

CASA Kane County

The Life of a Case in Probate Court

A typical probate case has its inception with a petition for guardianship filed in Probate Court. Upon filing of a petition, the Court will appoint a Guardian Ad Litem. In Kane County, in most guardianship petitions, the Court appoints CASA as the Guardian Ad Litem. CASA Kane County has its own attorney to represent the CASA/GAL in court if needed. On the date, that the petition is presented in court, the Court will set a hearing date of the petition for guardianship. Typically, a probate case can be open anywhere from 60-90 from start to finish.

When CASA Kane County has been appointed, multiple releases and authorization forms must be completed by the petitioner and respondent in order for the organization to provide the court with an investigative report. Once CASA Kane County has been appointed, the Advocate Supervisors meet to discuss the facts of the case and to select an available advocate who would be the best qualified for the case based on experience. Decisions are made based on multiple considerations. CASA/GAL volunteers will work with different aged children and geographic location of placement. All CASA/GAL volunteers' background will be considered (i.e. nurse/medical issues; retired teacher/education issues; female/sexually abused 14-year-old girl; male/10-year-old boy with negative or no positive male role models; culturally matched advocates when possible). Once the CASA/GAL volunteer agrees to accept, the CASA/GAL volunteer and Advocate Supervisor will review the initial case course of action.

After releases and authorization forms are completed, the Advocate Supervisor will submit the necessary paperwork to receive criminal background checks and CANTS (DCFS check). The results of the background checks will be available to the CASA/GAL volunteer. CASA/GAL volunteers will conduct home visits and start to gather information for their report. They will then enter notes into the Optima case management system on every visit and conversation so that documentation is available later.

Duties of a CASA/GAL volunteer include interviews of the child (ren); interview of family members, foster family members and any person(s) living in the residence of proposed residence of the child(ren). The CASA/GAL volunteers are also expected to interview other persons with relevant information about the child (ren), the child's (ren) well-being, and the placement of the children such as teachers, social workers, friends, counselors, therapists, treatment medical personnel, and employers. CASA/GAL volunteers are to report on available placement alternatives for the children and to provide the court with a report on the involved parties in the guardianship proceedings including review of relevant criminal history.

A report must be submitted to the Court with facts, findings, and recommendations as to a disposition and best interest of the children. The CASA/GAL volunteer writes the report based on findings and submits it to the Advocate Supervisor for editing and then approval. The Advocate Supervisor then submits the report to the Court.

Depending on the report, the Court will determine if it is in the best interest of the children to grant guardianship. If the Court grants the guardianship, CASA Kane County is discharged. The guardians will be given dates to file guardian reports to the court.