions, in-service training policies, advocate job descriptions, grant applications and reports, advocate handbooks, logic models and frameworks, volunteer booklets, volunteer management policies, and strategic planning documents.

The number of GALs reported to complete training was greater than of those starting training for 2017 due to possible data limitations (i.e., as described above, some districts expressed that older data may be less reliable). Since 2018, about 35 to 43 volunteers started training, while about 30 to 37 volunteers completed their training (see Figure 1). IJR 35 requires 30 hours of pre-service training and 12 hours of in-service annual training. All reporting EDs stated GALs meeting their pre-service and in-service training requirements. GALs report varied amounts of pre-service and in-service training hours with a vast majority indicating they met the required threshold.

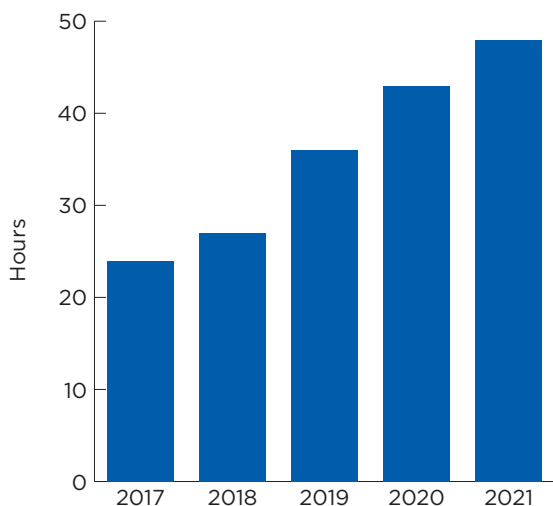
FIGURE 1: AVERAGE NUMBER OF GALs STARTING OR COMPLETING TRAINING



As reported by CASA Program databases, the number of hours of in-service training taken on average by GALs in a typical district is depicted in Figure 2.

The number was 24 hours in 2017, and then steadily increased to 48 hours in 2021. This is well above the required amount for both pre-service and annual in-service training.

FIGURE 2: AVERAGE IN-SERVICE TRAINING HOURS COMPLETED BY GALs



When considering training received by GALs, all CASA Programs reporting (n=6) indicate pre-service training includes all of the items required by IJR 35 with only one ED reporting they were unsure if training on educational advocacy was included. A supermajority (at least 72%) of GALs report receiving training in all the 16 required areas.

STAFF ORIENTATION AND TRAINING (RQ1, RQ 2, RQ 3)

Six districts have documents articulating training and orientation procedures for staff members. These training procedures are described in employee handbooks, personnel and employee manuals, advocate coordinator training overviews, in-service training guidelines, logical frameworks, advocate job descriptions, employee operating policies, staff orientation checklists, and staff pre-service training guidelines.

BOARD ORIENTATION AND TRAINING (RQ1, RQ 2, RQ 3)

Five districts have documents specifying board orientation procedures. Depending on the district, applicable policies are outlined in bylaw sections, board training plans, board orientation checklists, prospective board information packets, board member contracts, board orientation handbooks, board recruitment policies, and board retention strategies. One district, not counted as having its own orientation procedures, relies on the Family Advocates Board of Directors Orientation Book. The process for orienting and training board members, which varies by district, can involve tracking by a compliance director, working one-on-one with the executive director, participating in the same training as GAL volunteers, and training in fiduciary responsibilities.

Beyond orientation procedures, three districts have continuing training documents for board members. These districts outline board training procedures in bylaws, board training plans, volunteer manuals (which often include board members in definitions of volunteers), and board retention strategies.

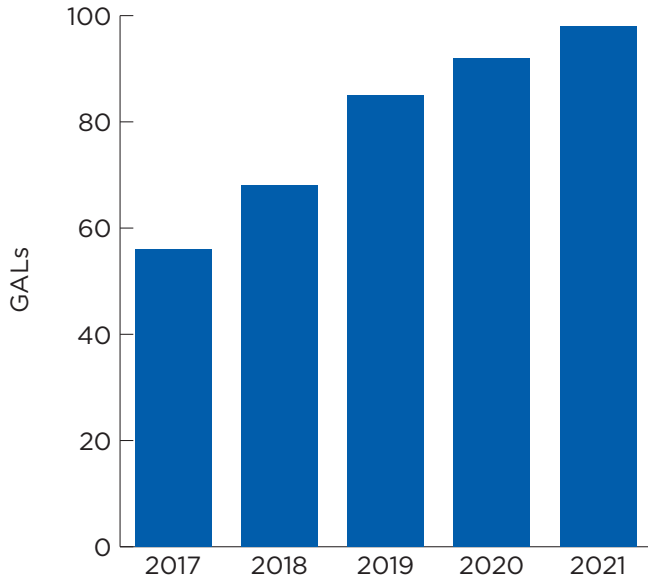


RETENTION (RQ 2, RQ 6)

Four districts have volunteer retention policies. These policies are specified in roadmaps titled “process from recruitment to retention,” grant applications and reports, volunteer management policies and procedures, event descriptions, organizational growth projections, logic models, strategic plans, and training and retention plans.

When considering how well GAL programs in Idaho are retaining volunteers, a typical CASA Program had 56 active GALs in 2017. Since then, the number grew to nearly 100 in 2021 (see Figure 3). This number may also be affected by data provided by each district (see Appendix E).

FIGURE 3: AVERAGE NUMBER OF ACTIVE GALs MAINTAINED BY CASA PROGRAMS



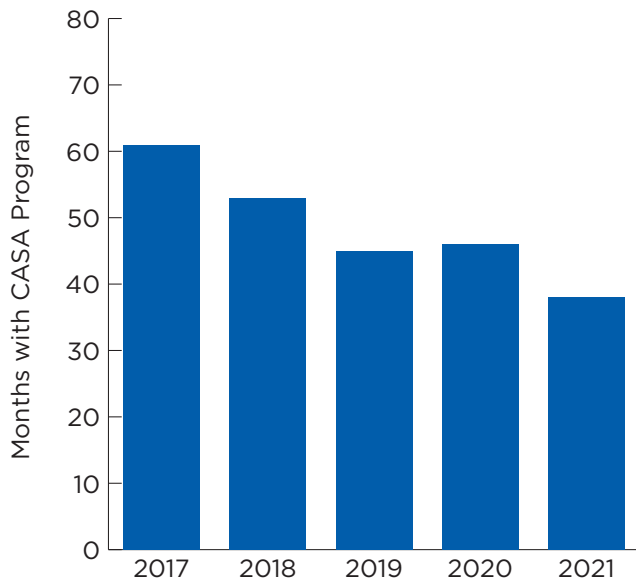
When asked how many years they have served as a GAL, the majority of survey respondents indicated they recently became a GAL (see Table 1).

TABLE 1: YEARS AS A GAL

Years Served	Total GALs	% GALs
0-2	148	55%
3-5	79	29%
6-10	20	7%
11 or more	21	8%
Total	268	100%

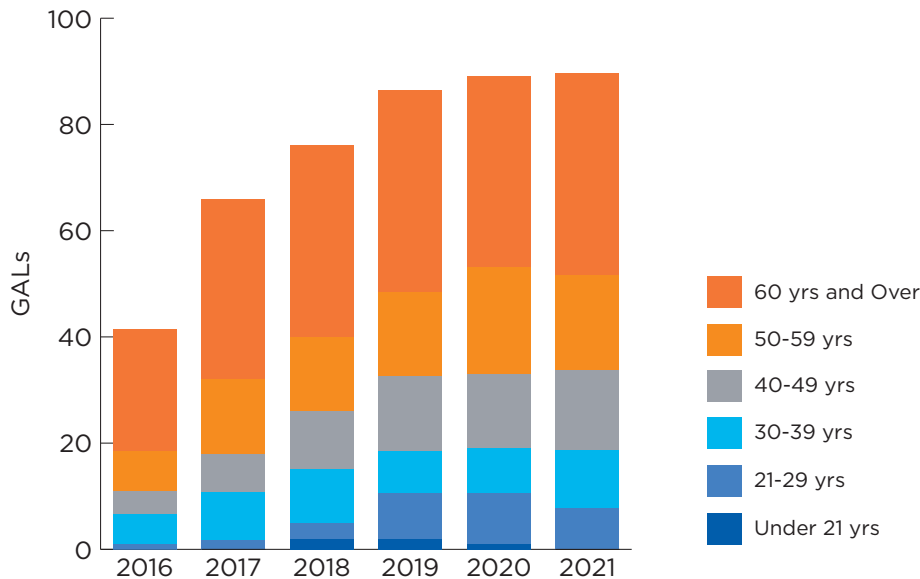
On average, GALs' length of stay with CASA Programs has decreased since 2016. Figure 4 shows the average length of staying with CASA Programs decreased from 61 months in 2017 to 38 months in 2021.

