

# TABLE OF CONTENTS

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**SECTION 1: UNDERSTANDING CASA LEGISLATIVE ADVOCACY**

**SECTION 2: OVERVIEW OF 88TH LEGISLATIVE SESSION**

**SECTION 3: TEXAS CASA LEGISLATIVE PRIORITIES**

**SECTION 4: OTHER IMPORTANT CHILD WELFARE INFORMATION**

**SECTION 5: LAT TO-DO'S *BEFORE* SESSION**

**SECTION 6: LAT TO-DO'S *DURING* SESSION**

**SECTION 7: LAT TO-DO'S *AFTER* SESSION**

**SECTION 8: LAT TO-DON'TS**

**SECTION 9: ADDITIONAL RESOURCES**

## **SECTION 1**

# **UNDERSTANDING CASA LEGISLATIVE ADVOCACY**



## WHAT IS A LEGISLATIVE ADVOCACY TEAM?

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*A Legislative Advocacy Team (LAT) is a group of committed CASA volunteers, board members or staff who take their advocacy for children and families to the next level by using their experience to advocate for policy change in the child protection system.*

Texas CASA supports the LAT teams by providing important policy information, opportunities to engage in legislative advocacy and key messaging strategies to ensure that the CASA network is speaking in one voice at the Texas Capitol. LATs support the legislative agenda set by Texas CASA through commitment to the following activities: developing relationships with their legislators, learning about systemic child welfare issues, attending Texas CASA events and taking action on child welfare policies.

As part of a LAT, volunteers are able to advocate for children and families on a larger scale and work toward solutions to the systemic problems they encounter in their role as CASA volunteers. This gives them the chance to be a voice of change not only for the children and families they serve, but for every child and family in the child protection system!

For more information on starting a LAT in your program, contact the Texas CASA Public Policy team at [publicpolicy@texascasa.org](mailto:publicpolicy@texascasa.org).

# WHY IS LEGISLATIVE ADVOCACY IMPORTANT?

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## *Legislative advocacy is about making your voice heard!*

Legislators want to hear from their constituents. With the engagement of CASA volunteers across Texas, our priority bills are much more likely to be successful. Your advocacy efforts are key in helping to shape the laws that affect our state's most vulnerable population. By speaking with one voice, we can have a powerful impact on the child protection system by representing the best interests of children from the courtroom to the Capitol!

## WHY ARE CASA VOLUNTEERS SUCH EFFECTIVE LEGISLATIVE ADVOCATES FOR CHILDREN?

For the same reasons that they are effective advocates in court! CASA volunteers are:

- Well trained to speak up for children professionally and persuasively.
- Motivated to serve the best interest of Texas' most vulnerable children.
- Experienced in speaking up for children.
- Engaged community members, constituents and voters, which brings perspective and power to their advocacy.
- Knowledgeable about how the child protection system works (and what can be improved) and can share personal case examples of each, which helps to put a face on the issues.
- Passionate about helping children and families. Your enthusiasm is contagious!



## **TIPS FOR CASA LEGISLATIVE ADVOCACY**

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### **STAY UP TO DATE!**

Stay informed on our work with the legislature, including calls to action, by visiting the CASA LAT Facebook page at [www.facebook.com/groups/TXCASALATS](https://www.facebook.com/groups/TXCASALATS). Ask to join if you are not already a member!

### **DEVELOP STRONG RELATIONSHIPS WITH YOUR LOCAL LEGISLATIVE STAFF.**

Legislative staffers are essential to the legislative process—they research bills, talk with constituents and policy experts, and keep the legislator informed on all legislative issues. Explaining your concerns and suggestions to them will help get your issue before the legislator.

### **BE CONSTRUCTIVE WITH YOUR FEEDBACK ON THE CHILD PROTECTION SYSTEM.**

It is important to talk about the challenges you see within the system without badmouthing or blaming Child Protective Services (CPS), Community-Based Care (CBC) providers, attorneys, judges or foster parents. Negativity can diminish your impact and damage CASA's image as a whole.

### **TELL A PERSONAL CASA STORY.**

Legislators and their staff meet with people every day about statistics, economics and policies. Your stories (without using names or other identifying information) will grab their attention.

### **MAKE A CASE FOR CASA USING YOUR EXPERIENCES AS A VOLUNTEER.**

You don't need to be an expert on child protection statistics or the budget to advocate for CASA. Your personal experiences as a volunteer, passion to help children and families, and the fact that you are their constituent are your most persuasive attributes. If they have questions that you can't answer, you can refer them to the Texas CASA Public Policy team for follow up.

### **THANK LEGISLATORS AND THEIR STAFF FREQUENTLY.**

You can never thank them enough for their time and support of CASA.

### **REMIND THEM WHAT CASA IS AND WHAT WE DO.**

Don't assume they know the basics of CASA and CASA advocacy. Chances are they don't, and those who do can always learn something new.



