

CHAPTER 6: Communicating & Gathering Information

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PLEASE READ THE MATERIAL PRIOR TO ATTENDING THE SESSION.

Homework for Session:

Read chapter 6; answer and submit chapter 6 review questions.

Class Objectives:

- Learn how to introduce yourself as a CASA Volunteer.
- Identify different people who can contribute information regarding your child.
- Be able to apply the rules of confidentiality to CASA Volunteer work.

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CHAPTER 6: Communicating & Gathering Information

Unit 1. Gathering Information

The chart that follows lists possible sources of information and the type of information and assistance that you might receive from each. Every case is unique and unfolds in its own way, requiring different information in order to meet the needs of that child. The work of the CASA volunteer -- conducting interviews, gathering facts, writing reports, reporting to the court, advocating for the child, monitoring the case -- has a significant impact on the case outcome. Each piece of the work is important. You will see how each aspect will help you fulfill the mission of finding a safe, permanent, and nurturing home for the child.

	Source	Type of Information/Assistance
Professionals	CASA Manager	<ul style="list-style-type: none"> • History of case. • Advice on how to make contacts. • Plan for moving forward on the case. • Discuss community or educational resources. • Any and all questions on the case.
	Hamilton County Job & Family Services (HCJFS) Caseworkers	<ul style="list-style-type: none"> • Documentation, case record (history). • Case plan. • Names, addresses, and phone numbers of other principals in the case. • Discuss your/their observations. • Discuss progress of case plan.
	Attorney for CASA Volunteer & CASA Manager <i>Tracy, Paul, Lisa or Laurie</i>	<ul style="list-style-type: none"> • Assists you with the legalities of the case. • Addresses complex legal situations particular to the case. • Works with the other attorneys on the case. • Assistance in preparation for trial. • Files legal documents. • Subpoenas witnesses.

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Source		Type of Information/Assistance
Professionals	Foster Parents	<ul style="list-style-type: none"> • Specific information about the child's daily life and about the child's behavior related to: <ul style="list-style-type: none"> • Visits with parents and siblings; • Adjustments in school; • Behavior problems and strengths; • Medical concerns; • Contacts made by parents through letters, phone calls, etc.; • Child's daily functioning; and • Adjustment to separation/loss.
	Child's Teacher	<ul style="list-style-type: none"> • Child's behavior at school. • Educational problems or delays, strengths. • Changes in behavior. • Child's appearance. • Peer relationships. • Grades. • Parental or caretaker involvement. • Likes/dislikes • Attendance prior/post removal.
	Medical Personnel	<ul style="list-style-type: none"> • Past medical history, medical records. • A particular medical condition that should come to the attention of the caseworker, foster parents, courts, etc. • Contact with parent(s), if any.

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	Source	Type of Information/Assistance
Professionals	Legal Personnel	<ul style="list-style-type: none"> • Criminal records, other court records.
	Psychological/ Psychiatric Personnel	<ul style="list-style-type: none"> • How they came to a particular diagnosis. • What the diagnosis means in practical terms and how progress is measured. • Treatment plan. • Medication prescriptions (why, reactions, dosage, interactions, and monitoring) • Possible counseling or therapeutic models being recommended for the child, parents, family, etc.
Parents & Family	Parents	<ul style="list-style-type: none"> • Advise them that you have been appointed to the case and your role. • Ask them about their child -- same questions as foster parents and more: child's developmental milestones, joys, fears, etc. • Ask about background of parents.
	Family	<ul style="list-style-type: none"> • Can describe what they saw happening as it relates to the life of the child. • May be able to identify potential resources for the child and family. • Possible placement or visitation site.

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	Source	Type of Information/Assistance
Child	<p>Child Interviews</p> <p><i>(Please note that it is not the role of the CASA volunteer to interview a child about the allegations; many of the children have been interviewed many times and additional interviews may be harmful to the child and to any potential criminal prosecution.)</i></p>	<p>If verbal, children can:</p> <ul style="list-style-type: none"> • Discuss history of their family situation; • Provide information about relationships (parent, families, foster families); • Discuss wishes and desires for future; • Identify challenges or areas in need of help; • Share likes/dislikes; and • Discuss visits with parents, siblings, other family.
	<p>Child Observations</p> <p><i>(Visits with parents, visits with siblings, child in current setting, child at school or daycare, etc.)</i></p>	<p>All children’s behavior can be observed for information relating to:</p> <ul style="list-style-type: none"> • Affect; • Moods, mood changes; • Developmental stages; • Verbal ability; • Relationships, interactions with others; • Intellectual ability.

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Unit 2: Basic Communication

Communication is the human connection. It is the tie that binds us together. What would you add to this list of ways people communicate?

- Spoken words _____
- Written words _____
- Listening _____
- Eye contact _____
- Body language (posture and space) _____
- Tone of voice _____
- Silence _____

Communication is a two-way street. It is defined as an interchange or an exchange of thoughts and ideas. Often the message a person intends to send is not the message that is received. How and what is said can be interpreted differently depending on the nonverbal cues that accompany the words. Communication experts suggest that words and their dictionary meanings are only one-third of any speaker's message.