FIGURE 4: GAL AVERAGE LENGTH OF TIME (IN MONTHS) WITH CASA PROGRAM



Part of this decrease may be attributed to COVID-19 and the typical age of GALs; as described below, some EDs expressed older volunteers may have left due to health concerns. Figure 5 shows the composition of volunteers in age groups. As of 2021, the largest group was volunteers with the ages of 60 years and over (38), followed by those in their 50's (18) and then 40's (15).

FIGURE 5: AVERAGE NUMBER OF GALs BY AGE



EDs were also asked to report any challenges or barriers their district faces in retaining volunteers. As with the response for recruitment of volunteers, the most common theme was COVID (3/7 responses). Some GALs did not feel safe, others did not want to wear masks, and some were not comfortable with online technology. In addition, three EDs reported that GALs experienced frustration, burnout, and disenfranchisement due to the overwhelming nature of the child welfare system, challenges in working with IDHW, and

feeling that the court does not listen to their recommendations. Other barriers reported included volunteers retiring or moving, challenges in finding time and money to provide appreciation events for volunteers, and the significant time commitment required. Lastly, one ED stated that their district was not experiencing any challenges in volunteer retention.

As it is already established that working in the child welfare system can be emotionally challenging and can result in volunteer burnout, GALs were asked if they had experienced secondary trauma. Of those responding, 19% indicated they experienced it. We also asked EDs to describe “how volunteers [are] supported with challenges such as secondary trauma, etc.” All 7 EDs responded that staff and supervisors provided GALs with support, and five of the seven stated they provided training to volunteers and/or CASA staff on secondary trauma, compassion fatigue, etc. Of the seven responses, three districts reported using a combination of internal training and staff support, with no mention of external support. Two EDs stated they had either current or plans for support groups and two also explained that they have a contract with a local mental health provider to support volunteers.

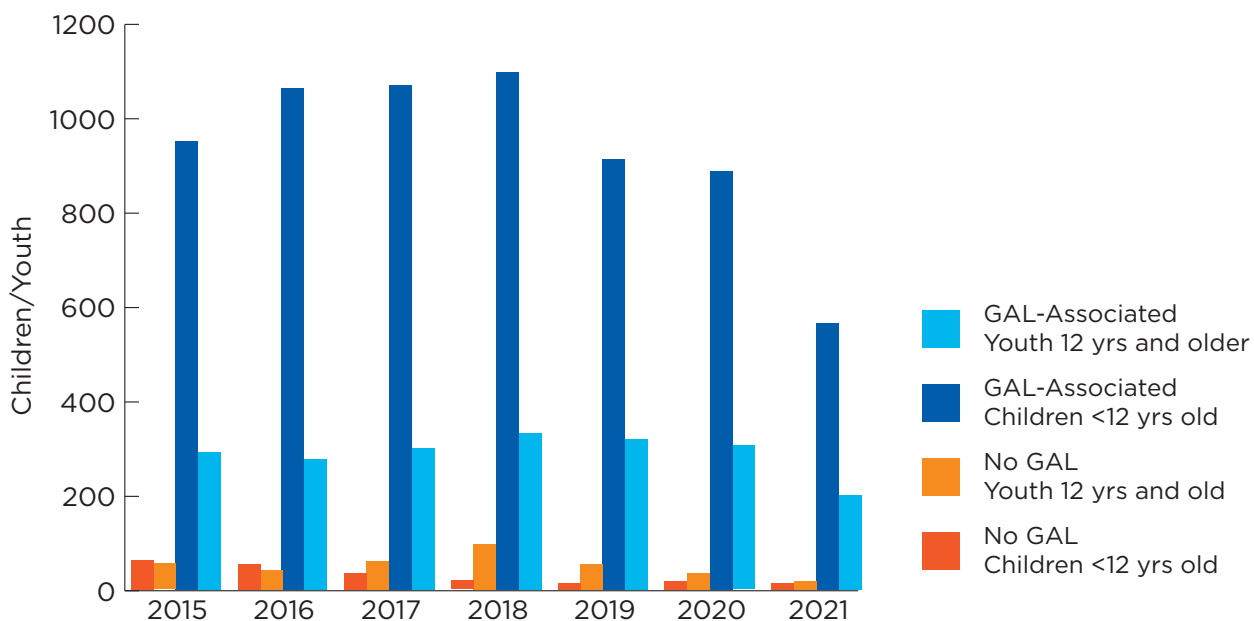
GAL SERVICES

CHILDREN AND YOUTH SERVED (RQ 7, RQ 10)

From 2015-2020 ISC reports a total 5,481 unique CPS cases involving 9,497 children/youth. Of those, 5,042 cases with 8,862 children/youth were assigned a GAL and 448 cases with 635 children/youth involved were not associated with a GAL. In other words, 92% of cases containing 93% of the children/youth in CPS were associated with a GAL. It is to be noted, children/youth not appointed a GAL may have had an attorney appointed.

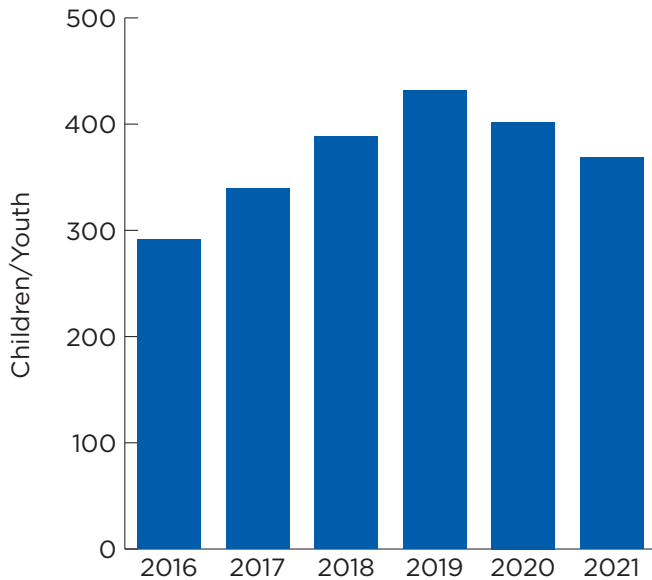
In regard to those cases with a GAL, there were 8,564 children/youth whose ages were known, 6,540 were children under 12 years of age, whereas 2,024 were youth 12 years of age or older. For those cases without a GAL, there were 578 children/youth whose ages were known, 214 were children under 12 years of age, whereas 364 were youth 12 years of age or older. Figure 6 breaks these groups down by year.

FIGURE 6: TOTAL NUMBER CHILDREN/YOUTH BY CASES WITH GAL



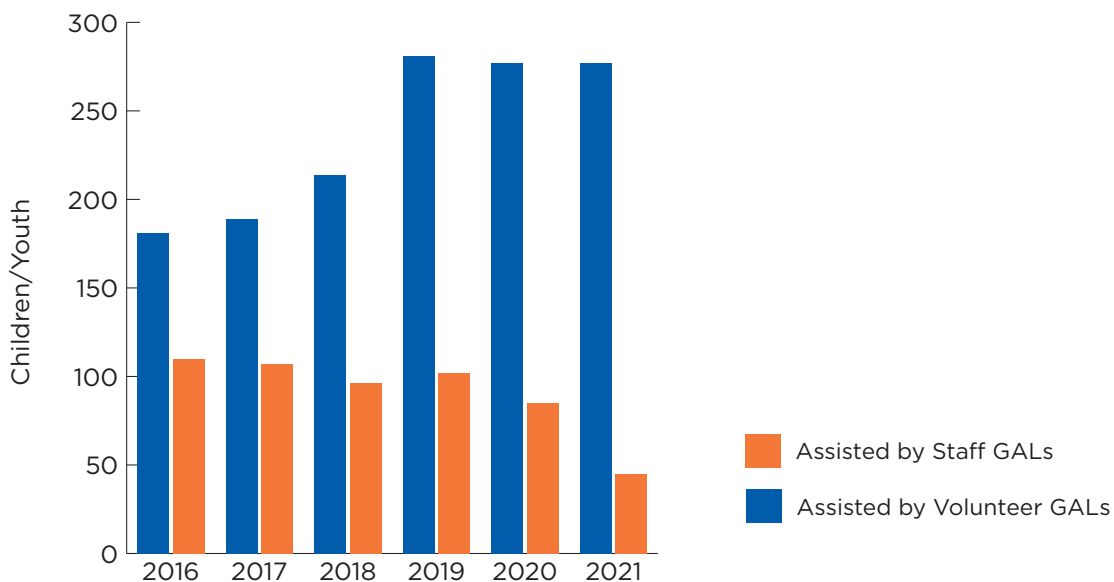
The average number of children/youth a typical district CASA Program annually serves grew from 291 in 2016 to 432 in 2019. In 2021, CASA Programs served on average 369 children/youth (see Figure 7). Each year, more than 50% of the children/youth served remained in the Program from the prior year.

