

CASAs: Dual and CSEC Youth



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Beyond the Bench
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Goal

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Presentation of CASA and Court experience with Dual and CSEC youth to demonstrate that CASA advocacy and support is important to the rehabilitation and future functioning of Juvenile Justice youth.



Why Now?

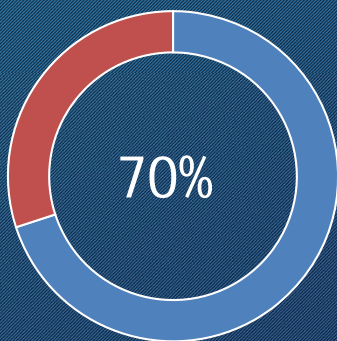
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- 2016: The law changed.
- Welfare and Institutions Code section 101 amended to explicitly authorize CASAs for youth in the JJ System (“602 wards”).
- Previously: Law didn’t forbid this, but didn’t expressly authorize it.



Why Now?

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- Over 70% of youth on probation in California in 2016 had prior or present contact with CWS.



Objectives

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- To discuss unique characteristics of Dual and CSEC youth and to illustrate how they present to the court and CASA program.
- To demonstrate the role of CASAs with these youth from the perspective of the Court and the CASA program.
- Case Examples
- To illustrate through role playing unique evidentiary issues.



CASAS In the Juvenile Justice System

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- Can't assign a dependency CASA to JJ youth without special training and supervision.
- CASA advocacy is vital to the successful rehabilitation of these youth—regardless of how they're handled on local calendars.



Dual and CSEC Youth in Court

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- CSEC: Different than dependents—enter the JJ system because of their own anti-social acts—not because of parental abuse or neglect. Nowhere to go when leave court system
- Duals/Crossover Youth: Abused and neglected *and* acting out—Delinquency+Dependency—or vice versa



Dual and CSEC Youth and the CASA Program

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CASA Training for JJ Youth Differs from Dependency:

- Teaching about WIC 600 youth, not 300's—and a different court system.
- Holding kids accountable---not their parents--CASA recognition of this.
- No investigation of the case---Unlike dependency.



Dual and CSEC Youth and CASAs (cont'd)

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- CASA apprehension about JJ youth--“Don’t judge a book by its cover.”
- Working with a different multi-disciplinary team: D.A., P.D. and Probation



Dual and CSEC Calendars

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Separate calendars in San Diego, but same concerns and considerations apply to all JJ youth, regardless of separate calendars.



Story of a Girl: Court and CASA Perspectives

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The role of CASAs for these youth-Case illustration:

- Court's perspective-Similarities and differences from dependency.
- CASA perspective-Similarities and differences from dependency.



Evidentiary and Legal Issues

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No privilege --unlike attorney client-- protects CASA-youth communications.

- Confidential, not privileged.

CASA must set parameters of relationship early.

- Officer of the court and mandated reporter.
- Court orders appointing the CASA.

Minors' counsel may tell youth not to share certain information with the CASA.



The “Right” Questions

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- The “right” questions from the Bench can help avoid CASAs becoming the “cop”.
- A CASA’s expressed concern may be sufficient-Court may not need all the details.



Shawna--Summary

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- Age: 15; No prior JJ history; adopted by grandparents at age 3.
- Came home intoxicated; hospitalized for alcohol poisoning.
- Grandfather took away her cell phone; Shawna became enraged and attacked him with her fists; threw remote at TV screen and smashed it.



Shawna--Summary

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- 30 days in residential treatment facility; returned home on medication.
- Model during placement--compliant, did well in school. Revealed she had a boyfriend, "a little older." Asked if he could visit in placement. Staff noted a late model Escalade parked outside the treatment facility.



Shawna and Her CASA

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- Have been meeting regularly for a few months.
- Shawna has been doing well.



Shawna and Her CASA

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- At a meeting at a coffee shop after school, Shawna repeatedly yawns, and CASA notes that Shawna seems tired. Shawna reveals that she snuck out of her grandparents' home the previous night, returning home about 3 A.M. The grandparents are unaware. Shawna says that her friend's baby was sick and that she was helping her.
- Role play Shawna and the CASA to present a picture of how this meeting might be handled.



Contacts

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