

What Is “Best Interest”?

- A safe home
- A permanent home
- As quickly as possible

Parents typically decide what is best for their children and then provide it for them to the extent that they can. They are their children’s best advocates. The child protection system intervenes in families’ lives when parents cannot or will not protect, promote, and provide for their children’s basic needs.

A CASA volunteer becomes the advocate when the parents cannot or will not fulfill this role. Judges use the “best interest of the child” standard when making their decisions in child abuse and neglect cases.

Child welfare and juvenile court practitioners and scholars have debated the meaning of “best interest of the child” for years. Books have been written on the subject; however, there is still no concise legal definition for this standard.

In cases where the Indian Child Welfare Act (ICWA) applies, the law presumes that it is always in the best interest of an Indian child to have the tribe determine what is best for the child’s future.

The “Best Interest” principle – What National CASA says:

The CASA volunteer is guided by the “best interest” principle when advocating for a child. This means that the volunteer knows the child well enough to identify the child’s needs. The volunteer makes fact-based recommendations to the court about appropriate resources to meet those needs and informs the court of the child’s wishes, whether or not those wishes are, in the opinion of the CASA volunteer, in the child’s best interest.

Volunteer Training Curriculum, The National CASA Association