FIGURE 7: AVERAGE NUMBER CHILDREN/YOUTH SERVED BY CASA PROGRAMS



As mentioned, in some cases where CASA Programs do not have enough volunteer GALs to meet the needs of the children/youth in their district, CASA Program staff serve in the GAL role. More children/youth were assisted by volunteer GALs in a typical district over the years from 181 in 2016 to 277 in 2021. On the other hand, fewer children were assisted by staff GALs from 110 in 2016 to 45 in 2021 (see Figure 8).

FIGURE 8: AVERAGE NUMBER OF CHILDREN/YOUTH SERVED BY GAL VOLUNTEERS AND STAFF



GAL recruitment and retention challenges may be reflected in overall GAL numbers across the state, thus resulting in fewer children/youth being assigned a GAL and/or GALs being assigned to more than two cases at a time. When asked which statement best describes their GAL Program, four CASA EDs selected “We do not have enough GAL volunteers compared to the demand” while two selected “We have the right amount of GAL volunteers for the demand.” One did not respond.

In regard to addressing a shortage of GALs, five districts outlined case prioritization plans/policies. These include triage plans, case appointment policies, case staffing policies, program case plans, and priority plans. Three districts have a triage plan outlining case prioritization information. Triage plans provide guidelines to help with case prioritization. On the other hand, some districts include individual documents like “prioritization case staffing” documents. These documents include information regarding who and how cases are assigned, case quantity restrictions, volunteer supervision, and guidelines for case assignments. The two CASA Programs without plans indicate they triage caseload through filing exemptions allowing GALs with the bandwidth and talent to take on more than two cases at a time. In one case interns are used as temporary GALs.

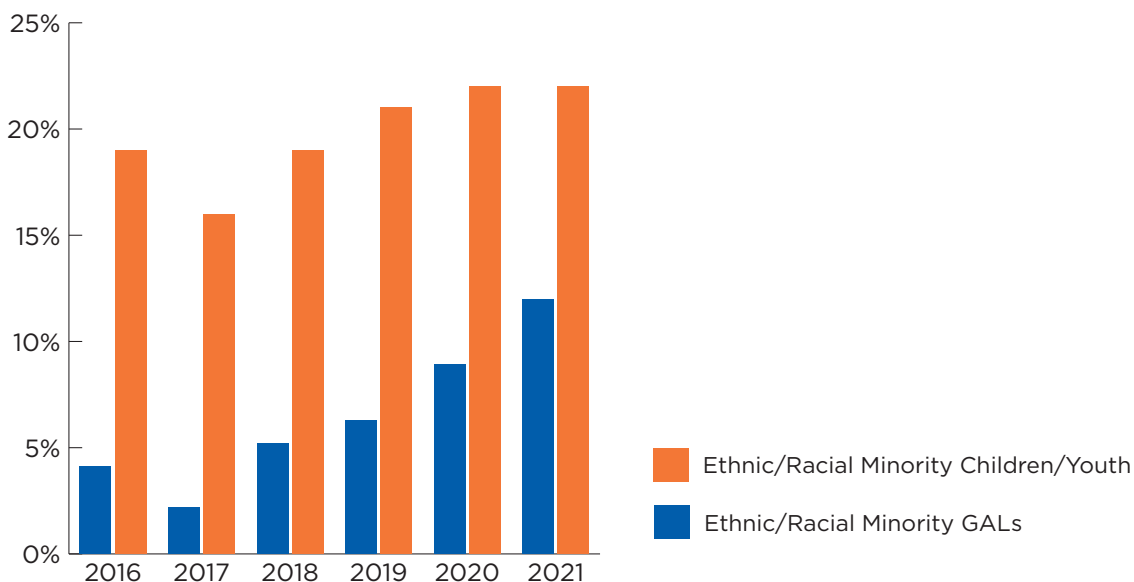
DEMOGRAPHICS (RQ 2, RQ 3, RQ 11)

Most of the CASA Programs (5) have a diversity and inclusion policy and procedure in place. Programs with a specific diversity, equity, and inclusion plan include districts’ specific policies, goals, action plans, equal opportunity, applicant rejection policies, reasonable accommodation for individuals with disabilities, diversity strategies (in governance, talent, environment, and support), inclusion statements, and equity-focused statements. In addition to diversity, equity, and inclusion plans, three districts also have limited English proficiency, LGBTQ, and reasonable accommodations policies and procedures in place.

One district, without a written plan in place, is in the process of developing a policy to achieve compliance with national standards within the next year. Another district, though it has a diversity statement, does not have a plan and action steps to promote equity and inclusion but is actively working toward developing such plans. Finally, one district requires all staff members to participate in a six-hour diversity and inclusion training session, which will soon extend to include board members and volunteers.

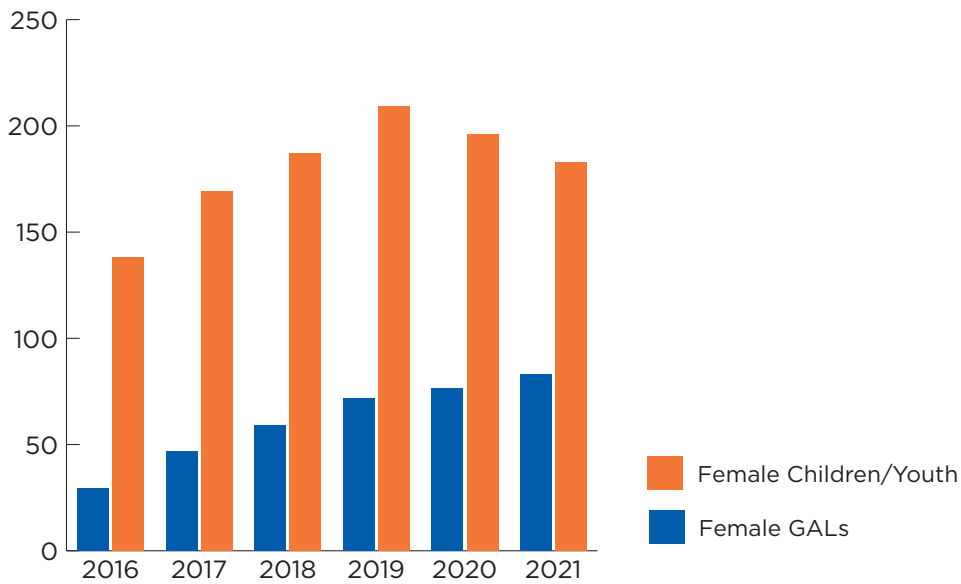
When it comes to the demographics of children served, race/ethnicity and gender were utilized to determine if the population of GALs reflected the demographics of the children served. Figure 9 shows percentages of minority GALs and minority children. Within the study period, the gap between them was widest in 2016 (14.9 percentage points), but narrowed in 2021 by 10 percentage points with the substantial increase of minority GALs.