One way to look at communication, both sending and receiving, is to think of it as occurring through several channels:

1. **Verbal:** One channel is the actual words spoken, the elements we traditionally think of as language and refer to as “communication.”
2. **Nonverbal:** A second is the nonverbal channel. The meaning of a message is in the nonverbal packaging as well as in the words. The nonverbal code can be easily misread.
3. **Feelings:** The third channel is made up of the feelings that are experienced in the course of an interaction. The verbal and nonverbal channels can be directly observed. The “feelings” channel is not easy to observe.

Ideally, the three channels match -- there is no conflict between what someone says, what is conveyed by her or his body language, and what she or he feels. This is called congruence. When a person who feels distrust for you speaks to you of that distrust and uses body language that matches both speech and feelings, that person's communication is congruent.

When someone's words and behavior are not congruent, there is a discrepancy between the verbal, nonverbal, and feelings parts of her or his message. This is called a double-level message. For example, a person communicates a double-level message when she says, “I love you” in a sarcastic tone of voice. Her words are saying one thing but her tone is saying the very opposite. Sometimes such miscommunication stems from cultural differences in language and expression.

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Whenever there is this kind of discrepancy between the verbal, the nonverbal, and the feelings components of a message, the receiver of the message will tend to believe the nonverbal. Given all the variables involved, it is easy to see why misunderstandings occur between people.

As a CASA volunteer, you will practice the art of watching for wordless messages to see if the verbal and nonverbal messages match or are congruent. It is important to “hear” the silent messages. There are few, if any, nonverbal signals that consistently have the same meaning. Nonverbal communication incorporates cultural norms and actual body language. For example, the use of eye contact can convey different messages depending on a person’s culture. In some cultures, a person who makes direct and sustained eye contact is perceived as honest and forthright, while in other cultures this same behavior would be perceived as rude and disrespectful.

Listening for meaning requires three sets of ears -- one set for hearing facts, one for hearing feelings, and a third for “seeing” what you hear.

Adapted from “Learning To Listen to Trainees,” Ron Zemke, and “Learn To Read Nonverbal Trainee Messages,” Charles R. McConnell

Communicating with Children

Knowledge about communication is important to the specific ways you will gather information from children. Older children can talk about their situations and their wishes, but the younger children CASA volunteers represent do not have verbal and developmental skills sufficient to express their needs and wishes. Regardless of the verbal skills of the child, CASA volunteers include observations about the child as a vital part of their investigations.

Considerations for Observations

Because it is impossible to observe everything a child does, it is important to think about what specific information you want to know about the child while trying to keep your mind open to unexpected information. Following are some general questions to keep in mind when observing young children. Reading over these questions several times before you begin your observation will help you remember what to look for.

1. What is the specific situation in which the child is operating?

What other activities are going on? What are the general expectations of the group at the moment and what is the general atmosphere of the room -- calm, noisy, boisterous, quiet?

2. What is the child's approach to materials and activities?

Is the child slow in getting started or does he or she plunge right in? Does the child use materials in the usual way or does he or she use them in different ways, exploring them for the possibilities they offer?

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3. How interested is the child in what he or she is doing?

Does the child seem intent on what he or she is doing or does the child seem more interested in what others are doing? How long is his or her concentration span? How often does he or she shift activities?

4. How much energy does the child use?

Does the child work at a fairly even pace or does he or she work in “spurts” of activity? Does the child use a great deal of energy in manipulating the materials, in body movements, or in talking?

5. What are the child's body movements like?

Does the child's body seem tense or relaxed? Are movements jerky, uncertain, or poorly coordinated?

6. What does the child say?

Does the child talk, sing, hum, or use nonsense words while he or she works? Does the child use sentences or single words? Does the child communicate with others using words or gestures?

7. What is the child's affect (visual emotions)?

What are the child's facial expressions like? Does he or she appear frustrated? Happy?

8. How does the child get along with other children?

Does the child play alone, with only certain children, or with a variety of children? Is the child willing or unwilling to share toys? Does the child always initiate or always follow along with group ideas?

9. What kinds of changes are there between the beginning and the end of an activity? Does the child's mood change during that period?

10. What is the child's relationship with you?

11. What is the child's relationship with others: parents, caseworker, attorney, foster parents, etc.?

12. What seems “different” or “troubling” about this child as compared with other children of the same age?

13. Are there issues that you think should be checked out by a professional (vision, hearing, cognitive development, physical development, dental health, etc.)?

*Adapted from “Assessing a Child's Welfare,”
Eunice Snyder, ACSW, and Keetjije Ramo, ACSW,
The School of Social Work, Eastern Washington University, 1984.*

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Introducing Yourself as a CASA Volunteer

One of the first tests of your communication skills as a CASA volunteer will occur when you introduce yourself and describe your role. The following is a sample of how you might introduce yourself to a family:

A CASA Volunteer -- Who is That?

I am your child's CASA volunteer. CASA stands for Court Appointed Special Advocate. My job is to advocate for the best interest of your child while they are under the supervision of Hamilton County Juvenile Court.

I am not a HCJFS (Hamilton County Job & Family Services) caseworker and ProKids is not part of HCJFS. However, I will talk to your caseworker to get background information about your child's situation. I will also talk to you, other family members, teachers, and anyone else who is important to your child. After I have gathered information, I will write a report for the magistrate, recommending what I believe is in your child's best interest. Nothing in my report will be kept secret from you. You (or your attorney) will receive a copy of my report.

