

# Requirements and Guidelines for Screening Prospective CASA/GAL Volunteers

## VOLUNTEER SCREENING—A MULTI-LEVEL APPROACH

CASA/GAL programs should use several screening procedures for screening potential advocates. No single screening method is adequate and there are a range of issues with access to, and limitations of, various forms of background screening information. Using a variety of screening methods will help you identify whether applicants are appropriate for this work.

Screening is a process that will help to select the best applicants to become CASA/GAL volunteers. It does not constitute the entire selection process, but is the first step in identifying individuals who have identifiable characteristics that pose a risk to children and to the program. The screening process used by the program should be written and utilized by every employee with every CASA/GAL volunteer applicant.

The National CASA Association standards reflect this multi-level approach. The required screening process for prospective CASA/GAL volunteers includes these elements:

1. Written application (including notice and authorization to conduct records checks)
2. Three or more references from individuals unrelated to the applicant
3. State criminal records
4. Criminal records from the local court jurisdiction in which the applicant currently resides and works
5. Social Security number verification
6. FBI or other national criminal database
7. National sex offender registry
8. Child abuse registry or child protective services check, where permissible by law

9. Personal interview

10. Preservice training

Background checks should be repeated for each volunteer at least once every four years if there are no Rap Back services.

If the prospective volunteer has lived in another county and that jurisdiction is not covered by a national criminal background check utilized, the CASA/GAL program secures county and state criminal record checks in any county and state in which the person has resided for the previous seven (7) years.

Failure to use multiple screening approaches could put children at risk. It also creates potential liability if an injured individual claimed the program was not adequately diligent in collecting the available information before making a decision to accept an individual as a volunteer.

## **CHECKING CRIMINAL AND OTHER RECORDS**

A records check is a required element in your screening of potential volunteers. One of the greatest challenges in screening CASA/GAL volunteers and staff is that no single source exists that provides complete and up-to-date information about a person's criminal history. In order to conduct the most thorough check possible, a CASA/GAL program must understand the available sources, choose to check those that will give the most thorough and accurate information, and know how to access them. Programs need to use an appropriate combination of record sources in addition to the other screening procedures listed above.

### **Available sources of information include:**


#### ***State criminal records database***

Statewide criminal record repositories are collections of records reported from the counties within a given state. Some states provide extensive criminal record information while others are more limited. State records may not cover all counties in the state, and some state record systems contain only felony information. They usually contain less information than county court records, and it generally takes longer for the records to be recorded in the state systems. Some states only provide information about current prison inmates, not all convictions.

States now have online access to information about criminal background checks and most allow online public access to statewide criminal records information. Fees vary, and access may require a specific authorization form and/or specific identifying information, such as full name, address, date of birth, Social Security number and county of residence. See a list of resources for state record checks.

#### ***Local/county criminal records***

A county record search is an excellent source of comprehensive information and typically holds the most up-to-date and accurate information available. Turnaround on these searches can be fast and often a visit to the



court clerk's office will be necessary. A search should be conducted, at a minimum on the counties of residence and employment, but relevant records could be located in other counties. With 14 percent of the U.S. population moving each year, you may have questions about other counties in which the applicant may have lived.

### ***Social Security number verification***

A Social Security number verification can confirm whether a Social Security number is valid and registered to the individual. It also confirms current and previous address information, which can lead you to conduct criminal records checks in other local/county jurisdictions.

### ***National criminal record databases***

There is no national database of criminal records that you can access directly. There are two types of national criminal record checks: fingerprint-based and name/Social Security number-based.

Many state and local law enforcement agencies and courts send criminal records to the Federal Bureau of Investigation's (FBI) National Crime Information Center (NCIC). Only law enforcement personnel can access this information. This database gathers criminal data from all 50 states and contains different types of records, including property and personal files. While the system is national in scope, it does not cover all criminal convictions, particularly low-level misdemeanors such as driving under the influence.

Programs seeking to run FBI record checks may explore doing so through local or state law enforcement agencies. A valid set of fingerprints is required.

Several private companies have filled a growing need for a national criminal database. National CASA has arranged special pricing with First Advantage, Verified Volunteers and IntelliCorp. Discounts are extended to all local programs and state organizations. These companies and other similar companies contract with hundreds of city, county and state jurisdictions across the country to receive regularly updated criminal data in an electronic format. For information about these sources, please go to resources on the [CASAforchildren.org](http://CASAforchildren.org) website (you must log in to view).

While a national criminal database check is a critical part of a complete background check, it is vital to understand what the check covers: the depth of the reporting and the jurisdictions covered. Best practice is to perform a national database check in combination with a county check.

### ***State central child abuse registry***

By federal law, state child abuse records are confidential and access to them is limited. Some states allow their use for employment, licensing eligibility and volunteer purposes. Contact your state child protection authority to find out about accessing your child abuse registry. The National Resource Center for Permanency and Family Connections makes available a state list of child abuse registries.



### ***State sex offender registry (SOR)***

All 50 states currently have a publicly available sex offender registry. Each state has its own regulations that govern what information is provided and how information provided can be used. All states allow online searches of the SOR, so turnaround time can be almost immediate and without cost.

### ***National Sex Offender Public website***

Coordinated by the U.S. Department of Justice, the National Sex Offender Public Website (NSOPW) is a cooperative effort between jurisdictions hosting public sex offender registries (“jurisdictions”) and the federal government. These jurisdictions include the 50 states, Puerto Rico, Guam, the District of Columbia and participating tribes. This website is a search tool allowing a user to submit a single national query to obtain information about sex offenders through a number of search options.

