

# **Judicial Survey** on the role of Court Appointed Special Advocates™ (CASA)



## **Office of Survey Research**

The Annette Strauss Institute for Civic Participation

The University of Texas at Austin

## **Executive Summary**

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## Executive Summary

The Office of Survey Research (OSR) at the University of Texas conducted a mail survey with Texas judges in 2008 for the Texas CASA program. From a total of 276 questionnaires sent, a total of 163 (59%) were returned. Out of those, 108 judges qualified to be part of the survey project by reporting that: a) they hear CPS cases and b) they have a CASA program in their courts.

Main results of this survey are as follows:

### SECTION 1: Basic Information – Court and CASA Assignments

- 77% of judges who hear child protective cases also have a CASA program in their court;
- 48% of judges heard more than 50 cases in the past year, the remaining 52% heard less than 50 with 14% hearing 10 cases or less. Those who hear more cases are more likely to have a CASA program in their courts;
- 50% of judges have heard child protective cases for more than 10 years. The other half (50%) heard them for 10 years or less, with 8% hearing these cases for 2 years or less;
- 92% of judges have worked with CASA for at least 3 years; 47% of them have worked with CASA for more than 10 years;
- 26% of the judges responding serve in urban communities, 29% in suburban communities, and 32% in rural communities. Also 10% of judges serve in cluster courts;
- **81% of judges would like to have CASA appointed to all cases;**
- 63% of judges who want CASA volunteers on all their cases reported not having enough of them; and
- 94% of judges would like CASA to accept or continue on PMC (Permanent Managing Conservatorship) cases.

## SECTION 2: CASA Impact on Court System, Judicial Decisions and Outcomes

- 94% of judges said CASA on a case provides a better opportunity for a positive outcome. 72% said CASA on a case provides “a lot” better opportunity;
- 94% of judges said having CASA involvement in cases improves the court process. 70% said having CASA involvement in cases improves the court process “a lot”;
- 63% of judges said information from CASA has “frequently” had an effect in what to include in their court orders. 10% said CASA has “always” had an effect while another 26% said CASA has “sometimes” had an effect on what to include in their court orders;
- 91% of judges see CASA contact with the child providing benefit when they make decisions about a case. 67% see CASA contact with the child providing “a lot” of benefit;
- 82% of judges see CASA contact with the parent providing benefit when they make decisions about a case. 52% see CASA contact with the parent providing “a lot” of benefit;
- 86% of judges see CASA contact with placement providers providing benefit when they make decisions about a case. 51% see CASA contact with placement providers providing “a lot” of benefit;
- 81% of judges see CASA contact with relatives providing benefit when they make decisions about a case. 51% see CASA contact with relatives providing “a lot” of benefit;
- 82% of judges said CASA provides “a lot “ of additional information about the child’s placement. 18% said CASA provides “some” additional information;
- 65% said CASA provides “a lot “ of additional information about the child’s educational needs. 35% said CASA provides “some” additional information;
- 66% of judges said CASA provides “a lot “ of additional information about the child’s medical/mental health needs. 34% said CASA provides “some” additional information; and
- 64% of judges said CASA provides “a lot “ of additional information on parent’s progress in addressing barriers that prevent a child’s safe return. 35% said CASA provides “some” additional information.

### SECTION 3: Satisfaction with CASA

- 88% of judges are satisfied with their local CASA program. 72% are very satisfied while 16% are somewhat satisfied and 9% are dissatisfied;
- 92% of judges are satisfied with the CASA volunteers. 70% are very satisfied while 22% are somewhat satisfied and 8% are dissatisfied;
- 97% of judges agreed with the statement: “The personal knowledge that CASA volunteers have about children is beneficial to my decision making”; 63% strongly agreed and 34% agreed with the statement ;
- 88% of judges agreed with the statement: “CASA volunteers make appropriate recommendations”; 34% “strongly agreed” and 54% “agreed” with this statement;
- 66% of judges reported CASA volunteers are “very effective” in advocating for the child’s best interest; 29% said volunteers are “somewhat effective;”
- 56% said they are “very effective” in advocating for children’s services; 42% said volunteers are “somewhat effective;”
- 52% said they are “very effective” when advocating for permanency; 42% said volunteers are “somewhat effective;” and
- 91% of judges said training CASA volunteers receives is either very or somewhat sufficient, with 52% saying “very sufficient” and 38% said “somewhat sufficient”; 7% said training was insufficient.

