Chapter 1

TEXAS CASA
Court Appointed Special Advocates
FOR CHILDREN

**“Every child deserves a champion:
an adult who will never give up on them,
who understands the power of connection
and insists they become the best they can
possibly be.”**

– Rita Pierson

Chapter 1: The CASA/GAL Volunteer Role

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PRE-WORK INSTRUCTIONS

Please complete the following pre-work before you attend your first volunteer training session. This pre-work can also be completed online at Texas CASA's Learning Center at www.learn.texascasa.org.

1. Read pages 7–46, "The CASA Role" through the end of the "Bleux Case File."
2. Review and think about the Developing Competencies for CASA/GAL Volunteers assessment.
3. Write down any questions you have about the "Child Welfare History" material.
4. Using the Bleux Case File, write a case history in one or two paragraphs.
5. Write down any questions you have about the case.

The CASA Role

A CASA volunteer is a court-appointed, trained and committed adult who ensures that each child's individual needs remain a priority in an overburdened child welfare system. They get to know the child while also gathering information from the child's family, teachers, doctors, therapists, caregivers, and anyone else involved in the child's life in order to make independent and informed recommendations to help the judge decide what's best for the child.

WHO SUPPORTS THE ADVOCATE?

CASA volunteers are paired with a staff professional who supports and guides them every step of the way. This includes preparing for and attending case-related hearings and meetings, and guiding the volunteer to pertinent resources specific to each case. The different CASA programs call this professional by a variety of titles, such as advocate supervisor, advocate coordinator, case supervisor and coach supervisor. When the staff professional who is there to guide them is not available for a meeting or hearing, another CASA staff member might attend to support the volunteer.

Please read your program's Advocate Job Description, provided by your trainer. Below is a general list of duties, but your program's exact requirements take precedence.

VOLUNTEERS' PRIMARY DUTIES

CASA volunteers are expected to perform the tasks listed below. These tasks constitute what is minimally required to effectively fulfill the role as an advocate for a child in the child welfare system:

- Review/research case information.
- Participate in case staffings, family team meetings, court hearings, school related meetings, etc.

- Establish rapport and relationships with the child and all other parties in the case.
- Meet with the child regularly (at least once per month, or per your program's requirements) and monitor their placement.
- Assess the child's physical, mental, behavioral and educational needs.
- Observe parent-child interactions.
- Monitor adherence to court orders to ensure compliance.
- Identify needs and advocate for services (make referrals as needed).
- Stay abreast of the most up-to-date case information.
- Check for accountability in service planning and delivery to ensure for quality.
- Document all activities, accurately taking note of any concerns, progress or lack thereof.
- Identify resources within the child's family and help build/maintain connections.
- Facilitate communication among parties while maintaining confidentiality.
- Submit required reports and case updates on or before the specified due date.
- Monitor compliance with court timelines to expedite permanency.
- Maintain consistent contact with the supervisor (at least monthly).
- Complete a minimum of 12 hours of in-service training each year.
- Comply with CASA/GAL policies, procedures and ethical guidelines that promote and protect the CASA/GAL program.
- Remain appointed until the case is closed.
- Maintain monthly contact with caregiver.
- Maintain monthly contact with service providers.
- Maintain documentation required by local CASA/GAL staff.

Developing Competencies for CASA/GAL Volunteers

Please review the following competency checklist. As you review each area, note whether it is a current strength or if it is an area that needs further development.

