

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

ORDINANCE NO. 20-002

RELATING TO COURT-APPOINTED SPECIAL ADVOCATES IN THE SNOHOMISH COUNTY SUPERIOR COURT; CREATING A COURT-APPOINTED SPECIAL ADVOCATE (CASA) PROGRAM IN THE EXECUTIVE BRANCH AND ADDING A NEW CHAPTER 2.115 TO TITLE 2 OF THE SNOHOMISH COUNTY CODE

BE IT ORDAINED:

Section 1. A new chapter is added to Title 2 of the Snohomish County Code to read:

**Chapter 2.115**  
**COURT-APPOINTED SPECIAL ADVOCATE (CASA) PROGRAM**

Sections:

- 2.115.010 Court-appointed special advocate program.
- 2.115.020 Volunteer list and background information record.
- 2.115.030 Court appointment.

2.115.010 Court-appointed special advocate program.

The Executive is authorized to establish a court-appointed special advocate (CASA) program. The CASA program shall recruit, train, supervise, and support volunteer court-appointed special advocates for appointment in dependency law cases before the superior court of Snohomish county.

2.115.020 Volunteer list and background information record.

The CASA program shall maintain a list of current volunteer court-appointed special advocates and a background information record for each volunteer as required by RCW 26.12.175 as enacted or hereafter amended.

2.115.030 Court appointment.

Appointment of a volunteer CASA in a legal proceeding shall be at the discretion of the superior court of Snohomish county.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

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Chairperson

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ATTEST:

\_\_\_\_\_  
Clerk of the Council

( ) APPROVED

( ) EMERGENCY

( ) VETOED

DATE: \_\_\_\_\_

\_\_\_\_\_  
County Executive

ATTEST:

\_\_\_\_\_

Approved as to form only:

  
Deputy Prosecuting Attorney

SNOHOMISH COUNTY COUNCIL

EXHIBIT LIST

Public Hearing: Ord. 20-002 RELATING TO COURT-APPOINTED SPECIAL ADVOCATES IN THE SNOHOMISH COUNTY SUPERIOR COURT; CREATING A COURT-APPOINTED SPECIAL ADVOCATE (CASA) PROGRAM IN THE EXECUTIVE BRANCH AND ADDING A NEW CHAPTER 2.115 TO TITLE 2 OF THE SNOHOMISH COUNTY CODE  
(ECAF 68873)

Date/Time: Public Hearing set for 1/29/2020; 10:30 a.m.

Staff Person: Nicole Gorle

DPA: George Marsh

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1. 12/19/19 ECAF
  2. 01/08/20 Ordinance Introduction Sheet
  3. 01/10/20 Council Staff Report

**EXECUTIVE/COUNCIL APPROVAL FORM**

**MANAGEMENT ROUTING:**

EXECUTIVE Dave Somers  
EXEC. DIR. Susan Neely  
DIRECTOR/ELECTED Bruce Weiss  
DEPARTMENT Superior Court  
DIV. MGR. Shane Nybo  
DIVISION \_\_\_\_\_  
ORIGINATOR Aaron Perez  
DATE 12/13/19 7852

**TO: COUNCIL CHAIRPERSON:**  
**SNOHOMISH COUNTY COUNCIL**

**EXECUTIVE RECOMMENDATION:**  
 Approve \_\_\_\_\_ No Recommendation  
\_\_\_\_\_ Further Processing  
\_\_\_\_\_ Requested By \_\_\_\_\_

*Susan Neely* **SUSAN NEELY** 12/18/19  
**Executive Director**  
Executive Office Signature  
CEO Staff Review Cep **DEC 18 2019**  
Received at Council Office 11:00 am 12/19/19

**DOCUMENT TYPE:**

\_\_\_\_\_ BUDGET ACTION:  
\_\_\_\_\_ Emergency Appropriation  
\_\_\_\_\_ Supplemental Appropriation  
\_\_\_\_\_ Budget Transfer  
\_\_\_\_\_ CONTRACT:  
\_\_\_\_\_ New  
\_\_\_\_\_ Amendment  
\_\_\_\_\_ GRANT APPLICATION  
 ORDINANCE  
\_\_\_\_\_ Amendment to Ord. # \_\_\_\_\_  
\_\_\_\_\_ PLAN  
\_\_\_\_\_ OTHER **SNOHOMISH COUNTY COUNCIL**  
**EXHIBIT # 1**  
**FILE ORD. 20-002**