*For more information, a copy of the survey results  
or the full survey report, contact Cathy Cockerham at [ccockerham@  
texascasa.org](mailto:ccockerham@texascasa.org) or (512) 473-2627, x115.*

# PART 1

## INTRODUCTION

The Office of Survey Research (OSR) at the University of Texas conducted a judicial study for the Texas CASA program. The purpose of the project was to gather information from Texas judges who a) currently hear child protection cases, and b) who have experience with a CASA, “Court Appointed Special Advocate” program. The OSR used a mail survey as the tool to obtain opinions from judges on how the CASA program impacts the court system, judicial decisions and child outcomes as well as their satisfaction with the program. The Texas CASA program is a non-profit organization that recruits and trains volunteers to advocate for abused and neglected children in the court system. At the time this project was conducted, Texas CASA was in 202 Texas counties out a total of 254. The judicial was conducted from March through November 2008.

## METHOD

All research projects conducted at the University of Texas that use human subjects are submitted for review and approval to the Office of Research and Compliance (ORC) and the Institutional Review Board (IRB). The Office of Research and Compliance reviewed the methodology and questionnaire for this project and provided its approval on March 2008.

A mail survey method was chosen for this study to reach judges throughout the state. The questionnaire was designed in collaboration with Texas CASA staff. The questionnaire is divided into three sections. The first section deals with questions on how judges work with CASA programs in general and how they assign CASA volunteers. The second section deals with questions on what impact the CASA program has on the court system, judicial decisions and the outcome for the child. The final section measures satisfaction with the CASA program. The final questionnaire was formatted and printed for a mail response.

To ensure the best response rate possible, a method of three mailings was designed for this project. The first mailing consisted of a letter, a questionnaire and a paid business reply envelope. The second mailing consisted of a second letter, a questionnaire and a paid business reply envelope. For the third mailing a postcard was sent as a final reminder. Please refer to Appendix A for copies of letters, postcard and questionnaire.

## POPULATION

The population selected for the purposes of this survey was limited to judges in Texas that heard child protective cases and who assign a CASA (Court Appointed Special Advocate) to some or all their cases in their courts. The survey was designed to screen-out judges who did not fit these quali-

fications. Texas CASA provided a list of 276 names and mailing addresses of judges to OSR in July 2008. The list was obtained from the state Office of Court Administration and includes both elected and appointed judges. In Texas, an official registry of judges who hear CPS cases is not maintained. The list used for this survey is based on information compiled by the Office of Court Administration regarding judges who have been identified as hearing child abuse and neglect cases. It also includes judges who have requested that they receive notice of training opportunities regarding CPS cases. No attempt was made to limit the list to courts that have CASA volunteers available for appointment or courts that hear a very small number of these types of cases. OSR reviewed and verified all names and addresses before starting the project. The final list was 100% accurate at the time the study was launched.

## **RESPONSE RATE**

After three mailings (two full mailings and a postcard) a total of 163 judges (59.1%) mailed back questionnaires. Out of these 163 judges, a total of 108 qualified to be part of the study. Qualified respondents are only those judges who currently hear child protection cases and who have a CASA program in their court.

The overall response rate for this survey was very good (59.1%). This response rate is much higher than those of general population surveys when using a similar method. A total of 163 judges responded to the mailing, which is 59.1% of the entire list; of those, a total of 55 judges did not qualify to complete the entire questionnaire. Please refer to Appendix E for more response rate details.

## **SURVEY LIMITATIONS**

Results of the survey are subject to the following limitations:

- 1) Respondents who refused to fill out the questionnaire after receiving the questionnaire twice as well as a postcard reminder, may or may not have different characteristics from persons who completed all questions and returned the questionnaire.
- 2) Errors in recoding responses, data, entry and processing are possible; however, validation and verification procedures were used throughout the data entry phase, along with a computer software that eliminates the possibility of out of range values.
- 3) The sample list used for this survey is based on information compiled by the Office of Court Administration regarding judges who have been identified as hearing child abuse and neglect cases. It is possible that this list did not include all judges who hear these cases. In Texas, an official registry of judges who hear CPS cases is not maintained.

