

CONFIDENTIALITY POLICY

Policy: It is the policy of CASA of Santa Barbara County that each Volunteer shall adhere to CASA's guidelines with respect to maintaining a high level of confidentiality and respecting the privacy of others in all matters relating to an assigned case. The guidelines are delineated below.

These guidelines govern the circumstances in which the CASA Volunteer requests or receives information. However, these guidelines cannot cover every possible situation which may arise. Any questions and/or concerns the CASA Volunteer has regarding confidentiality or the application of this policy should be discussed with his/her CASA Advocate Supervisor or the Program Manager. These questions and/or concerns will be resolved on a case by case basis. Failure to adhere to the Confidentiality Guidelines can be detrimental to the child(ren) involved and may result in disciplinary action and/or dismissal from the CASA Program.

Guidelines:

- 1) The CASA Volunteer shall never discuss an assigned case for purely conversational purpose, particularly in specific terms, with anyone. Use general statements such as, "I have been assigned to an eight-year-old girl who lives in foster care." Giving more details may jeopardize that child's confidentiality.
 - a) Do not take your child to your home or to your friend or family member's home. Furthermore, do not take the child to your place of work, church or community groups.
 - b) Do not introduce your child to anyone in your personal life. If you meet someone you know while out in the community with your child, simply introduce the child as, "This is my friend, _____."
 - c) Do not publish photos of your child or information about your child in a public venue.
- 2) The CASA Volunteer may not share or disseminate information regarding the child to any party except to the CASA Advocate Supervisor and program staff, the attorney(s) assigned to the case, the assigned social worker, the court, and others as instructed by law or local court rule.
 - a) Do not share case details with community service providers such as foster parents, care givers, teachers, daycare or after school care providers, etc..., except by court order or unless provided by law.
 - b) Do not share specific case details with other CASA Volunteers without the direction and guidance of your CASA Advocate Supervisor.
- 3) The CASA Volunteer is not allowed to disseminate any documents received which are covered by state and /or federal confidentiality laws to any of the parties, their attorneys and/or collateral sources.
 - a) These documents may include drug and alcohol evaluations/records; mental health treatment records; educational assessments; and some criminal histories.
 - b) Those covered by federal law usually are stamped, "This information is protected by Federal law (and prohibits you from making any further disclosure). A general authorization for the release of medical or other information is not sufficient for this purpose."

- 4) During the course of their advocacy work, the CASA Volunteer may need to obtain information from doctors, psychologists, social workers, attorneys, clergy, teachers, or other professionals who have a protected relationship status with the child. The Court Order of Appointment will cover the disclosure of information in most instances.
 - a) By statute, there are limitations on the disclosure of information a professional receives during the course of his/her relationship with a client or patient. Many professions also have ethical principles which govern their ability to disclose information. The professional has no authority to provide any information to a CASA Volunteer without the express permission of the client or a court order.
- 5) If the CASA Volunteer obtains any records regarding their CASA child, such as, CWS reports, academic assessments, medical evaluations, etc..., the Volunteer is to turn those records over to their CASA Advocate Supervisor immediately for storage in the CASA case file. CASA Volunteers are not to keep any reports or other records in their possession nor are they to maintain a CASA case file separate from the one held at the CASA office.
- 6) The CASA Volunteer may keep working notes regarding their on-going advocacy work. CASA Volunteers will exercise appropriate safeguards to ensure the maintenance of all confidential information, including secure storage of any working notes and/or correspondence with any parties involved with the case or the child. This requirement includes any and all electronic mail, as well as, written documents.
- 7) The CASA Volunteer shall not promise a child or any party to the assigned case that his/her statements will be kept secret or confidential.
- 8) The CASA Volunteer must disclose confidential information learned during the course of their advocacy work in these circumstances:
 - a) When consulting with the CASA Advocate Supervisor or other CASA personnel who must be provided with significant case specifics known to the CASA Volunteer;
 - b) When ordered by the court in a hearing or trial or by a court order signed by a judge;
 - c) When child, dependent adult, or elder abuse or neglect is observed or suspected;
 - d) When the CASA Volunteer believes that the child may be a danger to him/herself or another person;
 - e) In other exceptional cases as identified by law and as directed by the CASA Advocate Supervisor.