**DOCUMENT / AGENDA TITLE:**

Creating a Court Appointed Special Advocate (CASA) program in the Executive Branch and adding a new Chapter 2.115 to Title 2 of the Snohomish County Code

**APPROVAL AUTHORITY:**

EXECUTIVE \_\_\_\_\_ COUNCIL   
CITE BASIS **County Charter 2.110**

**HANDLING:** NORMAL \_\_\_\_\_ EXPEDITE  URGENT \_\_\_\_\_ DEADLINE DATE \_\_\_\_\_

**PURPOSE:**

Request approval to establish the court appointed special advocate (CASA) program under the jurisdiction of the Snohomish County Executives office.

**BACKGROUND:**

Court of Appeals of the State of Washington published a opinion on August 12, 2019, Cause number 76964-2-1



**ORDINANCE  
INTRODUCTION SLIP** SNOHOMISH COUNTY COUNCIL

TO: Clerk of the Council

EXHIBIT # 2

FILE ORD. 20-002

TITLE OF PROPOSED ORDINANCE:

RELATING TO COURT-APPOINTED SPECIAL ADVOCATES IN THE SNOHOMISH COUNTY SUPERIOR COURT; CREATING A COURT-APPOINTED SPECIAL ADVOCATE (CASA) PROGRAM IN THE EXECUTIVE BRANCH AND ADDING A NEW CHAPTER 2.115 TO TITLE 2 OF THE SNOHOMISH COUNTY CODE

Shelley 1-8-20  
Councilmember Date

Clerk's Action: Proposed Ordinance No. 20-002

Assigned to: Comm of the Whole Date: 1-14-20

**STANDING COMMITTEE RECOMMENDATION FORM**

The following action item was considered by Comm of the Whole  
(name of Committee)

on 1-14-20. By a vote of 4 Yeas and 0 Nays, the  
(date)

Committee makes the following recommendation:

- Move to Council to schedule public hearing
- Move to Council as amended to schedule public hearing
- Move to Council with no recommendation

*to set time & date  
for public hearing  
1-29-20  
@ 10:30 am*

**This item should/should not be placed on the Consent Agenda.**

(Consent agenda may be used for routine items that do not require public hearing and do not need discussion at General Legislative Session)

**This item should/should not be placed on the Administrative Matters Agenda**

(Administrative Matters agenda may be used for routine action to set time and date for public hearings)

\_\_\_\_\_  
Committee Chair



**Committee:** LJHS

**ECAF:** 6-8873

**Proposal:** Ord. 20-002

**Analyst:** Nicole Gorle

**Date:** January 10, 2020

### **Consideration**

Move the Court Appointed Special Advocate (CASA) program out of Superior Court and under the Executive by creating a new chapter in County Code 2.115.

### **Background**

In child dependency and termination cases State law requires that the child be appointed a guardian ad litem or volunteer court appointed special advocate to advocate for the child's interest during the case.<sup>1</sup> Currently, 25 counties in the state of Washington have court based CASA programs.<sup>2</sup>

Snohomish County's CASA program is currently housed under the Superior Court. In response to the handling of a dependency case<sup>3</sup>, the Superior Court began reviewing its practices and implemented changes within the program to ensure proper handling. Further, the Superior Court has taken steps to remove appearances of conflict of interest.

In the 2020 budget, the position in their budget for the attorney that advises the CASA program was eliminated<sup>4</sup>, removing them from the employee/employer status. Now the Superior Court is requesting for the program to be moved under the Executive to further separate any appearance of conflict of interest.

### **Current Proposal**

The ordinance before you would move the entire CASA program from Superior Court to the Executive by creating SCC 2.115 "Court-Appointed Special Advocate (CASA) Program". The chapter establishes the following:

- 2.115.010 – Court-appointed special advocate program
- 2.115.020 – Volunteer list and background information record
- 2.115.030 – Court appointment

No programmatic changes are made with the adoption of this ordinance, therefore there is no additional fiscal impact to the County if adopted.

