

SB296 INTRODUCED



1 SB296
2 SLDKE77-1
3 By Senator Barfoot
4 RFD: Judiciary
5 First Read: 12-Feb-26



SYNOPSIS:

Under existing law, a juvenile court may appoint trained volunteers in addition to guardians ad litem in dependency and termination-of-parental-rights proceedings to promote the best interests of children involved in these cases.

This bill would provide for the duties of the unpaid volunteer advocates and prohibit volunteer advocates from performing certain duties.

This bill would allow the juvenile courts to order that the volunteer advocates have access to certain records, reports, and information, and notice of juvenile court hearings and reviews.

This bill would codify and define the role of certain entities supporting local volunteer advocate programs.

This bill would also require certain entities to develop minimum standards and training curricula for the local volunteer advocate programs.

A BILL
TO BE ENTITLED
AN ACT



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Relating to juvenile courts; to add Section 12-15-304.1 to the Code of Alabama 1975, to provide for the appointment, duties, and limitations of unpaid volunteer advocates in dependency and termination-of-parental-rights proceedings; to authorize access to certain records and hearings; to codify and define the role of the state entity supporting local volunteer advocate programs, including the development of minimum standards and training curricula; and to provide for the responsibilities of local volunteer advocate programs.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 12-15-304.1 is added to the Code of Alabama 1975, to read as follows:

§12-15-304.1

(a) For the purposes of this section, the term "state entity" means the current state entity or its successor entity that is a 26 U.S.C. § 501(c)(3) nonprofit corporation that provides support and employees to local volunteer advocate programs.

(b)(1) In a county in which a local volunteer advocate program serves pursuant to Section 12-15-304(d), a juvenile court may appoint a volunteer advocate in a dependency case because of abuse or neglect or for other reasons pursuant to Section 12-15-102(8) or in a termination-of-parental-rights case to promote the best interests of the child and ensure the child's safety and well-being.

(2) A volunteer advocate who has been appointed by a juvenile court shall have successfully completed all of the following:



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- a. Passed the application and screening process.
- b. Completed the required pre-service training.
- c. Been administered an oath by a juvenile court judge in the county of service.

(3) A volunteer advocate who has been appointed by a juvenile court shall serve without compensation and shall perform the following duties if ordered by the juvenile court:

- a. Establish and maintain appropriate professional boundaries, avoiding any conflicts of interest or dual relationships with the child or family.
- b. Uphold confidentiality and respect for the privacy of the child, family, and parties, sharing information only as authorized by law or court order.
- c. Report any incidents of child abuse or neglect, or any situation in which the volunteer advocate has reason to believe that the child is in imminent danger, to the appropriate authorities and the individual over the local volunteer advocate program.
- d. Gain a clear, first-hand understanding of the child's needs and circumstances by reviewing all relevant case documents and records to which the volunteer advocate is granted access through the appointment order issued by the juvenile court, and by interviewing key individuals in the child's life, such as the parents, social workers, teachers, and others involved, consistent with training and local volunteer advocate program procedures.
- e. Identify, advocate for, and promote the best interests of the child.



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f. Collaborate and coordinate with legal, child welfare, and other partners to ensure that services ordered by the juvenile court in the case are provided and are in the child's best interests.

g. Appear in hearings and reviews of the juvenile court to advocate for the child's best interests and to provide testimony when necessary.

h. At every hearing or review, if permitted by the juvenile court, provide clear, factual, and objective court reports that include independent information and recommendations regarding the child's needs and best interests. These reports shall be prepared in advance of each substantive hearing or review.

i. Make informed recommendations for services to support the needs of the child and the child's family. All recommendations shall be discussed, reviewed, and approved with the individual over the local volunteer advocate program or other employees of the program before submission to the juvenile court.

j. Seek information about whether permanency plans have been created for the child and make recommendations concerning permanency goals and plans.

k. Monitor implementation of the individualized service plan and orders and assess whether services ordered by the juvenile court in the case are implemented on time and whether review hearings should be scheduled.

1.1. Maintain regular and consistent contact with the child. The volunteer advocate must see the child in person at



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113 least once every 30 days. Whenever possible, in-person visits
114 should take place where the child resides to ensure an
115 accurate and thorough understanding of the child's environment
116 for informed case recommendations.

117 2. To allow for an exception to the requirements of
118 this paragraph, a local volunteer advocate program must have a
119 written exceptions policy providing for extenuating
120 circumstances when exceptions may be permitted.

121 3. The local volunteer advocate program shall document
122 and retain in the local volunteer advocate program's case
123 record all exceptions that permit less frequent contact, such
124 as visitations at least once every quarter or alternatives for
125 in-person contact, including the use of virtual means such as
126 FaceTime or Zoom, and shall include the justification for and
127 reasonableness for the exception.

128 m. Take or maintain photographs of the child solely for
129 case documentation, life-book, or memory-preservation purposes
130 for the benefit of the child, in accordance with a written
131 policy of the local volunteer advocate program and any written
132 order of the juvenile court. These photographs shall not be
133 used for advertising, fundraising, promotional, social media,
134 or other public or commercial purposes, or for any other
135 purposes at any time.