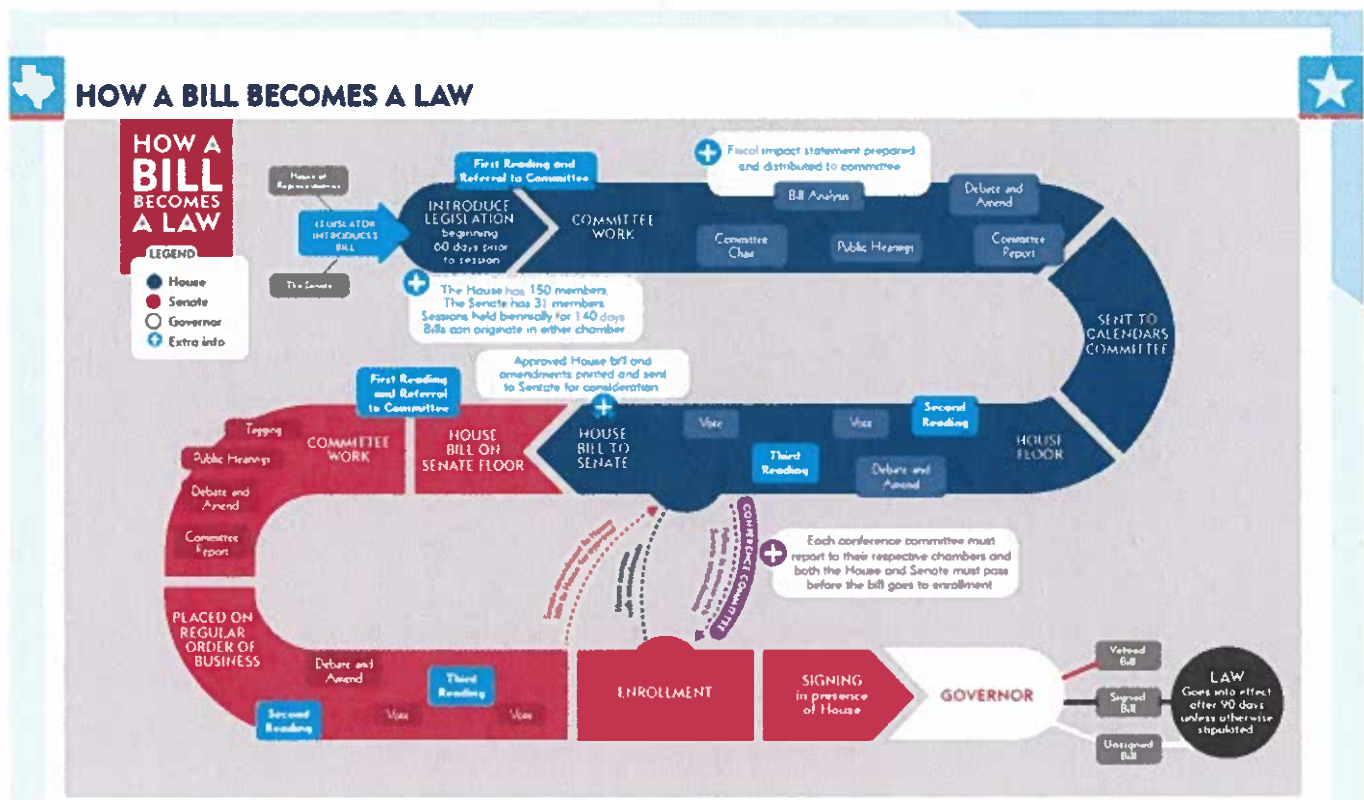
## **SECTION 2**

# **OVERVIEW OF 88TH LEGISLATIVE SESSION**



# TEXAS LEGISLATURE 101

- Texas has a biennial legislature that meets in Regular Session starting on the second Tuesday of January in odd-numbered years. The 88<sup>th</sup> Legislative Session will convene on January 10, 2023.
- Regular Sessions last for 140 days. The Governor can also call Special Sessions of the legislature, each of which can last up to 30 days.
- The Texas Legislature includes two law-making entities: the Texas House of Representatives and the Texas Senate.
- The House has 150 members elected to two-year terms. The presiding officer in the House is the Speaker, who is elected by a vote of the House members.
- The Senate has 31 members who normally serve four-year terms. The Lieutenant Governor presides over the Senate and is elected statewide.



## **SECTION 3**

# **TEXAS CASA LEGISLATIVE PRIORITIES**





# TEXAS CASA LEGISLATIVE PRIORITIES FOR THE 88<sup>TH</sup> SESSION

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## FUNDING PRIORITIES

- Support the Texas CASA Health and Human Services Commission Legislative Appropriations Request of \$35.9M for the biennium. This includes continued funding and an additional \$2M per year over the amount allocated in the 87<sup>th</sup> Session.
- Support restoration of Victim of Crime Act funds, if a reduction occurs.
- Support continued legislative funding for Family Finding/Collaborative Family Engagement under the Department of Family and Protective Services in the amount of \$643,600 for the 2024-2025 biennium.

## POLICY PRIORITIES

- Texas CASA supports policies that preserve families, promote family reunification when possible, and minimize the time children spend in foster care.
- Texas CASA will monitor and provide feedback on the implementation and impact of child welfare legislation that passed in the 87<sup>th</sup> Legislative Session.
- Texas CASA supports funding and policies that provide a child access to safe, stable placements in their community that meet their individual need and support their permanency goals.
- Texas CASA supports policies that allow CASA volunteers to be appointed by judges to represent the best interest of children involved with the child protection system, whether as part of a Suit Affecting the Child Parent Relationship or motions from the court.
- Texas CASA supports funding and policies that further support and encourage placement with relative caregivers.

**MISSION: To support local CASA volunteer advocacy programs and to advocate for effective public policy for children and families in the child protection system.**

# TEXAS CASA LEGISLATIVE FUNDING PRIORITIES FOR THE 88<sup>TH</sup> SESSION

## SUMMARY

Texas CASA and local CASA programs are fortunate to receive funding from the State of Texas through two different state agencies. During the 87<sup>th</sup> Legislative Session, the Texas Health and Human Services Commission (HHSC) provided funding in the amount of \$31.9M for FY 22-23. In addition, the Department of Family and Protective Services (DFPS) provided funds for Family Finding/Collaborative Family Engagement in the amount of \$643,600 for FY 22-23.

## BACKGROUND

The majority of the funding provided by the Health and Human Services Commission is passed through to the local CASA programs, with Texas CASA retaining no more than 12% of the total funding. This funding is essential to the operations and administration of the local programs, including subsidizing supervisors to oversee the CASA volunteers who are appointed by the court to represent the best interest of children.

First funded by the Texas Legislature in 2015, Collaborative Family Engagement (CFE) is a team-based approach involving CASA volunteers, CPS caseworkers, Community-Based Care (CBC) providers and other community stakeholders to bring together family members and other committed adults into a child's permanency planning and care. Thanks to ongoing the financial support from the 87<sup>th</sup> Legislature, Texas CASA plans to make this model available statewide in FY 2023.

## POSITIONS

*Texas CASA supports continued funding from HHSC, and requests an increase of \$4M, bringing the total request to \$35.9M for the 2024-2025 biennium.*

*Texas CASA supports continued legislative funding for Family Finding/Collaborative Family Engagement under the Department of Family and Protective Services in the amount of \$643,600 for the 2024-2025 biennium.*

*Texas CASA supports restoration of Victims of Crime Act (VOCA) funds, if a reduction occurs.*

If you have questions or concerns related to this or any other Texas CASA legislative priority, please email: [publicpolicy@texascasa.org](mailto:publicpolicy@texascasa.org).

## TEXAS CASA & THE CASA NETWORK

Texas CASA is the statewide association for 72 local CASA programs. We work to connect each part of the CASA community and empower the local programs to perform at their highest level. At the local level, the programs recruit, train and supervise CASA volunteers to advocate for children and families involved in the child protection system. At the state level, Texas CASA provides financial support, training and services to help the local programs operate effectively.

We work passionately to improve the child protection system through legislation and other positive public policy changes. We speak up for children and families involved in foster care by bringing their needs to lawmakers' attention and providing these decision makers with our experiences and perspective.

### OUR MISSION

The mission of Texas CASA is to support local CASA volunteer advocacy programs and to advocate for effective public policy for children and families in the child protection system.

### OUR VISION

Texas CASA envisions a safe and positive future for all Texas children.

<i><b>FY21 CASA By the Numbers</b></i>	
<b>Local CASA Programs</b>	<b>72</b>
<b>Counties Served</b>	<b>219</b>
<b>CASA Volunteers</b>	<b>10,920</b>
<b>Children Served</b>	<b>28,543</b>

## COLLABORATIVE FAMILY ENGAGEMENT

### WHAT IS COLLABORATIVE FAMILY ENGAGEMENT?

First funded by the Texas Legislature in 2015, Collaborative Family Engagement (CFE) is a team-based approach involving CASA volunteers, CPS caseworkers, Community-Based Care (CBC) providers and other community stakeholders to bring together family members and other committed adults into a child's permanency planning and care. CFE teams use tools and techniques focused on connection and an understanding of trauma.

Thanks to ongoing financial support from the 87<sup>th</sup> Legislature, Texas CASA is expanding CFE to 72 of the 73 CASA programs in Fiscal Year 2023, in 169 counties. This means that the entire CASA network is involved in family engagement and connection-informed advocacy, as the program not formally involved with CFE has its own approach to this work. As active partners in CFE implementation, local CPS and CBC providers working with these 72 areas continue to build better connections and futures for children and families in the foster care system.

