

## MEMORANDUM of UNDERSTANDING

### Court-Appointed Special Advocates (CASA) of New Hampshire and the State of New Hampshire Guardian Ad Litem Board

April 30, 2013

#### I. Introduction

The Guardian ad Litem Board, (hereafter “the Board”), came into existence in May of 2002. It is charged by statute with “overseeing the credentialing, activities, and discipline” for guardians ad litem in New Hampshire.

Court Appointed Special Advocates of New Hampshire, (hereafter “CASA”), is a private, non-profit organization whose purpose is to recruit, train, supervise and support volunteer guardians ad litem in child abuse and neglect cases and certain termination of parental rights cases. CASA has been operating in New Hampshire since 1988, is governed by a local Board of Directors, and has offices in Manchester, Dover, Plymouth, Colebrook and Keene.

Although separately incorporated, CASA-N.H. is part of a national organization with headquarters in Seattle, Washington. The national organization was founded in 1977, and is overseen by a national Board of Directors. CASA operates programs in all fifty states, and each state CASA program is expected to meet minimum standards in regard to various program aspects including training.

#### II. Obligations of CASA

For present purposes the principal governing language in the enabling legislation is RSA490-C:6 which states that CASA “shall be accountable to the guardian ad litem board for complying with the training requirements established by the Board under RSA490-C:5, II and for the actions of its volunteer members who are appointed by the court as guardians ad litem in child abuse and neglect cases.”

The training requirement will hereafter be referred to as: “**Obligation #1.**”

The “actions” requirement will be referred to as: “**Obligation #2.**”

Unless otherwise stated, the term “CASA supervisors” will include CASA’s staff attorneys.

### **III. Agreements**

#### **A. Training (Obligation #1)**

For the purposes of this Memorandum of Understanding only, CASA and the Board agree that:

1. CASA's 40 hour training program is the equivalent of the Board's training program for child abuse/neglect.
2. CASA's training program for termination of parental rights cases is the equivalent of the Board's training program for termination of parental rights.
3. CASA's senior supervisors as well as its staff attorney(s) will complete any Board trainings that are in addition to the Board's basic training which Board certified GALs are required to complete in order to be certified in the family division.
4. CASA supervisors will complete a minimum of twelve (12) continuing education credits per year, and the credits earned will be related to the type of cases for which CASA serves as guardian ad litem.
5. CASA will promptly notify the Board if any significant changes are made to its training programs bearing on abuse/neglect or termination of parental rights.

#### **B. Adherence to the N.H. Administrative Rules, Gal 500. (hereafter, Board's "500" Rules) (Obligation #2)**

CASA and the Board agree that:

1. The Board's "500" Rules constitute the practice standards and ethics standards applicable to Board-certified GALs.
2. A complaint filed with the Board against a CASA volunteer will be processed by the Board in the same manner as a complaint filed against a Board-certified guardian ad litem. The only exception to this practice of handling complaints similarly is that when a complaint is made against a CASA volunteer, the CASA program, (including the volunteer's supervisor), will assist the complained-against CASA.
3. It is duly noted that in almost all of its abuse and neglect cases, courts appoint the CASA-N.H. program as the guardian ad litem. In turn, the program assigns a trained volunteer to serve as the acting GAL.
4. In those limited instances when a CASA supervisor is serving as the acting CASA guardian ad litem, the supervisor will be subject to the Board's complaint procedures.
5. Whenever the Board is involved in a complaint about a CASA volunteer or CASA supervisor serving as an acting guardian ad litem, the CASA Board member will recuse himself/herself relative to any and all Board decision-making concerning the complaint.
6. If a CASA volunteer or a CASA supervisor is found to have violated a "500" rule, the CASA volunteer or CASA supervisor will be subject to the Board's disciplinary authority and discretion to the same extent as would a Board certified GAL who violates a "500" rule.

**C. Other Agreements**

CASA and the Board agree that:

1. Whenever CASA receives a complaint against a CASA-GAL or a CASA supervisor serving as the acting GAL, CASA will provide the Board with the complaint, any accompanying documentation and the steps taken by CASA to address the complaint.
2. CASA will promptly notify the Board if any significant changes are made to CASA's application/screening procedures and/or its minimum qualifications.
3. CASA will be bound by the agreements in this Memorandum notwithstanding the fact that its volunteers and supervisory staff are not certified by the Board.
4. CASA will terminate a volunteer from any further involvement with the CASA program when violation of a Board rule would result in de-certification if the volunteer was a Board certified GAL.
5. Upon request of the Board, CASA will advise the Board if an applicant for Board certification has been dismissed from the CASA program or has been deemed inappropriate to participate in CASA's 40 hour training program.
6. This Memorandum of Understanding may be reviewed and renegotiated at any time at the request of either CASA or the Board, and will terminate *five (5)* years from its effective date.



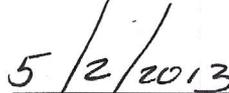
Susan Duncan  
Chairwoman  
Guardian Ad Litem Board



Date



Ann Larney  
Attorney  
CASA of New Hampshire, Inc



Date

**APPENDICES:**

- Appendix A** CASA's Training Manuals
- Appendix B** CASA's Ethical Standards + GAL Board Rules
- Appendix C** CASA-N.H. Staff and Regional Offices  
CASA-N.H. Board of Directors
- Appendix D** CASA National Board of Directors
- Appendix E** CASA-N.H.'s Application and Screening Procedures