

# A View From The Bench: Importance of Best Interest Advocacy

**OJJDP**

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**\*This session is being recorded**

**CASA GAL**  
Court Appointed Special Advocates  
Guardians ad Litem  
FOR CHILDREN



# Thank You to Our Co-Sponsor

This webinar is co-sponsored by the National Council of Juvenile and Family Court Judges (NCJFCJ). NCJFCJ is the oldest judicial membership organization in the country and provides all judges, courts, and related agencies involved with juvenile, family, and domestic violence cases with the knowledge and skills to improve the lives of the families and children who seek justice. The opinions, findings, and conclusions or recommendations expressed in this presentation are those of the author/s and do not necessarily reflect those of NCJFCJ.



# Welcome

## Panelists:

Honorable Mark Calvert, Associate Circuit Judge

Division 2. Phelps County Family Court 25<sup>th</sup> Judicial Circuit

Rolla, Missouri

Honorable Joseph Fernandes, Judge

Court of Common Pleas, First Judicial District of Pennsylvania Family Court

Philadelphia, Pennsylvania



# Description of Session

This session will focus on the importance of best interest advocacy in child welfare proceedings, and the questions that judges would like CASA/GAL volunteers to ask when gathering information to report and make recommendations to assist the court in making well-informed judicial decisions as to what is in the best interests of the child/youth.

# Panel Discussion and Questions

# Definition of Best Interests

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Although in most states, “best interests of the child” does not have a specific definition, it is generally used in laws and policies as a standard for making judicial decisions regarding the placement and care of a child.

A child's best interests guide the deliberation that courts undertake when deciding what type of services, actions, and orders will best serve the needs of a child as well as who is best suited to care for the child. "Best interests" determinations are generally made by considering many factors related to the child's circumstances and the parent or caregiver's circumstances and capacity to parent, with the child's ultimate safety and well-being as the paramount concern.

*Determining the Best Interests of the Child*

United States Children's Bureau  
Child Information Gateway 2024



# Definition of Best Interests

Does your state have a definition of “best interests” of a child/youth?

If yes, what is it?

If no, what is the general definition?



# Importance of Best Interest Advocacy

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Why is best interest advocacy important for the child?

Why is best interest advocacy important to inform judicial decision making?

Is there federal legislation requiring best interest advocacy in child welfare judicial proceedings?

# Guiding Principles of Best Interests Determinations



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What are some of the guiding principles, goals and objectives that should be considered by CASA/GAL volunteers when gathering information to report and make recommendations to the court to assist it in making well-informed best interests determinations?

# Best Interests Factors

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What are some of the specific factors that should be considered by CASA/GAL volunteers when gathering information to report and make recommendations to the court to assist it in making well-informed best interests determinations?

Are there any factors that should not be considered?

# Other Considerations in Making Best Interests Determinations

What are some of the other considerations that should be noted by CASA/GAL volunteers when gathering information to report and make recommendations to the court to assist it in making well-informed best interests determinations?



# Best Interests Advocacy and Client-Directed Legal Advocacy



# Best Interest Advocacy and Client-Directed Legal Advocacy

What is the difference between best interest advocacy and client-directed legal advocacy?

# Summary and Wrap-up



Thank You!