CFE GROWTH							
	FY16	FY17	FY18	FY19	FY20	FY21	FY22
PROGRAMS	3	9	20	31	41	51	60
COUNTIES	3	12	28	48	90	108	130
CHILDREN SERVED	48	234	470	1414	2260	3355	4381
FAMILIES SERVED	20	124	240	795	1232	1883	2510
FY21 TO FY22							

# 30%

INCREASE IN  
CHILDREN SERVED

# 33%

INCREASE IN  
FAMILIES SERVED

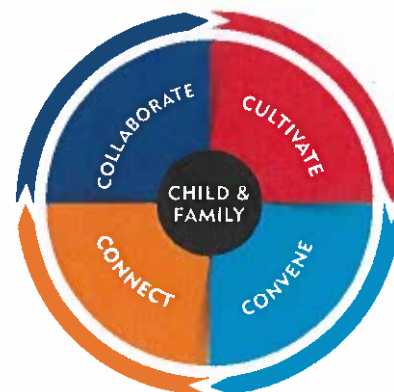


## 4 C'S OF CFE

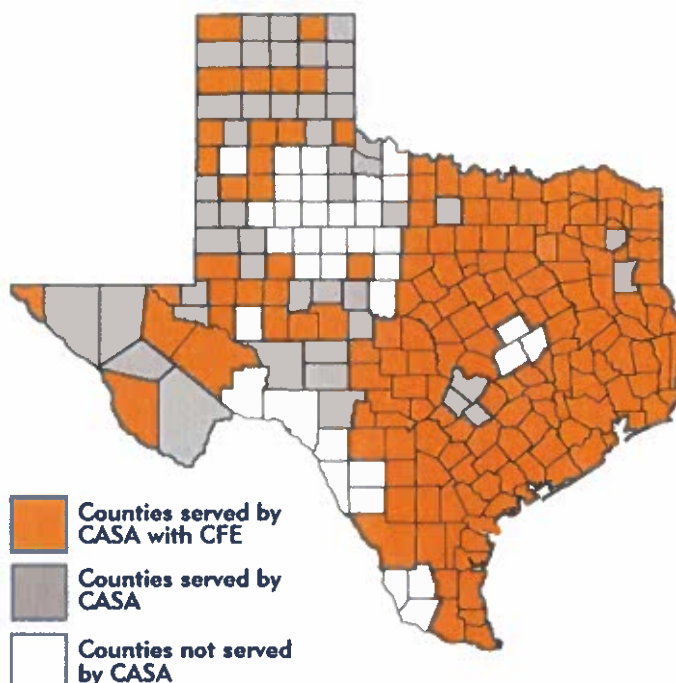
At the heart of CFE are four elements: Collaborate, Cultivate, Convene and Connect. During the Collaborate phase, CFE uses teams and greater collaboration between systems to involve families and build networks of support. During the Cultivate phase, CFE utilizes different tools that can be used to engage, connect and/or find families. During the Convene phase, families are brought together and are involved in the process using facilitated family meetings. During the Connect phase, the goal is connections and relational or legal permanency; a lifetime network of supportive relationships is formed for the child and their parents.

Learn more at: [texascasa.org/what-we-do/collaborative-family-engagement](https://texascasa.org/what-we-do/collaborative-family-engagement)

## 4 Cs of CFE



## WHAT'S NEXT 2023





# SUPPORTING POLICIES TO KEEP FAMILIES SAFELY TOGETHER

## SUMMARY

CASA volunteers across the state advocate to keep families connected and together when safe and possible. Texas CASA has long supported efforts to keep families safely out of the child welfare system and to quickly reunify children with their families if they have to be removed and enter foster care. There are some current challenges in the state of Texas that make the need to focus on strengthening services for children and families even more crucial.

## BACKGROUND

When a child is removed from their home, it is extremely traumatic for both the child and their family. The state of Texas should do all it can to provide services, support and resources to children and families to prevent the need for this traumatic intervention.

### Expanding Mental Health Services

Although only 5-7% of children enter foster care because of unaddressed mental health challenges, 35% of children without placement entered foster care because they could not access needed mental health services.<sup>1</sup> At the same time, Texas is experiencing a critical shortage of mental health and substance use treatment providers, especially in rural areas.<sup>2</sup>

In Texas, the majority of child removals are due to neglect, most often involving parental substance use, mental illness or domestic violence<sup>3</sup>. This fact, coupled with the shortage of mental health and substance use providers, increases the challenges children and families are facing. In many cases, the child welfare system has become the mental health provider of last resort for both children and families. If more resources and interventions became available across communities, many more families could stay safely together and avoid the costly interaction with the child welfare system.

### Investing in Family First Prevention Services

The 2018 Federal Family First Prevention Services Act allows prevention services to be provided for up to 12 months for a child and the child's family to address the issue that is putting the child at risk of entering foster care. The prevention services that are eligible for federal reimbursement are mental health services, substance abuse treatment services and in-home parenting skills.<sup>4</sup> This funding is only available if the state determines that the child can remain safely at home.

If and when the state formally invests in the services funded by the Family First Prevention Services Act, access to mental health and substance abuse services in communities across the state will be

<sup>1</sup> Source: <https://a78724783ac12347abkinhl-wpengine.netdna-ssl.com/wp-content/uploads/2021/07/Capacity-Placements4-1.pdf>

<sup>2</sup> Source: <https://www.tha.org/issues/workforce/#:~:text=More%20than%2080%20percent%20of,professionals%20contribute%20to%20this%20problem>

<sup>3</sup> Source: [https://databook.kalps.state.tx.us/views/cps\\_sa\\_19\\_dtps/fy2020cansummary?%3AshowAppBanner=false&%3Adisplay\\_count=0&%3Ashow%3AHome=0&%3Aorigin=ix\\_share\\_link%3AisGuestRedirectedFromVizportal=y&%3Aembed=y](https://databook.kalps.state.tx.us/views/cps_sa_19_dtps/fy2020cansummary?%3AshowAppBanner=false&%3Adisplay_count=0&%3Ashow%3AHome=0&%3Aorigin=ix_share_link%3AisGuestRedirectedFromVizportal=y&%3Aembed=y)

<sup>4</sup> Source: [https://www.nsc.org/\\_data/assets/pdf\\_file/0019/26614/overview-of-fpsa-may-18.pdf](https://www.nsc.org/_data/assets/pdf_file/0019/26614/overview-of-fpsa-may-18.pdf)

expanded. Both of these services help prevent families from interacting with the child welfare system and would benefit families whose children are removed by the state by increasing the availability of services needed to help them be safely reunified with their children.

## **POLICY POSITION**

*Texas CASA supports policies that preserve families, promote family reunification when possible, and minimize the time children spend in foster care.*

### **Current Position:**

Texas CASA joins the Child Protection Roundtable in supporting policies and adequate funding to ensure access to prevention and early intervention services to keep families safely together, including fully leveraging federal funds.

Texas CASA supports:

1. Implementing the Family First Prevention Services Act and expanding access and funding for evidence-based mental health, substance abuse treatment and in-home parenting skills.
2. Strengthening the children's mental health service array to prevent entries into foster care because their parents cannot find or access needed mental health care for their children.

