

SB296 INTRODUCED



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



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4 SYNOPSIS:

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

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

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

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

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

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 A BILL

 TO BE ENTITLED

 AN ACT



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

38 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

41 §12-15-304.1

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

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

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

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

64 a. Establish and maintain appropriate professional
65 boundaries, avoiding any conflicts of interest or dual
66 relationships with the child or family.

67 b. Uphold confidentiality and respect for the privacy
68 of the child, family, and parties, sharing information only as
69 authorized by law or court order.

70 c. Report any incidents of child abuse or neglect, or
71 any situation in which the volunteer advocate has reason to
72 believe that the child is in imminent danger, to the
73 appropriate authorities and the individual over the local
74 volunteer advocate program.

75 d. Gain a clear, first-hand understanding of the
76 child's needs and circumstances by reviewing all relevant case
77 documents and records to which the volunteer advocate is
78 granted access through the appointment order issued by the
79 juvenile court, and by interviewing key individuals in the
80 child's life, such as the parents, social workers, teachers,
81 and others involved, consistent with training and local
82 volunteer advocate program procedures.

83 e. Identify, advocate for, and promote the best
84 interests of the child.

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

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

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

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

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

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

111 l.1. Maintain regular and consistent contact with the
112 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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141 community by interfacing with mental health, education, and
142 other relevant systems, subject to confidentiality
143 limitations.

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

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

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

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

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

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

159 a. Investigating abuse or neglect allegations.

160 b. Making placement arrangements for the child.

161 c. Transporting the child.

162 d. Giving legal advice.

163 e. Providing therapeutic counseling.

164 f. Providing professional services to the child or
165 family members.

166 g. Conducting home evaluations or studies.

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



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

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

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

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

183 (e) Once a volunteer advocate has been appointed by a
184 juvenile court, the juvenile court, in the appointment order
185 or a separate order, may authorize the volunteer advocate to
186 inspect and receive copies of some or all the records,
187 reports, and information specified in Section 12-15-133 and to
188 keep these records, reports, and information confidential.

189 Upon presentation of a copy of the juvenile court appointment
190 order and proper identification, the clerk of the juvenile
191 court and any other official custodian of records, reports,
192 and information relating to the child, including, but not
193 limited to, governmental agencies, schools, medical providers,
194 and mental health providers, shall provide access to and
195 copies of them as permitted by law and by order of the
196 juvenile court.



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

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

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

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

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

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

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

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225 subsection (1).

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

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

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

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

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

242 (1) Operate as a nonprofit corporation under the
243 requirements of the Alabama Nonprofit Corporation Law, Chapter
244 3 of Title 10A.

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

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

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

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

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

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

268 Section 2. This act shall become effective on June 1,
269 2026.