The criteria for searching are limited to what each individual jurisdiction may provide. As information is hosted by each jurisdiction and not by the federal government, search results should be verified by the user in the jurisdiction where the information is posted.

### ***Motor vehicle records***

These records can reveal license violations and suspensions that may raise concerns about the individual's suitability as a volunteer. Forms for requesting these searches are often available online, and turnaround time can be two to three weeks. Check with your state department of motor vehicles.

### ***Professional disciplinary board records***

Disciplinary actions against professionals can suggest causes for concern about their suitability as volunteers. State bar associations, medical and social work licensing boards, and licensing authorities for other professions often make their records available to the public. Many can be accessed online, so the information is available quickly and without cost. However, the record may not give much indication of the substance of the complaint against the individual.

### ***Federal criminal records***

The federal district courts deal with federal crimes such as mail fraud, interstate drug crimes, civil rights violations, financial fraud and others. This information is not available from local or state searches.

## SCREENING NON-U.S. CITIZENS

A screening question that occurs with increasing frequency is whether a person who is not a U.S. citizen may serve as a CASA/GAL volunteer. Such a volunteer may have the potential to bring cultural diversity, unique personal experiences and language skills to both a CASA/GAL program and the children it serves. While U.S. citizenship is not required of CASA/GAL volunteers, there are several screening issues to consider.

- Can sufficient background information be obtained (and translated, if necessary) to meet program standards set to ensure child safety?
- Does the applicant have sufficient fluency in written and spoken English to perform the tasks required of a volunteer?
- Does the lack of U.S. citizenship pose any concern or difficulty for the court system?

Make sure to complete all the standards' required checks on the applicant. You may get little to nothing back but you should still go through the process.

Be certain that the potential volunteer is legally in the United States. You will need to request documentation, such as a Green Card or other official identifying papers/information.

One mechanism to secure additional information about a potential volunteer who is not a U.S. citizen is to request a "certificate of good conduct" through the embassy of the potential volunteer's home country.

Confirm if it's a local or national clearance.

For a Visa holder who may have obtained a police clearance to get the Visa, it may be a matter of updating the clearance. It will depend on how long ago they got the clearance and whether updating is permitted by law or a new one must be done. In some countries, the embassy will not assist with this. But, it's always a good place to start.

Recommend that the court who will swear in and appoint this volunteer know if there are any variations in the way they are screened as compared to the usual process. The court sanctioning the volunteer has a right to know if a volunteer they will be appointing has been screened differently.


## LEARNING MORE ABOUT CRIMINAL BACKGROUND CHECKS

Mentoring.org's [The Elements of Effective Practice for Mentoring](#)

National Center for Victims of Crime's [Who's Lending a Hand: A National Survey of Nonprofit Volunteer Screening Practices](#)

## CAUTIONS AND RECOMMENDATIONS RELATED TO SCREENING AND BACKGROUND CHECKS

1. Keep the process respectful. Discussions with and materials given to prospective volunteers should help them understand that background checks protect them as well as the children and the organization. Forms should be clearly written so that individuals understand to what they are agreeing.
2. Make sure the information you receive involves the correct individual. Positive identification is important to the accuracy of a record search. Fingerprint searches are the most reliable in terms of receiving information on the correct individual. A name search should require a Social Security number to allow for the most accurate information.
3. Understand the legal requirements in your state related to your collection and use of criminal records information. There may be criminal and civil penalties for misusing information you obtain through a criminal records check. The law may require that you not share the results of criminal records checks with anyone other than those with a "need to know." This would include only people making the determination whether to accept the prospective volunteer. You may be required to keep the information in a locked file, with limited access, or even to destroy the information after use.
4. Give prospective volunteers an opportunity to challenge the accuracy of the criminal records checks. Records checks can inaccurately suggest that someone has committed a crime. For that reason, you can help ensure fairness by giving the individual a copy of the information and an opportunity to challenge its accuracy. This can also help avoid later disagreements with those who are not accepted as volunteers.
5. Consider outsourcing the records checks to a commercial search service. You may find it faster and more efficient to use a private company to perform some of your background checks. When looking for a background screening service it is important that the service you select offers the following key features and benefits:
  - Comprehensive data—provides access to nationwide criminal data
  - Easy-to-use—ability to access reports through a user-friendly, web-based system
  - Flexible—ability to choose the searches you need
  - Timely results—in order to fully screen and activate volunteers as soon as possible
  - Reliable support—easily accessible, high-quality customer service in addition to online and printed educational materials
  - FCRA compliant—all products and services comply with the Fair Credit Reporting Act
6. Use an appropriate release form before conducting records checks. In addition to the volunteer



consenting to record checks as part of their sign-off of their volunteer application, some repositories have a required form for accessing statewide databases and some state laws may also require that specific disclosure statements be included on the form authorizing a release of records. These requirements may also vary depending on whether you are a government agency or a private organization. If you use a search service, they should provide assurances that their release form meets applicable federal and state laws.

7. Use any information you obtain in a fair and non-discriminatory way. The national standards require the rejection of individuals convicted of certain charges that would pose a risk to children or to the program's reputation. In other situations, National CASA strongly encourages programs to consider all the circumstances of the particular case, including the extent of any rehabilitation. A blanket exclusion of individuals with any kind of conviction record could unfairly exclude people who might make good advocates.
8. Care should be taken to consider the ways personal bias can intrude into the overall screening process. A respectful, structured and documented process that is applied consistently to all applicants will help you make a reasonable, well-grounded decision that can be justified if it is challenged.