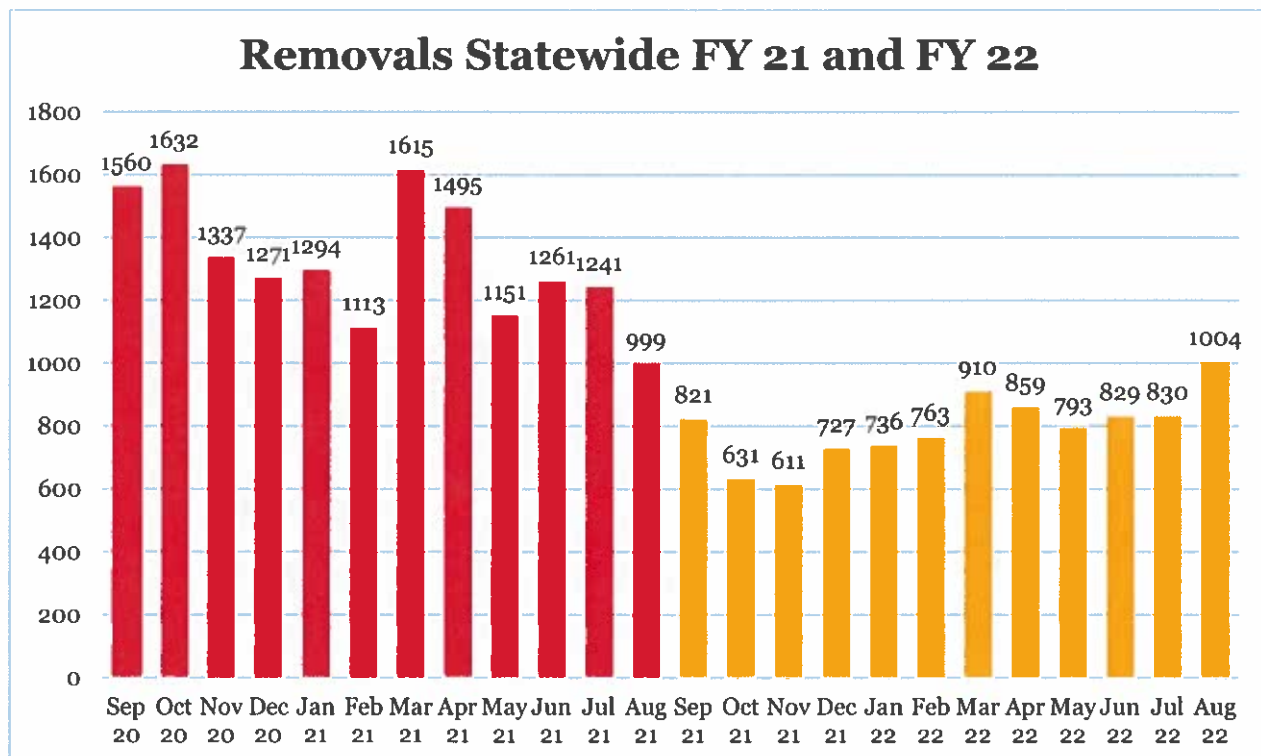
If you have questions or concerns related to this or any other Texas CASA legislative priority, please email: [publicpolicy@texascasa.org](mailto:publicpolicy@texascasa.org).

# MONITORING LEGISLATION FROM THE 87<sup>TH</sup> LEGISLATIVE SESSION

## BACKGROUND

During the 87<sup>th</sup> Legislative Session, HB 567 changed the definition of neglect from actions that result in harm or “substantial risk” of harm to actions that result in harm or “immediate danger” to the child”. This change increases the threshold for investigators to request a removal of a child from their parents. The bill also prohibits non-emergency removals of children. During the debate on this bill during the legislative session, supporters argued that the change would reduce the harm of children being unnecessarily removed from their parents by requiring that the Department of Family and Protective Services (DFPS) have a stricter standard for removal related to neglect. Many supporters also argued that this stricter standard could prevent removals due to poverty and could help reduce disproportionality in the foster care system. Opponents of the bill argued that the new definition could result in children remaining in unsafe households.

Since HB 567 took effect on September 1, 2021 (FY 2022), there has been an approximately 40% decrease in the number of children removed from their home compared to FY 2021.<sup>1</sup>



<sup>1</sup> Source: [https://www.dfps.state.tx.us/About\\_DFPS/Monthly\\_Data/default.asp](https://www.dfps.state.tx.us/About_DFPS/Monthly_Data/default.asp).

## POLICY POSITION

*Texas CASA will monitor and provide feedback on the implementation and impact of child welfare legislation that passed in the 87<sup>th</sup> Legislative Session.*

### **Current Position:**

CASA volunteers advocate to keep families connected and together when it is safe and possible. The Texas Pediatric Society reports that there has not been a statewide increase in child abuse referrals to child abuse pediatricians, or increased severity of abuse in those cases that have been reported. A decrease in removals in and of itself is not enough information to infer that HB 567 has created harm for children and families.

Texas CASA will continue to monitor trends related to the decrease in removals, but there is currently no data to suggest that children or families are experiencing negative outcomes due to legislative changes made during the 87<sup>th</sup> Legislative Session.

If you have questions or concerns related to this or any other Texas CASA legislative priority, please email: [publicpolicy@texascasa.org](mailto:publicpolicy@texascasa.org).

# SUPPORTING ACCESS TO SAFE, STABLE PLACEMENTS IN COMMUNITIES

## BACKGROUND

When a child is removed from their home, they often experience considerable grief and loss. In addition to being removed from their parents, the child no longer has access to their belongings, pets, friends, neighborhood relationships, or the familiarity of their surroundings. If the child needs to be placed in a licensed foster home or facility, rather than with a non-custodial parent or kinship caregiver, the trauma the child experiences is compounded because of the numerous changes they may experience. When the State is named temporary or permanent managing conservator of a child or youth, Child Protective Services (CPS) or Single Source Continuum Contractor (SSCC) staff become responsible for selecting a placement which keeps the child safe, supports the child's permanency plan, and best meets the child's needs.<sup>1</sup>

In recent years, the state of Texas has experienced challenges in recruiting and maintaining licensed foster homes and facilities that can meet the needs of children and youth in foster care. In addition, the state has responded to reports of unsafe placements through increased investigations, closures of unsafe facilities, and increased surveillance by state officials. Although appropriate, these efforts have significantly decreased the number of foster care placements available for children and youth, particularly those with significant mental and behavioral challenges.

When an appropriate placement is not available, children and youth are temporarily housed in settings such as hotels, offices, and rented spaces that are unlicensed and ill-equipped to keep them safe, let alone address their trauma and help them heal. Texas' foster care capacity crisis peaked in the summer of 2021 when the number of children and youth in these unlicensed placements had grown to 416, and 513 unique episodes of children and youth in unlicensed placements.<sup>2</sup> Progress has been made since that time, but many children and youth still do not have a safe, licensed placement to meet their needs.

## POLICY POSITION

*Texas CASA supports funding and policies that provide a child access to safe, stable placements in their community that meet their individual need and support their permanency goals.*

### Current Position:

Texas CASA joins the Child Protection Roundtable in supporting policies and adequate funding aimed at ensuring safe, stable and trauma-informed placements that meet the health, educational, social-emotional, and permanency needs of children and youth in care within their communities.