136 n. Inform the juvenile court of significant
137 developments affecting the child through written reports
138 submitted to the juvenile court, testimony in hearings or
139 reviews, or other means directed by the juvenile court.

140 o. Advocate for the child's best interests in the



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community by interfacing with mental health, education, and other relevant systems, subject to confidentiality limitations.

p. Participate in monthly case reviews with the individual over the local volunteer advocate program or other employees of the program.

q. Maintain in a secure manner complete records about the case, including appointments, interviews, and information gathered about the child and the child's life circumstances.

r. Return the case file and notes to the local volunteer advocate program when finished with the assignment.

s. Participate in continuing education relevant to local volunteer advocate program service.

(c) A volunteer advocate who has been appointed by a juvenile court shall not do any of the following:

(1) Perform the duties of the Department of Human Resources or a guardian ad litem, which may include, but not be limited to, any of the following:

- a. Investigating abuse or neglect allegations.
- b. Making placement arrangements for the child.
- c. Transporting the child.
- d. Giving legal advice.
- e. Providing therapeutic counseling.
- f. Providing professional services to the child or family members.
- g. Conducting home evaluations or studies.

(2) Serve in cases other than dependency and termination-of-parental-rights cases filed in any court,



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including, but not limited to, child-support and domestic relations cases.

(3) Give or accept money or gifts to or from the child, family, caregivers, parents, relatives, or anyone associated with the case.

(d) (1) A volunteer advocate appointed by a juvenile court shall not be prohibited from having any child or family member involved in the local volunteer advocate program or the juvenile court system in their home under any circumstances.

(2) Subject to subdivision (1), all interactions between volunteer advocates and the child shall occur only in approved, professional, and appropriate settings that align with the standards established by the local volunteer advocate program and the juvenile court.

(e) Once a volunteer advocate has been appointed by a juvenile court, the juvenile court, in the appointment order or a separate order, may authorize the volunteer advocate to inspect and receive copies of some or all the records, reports, and information specified in Section 12-15-133 and to keep these records, reports, and information confidential. Upon presentation of a copy of the juvenile court appointment order and proper identification, the clerk of the juvenile court and any other official custodian of records, reports, and information relating to the child, including, but not limited to, governmental agencies, schools, medical providers, and mental health providers, shall provide access to and copies of them as permitted by law and by order of the juvenile court.



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(f) After a volunteer advocate has been appointed to a case by a juvenile court, notice of all juvenile court hearings and reviews in that case shall be provided to the local volunteer advocate program in the same manner as notice is provided to attorneys and parties in the case. This notice shall continue for the duration of the volunteer advocate's appointment in the case, unless the appointment is terminated or modified by order of the juvenile court.

(g) A volunteer advocate appointed pursuant to this section shall be subject to the provisions of The Volunteer Service Act in Section 6-5-336, including Section 6-5-336(d) providing for immunity from civil liability in any action.

(h) The state entity shall continue to provide this support service to existing and any future local volunteer advocate programs.

(i) The state entity shall develop minimum standards for local volunteer advocate programs, which shall include, but not be limited to, standards relating to ethical conduct and confidentiality, governance, employee management, volunteer management, and data collection.

(j) The state entity shall develop in-service training curricula for initial and continuing education of volunteer advocates covering topics and matters that would assist volunteer advocates who are appointed by juvenile courts to advocate for the best interests of children.

(k) All existing and future local volunteer advocate programs shall satisfy all of the following:

(1) Be members of the state entity as provided in



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subsection (1).

(2) Be responsible for the full range of volunteer advocate management duties, including, but not limited to, the recruitment, screening, training, support, and supervision of volunteer advocates.

(3) Ensure that volunteer advocates, governing board members, and employees comply with all policies, plans, procedures, and requirements established by both the state entity and the local volunteer advocate program.

(4) Conduct in-service training for the initial and continuing education of volunteer advocates, in accordance with the curricula specified in subsection (j).

(5) Ensure the proper management and accountability of all local volunteer advocate program funding.

(1) In order to be eligible for full membership in the state entity, a current or future local volunteer advocate program shall do all of the following:

(1) Operate as a nonprofit corporation under the requirements of the Alabama Nonprofit Corporation Law, Chapter 3 of Title 10A.

(2) Enter into a membership agreement with the state entity.

(3) Have an executive director. Umbrella programs are allowed only if they were in existence on the effective date of this act, and these programs shall designate an individual to oversee the local volunteer advocate program.

(4) Provide assurance that the executive director, or other individual overseeing the local volunteer advocate



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program, as well as the program's employees and volunteer advocates, are properly screened and adequately trained.

(m) The provisions of Section 45-39-81.02, relating to Lauderdale County; Section 45-45-82, relating to Madison County; Section 45-48-80, relating to Marshall County; and any other local law from which funding may be distributed to a local volunteer advocate program, shall not be superseded by the provisions of this section.

(n) The provisions of this section shall complement the provisions of Rule 6 of the Alabama Rules of Juvenile Procedure and Rule 42 of the Alabama Rules of Judicial Administration, both of which relate to the use of volunteers in the Alabama judicial system, except that, in the event of a conflict between the provisions of this section and the rules, the provisions of this section shall control.

Section 2. This act shall become effective on June 1, 2026.