Please be open with me about anything important in your child's life. You may be the best source of information I will have to help me understand what is best for your child.

(Optional: I am an unpaid volunteer.)

This activity was contributed by Norma Laughton, NC GAL District Administrator.



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INTRODUCING YOURSELF AS A CASA

Using the concepts you just reviewed, write what you would say to introduce yourselves to:

A nineteen-year-old mother of an infant alleged to be abused.

A nine-year-old child.

Your next-door neighbor.

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UNIT 3: Using a Collaborative Approach

As a CASA volunteer you will interact and communicate with many people who hold many different opinions and beliefs about children and families. Often, addressing a difference of opinion or challenging a firmly-held belief will be an integral part of your advocacy. The CASA/GAL program encourages volunteers to use a collaborative approach in working with families and with other agencies and organizations in the community. As you work together on a common plan to ensure that the child is in a safe, permanent home, you will see that the collaborative approach brings more creative energy and resources to a situation or problem.

At its best, collaboration means different people or groups working together toward a goal they all agree on, with everyone doing what they do best, within the guidelines set by agency policy. As people from various agencies work together with families, they get to know each other and understand each other's services and approaches. It is important that you only accept activities that fall within the duties of a CASA volunteer and that you advocate for others to complete activities that fall within their mandated roles (e.g., CASA volunteers do not provide transportation to services, supervise visits, or do home studies).

Keys to Successful Collaboration

- **Developing a Partnership**

The people or agencies in a collaboration need to develop mutually respectful relationships that allow for the development of trust.

- **Assessing Reasons for Collaborating**

The next step is to help the collaborators clarify their reasons for working together and identify contributions each can offer to the plan. This is an ongoing process.

- **Setting Goals & Making a Written Plan**

It is valuable to write down the goals and the steps needed to reach these goals, indicating who will be responsible for each activity.

- **Learning & Practicing Skills**

Group members may need to learn some new skills in order to reach goals of the group. You can teach each other and invite additional assistance as needed.

- **Celebrating Accomplishments**

Be sure to take the time to celebrate your joint accomplishments with the families, workers, and others who have supported the collaboration.

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Practical Pitfalls of Collaboration—and How to Turn Them into Advantages

Collaborating on Tasks That Really Don't Require Collaboration

If you are looking for the fastest way to get a simple task done, don't collaborate on it. If, on the other hand, you want to accomplish something that one person or agency can't do alone or that will have much more impact if done with others, this is the time to consider collaboration.

- *When might it be worth taking the extra time to use a collaborative approach?*

Underestimating How Much Time It Takes to Collaborate

When you begin collaborating (whether it is with a family or with another agency), first talk over your goals. If you agree on goals, then talk over who will do what, and when. Draft a simple work plan and list both the tasks and how long you think each will take. It takes time to collaborate!

- *Why is it helpful to estimate the time it will take to complete a work plan?*

Lack of Clarity of Leadership

The way leadership is handled will make the difference between success and failure for a collaboration. Every group of interagency collaborators needs to figure out how they will make decisions, and who will take responsibility for each task.

- *What can you do to ensure that issues of responsibility and leadership are determined at the start of a collaboration?*

“Turf” Issues

Understanding why people and agencies are often so touchy about their turf can help you know how to handle turf issues. Every person has an “identity” -- the part of us that says, “I am this, I do that.” Work is a big part of many people’s identity, and many agency workers’ identities are intertwined with the services their agencies provide.

Because of these “identity issues,” caseworkers often feel blamed or criticized personally when the CASA volunteer asks for more services or calls attention to delays. The CASA volunteer can separate the person from the problem by saying, “I know you have done what you can. How can we get this service for the child?” When identities are threatened, it becomes very difficult to collaborate. When you or your collaborators seem to be getting caught up in turf issues, bring yourself (and your collaborators) back to the reason why you are collaborating: to find a safe, permanent home, preferably with the child’s family, as soon as possible, honoring the child’s sense of time.

- *This is a particularly tricky one for citizen volunteers who are working with agency professionals. What can you do to move things forward while under standing that people’s identities are often very much wrapped up in the work that they do?*

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Leaving Out Key People or Agencies

If you are beginning a collaboration either with a family or with another agency, be careful not to leave out important people or agencies accidentally. Ask collaborators who the key players are. It is worthwhile to bring families into the decision-making process whenever possible, even though this requires extra time and effort.

- *What would you do if you discovered that you had inadvertently left out a key decision-maker?*

Lack of a Common Vision

Lack of a common goal and differences in ideas about how best to reach that goal are the most frequent collaboration pitfalls, whether you are working with an individual family or with an interagency group. Taking the time to explore the vision and develop goals everyone supports will pay off in the long run.

- *Why does it work well for the CASA to be a leader in keeping everyone focused on a common vision?*

Lack of Agreed-Upon Ground Rules

Many potential collaborations fail because participants don't take the time to establish some ground rules everyone involved can agree on. The process of agreeing on ground rules is as important as the list you come up with. Ground rules generally include expectations regarding confidentiality, participation, time frames, and other expectations of group members.