FIGURE 9: PERCENT ETHNIC/RACIAL MINORITY CHILDREN/YOUTH SERVED AND GALs



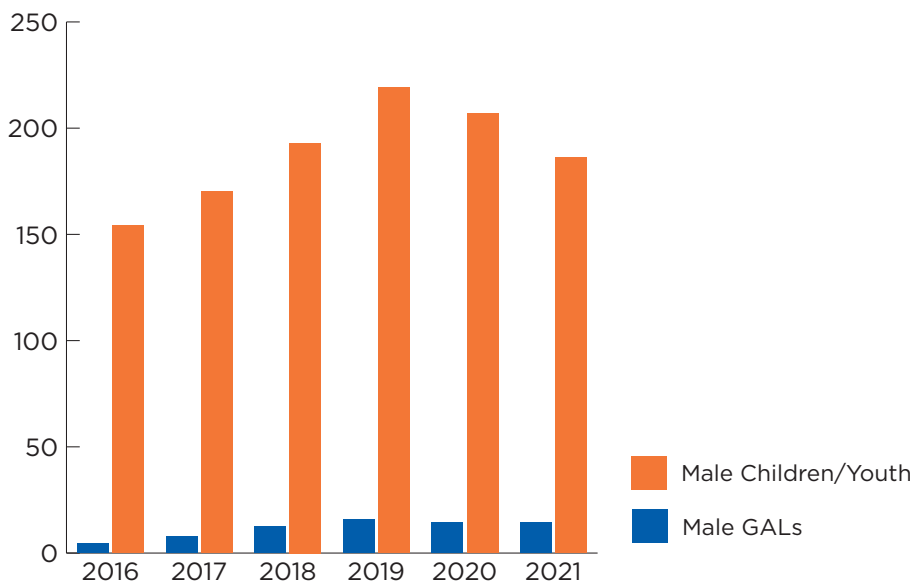
The gap between female GALs and female children was 108.5 (= 138 - 29.5) in 2016, while the gap narrowed in 2021 to 99.8 (= 183 - 83.2) (see Figure 10).

FIGURE 10: AVERAGE NUMBER CHILDREN/YOUTH SERVED VERSUS GALs - FEMALE



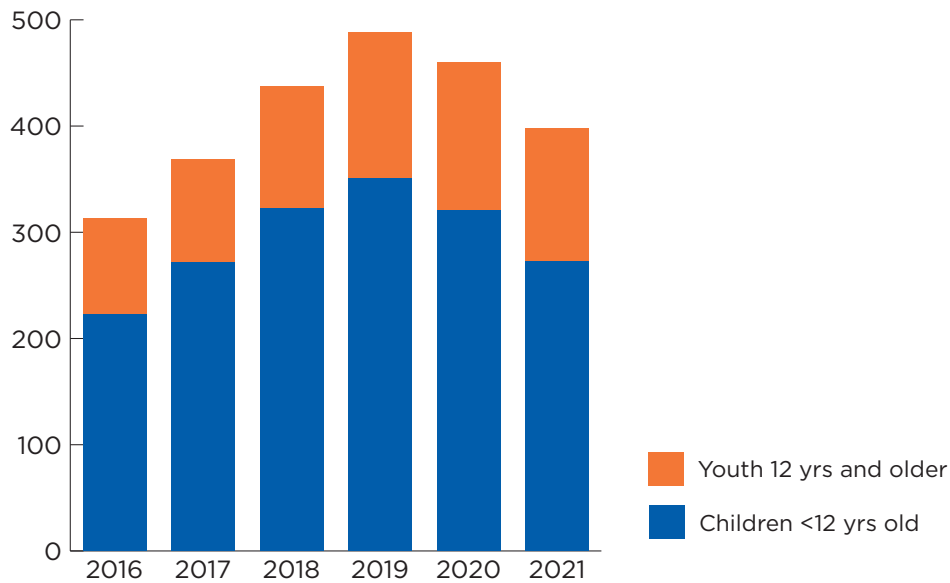
The difference between male GALs and male children served was 149.5 (= 154 - 4.5) in 2016. Although the number of male GALs increased from 4.5 in 2016 to 14.3 in 2021, the difference became larger being 171.7 (= 186 - 14.3) in 2021 due to the greater increase in male children from 154 in 2016 to 186 in 2021 (see Figure 11).

FIGURE 11: AVERAGE NUMBER CHILDREN/YOUTH SERVED VERSUS GALs - MALE



In regard to the age of children/youth served by GALs, a typical CASA Program served a greater number of children under 12 years of age than youth 12 years of age and older. For example, 223 for the former vs. 90 for the latter in 2016 and 273 vs. 125 in 2021 (see Figure 12).

FIGURE 12: AVERAGE NUMBER OF CHILDREN AND YOUTH SERVED



DATA, PROGRAM EVALUATION, AND CONFIDENTIALITY (RQ 2)

All CASA Programs provided quantitative programmatic data. Six CASA EDs provided details regarding their use of data for evaluative purposes. Four Programs have written program evaluation plans that include strategic plans, annual goals and objectives, triage plans, and logical frameworks. One Program has 11 goals used during evaluation, set annually and reviewed and evaluated by the governing board. In addition to standalone program evaluation plans, three Programs have evaluation plans within the employee handbooks.

Programs using evaluation plans report that an evaluation plan helps to ensure quality assurance. Several Programs participate in a yearly self-assessment by using the National CASA/GAL Association for Children (NCASAC) self-assessment requirements as guidelines. Moreover, Programs also utilize a strategic plan used to evaluate the annual success of the objectives, goals, and actions of the district.

When it comes to data protection and confidentiality, 100% of CASA Programs report training GALs on confidentiality issues and 97% of GALs report receiving training on confidentiality. Six CASA Programs have specific data management or confidentiality plans. These plans include data collection and reporting procedures, general confidentiality policies for email communications, case notes, and social media, board member, staff, and volunteer confidentiality policies, confidentiality agreements, record retention and destruction policies, and risk management policies. In practice, districts follow confidentiality policies by only discussing cases with case parties, avoiding discussion of cases beyond the office, keeping case files and other paper information locked in the office, maintaining a password protected database that is only accessible by supervisors and active volunteers on a case, protecting online workspaces with additional

firewalls, and providing volunteers with instructions on how to securely dispose of physical documents.

ADVOCACY PERCEPTIONS

BARRIERS AND CHALLENGES (RQ 1, RQ 8, RQ 9)

In order to achieve a full picture of CASA standards, we asked the EDs to “describe any challenges or barriers you face in achieving national or state standards.” Of the 7 responses for this question, 3 of the EDs stated they experienced no barriers. The most common barrier reported (n=4) was time, with one ED stating, “To go through 140+ standards is time consuming for a lean program. I’m grateful NCASAC provided a year to implement.” Another stated they did not have any issues with state standards, but that they might with the national standards because they were “plentiful.”

We also surveyed EDs on any barriers they saw for GALs in their ability to provide strong advocacy. The responses here were relatively consistent, with three of the five responses discussing a lack of respect for GALs in some capacity. This ranged from difficulties with IDHW and social workers, public defenders, and judges, with one ED stating, “GALs [are] not always respected or valued by social workers which result in subsequent delays in communication from the worker to the GAL. Many service providers resist providing GALS info, even after showing the court order, resulting in delays and having to involv[e] the court to get the info.” In addition, two of the five responses mentioned the high turnover of social workers at IDHW, with one ED stating, “The child welfare system is very overwhelming, there is a high turnover of caseworkers.” Lastly, one ED stated that there were not a sufficient number of GALs and another mentioned that the upcoming changes in the grant process at the Idaho Supreme Court could cause some programs and volunteers to become unsupported.

GALs were asked to describe any barriers or challenges they faced in their work. A total of 176 valid responses were recorded (19 respondents provided qualitative feedback for the question but simply said there were no barriers or challenges).

There were several consistent themes among the responses; the most frequently cited barrier/challenge was working with IDHW (n=56, 32%). Several respondents indicated that IDHW was overwhelmed and overworked, while others expressed frustration with communication, being kept aware of relevant information, and feeling like there are conflicts between GALs and IDHW in determining the child’s best interests. Many expressed sentiments similar to this respondent: “If I report anything to the CASA office that goes against the opinion of the Department of Child & Welfare Services, I get push back because I am not qualified to provide expert opinion and the Social Worker supposedly is. None of my personal, educational, or work experience is considered as qualifying me to disagree with the Department.”

The findings in our data that working with IDHW presents some challenges for CASA Programs and GALs echo those in previous reports. First, the 2017 Child Welfare Report identified that 69 percent of GALs interviewed did not think social workers had sufficient time to effectively work on their cases and 35 percent of GALs agreed with the statement that social workers were more focused on finishing tasks than on the quality of work completed.