<sup>1</sup> Source: [http://www.dfps.state.tx.us/handbooks/CPS/Resource\\_Guides/Placement\\_Process\\_Resource\\_Guide.pdf](http://www.dfps.state.tx.us/handbooks/CPS/Resource_Guides/Placement_Process_Resource_Guide.pdf)

<sup>2</sup> Source: <https://www.courthousenews.com/wp-content/uploads/2022/01/tx-foster-expert-panel-report.pdf>



**Texas CASA supports:**

1. Increasing the number of Treatment Foster Care Homes, which allow children and youth to receive intensive, trauma-informed mental health services in a family-like setting.
2. Implementing the Family First Prevention Services Act and building upon the Qualified Residential Treatment Program pilot to increase the number of short-term, high-quality treatment beds available to the highest-needs children and youth in foster care.
3. Implementing the recommendations from the Senate Bill 1575 workgroup to improve the quality and oversight of traditional residential treatment centers in Texas.
4. Implementing the newly proposed Foster Care Rate Methodology, which will tie funding to providers based on the services and supports they offer to children, rather than relying on an outdated level of care rating system.

If you have questions or concerns related to this or any other Texas CASA legislative priority, please email: [publicpolicy@texascasa.org](mailto:publicpolicy@texascasa.org).

# SUPPORTING CASA APPOINTMENT IN ALL CHILD WELFARE CASES

## BACKGROUND

Texas CASA and local CASA programs are essential to promoting positive outcomes for children, youth and families involved in the child welfare process. CASA volunteers are well-trained and work to address a child's mental, medical and educational needs while they are involved with the child welfare system. They represent the best interest of the child in court, help ensure children are safe and advocate to keep families together when it is possible. CASA volunteers learn about the child by getting to know the child's family, community members (caregivers, foster care providers, doctors, therapists, teachers, etc.) and legal team (their attorney and their caseworker). The Texas Legislature provides funding for local CASA programs to ensure CASA volunteers can provide high-quality advocacy for children and youth in the conservatorship of the state.

Children can also often benefit from the service of a CASA volunteer even before a suit has been filed to remove the child from their family. A Court-Ordered Services case (sometimes called a Motion to Participate) is a case in which the Department of Family and Protective Services (DFPS) recommends court-ordered services for one or both parents, such as drug treatment services or parenting courses. A CASA volunteer who is appointed by a judge in this type of case can advocate for the best interest of the child in court while supporting the family to complete their court-ordered services. Ideally, a Court-Ordered Services case allows a family to remain safely together while they work to resolve the issues that brought them to the attention of the state.

## POLICY POSITION

*Texas CASA supports policies that allow CASA volunteers to be appointed by judges to represent the best interest of children involved with the child protection system, whether as part of a Suit Affecting the Child Parent Relationship or motions from the court.*

### Current Position:

CASA programs should be eligible for appointment by a court whether they have a Court-Ordered Services case (and not in formal foster care) or a conservatorship case (and in formal foster care).

The Texas Family Code needs to be amended to allow CASA programs to use state funding to serve on Court-Ordered Services cases. Currently, the law limits CASA's state funding to serving children who are formally in foster care. This prevents CASA from providing critical support to children and families who need help remaining safely together outside of the foster care system.

Texas CASA recommends the following changes to statute in order to allow CASA volunteers to support all children and families involved with Child Protective Services:

1. Amend Chapter 264.601 of the Texas Family Code to allow CASA programs to utilize state funding for all child welfare cases, including Court-Ordered Services cases.
2. Amend Chapter 107.031 of the Texas Family Code to clarify the types of cases in which judges can appoint volunteer advocates, including CASA.
3. Amend Chapter 264.203 of the Texas Family Code to allow optional appointment of guardians ad litem to Court-Ordered Services cases to help ensure that children receive best-interest representation in their child welfare case, regardless of whether or not a Suit Affecting the Parent-Child Relationship has been filed.

If you have questions or concerns related to this or any other Texas CASA legislative priority, please email: [publicpolicy@texascasa.org](mailto:publicpolicy@texascasa.org).

# SUPPORTING & ENCOURAGING PLACEMENT WITH RELATIVE CAREGIVERS

## SUMMARY

Kinship placements allow children in the child welfare system to be placed with family members. This can greatly improve their experience in foster care, keeping them closer to their communities and loved ones. While there are benefits to kinship care for the child, kinship caregivers may also face challenges, which can sometimes prevent or disrupt placement.

## BACKGROUND

When a child is removed from their home, they can be placed in a foster home or a group facility, but the preferred placement is with someone with whom the child already has a strong relationship. This is called kinship care.

### What Is a Kinship Caregiver?

There are several qualifications needed for someone to serve as a kinship caregiver. They must have:

- A significant relationship with the parents or child;
- A shared history during which the caregiver has observed the child's development; and
- Knowledge of the child's family composition, dynamics, experiences and values.

The kinship caregiver is not required to be related to the child. A kinship caregiver who is not related to the child is known as a "fictive" kinship caregiver. Individuals who could be kinship caregivers include grandparents, aunts, uncles, godparents, family friends, counselors or teachers. In FY 2021, approximately 39% of children in foster care in Texas were placed with kinship caregivers.<sup>1</sup>

### Benefits to Children

There are many benefits for a child when they are placed with a kinship caregiver rather than placed in a traditional foster home. These benefits include:

- The child will experience less trauma and have a greater feeling of stability;
- Sibling groups are more likely to stay together;
- The child is more likely to remain within their community of origin, typically allowing them to remain in their school and maintain connections to their cultural identity; and
- Once a child in kinship care exits the foster care system, they are less likely to re-enter.<sup>2</sup>

### Barriers to Kinship Care

While there are significant benefits to kinship care, kinship caregivers also face many challenges, which can sometimes prevent or disrupt placement. Challenges include:

**Funding:** While Texas does provide financial support for some kinship caregivers, the funds may only be paid for up to 12 months. Kinship caregivers who are not licensed receive \$12.67/day\*, which falls

\* Source: [https://www.dfps.state.tx.us/About\\_DFPS/Data\\_Book/Child\\_Protective\\_Services/Placements/Substitute\\_Care\\_on\\_Aug\\_31.asp](https://www.dfps.state.tx.us/About_DFPS/Data_Book/Child_Protective_Services/Placements/Substitute_Care_on_Aug_31.asp).

\* Source: [http://www.dfps.state.tx.us/handbooks/CPS/Resource\\_Guides/Services\\_to\\_Kinship\\_Caregivers\\_Resource\\_Guide.pdf](http://www.dfps.state.tx.us/handbooks/CPS/Resource_Guides/Services_to_Kinship_Caregivers_Resource_Guide.pdf).

substantially short of the cost of raising a child and is less than half of the daily rate for licensed foster parents. This compares to licensed foster parents, who receive at least \$27.07/day.<sup>3</sup> If kinship caregivers obtain permanent managing conservatorship of a child, they may request a \$500 annual reimbursement for up to three years.<sup>4</sup> Licensed foster parents who adopt children are eligible for monthly payments of around \$400/month until the child's 18<sup>th</sup> birthday and reimbursement up to \$1,200 per adoption.<sup>5</sup> Kinship placements may also occur unexpectedly, and caregivers may have little time to prepare to receive a child or sibling group. This can compound the financial burden placed on them.