- *Why should ground rules be set right from the start?*

Lack of Skill in Working Constructively With Conflict

Conflict is inevitable in collaborations. It can even be a benefit because it can help the group understand each person or agency's point of view. Good communication skills will go a long way toward resolving conflict. These skills include listening well, reflecting what another person tells you (to make sure you understand), and expressing your own thoughts and feelings respectfully.

- *Why are good listening skills a key to addressing conflict?*

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Lack of Appropriate Incentive

In the best situations, people want to collaborate on behalf of a child just because they see a need and want to help. In reality, it is often unrealistic to expect the families or other agencies to put much time into collaborating unless they can benefit in some way. People and agencies already have too much to do without taking on new projects. Incentives can help the collaboration process by encouraging people to join and stay with the effort. If you are the one calling people together to discuss a possible collaboration, you can begin by briefly explaining what you are concerned about, what you want to do about it, and why you need their help. Then you can ask for their ideas and reasons for joining in (and what would keep them away from collaborating). This first step works equally well with families and other agencies.

- *How can the CASA volunteer help others to see the benefits of using a collaborative approach?*

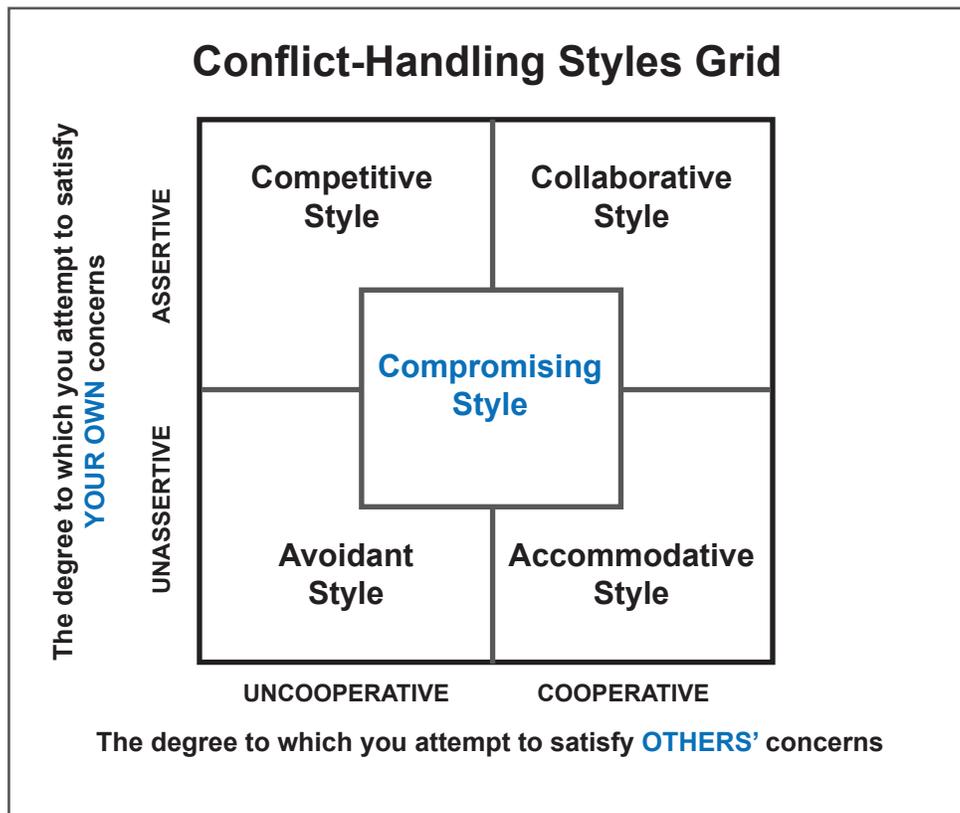
The materials for this unit were adapted from Empowerment Skills for Family Workers, Christiann Dean, Cornell Empowering Families Project, August 1996. Used with permission.

As a CASA volunteer, you will collaborate often with the parents or relatives of a child, as well as with professionals from the agencies that serve children and their families. Collaboration means starting where the other person is instead of where you would like them to be. It is about listening, often listening more than you speak -- and when you do speak, paying attention to the words you use. It is important to use “people-first” language. “People-first” language recognizes that people should not be reduced to their conditions. People have disabilities or illnesses -- they are not the illness (e.g., “people who have an addiction to drugs” versus “the drug addict”). Using adjectives that describe a person's condition as nouns often results in a derogatory label beginning with the word “the” (e.g., people who do not earn enough money to meet their needs become “the poor” or “the disadvantaged”). With this in mind, you are encouraged to ask about concerns, look for strengths, question labels, and work with people as collaborators.

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The common root of all conflicts is the incompatibility between the concerns of two or more parties. Not only do the different parties in a child abuse/neglect case have different roles and perspectives, they may have -- or perceive that they have -- incompatible concerns. In your role, there will be times when you will need to address a difference of opinion or challenge someone's firmly held belief. When you are in a conflict situation, one way to deal with conflict is to recognize that you can choose among different styles of handling conflicts based on your own personal style, the style of others involved in the conflict, and the nature of the conflict itself. Different situations may call for different strategies.