Along those lines, the next two most common responses were having their voice heard (n=38, 22%) and communication (n=36, 20%). Respondents indicated if there was a difference of opinion between a GAL and IDHW, the GAL's perspective was not adequately heard. One respondent expressed that "when you feel like your advocacy does no good at all, it's hard to keep advocating when you feel like it is falling on deaf ears" and another stated courts do "not valu[e] CASA's recommendation." In the 2018 report on child representation in Idaho, similar findings were presented as to the GAL's role in the courtroom. Judicial perspectives on the GAL's contribution to the courtroom vary; some judges only permit GALs to speak through their appointed attorney, while other judges allow GALs to talk openly in court.

Challenges with communication were sometimes described in the context of working with IDHW, but a few respondents also indicated they would prefer increased communication from their local CASA office. For example, one respondent stated it was a challenge "when a child is being returned home to his or her folks and you are left out of the loop." Others explained it was hard to work with so many different parties, particularly people they do not know. One respondent stated there were "lots of parties in my current case, [and it is] sometimes difficult to communicate with all of them in a timely manner."

Many respondents (n=25, 14%) also stated that time was a significant challenge for them and they frequently cited the difficulties of balancing their own jobs, children, etc. with the time required to provide strong advocacy. Other barriers/challenges include working with parents/families of the children (n=19, 11%) and requesting and obtaining documents/information about the child/case because other agencies are not willing to share information (even with appropriate legal documentation) (n=10, 11%). With regards to parent/family issues, this was frequently expressed as a challenge in gaining trust and with feeling the parents did not want the GAL around. One respondent described it as such: "I want to be as anonymous as possible so the parents can't seek me out or harass me if the case isn't going their way. I've also been intimidated during a house visit by a parent and wouldn't go back to the house alone. I want to help the children, yet not be worried the parents see me as a threat to their agenda."

In addition, seventeen respondents cited a lack of services available for the children (n=17, 10%). This concern about the lack of services available for children involved in child welfare cases was also highlighted in the 2017 Child Welfare System report. This concern was expressed by judges, GALs, and staff at Child and Family Services. This was also discussed in the 2018 report with more focus on the variation in service availability across districts.

Seventeen respondents (10%) stated that there were emotional challenges associated with working as a GAL, 13 (7%) expressed challenges with scheduling, and 12 (7%) stated that there needed to be more funding for CASA and/or IDHW. Connecting with the children was also cited as a challenge by 11 (6%) of respondents, particularly with older children/youth. One respondent stated that it was hard “getting to know the children when they have been through so much....breaking down the trust barrier.”

In addition, some respondents (n=13, 7%) said they felt their lack of experience was a challenge and thirteen also cited COVID-related issues, including difficulties in visiting and developing rapport with parties in the case. Finally, other barriers reported by fewer than 10 respondents were determining what is in the best interests of the child, challenges working with their local CASA office, a lack of support/feelings of isolation (one stated “Currently, because of the pandemic, our office is closed to volunteers. Not being able to meet/talk with other volunteers occasionally has been difficult”), language barriers, working with Indian law cases, rural challenges, and working with technology.

When asked about whether any stages of advocacy were more challenging, 126 respondents in the staff/volunteer survey provided qualitative feedback for this question and several respondents identified multiple stages. By far the most common response was the early stages of advocacy (n=46, 37%). Many in this category identified the early investigatory work as being challenging, with one volunteer stating “For me, the stage of accumulating information at the beginning of a case is most challenging and time-consuming.”



Others noted that it was a challenge at the start of a case to build rapport and relationships with parties involved. The second-most cited stages (n=16) were after a case plan was in place and permanency/adoption options. Many who mentioned the post-case plan phase expressed frustration with parents who were not following the case plan. For example, one explained “it is more challenging if the parents are not involved with their case plan.”

Fifteen volunteers cited post-placement as a difficult stage, with many explaining challenges with coordinating and sharing information with foster families. Additionally, 10 respondents indicated that finding a placement was a difficult stage; a few explained the lack of foster options as a challenge. Additional themes identified here were report writing (n=9), termination of parental rights/post termination of parental rights (n=11), court hearings and speaking in court (n=12), home checks and visits (n=9), and making recommendations to the court (n=5).

Two respondents stated that all stages were difficult and seven explained that it depended on the case. In general, volunteers seem to find the early stages of investigation, collecting documents and information, and building relationships with parents, children, and IDHW to be the most challenging. After that, responses were fairly evenly split across post-case plan (particularly if the biological families are non-compliant), finding placements and coordinating after a placement, and permanency options such as adoption. Many also expressed challenges with speaking up in court, the emotional challenges of parental rights being terminated, and various difficulties (emotional, logistical) associated with home visits.

Of the 39 judges who completed the survey, 19 provided qualitative feedback. While the judges who provided qualitative feedback did state that the GALs in their districts were effective (see below), they did also identify some challenges and barriers to GALs carrying out their role. The most common barrier identified (n=6; 32%) was the need for more volunteer GALs. Judges explained that barriers were created simply due to the lack of sufficient GALs available and several noted more recruitment may help. For example, one judge stated, “I think it would be helpful if there were MORE of them and so recruitment efforts are important.” Another judge’s comment went slightly further and suggested a wholesale evaluation of the GAL program: “We all need to do better to actively encourage people to volunteer as GALs. We need to evaluate whether this model can continue to effectively serve the needs of the court system.”

The second most common barrier identified (n=3; 16%) in the qualitative feedback was challenges across different agencies and people, specifically IDHW/social workers and GALs. Two judges indicated that they observed disagreements between GALs and IDHW, while one stated that they felt the GALs would “parrot what IDHW wants.” The other barriers identified from the judges’ qualitative responses (all n=1) were 1) the need for more training for GALs; 2) the need for more attorneys for the GALs themselves; and 3) rural challenges, “The rural nature of the district also contributes as a barrier although Zoom hearings help with this issue.”

OPPORTUNITIES (RQ 8, RQ 9)

In the GAL survey, staff and volunteer GALs were asked to provide feedback on suggestions for improvements to the program. A total of 172 answered this question and the most frequent response was to have no suggestions for improvement (n=56, 33%). Following that, 29% (n=50) of the respondents indicated they would like more training. Twenty-two did not identify a specific area of training to increase, but several other categories were explicitly described: report writing (n=3); legal issues, including speaking in court (n=10), working with IDHW (n=2); interviewing (n=2); substance abuse (n=1); documents and investigation (n=5); child development (n=1); and the role of a GAL (n=2). Along those lines, eight respondents (5%) stated they wished they had a guide or lawyer to either work with or to have available to help with legal questions or review reports. A common thread throughout the training suggestions was a desire for more hands-on work, with one respondent stating they would like “more hands on observations and opportunities during the initial training” and another stating, “I would have liked to visit foster homes with my supervisor more before going out on my own.” Previous evaluations in Idaho have also identified that volunteer previous professional skills and training are highly variable (Child Welfare System, 2017).

Twenty-one respondents (n=21) expressed a desire for more communication and/or collaboration within the overall CASA program. Specific suggestions included increased opportunities to discuss difficulties, for example:

When there are hearings, there needs to be a way that the GAL can “debrief”. Perhaps being able to communicate with a coordinator or another CASA employee. These matters can be overwhelming and frustrating and having someone to bounce off would be helpful.

Another stated, “There needs to be more stress on CASA as a team. This volunteer felt he was solo in many situations.” Echoing the responses to the previous question, several respondents suggested improving the relationship between GALs and IDHW (n=15, 9%) or judges (n=3, 2%) and 11 (6%) expressed a general desire for more respect. One respondent expressed a desire for the GAL to be more involved in communications with IDHW:

A monthly staffing with the CASA volunteer and the IDHW worker would be very helpful. There are currently weekly staffing between CASA supervisor and IDHW but as a volunteer on the case communication is often limited. IDHW workers do not share information freely directly with volunteer who is the person that is charged with protecting the children.

Twelve respondents (7%) stated that there needs to be increased funding for GALs and child welfare overall, with one stating:

[S]tate statutes require that Guardian ad Litem are appointed to all children in the child protection system. I wish our Program would be fully funded by the State of Idaho. It would give us more focus on recruiting, training and supporting our volunteer advocates instead of fundraising.

In addition, a handful of respondents (n=4, 2%) similarly expressed that there need to be more GALs. Responses occurring in fewer than 8 respondents included a new document

system, providing therapy for GALs, more GALs specifically for older youth:

I believe that children/teens about age 12 deserve better than having a public defender assigned to them. Attorneys, particularly those assigned from the public defender pool, have so many cases that they just can't give the advocacy that the children deserve. 12-years-old is just too young to be able to communicate with their attorney, let alone advocate for themselves and allowing GALs to transport the children/youth in their own vehicles.