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<sup>1</sup> [RCW 13.34.100](#) – Juvenile Court Act – Dependency and Termination of Parent-Child Relationship; Appointment of Guardian Ad Litem – Background Information – Rights – Notification and Inquiry – Appointment of Attorney for Child – Review and Removal

<sup>2</sup> Attachment 1 – Breakdown of CASA programs in Washington State

<sup>3</sup> Published Opinion, No 76964-2-I, filed August 12, 2019

<sup>4</sup> They now contract with an outside attorney to advise the program.

**Fiscal Impact**

No programmatic changes are made with the adoption of this ordinance, therefore there is no additional fiscal impact to the County if adopted. In the 2020 Council Adopted Budget, \$1,681,542 was allocated to the CASA program under the Superior Court.<sup>5</sup> If adopted, CASA will move under the Executive for 2020 but the finances will be processed by the Superior Court as the appropriation was made to them in the 2020 budget. In the 2021 budget, the funds will shift from Superior Court to the Executive and will be financially managed by the Executive from that point forward.

**Handling:** Expedite

**Approved-as-to-form:** Yes

**Risk Management:** Yes

**Executive Recommendation:** Approve

**Attachments:**

1. WA Counties – CASA Program

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<sup>5</sup> \$1,457,373 Fund 002 and \$224,163 Fund 130



	County	Structure	Location
1	<a href="#">Benton</a>	Court Based	Superior Court
2	<a href="#">Clallam</a>	Court Based	Juvenile & Family Services
3	<a href="#">Ferry</a>	Court Based	Courts/Law
4	<a href="#">Franklin</a>	Court Based	Superior Court
5	<a href="#">Grant</a>	Court Based	
6	<a href="#">Island</a>	Court Based	Juvenile Court
7	<a href="#">Jefferson</a>	Court Based	Juvenile & Family Court
8	<a href="#">King</a>	Court Based	Superior Court
9	<a href="#">Kitsap</a>	Court Based	Juvenile & Family Court
10	<a href="#">Klickitat</a>	Court Based	Juvenile Court
11	<a href="#">Lewis</a>	Court Based	Juvenile Court
12	<a href="#">Mason</a>	Court Based	Superior Court
13	<a href="#">Okanogan</a>	Court Based	Juvenile Court
14	<a href="#">Pend Orille</a>	Court Based	Juvenile Court/Tribal Court
15	<a href="#">Pierce</a>	Court Based	Juvenile Court
16	<a href="#">San Juan</a>	Court Based	Juvenile Court
17	<a href="#">Skamania</a>	Court Based	Juvenile Court
18	<a href="#">Snohomish</a>	Court Based	Superior Court/ Juvenile Court
19	<a href="#">Spokane</a>	Court Based	Juvenile Court
20	<a href="#">Stevens</a>	Court Based	
21	<a href="#">Thurston</a>	Court Based	Superior Court
22	<a href="#">Walla Walla</a>	Court Based	Juvenile Court
23	<a href="#">Whatcom</a>	Court Based	Juvenile Court
24	<a href="#">Whitman</a>	Court Based	Juvenile Court
25	<a href="#">Yakima</a>	Court Based	Juvenile Court
1	Asotin	Nonprofit	
2	Chelan	Nonprofit	
3	Clark	Nonprofit	
4	Columbia	Nonprofit	
5	Cowlitz	Nonprofit	
6	Douglas	Nonprofit	
7	Garfield	Nonprofit	
8	Grays Harbor	Nonprofit	
9	Kittitas	Nonprofit	
1	Adams	No Program	
2	Lincoln	No Program	
3	Pacific	No Program	
4	Skagit	No Program	
5	Wahkiakum	No Program	

<a href="#">Kalispell Tribe</a>	Yes
Spokane Tribe	Yes
Yakama Nation	Yes

\* <https://www.wacita.org/benchbook/chapter-8-court-appointed-special-ad>