One approach to describing these styles for handling conflict, based on a system developed by Kenneth Thomas and Ralph Kilmann, is used extensively in business and educational programs. A person's style in dealing with a particular conflict depends on the degree to which he or she attempts to satisfy his or her own concern (by acting assertively or unassertively) and to satisfy the other party's concern (by acting cooperatively or uncooperatively). When these two considerations are put together, they can form a grid:



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Unit 4: Dealing With Conflict

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The Competitive Style

Someone using this style is very assertive or even aggressive and is interested in getting his or her own way. The rationale might go something like this: "I don't care what others think, I'm going to make sure I get my way." You satisfy your concern at the expense of others, by forcing people to do it your way, arguing, and pulling rank. You use your power to achieve your objective; and if you have enough power you can succeed.

This style is useful when:

- The issue is important to you or you feel you must act quickly to get your way immediately; or
- You feel confident you will win because you have the power or position to do so.

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The Avoidant Style

In this style you don't assert yourself, you don't cooperate, or you avoid the conflict entirely. You don't attempt to satisfy your own or the other's concern. Instead, you sidestep the issue by ignoring it, passing the buck, delaying, or using other tactics. For example, "Why don't we tackle this next week when we can look at this with fresh eyes."

This style is useful when:

- You are in a no-win situation or tensions are too high and you feel a need to cool down;
- You don't have enough information and have the option of waiting; or
- You believe the situation will resolve itself in time.

The Accommodative Style

You work cooperatively with others without trying to assert your own concerns. You sacrifice your own concern in order to satisfy another's concern by agreeing, conceding, taking pity on that person, or otherwise giving in. For example, "This is not important enough to me to argue about it."

This style is useful when:

- It is more important to maintain a relationship with someone than to get the matter decided your way;
- You want to keep the peace and maintain harmony; or
- The outcome is more important to the other person than to you.

The Compromising Style

You give up a little bit of what you want to get the rest of what you want, and the other parties do the same. You do this by making concessions and exchanges, and bargaining to come up with a compromise solution to which you can each agree. The emphasis is not on win-win; rather, you acknowledge, "We can't both get what we want so let's work out something we can live with."

This style is useful when:

- Neither party has the energy for collaboration;
- You have mutually exclusive goals; or
- A compromise will make a relationship or agreement work, and you'd rather have that than nothing at all.

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The Collaborative Style

You get actively involved in working out a conflict by asserting what you want, while still trying to cooperate with the other person. If the parties have the time and see the issue as important enough, this is a good way to find a win-win solution that satisfies the needs of all parties. It is a more complicated approach, and the key to successful collaboration involves taking the time to look at underlying issues and needs in order to find some way to meet these. All parties have to make a time commitment, and they have to be able to clarify their wants, express their needs, listen to others do the same, and then explore alternatives and agree to solutions. Together the parties might search for new alternatives or work out good compromises once all the issues are understood. For example, “I think if we take some time and talk things out, we can come up with a solution that works for both of us.”

This style is useful when:

- Parties are clear about the problem and what they want;
- Parties are willing to work together as equals to come up with a solution; or
- The issues are important to all parties and no one is willing to let go entirely.

Adapted from Resolving Conflict: With Others and Within Yourself, Gini Graham Scott, Oakland, CA: New Harbinger Publications, 1990.

Always remember your CASA Manager is a resource for ideas and assistance in resolving conflict. It is also important to keep in mind that you are ultimately an advocate involved in a legal process and the court will resolve issues which are not addressed elsewhere.



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The Keys to Communicating to Conquer Conflict

The way you communicate -- and set the stage to help others communicate -- can go a long way toward avoiding a conflict or dissipating one. The basic keys include the following:

- **Pay attention to nonverbal cues** that suggest a discrepancy between what the speaker is thinking or feeling and what he or she is saying. Bring these issues out in the open.
- **Watch for hidden or incorrect assumptions** -- your own or the other person's. Bring them out in the open so mistakes can be corrected. Use reflective listening. Repeat what you believe you heard the other person say and ask if you understood correctly.
- **Work toward open channels of communication.** Say what you think or feel diplomatically, and encourage the other party to open up and talk to you, too.
- **Be clear.** If something is unclear to you, ask for clarification so you understand. And if someone else seems unclear, check this out and then provide the necessary explanations yourself.
- **Learn to listen well.** Do so with interest and concern and respect. You want to show empathy, and to indicate that the speaker is being heard and understood. Also, listen attentively without interruption or judgment. From time to time, reflect back what you heard to show the other person you're following the conversation.
- **Express your own feelings and needs in a non-threatening way,** using “I” statements. Avoid “you” statements, which can make the other person feel judged, put down, or blamed. An “I” statement is one in which the speaker takes responsibility for their feelings, such as “I feel worried when you come home late.” An example of a “you” statement would be “you make me feel worried when you come home late.” An “I” statement is less likely to put the receiver on the defensive, thus keeping channels of communication open.

*Adapted from Resolving Conflict:
With Others and Within Yourself,
Gini Graham Scott, Oakland, CA:
New Harbinger Publications, 1990.*

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Conflict Resolution Scenario 1

CASA Volunteer

You are a new CASA volunteer on a case involving twin three-year-olds. You are having a disagreement with a caseworker regarding the need for developmental evaluations. The HCJFS has temporary custody of the children. The maternal grandmother, who has physical custody of the girls, has reported to you that the girls have hardly any verbal skills. You have met the girls and they only seem to know a few words. You believe that a professional in child development should decide if the children need evaluations. The grandmother has no transportation and is caring for two other school-age children. She appears to you to be overwhelmed and genuine in asking for help. She is willing to attend the evaluations but needs help setting them up and getting there. You feel it is a HCJFS caseworker's responsibility to set up the evaluations and transport the girls.