GAL STRENGTHS (RQ 1, RQ 8, RQ 9)


GALs, EDs, and judges all indicate overwhelmingly that GALs adequately advocate for the best interests of the child/youth.

93% of Guardians Ad Litem

100% of CASA Program Executive Directors

89% of Magistrate Judges

believe
GALs adequately advocate
for the best interests of
the child/youth



Feedback from judges indicated that GALs are overall well-equipped to carry out their role. The vast majority of respondents indicate GALs file timely (89%) and high-quality reports (83%). Judges (89%) also indicate GALs help them to better understand the circumstance of the child and 97% of judges believe GALs and their advocacy add value to the child and their case.

Of the qualitative sample from the judge survey 57% (n=11) also indicated the GALs in their district did a good job. Some of these comments were effusive. For example, one judge stated, "CASA GALs appear in every CPA case and do an exceptional job advocating for the children," and another said, "They are wonderful people and I would like to thank them Literally Angels on Earth!" One judge stated that the GAL reports in child protection cases were often more meaningful than reports from other state agencies.

Despite some of the challenges and barriers described, when asked if there was anything else they would like to share about being a GAL, 56% (n=95/142 valid responses) provided overwhelmingly positive feedback, and seventeen percent (n=24) provided neutral responses. Many GALs stated that even though it was challenging work, it was very rewarding, with one stating, "I encourage anyone who has "thought" about being an advocate, to just DO IT! Go through the training! It's a huge learning curve, challenging but SO REWARDING!" Other responses in these categories include "I find the program rewarding. I love working with the children, and hoping to help make things better for them in the long run" and "working with the children has been wonderful and it is beautiful to see the differences in their lives."

Only sixteen responses (11%) were overwhelmingly negative (an additional five responses did not fall into positive, negative, or neutral categories). Those with negative responses frequently cited the challenges and gaps in Idaho’s child welfare system overall, including one who stated that “it is extremely frustrating working within a broke system. But someone has to do it” and others citing burnout, emotional challenges (“I plan to quit when my current cases are over. Its [sic] too hard emotionally”), and a lack of support experienced by GALs.

CONCLUSION

As detailed in this report, Idaho’s CASA Programs serve children and youth across the state in child protection cases. These programs are making concerted efforts to align with national best practices for child advocacy, key provisions of Idaho I.C. 16-1632 and I.C. 16-1633, and key provisions of IJR 35. All programs’ mission statements identify their goals and purposes and each also has official orientation procedures for new advocates. In addition, their efforts include all of the state’s seven CASA Programs effectively training GALs, as evidenced throughout this report. The vast majority of GALs complete the required 30 hours of pre-service training and 12 hours of additional training annually.

Magistrate judges, CASA Program Executive Directors, and GALs all indicate GALs are able to carry out their assigned duties, such as filing timely and high-quality reports. Most importantly, however, GALs adequately advocate for the best interests of the child. This is critical in child protection cases, as the children and youth are in especially vulnerable positions and also echoes findings from OPE’s 2018 Representation for Children and Youth in Child Protection Cases report, which found that the majority of stakeholders surveyed also agreed that GALs were effective at advocating for the child’s best interests.²⁶

Most CASA programs currently have written plans for GAL recruitment and retention. However, GAL recruitment and retention continue to be challenging across the state, resulting in some children not being assigned a GAL and/or GALs being assigned to more than two cases at a time. The struggle to recruit and retain enough GALs to cover all necessary cases seems to be ongoing for CASA programs in Idaho, as it was identified by the Office of Performance Evaluation in 2017²⁷ and in 2018.²⁸

Magistrate judges, CASA Program Executive Directors, and GALs all voiced the need for additional GALs and highlighted a lack of GALs as a significant barrier in the state. However, if volunteer retention is prioritized, then the data indicates GAL numbers may grow. Some of the barriers impacting retention and overall GAL numbers, include conflicts with the Department of Health and Welfare and GALs feeling the need for more support from their assigned attorney, CASA Program staff, or, in some cases, other GALs. This again is consistent with previous work in Idaho finding that GALs needed access to legal representation in order to be effective and develop a strong case theory and that relationships between GALs and the Department of Health and Welfare varied significantly.²⁹ Many survey respondents (EDs, CASA staff, and GAL volunteers) also expressed a need for increased funding for GALs.

Some challenges facing the state may not have a clear solution. For instance, race and ethnic demographics of the GALs are not reflective of the children and youth served, even

when diversity, equity, and inclusion plans are in place. Thus, there may need to be more targeted efforts to recruit a more diverse volunteer base. Several Executive Directors indicated this was already presenting a challenge in their district. In addition, understaffing and retention concerns at IDHW are not unique to the relationship with GALs and likely present a larger issue for the state, as evidenced by the 2018 Child Welfare System report's statement that "[w]ithout question, the most common theme we found in our evaluation was the perception that social workers do not have enough time to serve their cases effectively."³⁰

Considering the findings in this report, the following policy and programmatic alternatives could build off the existing strengths of Idaho's GAL Program.

- Dedicated support to enable CASA Programs to strengthened recruitment and retention efforts for both staff and volunteers. This effort could also enable a more targeted recruitment effort to better align GALs' demographics with those of the children being served.
- Dedicated support toward the Department of Health and Welfare's efforts to attract and retain greater numbers of high-quality social workers which would provide more consistent partnership support for GALs. Additionally, increased effort to facilitate coordination between all stakeholders in a child protection case would lead to more efficiency and better outcomes for children and youth.
- Creation of a support system for GALs including support groups comprised of active GALs and CASA staff, access to therapists/mental health professionals, a mentoring program, and/or additional hands-on training/observation opportunities for GALs would help increase retention by addressing the issues associated with burnout and secondary trauma.
- Finally, the CASA Programs across the state operate independently without much support or oversight from the state, yet they are all experiencing similar challenges and working to solve them. A state liaison position or oversight committee could help CASA Programs collaborate more often in their efforts to overcome barriers to aligning with national best practices for child advocacy and Idaho rules and statutes. OPE also made a recommendation for a statewide entity to "provide stability and consistency to organizations providing child representation services." The data collected for this report also support the idea that a statewide entity to support CASA programs and other child advocates would be beneficial.³¹

ENDNOTES

- 1 Office of Performance Evaluations, Idaho Legislature (2017). *Child Welfare System*. <https://legislature.idaho.gov/wp-content/uploads/OPE/Reports/r1701.pdf>
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20 Office of Performance Evaluations, Idaho Legislature. (2017). *Child Welfare System*, p. 82. <https://legislature.idaho.gov/wp-content/uploads/OPE/Reports/r1701.pdf>

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23 Office of Performance Evaluations, Idaho Legislature. (2018). *Representation for Children and Youth in Child Protection Cases*, p. 7. <https://legislature.idaho.gov/ope/reports/r1802/>

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29 Ibid.

30 Office of Performance Evaluations, Idaho Legislature. (2017). *Child Welfare System*, p. 8. <https://legislature.idaho.gov/wp-content/uploads/OPE/Reports/r1701.pdf>

31 Office of Performance Evaluations, Idaho Legislature. (2018). *Representation for Children and Youth in Child Protection Cases*, p. 58. <https://legislature.idaho.gov/ope/reports/r1802/>

APPENDIX A: IDAHO STATUTES AND RULE

IDAHO CODE § 16-1632

Full text: <https://legislature.idaho.gov/statutesrules/idstat/title16/t16ch16/sect16-1632/>

IDAHO CODE § 16-1633

Full text: <https://legislature.idaho.gov/statutesrules/idstat/title16/t16ch16/sect16-1633/>

IDAHO JUVENILE RULE 35

Full text: <https://isc.idaho.gov/ijr35>

APPENDIX B: NATIONAL CASA/GAL ASSOCIATION FOR CHILDREN STANDARDS

KEY PROVISIONS SELECTED BY IDAHO SUPREME COURT

Standard 1A: Establishes a mission statement consistent with CASA/GAL Best-Interest Advocacy

Standard 1B: Establishes values consistent with CASA/GAL Best-Interest Advocacy

Standard 2(A)(1): Recognize the important of family preservation and/or reunification (via a written policy)

Standard 2(A)(2): Recognize the importance of diversity, equity, and inclusion (via a written policy)

Standard 2(B): Provides orientation, training, and continuing education for staff, volunteers, and nonprofit governing board members about these guiding principles (ED and volunteer feedback)

Standard 3(A)(1): Written plan and action steps are adopted to diversify the program's staff, volunteers, and governing board to reflect the population of children served.

