

IN THE SUPREME COURT OF THE STATE OF KANSAS

Administrative Order

2022-RL-073

Rules Relating to District Courts

FILED

September 28, 2022

**DOUGLAS T. SHIMA
CLERK OF APPELLATE COURTS**

Effective January 1, 2023, the court amends the attached Supreme Court Rule 110.

Dated this 28th day of September 2022.

FOR THE COURT



MARLA LUCKERT
Chief Justice

Rule 110

CASA PROGRAMS AND VOLUNTEERS AND PROGRAMS

- (~~a~~) **Program Standards.** A local court-appointed special advocate (CASA)-volunteer program must follow standards ~~promulgated by the judicial administrator and~~ adopted by the Supreme Court. The standards ~~must include requirements for the~~ following:
- (1) requirements for certification of a local ~~CASA~~-volunteer programs by the ~~judicial administrator~~Office of Judicial Administration; and
 - (2) requirements for certification and training of a ~~CASA~~ volunteers by the local program.
- (~~b~~) **Written Agreement ~~Required for Privately Administered Program.~~** A district court ~~using a privately administered CASA program~~ must have a written agreement with the person or group ~~sponsoring~~ managing the local program. The term of the written agreement ~~may~~ must not exceed two years. The agreement governs operation of the ~~privately administered CASA~~ program and must accomplish the following:
- (1) require the program to meet the ~~judicial administrator's~~ standards for ~~CASA~~ volunteer programs;
 - (2) state the court's and the ~~CASA~~-program's responsibilities to each other;
 - (3) require that ~~CASA~~-volunteers be certified by the local program;
 - (4) specify procedures for assigning the program to a case and ~~for removal of~~ removing the program from a case;
 - (5) establish procedures for resolving grievances and conflicts for both the ~~CASA~~-program and a ~~CASA~~-volunteer; and
 - (6) state the requirements the program must meet to be eligible to renew the agreement.
- (~~c~~) **Local Rules.** A ~~The~~ district court must adopt a local court rule governing operation of a local ~~CASA~~-program administered by the court. The rule must include the items specified in subsection (~~b~~)(1) through (5).

(da) **CASA Volunteer Duties and Prerequisites for Court Appointed Special Advocate (CASA) Volunteer.**

(1) **Duties.** The primary duties of a ~~CASA~~-volunteer are to investigate and become acquainted with the facts, conditions, and circumstances affecting a child's welfare; to advocate for the best interests of the child; and to assist the court in obtaining the most permanent, safe, and homelike placement possible. A ~~CASA~~-volunteer should engage in the following activities:

- (A) visit the child as often as necessary to monitor the child's safety and observe whether the child's essential needs are being met;
- (B) attend court hearings involving the child or, if not excused from attendance by the court, arrange for attendance of a qualified substitute approved by the court;
- (C) participate in staffings and, to the extent possible, other meetings about the child's welfare;
- (D) participate in the development of a written reintegration plan ~~or~~ and any modification of an existing plan, or both;
- (E) submit a written report to the court before each regularly scheduled court hearing involving the child; and
- (F) act on the child's behalf as directed by the local program director and the standards ~~promulgated~~ adopted by the ~~judicial administrator~~ Supreme Court under subsection (ab).

(2) **~~Volunteer Prerequisites.~~** A ~~CASA~~-volunteer must meet the following prerequisites:

- (A) be at least ~~18~~ 21 years old;
- (B) submit a written application to the local program ~~staff~~; and
- (C) successfully complete screening procedures and a review by the local program ~~staff~~.

(e) **CASA Volunteer Notice and Access.** A ~~CASA~~ volunteer ~~must be given~~ is entitled to the following:

- (1) notice of a court hearing involving the child; and
- (2) access to any district court record within the state pertaining to the child.

- (f) **Reporting Requirements.** The district court or a ~~privately administered CASA~~ local program, as applicable, must provide statistical and other information required by the ~~judicial administrator~~ Office of Judicial Administration.