

## **Utah Guardian ad Litem and CASA Program**

### **TRANSPORTATION POLICY**

Pursuant to Utah Code Annotated section § 78A-6-902(4), our CASA volunteers fall under the protections of the Volunteer Government Workers Act, found at Title 67, Chapter 20, of the Utah Code. The Act provides that our CASA volunteers are treated as State employees for purposes of “liability protection and indemnification.” *See* UCA § 67-20-3(1)(c). So, when a CASA is acting in good faith in the performance of the role of a CASA volunteer, the volunteer has the full resources of the State to back them, as if the volunteer were a State employee. This means immunity from suit in many circumstances, indemnification (providing lawyers to represent the CASA in the event of a suit; paying any judgment that might be awarded in a suit), and all other protections.

Transportation by volunteers in personal vehicles of children or other persons during the course of performing their duties and responsibilities is NOT mandatory. However, should you choose to transport CASA children, it is extremely important to consider their safety as well as your own safety and liability. The following guidelines must be adhered to when transporting child clients:

#### **DRIVERS:**

- A. Only volunteers with valid State driver’s licenses are allowed to transport CASA children.
- B. CASA volunteers who have received three (3) or more traffic citations (moving or non-moving) in the last year or who have been involved in two (2) or more vehicular accidents in the last twelve (12) months are prohibited from transporting CASA children.
- C. Volunteers who have been convicted of DWI or DUI (Driving While Intoxicated or Driving Under the Influence) within the last ten (10) years shall not be permitted to serve as Court Appointed Special Advocates and may not transport a CASA child.
- D. CASA volunteers transporting a CASA child shall obey all traffic laws and use common sense. Will use defensive driving skills, especially when driving in adverse weather conditions.
- E. CASA volunteers are responsible for the passengers in their vehicle. The driver should not begin to transport any person(s) until such person(s) have complied with the safety guidelines (A-F) detailed below for passengers.

#### **PASSENGERS:**

- A. All children ranging in age from birth to (2) years or 30 lbs must be securely fastened into a rear-facing child safety car seat. Be sure that the child is securely fastened and the seat is securely fastened in the vehicle.
- B. Children ranging in age from two and children up to 40 lbs must ride in a forward facing child safety seat unless the child’s head extends above the safety seat or the child is otherwise too big

to fit in the safety seat. Children who do not fit in the child safety seat must wear their own seat belts.

- C. All children between the age of four (4) and eight (8) and 40 lbs must be securely fastened in a booster seat.
- D. All children under the age of (13) must sit in the backseat, wear their own seat belts and must not sit on adult's laps.
- E. All adult passengers (over the age of 18) must wear seatbelts.
- F. Volunteers should only transport the child/children they have a court order assigning them as a CASA. Other children will not be protected under the Volunteer Government Workers Act.

It is each volunteer's responsibility to safely transport CASA children. If you have more than one (1) child that requires a child safety seat, do not transport the additional child or children unless you can borrow or provide a child safety seat for each additional child. We prefer that you do not routinely transport children under age 3, only as necessary.

**PROOF OF INSURANCE:**

All CASA volunteers must maintain current proof of insurance for their vehicle and a copy of the insurance must be kept in the volunteer personnel files in the CASA office.

The Volunteer signs this Agreement to show understanding and agreement with the information listed above.

\_\_\_\_\_  
Signature of Court Appointed Special Advocate

\_\_\_\_\_  
Date

Completed Defensive Driving Course

\_\_\_\_\_  
Date