**Licensing challenges:** Kinship caregivers can get licensed by the state, which makes them eligible to receive many more benefits. These benefits include additional financial support and more robust case management to help them access services, manage challenging behavior, etc. However, the process to become licensed is time consuming, requiring at least 20 hours of annual training, an in-depth home evaluation, a fire inspection and greater caseworker involvement. This enhanced scrutiny can deter caregivers from pursuing a foster care license in spite of the additional benefits offered.<sup>6</sup>

**Childcare:** Subsidized childcare may be available for kinship caregivers, but can take a long time to set up and is dependent on the caregiver's employment status, the age of the child and what other assistance the caregiver receives.<sup>7</sup>

## POLICY POSITION

*Texas CASA supports funding and policies that further support and encourage placement with relative caregivers.*

### Current Position:

Texas CASA joins Casey Family Programs, the Texas Alliance of Child and Family Services, the Department of Family and Protective Services and advocates with lived experience in the child welfare system in making the following policy recommendations to support kinship caregivers:

1. Increase the daily reimbursement rate for kinship caregivers.
2. Allow kinship caregivers, regardless of whether they are licensed, to receive the maximum daily reimbursement rate.
3. Increase one-time funding and access to concrete services, such as diapers, beds and clothing, especially early in a placement.
4. Streamline the process and requirements for accessing childcare and respite care for kinship caregivers so that it is more readily and more widely available.
5. Support the expansion of Kinship Navigator programs, which help provide caregivers with information, education and referral to a wide range of services and supports.
6. Streamline and improve the licensing process to allow more kinship caregivers to become licensed foster parents and receive full state and federal foster care benefits.

If you have questions or concerns related to this or any other Texas CASA legislative priority, please email: [publicpolicy@texascasa.org](mailto:publicpolicy@texascasa.org).

<sup>3</sup> Source: [https://www.dfps.state.tx.us/Doing\\_Business/Purchased\\_Client\\_Services/Residential\\_Child\\_Care/Contracts/Rates/default.asp](https://www.dfps.state.tx.us/Doing_Business/Purchased_Client_Services/Residential_Child_Care/Contracts/Rates/default.asp).

<sup>4</sup> Source: [https://www.dfps.state.tx.us/Child\\_Protection/Kinship\\_Care/default.asp](https://www.dfps.state.tx.us/Child_Protection/Kinship_Care/default.asp).

<sup>5</sup> Source: [https://www.dfps.state.tx.us/Child\\_Protection/Adoption/adoption\\_assistance.asp](https://www.dfps.state.tx.us/Child_Protection/Adoption/adoption_assistance.asp).

<sup>6</sup> Source: [https://www.dfps.state.tx.us/adoption\\_and\\_foster\\_care/get\\_started/requirements.asp](https://www.dfps.state.tx.us/adoption_and_foster_care/get_started/requirements.asp).

<sup>7</sup> Source: [https://www.dfps.state.tx.us/handbooks/cps/files/CPS\\_pg\\_8235.asp](https://www.dfps.state.tx.us/handbooks/cps/files/CPS_pg_8235.asp).

\*New rate beginning September 1, 2022



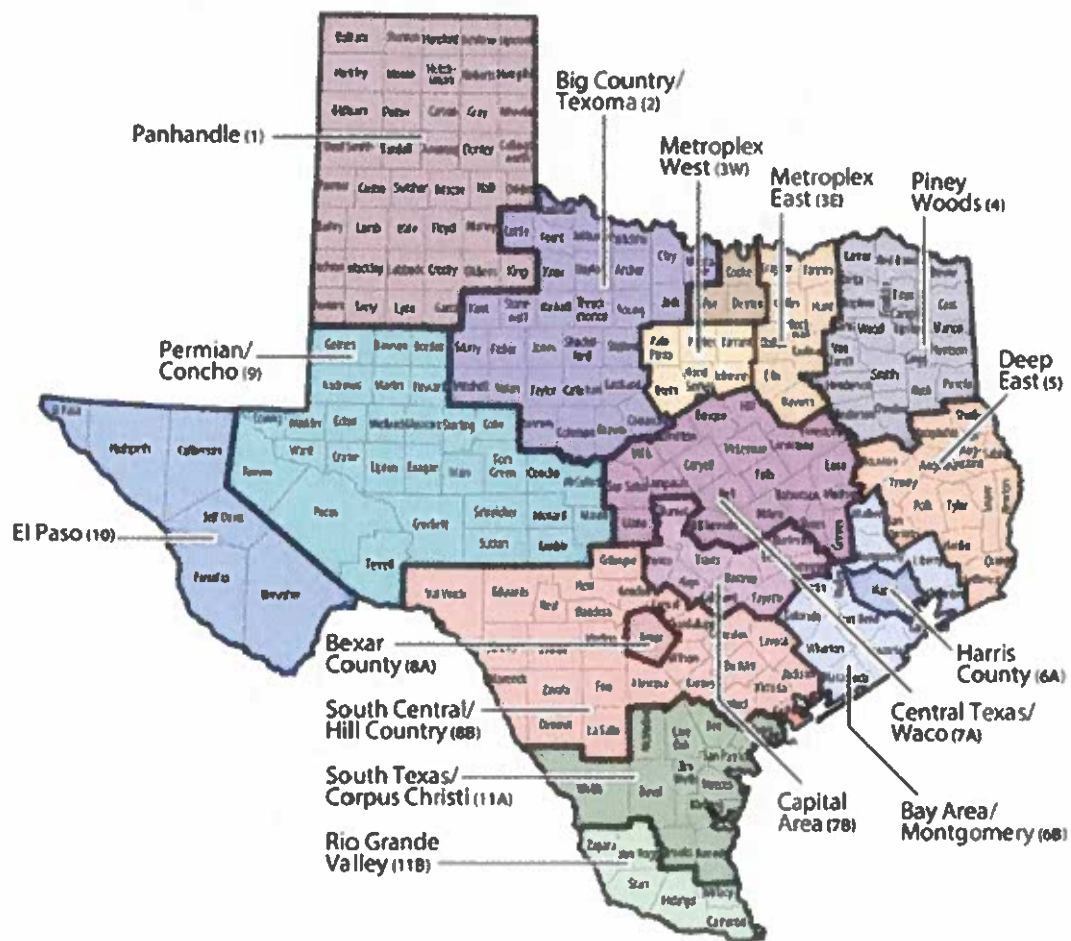
## **SECTION 4**

# **OTHER IMPORTANT CHILD WELFARE INFORMATION**



## COMMUNITY-BASED CARE

In 2017, in an effort to improve outcomes for children in the state's care, the 85<sup>th</sup> Texas Legislature enacted Senate Bill 11, which created a change model known as Community-Based Care (CBC). CBC shifts key functions and services from CPS to private, nonprofit contractors, known as Single Source Continuum Contractors (SSCCs), in a staged process. Under CBC, the SSCC is responsible for developing a network of placement options, finding living arrangements for children, and providing other contractually required services. CBC is being implemented one area in the state at a time, and the array of services a contracted provider delivers rolls out in stages.



DFPS selects catchment areas for procurement on a staggered basis. New catchment area procurements and expansion of CBC into Stages II and III are planned according to legislative funding and the Department of Family and Protective Service's budgetary capacity.

For more information on CBC, check out the updated CBC Guide on the Texas CASA Program Portal: [texascasa.org/resources/community-based-care-guide/](https://texascasa.org/resources/community-based-care-guide/).

The planned geographic and programmatic expansion of CBC is a far-reaching change to the Texas child protection system. Within each catchment area, DFPS and SSCCs will implement CBC in two initial stages.