Caseworker

You have worked as a caseworker for HCJFS for five years. You have some very difficult cases that are taking a great deal of your time and your caseload has been soaring. Your department has just been reorganized -- again -- and you have a new supervisor who is very concerned about budget and has been complaining about the high incidence of referrals for outside services (such as developmental evaluations). You don't believe that evaluations on these children are really necessary; you have had some experience with twins whose language development was delayed because they had developed their own ways of communicating with each other and believe that is the situation here. You have also had some contact with the grandmother and are not convinced that she will follow through with plans.

Adapted form material from the NC GAL Volunteer Training Curriculum.



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Conflict Resolution Scenario 2

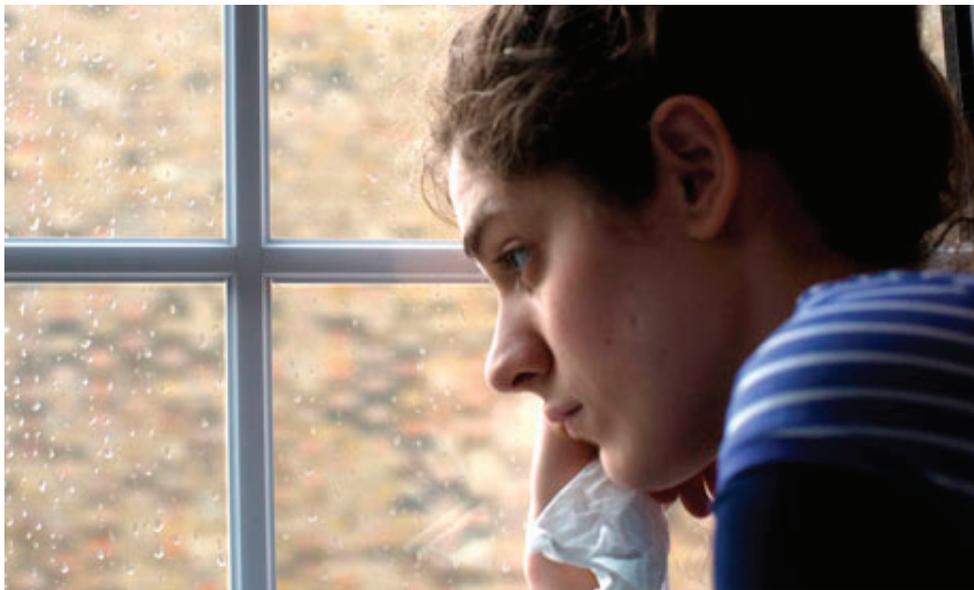
Psychologist

For the past six months, you have been providing therapy to a mother whose seven-year-old daughter is in foster care because the mother was so depressed she was unable to care for her properly. The mother has been making good progress in therapy and she reports that visits with her daughter have gone well. You feel that she is ready for longer visits and that weekend overnight visitations with her daughter would enhance the connection between them and prepare for the child's return to the home.

CASA Volunteer

The foster parent has reported to you that since the child returned from the visit with her mother at which the weekend overnight was announced, the child has developed night terrors, has begun to wet her bed again, and has begged the foster mother not to make her go. While you support visitation, you believe that the overnight is too abrupt a change for the child.

Adapted from Comprehensive Training for the CASA/GAL, National CASA Association.



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UNIT 5: Confidentiality

Confidentiality & the CASA Volunteer

When you perform the duties assigned to a CASA volunteer, you will be responsible for understanding just what is meant by confidentiality. As a CASA volunteer, you have access to confidential information about children and the people involved in those children's lives. The CASA volunteer may not release or discuss this information with anyone except:

- The Hamilton County Juvenile Court
- ProKids staff and volunteers,
- The HCJFS, its employees, agents and service providers,
- Other parties to the case and their counsel
- Relatives and family friends for the purpose of securing a placement for a child, with the prior approval of the CASA volunteer's Supervisor, and
- Others with the permission of the court and prior approval of the ProKids Supervisor.

There are strict guidelines about who can have access to confidential information. Mistakes in handling confidential information can be detrimental to the children involved and can bring criminal action against the people who misuse the information. **When in doubt, discuss any confidentiality concerns with your CASA Manager!**

What Information Should the Volunteer Share With the Child?

It is expected that the volunteer develop a meaningful relationship with the child in order to make sound, thorough, and objective recommendations in the child's best interest. The volunteer also ensures that the child is appropriately informed about relevant case issues, considering both the child's age and developmental level. The child is informed in an age-appropriate manner of impending court hearings, the issues to be presented, the recommendations of the volunteer, and the resolution of those issues. If there is any question about what information should be shared with the child, ask your supervisor.

What Is Confidential?

