

# SUPPORTING CASA APPOINTMENT IN ALL CHILD WELFARE CASES

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## 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).