- In Stage I, the SSCC will develop a network of services and provide foster care placement services. The focus is to improve the overall well-being of children in foster care and keep them closer to home and their communities.
- In Stage II, the SSCC will provide case management, kinship and reunification services. The focus of this stage is to expand the continuum of services to include services for families and to increase permanency outcomes for children.

These transitions will change who CASA programs collaborate with on CPS cases, as SSCC employees assume roles and duties previously carried out by CPS caseworkers.

## NEW COMMUNITY-BASED CARE AREAS AND EXPANDED STAGES OF SERVICE

DFPS has had a contract in place with Our Community Our Kids (OCOK) in Region 3B since 2014, and began Stage II there in March 2020. In FY 2018, DFPS entered into a contract with 2INGage in Region 2. 2INGage went live with Stage II in June 2020. DFPS awarded the contract in Region 1 to St. Francis Ministries in June 2019, and they went live in January 2020. In Region 8B, DFPS awarded a contract on March 29, 2021, to BELONG, and Stage I of CBC began in October 2021.

<i>Timeline at a Glance</i>			
<i>Region</i>	<i>SSCC</i>	<i>Current Status</i>	<i>Next Step</i>
<b>3B-Metroplex West</b>	OCOK	Stage II	Ongoing Monitoring
<b>2-Big Country &amp; Texoma</b>	2Ingage	Stage II	Ongoing Monitoring
<b>1-Panhandle</b>	St. Francis	Stage II	Ongoing Monitoring
<b>8B-South Central &amp; Hill Country</b>	BELONG	Stage I	Stage II
<b>3E-Metroplex East</b>	TBD	Contract Procurement	Stage I
<b>4-Piney Woods</b>	TBD	Contract Procurement	Stage I
<b>5-Deep East</b>	TBD	Contract Procurement	Stage I
<b>9-Permain/Concho</b>	TBD	Contract Procurement	Stage I



## FAMILY FIRST PREVENTION SERVICES ACT

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*The federal Family First Prevention Services Act (FFPSA), passed in 2018, intends to help child welfare systems across the U.S. keep more families together and create better outcomes for children who have to be in foster care. The legislation changes the way the federal government funds child welfare systems to incentivize these goals. The law went into effect on October 1, 2021, in Texas.*

Under the FFPSA, states will receive reimbursement for certain prevention services for the first time. These services have to target the families who are most at risk—experiencing challenges with substance use, mental illness and parenting skills. In order to qualify for federal funding, the services provided to these families have to be evidence-based and trauma-informed.

The FFPSA incentivizes states to reduce the number of children in group settings by requiring systems to prove that children need an intensive level of treatment and by only paying for high-quality, trauma-informed and nationally accredited facilities. The federal government will no longer pay for more than two weeks of placement in group settings that do not meet the heightened standards. It will, however, continue to pick up the tab for kids placed in family-like settings.

The 87<sup>th</sup> Texas Legislature allocated the \$34 million in Federal Transition Act funds that Texas received to support programs under FFPSA. In addition to allocating the Federal Transition Act funds, several bills related to implementing the Family First Prevention Services Act in Texas passed, including HB 3041 by Representative James Frank, and SB 1575 and SB 1896 by Senator Lois Kolkhorst. The majority of the legislation and funding were directed to two different pilot programs to help Texas plan for how to implement the FFPSA long-term.



Over the next two years, Texas will conduct a pilot program focused on providing family preservation services that are eligible for federal funding under FFPSA in community-based care regions. HB 3041 outlines the requirements for the pilot, including who is a candidate for services. Texas has chosen to adopt one of the most narrow candidacy definitions in the nation and HB 3041 envisions that all families who receive services would also have to participate in the court process.

In addition to the family preservation pilot, the state will be launching a pilot aimed at testing the efficacy of a Qualified Residential Treatment Program model for Texas. DFPS will collaborate with the provider community and the courts to develop a service model that offers this robust, trauma-informed programming to the families that needs it most.

Texas CASA fully supports the goals of the FFPSA, including improving services to families to prevent entry into foster care and creating an intentional strategy for keeping kids in foster care in the least restrictive, most family-like settings possible. Texas CASA will be closely monitoring these pilots and will look for opportunities to continue to advocate for full implementation of the FFPSA.

You can find more about FFPSA on the DFPS website:

[www.dfps.state.tx.us/Child\\_Protection/Family\\_First/default.asp](http://www.dfps.state.tx.us/Child_Protection/Family_First/default.asp)



## **SECTION 5**

### **LAT TO-DO'S BEFORE SESSION**



## **LAT TO-DOS *BEFORE* SESSION**

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The most important thing CASA programs can do *BEFORE* session is identify staff, board members and volunteers who are interested in legislative advocacy and can tell their personal CASA story. Once you have a LAT team chosen and assembled, identify your local legislators and schedule a meeting. Try to match legislators with volunteers who are their constituents to maximize the legislator's investment and interest in meeting with them.

### **BEFORE THE MEETING**

- Prepare your agenda and packet of information and determine who will present each issue. Be sure to practice your talking points.

### **IN THE MEETING:**

- Use the opportunity to start building a relationship with the legislator and/or their staff.
- Share stories about the impact of your local CASA program without using identifying information about children and families.
- Bring a packet of information about your program with your contact information included.
- Be sure to thank them for any previous support of CASA or the child welfare system.
- If you already have an established relationship, begin to share specific information about Texas CASA funding and legislative priorities.

### **AFTER THE MEETING:**

- Send a thank you card or email and include any follow-information requested.
- Send any relevant information you learned with the Public Policy Team at Texas CASA.

Create opportunities to interact with your legislators to build relationships, increase awareness and reinforce their knowledge of CASA. Consider some of the following ways to build relationships and goodwill for your program:

- Invite legislators and their staff to observe CASA volunteers in court hearings.
- Invite them as a special guest to an event, such as a volunteer appreciation dinner or a swearing-in ceremony.
- Invite them to tour your office or to meet with volunteers at your office.
- Send them your newsletter or annual report.
- Send them information about child welfare statistics and stories in their communities.

## SECTION 6

### LAT TO-DO'S DURING SESSION



## **LAT TO-DOS DURING SESSION**

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The most important thing CASA programs can do DURING session is stay up-to-date on key child welfare legislation and funding items, particularly CASA priorities. Texas CASA makes this easy for you to do by hosting bi-weekly zoom meetings with updates for the network, by publishing a bill tracker on the Texas CASA website and by updating newsletters and the Texas CASA LAT Facebook page regularly.

### **ACTION ALERTS**

As a member of a Legislative Advocacy Team, you will likely receive an action alert from the Texas CASA Public Policy team during the legislative session. Responding to these action alerts is a key way for you to utilize the relationships you built with your legislators during the interim. Texas CASA will send you an email when one of your legislators is going to be voting on an important bill or funding item. We will send a summary of the legislation or funding item, along with an explanation of why the legislation is important to CASA and the current contact information for your legislator and their Capitol staff. You should feel free to tailor the messaging based on your relationship or local statistics, but be sure to make the key points we send. An email from a constituent makes a direct impact on a legislator's voting decision and greatly increases CASA's likelihood of success during the legislative session. Please note that action alerts generally require a fast turnaround, so be sure to check your CASA email regularly during the session in order to participate.