# STUDY RESULTS

## SECTION 1: BASIC INFORMATION – COURTS AND CASA ASSIGNMENT

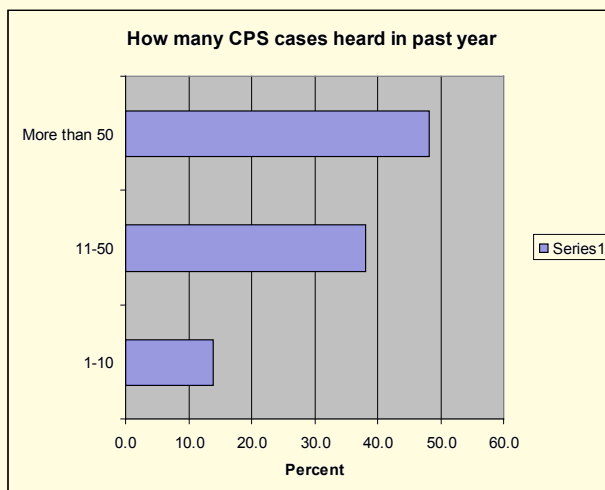
A total of 163 judges returned questionnaires, of these judges, 140 reported hearing child protection cases now or in the past. Out of those 140 judges, 32 reported not having a CASA program in their court or not assigning a CASA to any of the cases in their court. Therefore, the remainder group of **108** judges qualified to be part of the study. This represents **77%** of judges who reported hearing child protection cases.

The survey asked all judges to respond to a few basic questions related to the number of child protective cases heard in the past year, the number of years they had been hearing these type of cases and how long they had been working with CASA in their courts. These questions were used to determine which judges would answer the full questionnaire.

### Number of Cases heard by Judges in the past year

- 48% of judges heard more than 50 cases in the past year
- 38% of judges heard between 11 and 50 cases in the past year
- 14% of judges heard between 1-10 cases in the past year

When comparing judges who hear more cases per year (50 cases or more) with judges who hear fewer cases (1-50 cases), results show that judges who hear a higher number of child protective cases per year are **more likely** to assign CASA in their courts. Of a total of 16 judges who reported **not assigning** CASA to their cases, 15 of them heard 50 cases or less while only 1 judge heard more than 50 cases in the past year.



## Years Hearing Child Protective Cases

- 50% of judges have heard child protective cases for more than 10 years
- 44% of judges have heard child protective cases between 3 to 10 years
- 8% of judges have heard child protective cases for 2 years or less

## Number of Years Judges Work with CASA in Their Courts

When looking at the number of years judges worked with CASA in their courts

- 44% of judges have worked with CASA for more than 10 years
- 47% of judges have worked with CASA between 3 to 10 years
- 8% of judges have worked with CASA for 2 years or less

Results show that overall the range of years that judges hear child protective cases is close to the range of years they've worked with a CASA in their courts. (Refer to Table 1). Also, when looking at judges who worked with more than one CASA program, the percent was relatively small (14%). Appendix B contains individual tables for all questions.

**Table 1: Percent comparisons of Judicial Tenure with CPS and Tenure with CASA**

Number of Years	% Judges	% Judges
	# Years Hearing CP Cases	# Years CASA Program in Court
2 years or less	8.4	8.3
3-10 years	43.9	47.2
10 + years	47.7	44.4
TOTAL	100.0 (N=108)	100.0 (N=108)

## Types of Communities Where Judges Serve

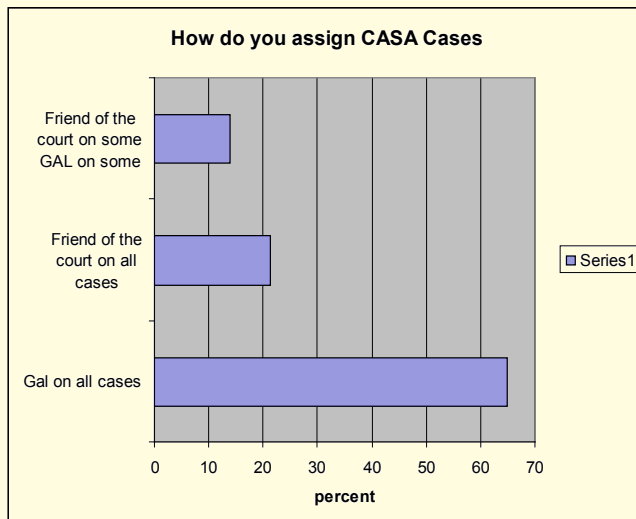
Judges were asked to report the type or community their court serves. This question allowed judges to check more than one response if needed.

- 26% (N=28) of judges work in urban communities
- 29% (N= 35) of judges work in suburban communities
- 32% (N=46) of judges work in rural communities

This question also asked if a judge worked in a cluster court. A total of 10% (N=11) of judges in the study reported working in a cluster court. According to Texas CASA, currently there are a total of 17 Child Protection Courts (cluster courts) in Texas.