There are different definitions of "confidential" in the laws of different states -- some quite clear and others vague. As a CASA volunteer, you must regard as confidential any information that the source deems confidential. If any source from which you obtain information requires you to show the court order of appointment or inquires about why you are entitled to get such information, you should respectfully produce your court

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order. Your appointment order gives you the authority to obtain a great deal of information that is, in fact, confidential. Hamilton County Job & Family Services records are confidential and are not available for public inspection. **It is especially important that the name of any person who has made a report of suspected child abuse and neglect not be revealed.** School records are also confidential. There are legal privileges that protect attorney/client, doctor/patient, priest/parishioner, psychologist/patient, and caseworker/client communications. Such communication, whether verbal or written, is all confidential and must remain so unless a court order specifically states otherwise. You are not allowed to share information with anyone other than the child, ProKids staff and attorney(s), the caseworker, and the court unless a local or state order allows for a broader sharing of information.

You need not treat as legally confidential conversations with neighbors and friends who voluntarily give information. Also, if you speak with a teacher who is not providing confidential school records, but rather sharing impressions, these impressions would not be confidential unless the teacher requested that they be kept as such. This information, although not legally confidential, is still private and should not be shared except on a “need to know” basis, and then only with those people who need the information to better serve the child. An example would be sharing a previous teacher's positive impressions of the child with a new teacher in order to increase the teacher's sensitivity toward the child during a difficult time.

Should You Tell a Source That You Intend to Share Their Information?

There does not appear to be any legal requirement that you disclose to a source your intent to share information. It is important to be respectful of the source and to be honest about your intentions with regard to the use of the information. You can never promise that you will not share the information received.

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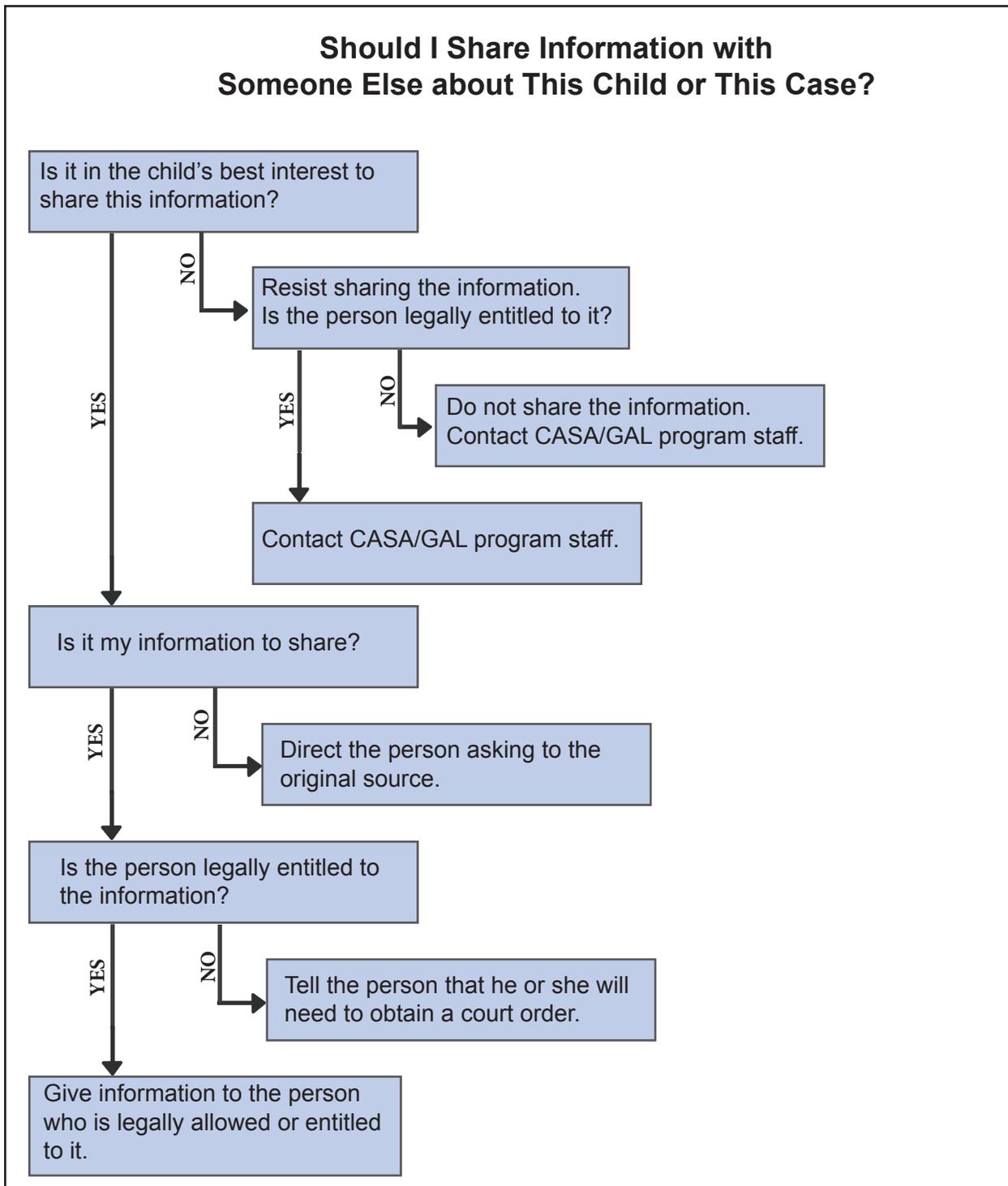