Standard 3(A)(2): Written plan and action steps are adopted to promote equity and inclusion of diverse staff, volunteers and members of the governing board.

Standard 8(A)(1): The program has a written, inclusive plan for recruiting and selecting volunteers who reflect the diversity of children served.

Standard 8(A)(2): The program prepares standardized information that is readily available to recruit volunteers which includes the purpose of a GAL, qualifications required, time commitment for volunteers, and other relevant information.

Standard 8(A)(4): The program responds to all potential volunteer inquiries within five business days of receipt.

Standard 8 (F)(8): The Program will not assign more than two cases at a time to a volunteer.

APPENDIX C: SURVEY INSTRUMENTS

GUARDIAN AD LITEM SURVEY

Q Thank you very much for your participation in this survey. Your time and feedback are very valuable to the process and we appreciate your input. We will begin the survey with a set of introductory questions and then will move onto more specific questions regarding (your district/your volunteer work/your perceptions).

Since 2018 have you served as a Guardian ad Litem?

Yes

No

Q Please select all that apply. Since 2018:

I have been a volunteer GAL

I have served as a GAL as a staff member of a CASA program

Q How many years total have you served in this role? (This includes all cumulative years).

0-2

3-5

6-10

11 or more

Q What motivated you to work with or volunteer with CASA?

Q In which county(ies) do you serve as a GAL?

[list of Idaho counties]

Q Were you fingerprinted as part of your background check process?

Yes

No

I don't remember/I'm not sure

Q We have a few questions regarding your role. Please indicate your level of agreement or disagreement with the following statements: [strongly disagree, disagree, neither agree nor disagree, agree, strongly agree]

I am able to advocate for my appointed children at every stage of the legal proceedings

I feel equipped to complete my role as GAL

I feel supported by my local office.

The training I received was sufficient to prepare me for serving as a GAL.

I understand my role as a GAL and what I am responsible for.

I understand which duties in a case are not my responsibility.

I typically file timely reports before hearings

I typically file high-quality reports before hearings

My reports assist the judge in understanding the circumstances of the child

My reports typically include the expressed wishes of the child being represented

I actively participate in proceedings

I adequately advocate for the best interests of the child

I monitor the circumstances of the child to ensure that the terms of the court orders are being fulfilled.

My advocacy add value to the child and their case

Q Do you see any barriers to being able to provide strong advocacy?

Yes

No

Q Please explain the barriers you face in being able to provide strong advocacy.

Q How many hours of GAL training did you complete prior to GAL service?

Q How many hours of GAL training did you complete in the last year?

Q Please rate your level of agreement or disagreement with the following statement:

Based on my GAL training, I feel well equipped to carry out my role.

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Q Did your pre-service training cover the following topics? [yes, no, unsure]

Roles and responsibilities of a GAL volunteer

Court process

Dynamics of families including mental health, substance use, domestic violence, and poverty

Relevant state laws, regulations, and policies

Relevant federal laws, regulations and policies, including the Adoption and Safe Families Act (ASFA), the Child Abuse Prevention and Treatment Act (CAPTA), the Indian Child Welfare Act (ICWA), and the Multiethnic Placement Act (MEPA)

Confidentiality and record-keeping practices

Child development

Child abuse and neglect

Permanency planning

Community agencies and resources available to meet the needs of children and families

Communication and information gathering

Effective advocacy

Cultural competency

Special needs of the children served

Volunteer safety

Educational advocacy

Q Do you know if the office that you volunteer or work for has a mission statement?

Yes

No

Q Can you describe your office's mission statement or provide any detail on the lack of a mission statement?

Q Have you experienced any secondary trauma working as a GAL?

Yes

No

Q You selected "Yes" that you have experienced any secondary trauma working as a GAL. Could you please explain?

Q Are there any stages of the process where advocacy is more challenging?

Yes

No

Q You selected “yes” that there are stages of the process where advocacy is more challenging. Could you please explain?

Q Please describe any barriers or challenges that you face in your work as a GAL.

Q Do you have any suggestions for improvement of the GAL program?

Q Do you have anything else you would like to share regarding your experience as a CASA/GAL volunteer?

Q What is your gender?

Male

Female

Non-binary / third gender

Prefer to self-describe _____

Q What is your age? [age range options]

Q Which category describes you? (Please choose all that apply)

American Indian or Alaska Native

Asian, Native Hawaiian, or other Pacific Islander

Black or African American

Hispanic, Latino, or Spanish Origin

White

Multiethnic

Other _____

Prefer not to disclose

CASA EXECUTIVE DIRECTOR SURVEY

Q First, we will begin with some introductory questions.

How many years have you served in your current position?

0-2 years

3-5 years

6-10 years

11 or more years

Q What motivated you to work with CASA?

Q Does your program serve children within all counties of your district?

Yes

No

Q You selected no to the question “Does your program serve children within all counties of your district?” Can you explain why?

Q Does your program have an established program for attorneys to represent GALs?

Yes

No

Q You selected no to the question “Does your program have an established program for attorneys to represent GALs?” What would you need to establish a program?

Q You selected yes to the question “Does your program have an established program for attorneys to represent GALs?” Please select which of the following best describes your program (select all that apply):

We have volunteer lawyers

We have contract lawyers

Other, please indicate: _____

Q Do you use fingerprint-based background checks for volunteers?

Yes

No

Q Do your fingerprint-based background checks for volunteers include a check of the Idaho Sex Offender Registry and the Child Abuse Registry?

Yes

No

Q Please indicate which of the following best describes your GAL program

We do not have enough GAL volunteers compared to the demand

We have the right amount of GAL volunteers for the demand

We have too many GAL volunteers compared to the demand

Q Below are some statements regarding Guardian Ad Litem (GALs) in your district. For each statement, please rate your level of agreement or disagreement. [strongly disagree, disagree, neither agree nor disagree, agree, strongly agree]

GALs typically file timely reports before hearings

GALs typically file high-quality reports before hearings

GAL reports assist me in understanding the circumstances of the child

GAL reports typically include the expressed wishes of the child being represented

GALs advocate for their appointed children at every stage of the legal proceedings

GALs actively participate in proceedings

GALs adequately advocate for the best interests of the child

GALs appear to monitor the circumstances of the child to ensure that the terms of the court orders are being fulfilled.

GALs and their advocacy add value to the child and their case.

Q Do you see any barriers to GALs providing strong advocacy?

Yes

No

Q You answered “Yes” to the question “Do you see any barriers to GALs providing strong advocacy?” Could you provide more detail on this response?

Q To what extent have you developed and do you follow written policies for: [yes, no, unsure]

Recruitment of volunteers

Volunteer applications

Volunteer selection

Volunteer screening

Volunteer training
Volunteer supervision
Volunteer roles and responsibilities
Volunteer dismissal

Q How many hours of pre-service training do GAL volunteers complete?

Q How many hours of yearly training do GAL volunteers complete?

Q Do your pre-service materials cover the following topics: [yes, no, unsure]

Roles and responsibilities of a GAL volunteer

Court process

Dynamics of families including mental health, substance use, domestic violence, and poverty

Relevant state laws, regulations, and policies

Relevant federal laws, regulations and policies, including the Adoption and Safe Families Act (ASFA), the Child Abuse Prevention and Treatment Act (CAPTA), the Indian Child Welfare Act (ICWA), and the Multiethnic Placement Act (MEPA)

Confidentiality and record-keeping practices

Child development

Child abuse and neglect

Permanency planning

Community agencies and resources available to meet the needs of children and families

Communication and information gathering

Effective advocacy

Cultural competency

Special needs of the children served

Volunteer safety

Educational advocacy

Q Does your program maintain management information and data necessary to plan and evaluate its services?

Yes

No

Q Does your program actively use data for decision making or internal evaluation?

Yes

No

Q Can you elaborate on your program's use of data for decision making or internal evaluation?

Q Could you describe the confidentiality policies of your district?

Q Does your office have an established mission statement?

Yes

No

Q Can you elaborate on your office's mission statement?