## Court Assignments

Sixty-five percent of judges assign CASA as GAL on all cases. Another 21 percent assign CASA as a friend of the court on all cases and 14 percent assign CASA either as GAL on some cases and as friend of the court on others.



## List of Factors Considered When Assigning CASA to a Case

Judges were asked to report on the extent to which a number of listed factors helped them determined which cases to assign to CASA. Approximately 75 percent of the respondents answered this section of the survey. A significant percent of respondents (25%) left the section **blank**. Some judges with and without enough CASA volunteers did not answer this section. Factors listed were:

- Case with a large sibling group
- Case with conflicting or little information
- Difficult/complex case
- Case where there is concern about placement
- Case where there is concern about implementation of services
- Child has significant medical or educational needs
- Child who needs an adoptive home.

The survey asked respondents to rate their **consideration** in assigning CASA to the case based on the factors listed above using a scale from 1 to 5, where 1 is “Not at all” and 5 is “A lot”. For those who answered the survey, the top three factors considered were:

- Difficult / complex cases (Mean 4.11)
- Cases with concerns about placement (Mean 3.96)
- Cases with a child with significant medical and educational needs (Mean 3.83)

When looking at the top factor (difficult/complex cases), 55 percent of judges who answered this question mentioned they put “a lot” of consideration to this type of case when assigning CASA. Forty-five percent of judges also put “a lot” of consideration to cases with placement concerns and **41%** to cases where the child has significant medical/educational needs. Judges who hear more cases (50+ cases) assigned CASA more often to cases with large sibling groups than judges that hear fewer cases. For a detailed breakdown for each of the factors, please refer to tables in Appendix B.

### **CASA Appointments**

Eighty-one percent (**81%**) of judges would like to have CASA appointed to **all cases**. With regard to sufficient number of volunteers available for those judges who want CASA volunteers in all their cases, it is reported there aren’t enough volunteers available. Sixty-three percent (**63%**) of judges mentioned not having sufficient number of volunteers.

### **CASA Appointments to PMC (Permanent Managing Conservatorship) Cases**

Child protective cases are divided into two types. TMC (Temporary Managing Conservatorship) cases which are temporary legal custody cases; and PMC (Permanent Managing Conservatorship) cases which are permanent legal custody cases. Texas CASA volunteers are generally assigned TMC cases. Texas CASA sometimes works on PMC cases when TMC cases that were assigned to them move to a PMC status. For a more detailed explanation of TMC and PMC cases provided by Texas CASA, please refer to Appendix D.

Judges were asked whether they would like for CASA to be able to **continue on**, or **accept appointments** to PMC cases, especially those involving older youth likely to age out of the system. An overwhelming majority of judges (**94%**) would like to have Texas CASA continue on, or accept appointments for PMC (Permanent Managing Conservatorship) cases.

### **Judges and their CASA program**

Judges were asked if they work with their CASA program to determine which cases and/or how many cases would be assigned to CASA within a given period of time. Of all judges responding to this question, half of them (**50%**) worked with the CASA program, **27** percent did not work with CASA when scheduling cases, and another **23** percent reported their CASA program provided all the volunteers needed for all their cases.

## SECTION 2: CASA IMPACT ON COURT SYSTEM, JUDICIAL DECISIONS AND CHILD OUTCOMES

Judges were asked how much certain CASA activities benefit them when making decisions about cases and their outcomes. The results showed the following:

- **67%** of judges said CASA contact with child had **a lot** of benefit
- **52%** of judges said CASA contact with parent had **a lot** of benefit
- **51%** of judges said CASA contact with placement providers had **a lot** of benefit
- **51%** of judges said CASA contact with relatives had **a lot** of benefit

To see all responses and percentages for each of the activities mentioned above, please refer to Appendix B.

### How CASA is Allowed to Provide Information in Court Hearings

Another question for judges dealt with how CASA provides information during court hearings. Judges were able to provide more than one response for this question. Eighty-eight (**88%**) percent of judges reported that CASA volunteers are allowed to address the court and **82** percent said volunteers provide written reports. Judges who hear more cases per year (50+ cases) were more likely to report allowing volunteers to provide written reports. These two appear to be the major ways in which CASA volunteers provide information in court hearings. Please refer to Table 2 for results of all the different ways volunteers provide information. Appendix B has frequency tables for each of these questions.