Chart contributed by Diane Robinson, State Director, Arkansas, CASA

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Reporting of Abuse / Neglect

During your work as a CASA volunteer you may receive new information about the abuse or neglect of a child. You may also witness abuse or neglect. **CASA volunteers are mandated reporters** and shall report all suspected or disclosed incidents of abuse or neglect immediately. Any questions regarding what is abuse or neglect should be directed to your CASA Manager. Your CASA Manager will advise you as to whether or not to phone the HCJFS Child Abuse Report Line (241-KIDS) with details. If you feel that the situation is an emergency, you should first call the HCJFS Child Abuse Report Line (214-KIDS) and/or the police (911), then notify your CASA Manager. For further detail about mandated reporting see The Juvenile Law Appendix “Persons required to report injury of neglect” and The Volunteer Policy and Procedures Manual Section 4.6

*Should I Share Information With Someone Else About This Child or This Case?
Chart contributed by Diane Robinson, State Director, Arkansas CASA.*

Sharing Information with Foster Parents

Foster parents may seek information from you about the children in their care. In fact, federal law requires that the HCJFS provide the foster parent with the child's health and education records at the time of placement. The records should be updated periodically and each time the child is moved to another placement. These must include, at a minimum, the names and addresses of the child's health care provider and school, the child's immunization record, known medical problems, medications, school record with current grade level performance, and other relevant health and education information (e.g., behavioral problems and/or disabilities). In order to provide adequate care, foster parents do need to know relevant information regarding the child. However, foster parents have a contractual relationship with the HCJFS or a private licensing agency.

As a CASA volunteer, you are not the foster parents' source of information about the child's case nor are you their advocate. Your job is to focus on the child's needs. It is your obligation as a CASA volunteer to keep your child informed about the case, but it is not your duty to keep the foster parents informed. Suppose, however, that you know the child has a history of sexual victimization and that he or she has been moved from an earlier foster home after being found in bed with a younger child. The current foster parent does not have this information and there is another young child in the home. In such a case, it is clearly in the best interest of both the child and other children in the home that this information be shared. After discussing the issue with your CASA Manager to determine the best approach, the CASA volunteer should contact the caseworker and state a clear expectation that this critical background information be shared with the current foster care provider.

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SCENARIO 1

A CASA volunteer was in the ProKids office after a court hearing. She overheard another volunteer talking to program staff about a case in which a four-year-old girl was going to be placed for adoption as soon as her parents' rights were terminated. The first volunteer mentioned this adoption possibility to a friend who wanted very much to adopt a child. This friend then called HCJFS to inquire about adopting the named four-year-old girl.

SCENARIO 2

CASA volunteer Trent Watson was investigating the case of fourteen-year-old Jason Street whose teacher, Mr. Davis, was demonstrating an active interest in his well-being. Mr. Davis asked Trent to keep him informed of things learned in the investigation that would be helpful for him as a mentor to Jason. Trent discovered that Jason's parents both had substance abuse problems and that Jason had recently revealed to his therapist that he had been sexually abused by a family friend who was attending a party at his parents' home. The parents had no knowledge of the sexual abuse. Trent shared all this information with Mr. Davis.

SCENARIO 3

CASA volunteer Shirley Colston was at her neighborhood swimming pool. A neighbor, Stephanie Moore, asked Shirley what she did as a CASA volunteer. Shirley thought Stephanie would be a great CASA volunteer and decided to give her an example of what activities she had done on a recent case. Shirley gave no case names and slightly changed the facts in the case to preserve confidentiality. However, as Stephanie heard the altered details of the case, she still recognized the similarities to an open HCJFS case involving her cousin.

SCENARIO 4

CASA volunteer Tonya Mills was at home working on her court report. She had all of her case notes on her kitchen table when her friend Caitlyn Taylor stopped by for coffee. While Tonya was preparing the coffee, Caitlyn read the top page of Tonya's case notes and learned the name of the family and several facts about the case. Later that day, Caitlyn was talking to her friend Amy Cole and mentioned the case to her. Amy is a Hamilton County Juvenile Court Clerk.

SCENARIO 5

Eleven-year-old Johnny Barker came to the attention of the court for neglect when he ran away from home because he wanted to quit school. Johnny told his CASA volunteer, Jack, that he needed to tell him something but that Jack must promise not to tell. Jack made that promise. Johnny divulged that he and his mom had frequently been victims of his father's violent abuse. Jack later realized that he needed to share the information with the court so that Johnny would not be returned home to a dangerous situation.

The scenarios were contributed by Alma Brown, NC GAL Western Regional Administrator.

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Confidentiality Dilemmas

Questions of confidentiality for the CASA volunteer are often not clear-cut or easily recognized. This activity uses five scenarios to illustrate situations that test the limits of confidentiality.

Working with a partner, select one of the following case scenarios. Make sure each of the five scenarios is selected by at least one pair, or if the group is small, each pair should do two scenarios. Read the scenario and answer these questions:

- What confidentiality breach do you see?
- What problems could this cause for the child?
- What problems could this cause for the outcome of the case?
- What problems could this cause for the CASA volunteer?
- What problems could this cause for ProKids?

In the large group, each pair will share a summary of the scenario they considered and their answers.