Q Could you describe the orientation and training provided for governing board members?

Yes

No

Q Can you elaborate on the orientation and training for governing board members?

Q Does your office currently have a written plan and action steps to promote equity and inclusion of diverse staff, volunteers, and members of the governing board?

Yes

No

Q Can you elaborate on your office's use of a written plan and action steps to promote equity and inclusion?

Q Does your office currently have a written plan and action steps for recruiting and selecting volunteers who reflect the diversity of children served?

Yes

No

Q Can you elaborate on your office's use of a written plan and action steps for recruiting and selecting volunteers who reflect the diversity of children served?

Q Does your program respond to all potential volunteer inquiries within 5 business days of receipt?

Yes

No

Q Can you elaborate on your program's response to potential volunteer inquiries?

Q Are any volunteers in your program assigned more than 2 cases at a time?

Yes

No

Q Can you elaborate on your program's volunteer case assignments?

Q Please describe any challenges or barriers you face in achieving national or state standards.

Q Please describe any challenges or barriers you face in recruiting volunteers.

Q Please describe any challenges or barriers you face in retaining volunteers.

Q How are volunteers supported with challenges such as secondary trauma, etc.?

Q Do you have anything else you would like to share regarding anything pertaining to the survey or its contents?

Q Would you like to meet with us and have a discussion over anything in this survey?

Yes, please leave name and email

No

MAGISTRATE JUDGE SURVEY

Q First, we have a few background questions for you.

How many years have you served as a magistrate judge?

0-2

3-5

6-10
11 or more

Q How many years have you presided over child protection cases?

0-2
3-5
6-10
11 or more

Q Between 0-100%, what percentage of your total docket is child protection cases?

Q What motivated you to seek work as a magistrate judge?

Q Below are some statements regarding Guardian Ad Litem (GALs) in your district. For each statement, please rate your level of agreement or disagreement. [strongly disagree, disagree, neither agree nor disagree, agree, strongly agree]

GALs typically file timely reports before hearings

GALs typically file high-quality reports before hearings

GAL reports assist me in understanding the circumstances of the child

GAL reports typically include the expressed wishes of the child being represented

GALs advocate for their appointed children at every stage of the legal proceedings

GALs actively participate in proceedings

GALs adequately advocate for the best interests of the child

GALs appear to monitor the circumstances of the child to ensure that the terms of the court orders are being fulfilled.

GALs and their advocacy add value to the child and their case.

Q Do you see any barriers to GALs in your district providing strong advocacy?

Yes
No

Q You selected yes to the question "Do you see any barriers to GALs in your district providing strong advocacy?" Could you provide more detail on this response?

Q Do you have anything else you would like to share regarding GALs in your district?

APPENDIX D: CASA PROGRAM DIRECTOR DOCUMENT REQUEST

DOCUMENT REQUEST MEMO

Data CASA Director:

Outlined on the next page is the process for the document request as well as the explanation for each of the items requested. Please email these items to me by Tuesday, September 8th. Also, please remember there is no need to create these documents for this request as we recognize some of them aren't scheduled to be finalized until 2022. We only wish to review documents currently in place. If you have any questions, please contact me Vanessa Fry at vanessafry@boisestate.edu or 208.720.8310.

Thanks for your commitment to this important work!

Best,
Vanessa Fry
Interim Director
Idaho Policy Institute

DOCUMENT REQUEST

Below describes each of the items requested in detail. CASA EDs were also provided with a checklist and space to provide any notes/comments about the items.

1. Orientation documents (staff, board, volunteers)

Any documentation or policies in place that describe the orientation procedures for staff, board (bylaws), and volunteers

2. Training documents (staff, board, volunteers)

Any documentation or policies in place that describe the training provided for staff, board (bylaws), and volunteers

3. Recruitment documents (volunteers)

Any documentation or policies in place that describe the recruitment procedures for staff, board (bylaws), and volunteers

4. Retention policy (staff, board, volunteers)

Any documentation or policies in place that describe the retention procedures for staff, board, and volunteers

5. Diversity and Inclusion policy and procedures

Any written statements the organization has regarding diversity and inclusion and any written procedures regarding how the organization carries out the policies.

6. Data Management/confidentiality plan

A written plan regarding how the organization handles its data in order to keep it confidential and prevent any data security breaches

7. Evaluation Plan

A written plan describing how the organization evaluates its program

8. Case prioritization plan/policy

A written plan/policy regarding how the organization prioritizes its services

9. Recruitment docs for staff

Any documentation regarding your recruitment strategies:

10. Mission statement

Written mission statement

11. Vision statement

Written values statement or other documentation of organization's stated values

12. Policy regarding family preservation and/or reunification

Any written policy or documentation recognizing the importance of family preservation/reunification:

APPENDIX E: NUMBER OF DISTRICTS PROVIDING DATA

The tables below correspond with the figures in the report and indicate the number CASA Programs providing data for each of the data elements. * indicates years eliminated.

TABLE 1: (FIG. 1) AVERAGE NUMBER OF GAL'S STARTED OR COMPLETED TRAINING

Reporting Year	Volunteers Starting Training	Volunteer Completing Training
	Number of CASA Programs Reporting	
2016*	3	4
2017	3	5
2018	5	7
2019	5	7
2020	6	7
2021	5	6

TABLE 2: (FIG. 2) AVERAGE IN-SERVICE TRAINING HOURS COMPLETED BY GAL'S

Reporting Year	Hours in-Service Training
	Number of CASA Programs Reporting
2016*	2
2017	4
2018	6
2019	6
2020	7
2021	6

TABLE 3: (FIG. 3) AV. NUMBER OF ACTIVE GAL'S MAINTAINED BY CASA PROGRAMS

Reporting Year	Number of Active GAL's
	Number of CASA Programs Reporting
2016*	4
2017	3
2018	7
2019	7
2020	7
2021	6

TABLE 4: (FIG. 4) GAL AV. LENGTH OF TIME (IN MONTHS) WITH CASA PROGRAM

Reporting Year	Average Length of Time
	Number of CASA Programs Reporting
2016*	3
2017	4
2018	5
2019	5
2020	5
2021	5

TABLE 5: (FIG. 5) AVERAGE NUMBER OF GALs BY AGE

Reporting Year	Number of GALs by Age Group	
	Number of CASA Programs Reporting	
2016	2	
2017	3	
2018	4	
2019	4	
2020	4	
2021	3	

TABLE 7: (FIG. 7) AVERAGE NUMBER CHILDREN/YOUTH SERVED BY CASA PROGRAMS

Reporting Year	Volunteers Starting Training	
	Number of CASA Programs Reporting	
2016	4	
2017	5	
2018	7	
2019	7	
2020	7	
2021	6	

TABLE 8: (FIG. 8) AV. NUMBER OF CHILDREN/YOUTH SERVED BY GAL VOLUNTEERS AND STAFF

Reporting Year	Chi/Youth Served by Volunteers	Chi/Youth Served by Staff
	Number of CASA Programs Reporting	
2016	4	4
2017	5	5
2018	7	7
2019	7	6
2020	7	6
2021	6	4

TABLE 9: (FIG. 9) % ETHNIC/RACIAL MINORITY CHILDREN/YOUTH SERVED AND GALs

Reporting Year	% Minority Children/Youth	% Minority GALs
	Number of CASA Programs Reporting	
2016	2	2
2017	3	3
2018	5	5
2019	5	5
2020	5	5
2021	3	4

TABLE 10: (FIG. 10) AV. NUMBER CHILDREN/YOUTH SERVED VERSUS GALs - FEMALE

Reporting Year	Female Children/Youth	Female GALs
	Number of CASA Programs Reporting	
2016	4	4
2017	5	5
2018	7	7
2019	7	7
2020	7	7
2021	6	6

TABLE 11: (FIG.) AVERAGE NUMBER CHILDREN/YOUTH SERVED VERSUS GALs - MALE

Reporting Year	Male Children/Youth	Male GALs
	Number of CASA Programs Reporting	
2016	4	4
2017	5	5
2018	7	7
2019	7	7
2020	7	7
2021	6	6

TABLE 12: (FIG. 12) AVERAGE NUMBER OF CHILDREN AND YOUTH SERVED

Reporting Year	Children/Youth Served by Age	
	Number of CASA Programs Reporting	
2016	5	
2017	4	
2018	5	
2019	5	
2020	5	
2021	4	

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