**Table 2: Methods by which CASA was allowed to inform the court**

<i>Method</i>	<i>% YES</i>	<i>Total N</i>
CASA always allowed to address court	88%	108
CASA usually allowed to address court	38%	108
CASA called as witness	55%	108
CASA provides written court report	82%	108
Other method (Refer to Appendix C)	3%	108
CASA volunteer cannot provide information in court	1%	108

### Additional Information Provided by CASA Volunteers

Judges were asked to comment on to what extent having a CASA volunteer provides them with additional information about a child’s placement, information on a child’s educational and health needs, and information on barriers that prevent a child from returning home safely. These questions were presented on a scale from 1 to 3, where 1 was “not at all”; and 3 was “a lot”. Results show the following:

- **82%** of judges said a CASA volunteer provides **a lot** of additional information about child's placement
- **65%** of judges said a CASA volunteer provides **a lot** of additional information about a child's educational needs
- **66%** judges said a CASA volunteer provides **a lot** of additional information about a child's medical/mental health needs
- **64%** judges said a CASA volunteer provides **a lot** of additional information on a parent's progress in addressing barriers that prevent a child from returning home safely

Judges who hear more cases (50+ per year) were more likely to say that volunteers provide **“a lot”** of additional information on the parent's progress in addressing barriers affecting the return to a safe home.

To see all responses and percentages for each of the areas mentioned above, please refer to tables in Appendix B.

### **Impact of CASA Involvement in Child Protective Cases**

Judges were asked to think in general about whether having CASA on a case provides a better opportunity for a positive outcome for the child. Also, they were asked if were asked whether having CASA involved in cases improves the court process. These two questions was developed with a scale ranging from 1 to 5 where 1 is “not at all” and 5 represents “a lot”.

The majority of judges strongly felt that CASA involvement in child protective cases provided a better opportunity for a positive outcome for the child as well as an improved court process. Results showed the following:

- **72%** of judges said that having CASA on a case provides **“a lot”** better opportunity for a positive outcome for the child
- **70%** of judges reported that CASA involvement in cases improves the court process **“a lot”**

To see all responses and percentages for each of these questions, please refer to tables in Appendix B.

### **Family Group Conference and Mediation**

A group of questions asked judges' opinions on how helpful are activities such as “family group conferences” and “mediation” in CPS cases. Seventy-one (**71%**) percent of judges said family group conference are somewhat helpful or very helpful, with **35%** of them mentioning they are “very helpful”. With regard to mediation, **68%** of judges thought they are somewhat helpful or very helpful, with **40%** of them reporting they are “very helpful”. Please refer to Appendix B tables on these questions.

The final two questions in this section asked judges whether they knew if CASA participated in family group conferences and mediation. It should be noted that about **a quarter** of all judges left these questions blank. Seventy-five (75%) percent of respondents knew CASA participated in family group conferences; another 55% knew CASA participated in mediation.

### SECTION 3: SATISFACTION WITH CASA

The questionnaire has two questions to determine overall satisfaction with CASA program and with volunteers. The satisfaction was measured using a scale from 1 to 5, where 1 is “very dissatisfied” and 5 is “very satisfied”.

**TABLE 3: Satisfaction with CASA Program**

	<i>Number (N)</i>	<i>Percent (%)</i>
Very Satisfied	76	71.7
Somewhat Satisfied	17	16.0
Neutral	3	2.8
Somewhat Dissatisfied	4	3.8
Very Dissatisfied	6	5.7
Total		
(No Answer N=2)	106	100.0

Results show that eighty-eight (88%) percent of judges are satisfied with their local CASA program. Seventy-two (72%) percent of judges reported being **very satisfied**. Nine percent (9%) expressed some degree of dissatisfaction, with 6% reported being very dissatisfied. Please refer to Table 3 above.

**TABLE 4: Satisfaction with CASA Volunteers**

	<i>Number (N)</i>	<i>Percent (%)</i>
Very Satisfied	74	69.8
Somewhat Satisfied	23	21.7
Neutral	1	0.9
Somewhat Dissatisfied	2	1.9
Very Dissatisfied	6	5.7
Total		
(No Answer N=2)	106	100.0

Ninety-two (92%) percent of judges are satisfied with the CASA volunteers. Seventy (70%) percent of judges reported being **very satisfied**. Nine percent (8%) expressed some degree of dissatisfaction, with 6% reported being **very dissatisfied**. Please refer to Table 4 in previous page.

## CASA Volunteers in the Court

Judges were asked to agree or disagree with a couple of statements related to CASA as a benefit in the court. A total of ninety-seven (97%) percent of judges either strongly agreed (63%) or agreed (34%) with the phrase stating that the personal knowledge CASA volunteers have is beneficial to their decision making process. Please refer to Table 5.