### **CAPITOL DAY AND IN-PERSON ACTION IN AUSTIN**

Another important way you may want to participate in legislative advocacy during the legislative session is to participate in CASA Day at the Capitol. This is an important opportunity to demonstrate the size and strength of the CASA network and to collaborate with other local CASA programs to meet with your local legislators and their Capitol staff. This event creates goodwill for the CASA network and keeps our message and priorities fresh on the minds of legislators who are busy and pulled in many directions during the session.

Additionally, Texas CASA may need in-person support from local CASA staff or volunteers during hearings about key legislation or funding items. No one is more effective at sharing the CASA story than the people doing the work across Texas, so there may be opportunities for in-person meetings or testimony outside of CASA Day at the Capitol. If you have expertise or a story to share related to one of CASA's legislative priorities and are interested in providing testimony at a hearing during session, please reach out to the Public Policy team and let us know!



## **SECTION 7**

### **LAT TO-DO'S AFTER SESSION**





## **LAT TO-DOS AFTER SESSION**

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The most important thing CASA programs can do AFTER session is thank their local legislators for their support of CASA funding or legislative priorities during the session. A personal “thank you” note or email is not something that legislators often get from their constituents and goes a long way toward building or maintaining goodwill.

### **PAY ATTENTION TO BILL IMPLEMENTATION**

There are child welfare laws passed every legislative session and it is important for local CASA staff and volunteers to understand these changes and to help ensure successful implementation in the field. Texas CASA will support your understanding and communication about new laws by hosting post-session trainings and events to educate the network on changes enacted. We will also provide updates on the implementation of legislation through our newsletters and posting on the Texas CASA LAT Facebook page regularly.

### **STAY ENGAGED**

After the rapid activity and stress of the legislative session, it can be difficult to remain engaged and might feel like there is not much to do. However, the interim between sessions is the very best time to maintain relationships with your legislators and to invite them to events. Legislators don’t often get invited to events or meetings that don’t involve a particular ask, so maintaining a relationship with them when we do not have established priorities or a particular bill we need their support on is crucial. Additionally, the interim is when legislators and their staff have time to learn and study about new issues, both formally and informally. Be sure to pay attention to interim charges and begin thinking about the systemic issues you believe need to be addressed. Before you know it, Texas CASA will be asking for your feedback on what we should prioritize for the next legislative session, and LATs who have remained engaged often have the most robust ideas to offer.

## **SECTION 8**

# **LAT TO-DON'T'S**



# LAT TO-DON'TS

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## **SPEAKING IN ONE VOICE**

When you are serving as a LAT, you are amplifying the legislative policies that have been established by the Texas CASA Board of Directors to impact the child welfare system. These priorities are inclusive of recommendations from local CASA programs. It is important for programs to be unified in their messages with legislators, because deviating from them could unintentionally cause confusion or even harm to CASA's reputation and credibility. The strength of CASA's impact at the Capitol comes from local CASA programs' relationships with their legislators, so it is important to remember that you are part of a network of 72 local CASA programs and that your actions could have an impact on the credibility of the entire CASA network in Texas. Additionally, while seeking private funding and competitive grants is encouraged, local CASA programs should not seek state or federal funding directly from the Texas Legislature.

## **WORKING WITH LOCAL LEGISLATORS**

Your influence as a LAT exists in part because you are a constituent of your local legislators. You can best tell the story of how CASA impacts the children, youth and families in their district. You may at times want to use your influence in other parts of the state. However, because LATs are specific to legislative districts, a LAT should limit their reach to only the legislators who represent their CASA program area. This helps to ensure that each legislator has a relationship with their local CASA program and helps to prevent confusion and frustration in the relationship-building process.

If your LAT receives a request to meet with legislators outside of your local program area, please contact the Texas CASA Public Policy team at [publicpolicy@texascasa.org](mailto:publicpolicy@texascasa.org) and we will put them in touch with the appropriate CASA program.

## **MAINTAINING CREDIBILITY**

Remember that you do not have to be an expert on every topic. A legislator's relationship and reliance on you as a trusted resource and broker of information is very important, so don't feel you need to provide answers if you get asked about something you are unsure about. Instead, offer to get back to them with the answer or connect them with the Texas CASA Public Policy team. Texas CASA can always be a resource to help you find information, and we are happy to follow up with the legislator or we can assist with language that you can use.

Additionally, a legislator or staff person may voice an opinion that you do not agree with. It is important to remain impartial and respectful at all times. If something concerning comes up during a meeting, make note of it and be sure to communicate that information back to

the Public Policy team at Texas CASA. If a difficult conversation needs to take place, Texas CASA will have that conversation in order to preserve the important local relationship you have with your legislator and their staff.

### **LIMITING POLITICAL ACTIVITY**

Under the Internal Revenue Code, all non-profit organizations are absolutely prohibited from directly or indirectly participating in, or intervening in, any political campaign on behalf of (or in opposition to) any candidate for elective public office. This does not prohibit you from being politically involved, but it does prohibit you from identifying yourself as being affiliated with CASA when endorsing or opposing a political candidate.

### **SUPPORTING OTHER PRIORITIES**

If one of your partner organizations requests that you support their priorities or respond to an action alert, your local program may do so, but must be clear that the endorsement is only from the local CASA program. If a representative of your program plans to testify at the Capitol, please notify Texas CASA so that we can be prepared for questions or concerns raised by any members of the legislature.

## **SECTION 9**

# **ADDITIONAL RESOURCES**





## **ADDITIONAL RESOURCES**

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### **TEXAS CASA LATS FACEBOOK PAGE**

[www.facebook.com/groups/TXCASALATS](http://www.facebook.com/groups/TXCASALATS)

### **TEXAS CASA LATS INFORMATION PAGE**

[texascasa.org/what-we-do/leadership-in-public-policy/#lats](http://texascasa.org/what-we-do/leadership-in-public-policy/#lats)

### **THE CASA VOICE**

Browse and subscribe at [texascasa.org/news-and-events/the-casa-voice](http://texascasa.org/news-and-events/the-casa-voice)

### **WHO REPRESENTS ME?**

[www.fyi.legis.state.tx.us](http://www.fyi.legis.state.tx.us)

### **TEXAS LEGISLATURE ONLINE**

Statutes, legislation, reports, committees, hearings, etc. at [www.capitol.state.tx.us](http://www.capitol.state.tx.us)

### **CHILD PROTECTIVE SERVICES HANDBOOK AND RESIDENTIAL CHILD CARE LICENSING HANDBOOK**

Policies with references to laws and regulations at  
[www.dfps.state.tx.us/handbooks/CPS/default.asp](http://www.dfps.state.tx.us/handbooks/CPS/default.asp)

### **HOW A BILL PROGRESSES THROUGH THE LEGISLATURE**

[www.tlc.texas.gov/docs/legref/legislativeprocess.pdf](http://www.tlc.texas.gov/docs/legref/legislativeprocess.pdf)

### **HOW TO FOLLOW A BILL THROUGH THE PROCESS**

[www.legis.state.tx.us/resources/followabill.aspx](http://www.legis.state.tx.us/resources/followabill.aspx)

### **TEXAS TRIBUNE**

Bios and directories of legislators, updates on the session, data on legislative issues  
[www.texastribune.org](http://www.texastribune.org)

### **TEXAS CASA**

Contact the Texas CASA Public Policy team at [publicpolicy@texascasa.org](mailto:publicpolicy@texascasa.org)