**Table 5: The Personal Knowledge that CASA Volunteers have is Beneficial to My Decision Making**

	Number (N)	Percent (%)
Strongly Agree	67	63.2
Agree	36	34.0
Neither	2	1.9
Disagree	0	0.0
Strongly Disagree	1	0.9
Total		
(No Answer N=2)	106	100.0

With regard to CASA volunteers making appropriate recommendations, judges tended to agree but not as strongly. A total of Eighty-eight (88%) agreed with this statement. Thirty-four (34%) percent of judges agreed strongly, another 54 percent agreed with the statement, while about 10 percent were neutral. Please refer to Table 6.

**Table 6: CASA Volunteers Make Appropriate Recommendations**

	Number (N)	Percent (%)
Strongly Agree	36	34.3
Agree	57	54.3
Neither	11	10.5
Disagree	0	0.0
Strongly Disagree	1	1.0
Total		
(No Answer N=3)	105	100.0

## Effectiveness of CASA Volunteers

Judges were asked their opinion on the effectiveness of CASA volunteers' advocacy in different areas (advocacy for child's best interest, children's services, permanency and helping children secure safe, permanent homes).

- **66%** of judges reported CASA volunteers being **very effective** in advocating for the child's best interest
- **56%** of judges reported CASA volunteers being **very effective** in advocating for children services
- **52%** of judges reported CASA volunteers being **very effective** when advocating for permanency

Please refer to Appendix B for Tables.

## CASA Volunteer Training

According to Texas CASA, volunteers are required to have pre-service training prior to being sworn in as a CASA volunteer and accepting an assignment to a child’s case. Also, volunteers are required to have ongoing in-service training annually.

Judges were asked to rate whether the training CASA volunteers receive was sufficient. Ninety percent (**91%**) of judges found the training to be sufficient. Fifty-two (**52%**) of them said training was very sufficient and **38 percent** said somewhat sufficient. Seven percent (**7%**) of judges thought the volunteer training not being sufficient. Please refer to Table 7.

**Table 7: Level of Training of CASA Volunteers in the Court**

	Number (N)	Percent (%)
Very sufficient	55	52.4
Somewhat sufficient	40	38.1
Neither	3	2.9
Somewhat insufficient	4	3.8
Very insufficient	3	2.9
Total		
(No Answer N=3)	105	100.0

Finally, judges were asked a set of questions on their participation in training CASA volunteers. A little less than half of judges (**44%**) reported participating in training new volunteers. Judges who hear more cases (50+ cases in the last year) are more likely to participate in training volunteers. About one fifth of judges (**22%**) participates in ongoing / in-service volunteer training. A follow-up question was asked to those who **do not participate** in volunteer in-service training regarding their willingness to possibly participate. A little over three-fourths (**77%**) of non-participating judges (**N=57**) said they would.

## Judges Page Newsletter

The last question of the survey asked judges if they would like to subscribe to the Judges Page Newsletter. Sixty-two percent (**62%**) of judges said they would. Judges who hear more cases per year (50+ cases) were more interested in subscribing to the judges page than judges who heard fewer cases.

## Open Ended Comments and Suggestions

A total of 26 judges (**24%**) provided additional open-ended comments and suggestions on anything they thought was important. Looking at the comments, a number of them report their satisfaction with the CASA program. There are some comments where judges mention they would like to see

CASA act more independently. Some feel CASA is not independent enough from CPS or from state attorney's opinions. Following is a sample of comments. To see all verbatim comments, please refer to Appendix C.

*"Much of the value of a CASA volunteer relates to the input the volunteer has in ensuring that agreements entered by the parties have addressed the needs of the children. Usually the court does not actually hear the case, and depends on court professionals to ensure protection for the children."*

*"I served as counsel for CPS for many years as a prosecutor. Also, I served several years as a judge without CASA. With CASA is much better."*

*"I have concerns about the CASA supervisors working cases with no volunteers...Having volunteers is an issue. There are never enough and always new, so the staff does the work."*

*"CASA needs to be independent - not a rubber stamp at CPS. If anything they should work most closely with the children's ad litem (GAL's) to effectively advocate for the best interests and needs of the child."*

*"CASA needs to provide better legal training to volunteers, they often don't understand what 'best interest' means legally and often don't understand importance of relative/kinship placement."*

*"CASA is an invaluable resource for children who have very few."*

*"We need more volunteers."*

*"I strongly believe in CASA!"*