Volunteer Name: Date:

CATEGORY	KNOWLEDGE, SKILLS AND ATTRIBUTES	CURRENT	DEVELOP
CASA/GAL ROLE	Knows how to define the CASA/GAL role		
	Understands the function of a CASA/GAL report to the court		
	Understands the competencies necessary to succeed as a CASA/GAL volunteer		
	Knows how to act within the CASA/GAL volunteer role and can differentiate their role from that of others involved in the case		
	Knows how to find support and resources to assist their advocacy		
	Understands how to obtain relevant confidential information		
	Understands the importance of partnering with their supervisor to develop goals, discuss issues and assess progress		
	Understands the importance of participating in ongoing professional development to strengthen advocacy skills		
COMMUNICATION	Knows how to effectively articulate a point of view while advocating for the needs of the child(ren)		
	Understands the importance of establishing trust and rapport with all parties		
	Understands the importance of speaking and writing clearly and concisely		
	Knows how to work collaboratively and manage conflict effectively		
	Recognizes the importance of treating others with dignity and respect		
	Knows how to be an active listener		
	Understands and respects the perspectives, values and input from others		
	Knows the importance of being forthright, thorough and detail oriented		
	Knows how to utilize basic communication and interviewing skills		
	Knows strategies for interviewing children		
	Understands the elements of a court report		
UNDERSTANDING UNIQUE BACKGROUNDS & EXPEREINCES	Understands and demonstrates mindfullness around personal values when working with people whose backgrounds and experiences may be different than your own		
	Knows strategies and steps to take to increase ability to work with all people respectfully		
	Understands how to recognize and challenge assumptions and generalizations		
	Knows how to be sensitive and responsive to differences in backgrounds, customs, values, traditions and other aspects of individual experience		

CATEGORY	KNOWLEDGE, SKILLS AND ATTRIBUTES	CURRENT	DEVELOP
INITIATIVE	Knows how to be self-motivated and work independently		
	Understands the importance of being resourceful and identifying needs as well as services to meet the needs		
	Recognizes the importance of ensuring all parties are moving expeditiously toward permanency		
	Knows the importance of persistence in pursuit of information		
	Understands the need to advocate for access to quality, individualized services		
	Understands the need to respectfully challenge business as usual		
	Recognizes the importance of creating innovative strategies to resolve issues		
SELF-CARE	Understands the importance of healthy coping strategies to prevent burn out		
	Understands the importance of being aware of personal limitations		
	Understands the importance of setting clear, healthy boundaries and can identify indicators of stress		
	Understands the importance of maintaining a healthy lifestyle		
	Understands the importance of knowing when to ask for and accept help		
	Understands the importance of maintaining a sense of hope and optimism		
SOUND JUDGMENT	Knows how to set healthy boundaries and respects the boundaries of others		
	Knows how to adhere to all policies, ethical guidelines and procedures		
	Recognizes the importance of flexibility in handling case-related changes		
	Understands managing challenges by collaborating based on the best interest of the child(ren)		
	Knows how to maintain objectivity and avoid making assumptions		
	Understands the importance of anticipating and recognizing potential problems		
	Understands making appropriate, fact-based recommendations to the court		
	Understands basing decisions on a thorough review of the information		
	Understands evaluating alternative decisions		
	Understands the confidentiality requirements of being a CASA/ GAL volunteer		
	Understands that personal values and assumptions about mental illness, domestic violence and substance abuse can affect objectivity		
	Knows how to evaluate what is in the child(ren)'s best interest		

CATEGORY	KNOWLEDGE, SKILLS AND ATTRIBUTES	CURRENT	DEVELOP
FOUNDATIONS OF KNOWLEDGE	Understands the importance of using a strength-based approach		
	Understands concurrent planning		
	Understands advocacy differs depending on the age of the child		
	Understands the options for permanence for a child		
	Understands how to identify a child's basic needs		
	Understands the cycle of attachment		
	Understands possible reactions to separation and loss		
	Understands age-appropriate behavior and development for children of all ages		
	Understands how mental illness impacts families		
	Understands the factors that contribute to a child's resilience		
	Understands how poverty can impact families and children		
FOUNDATIONS OF KNOWLEDGE	Understands strategies to advocate for children and adolescents with mental health disorders		
	Understands the ways that substance abuse can affect children and families		
	Knows the importance of being aware of resources in the community that assist with substance abuse		
	Understands how domestic violence affects children and families		
	Understands the nature and scope of trauma and how it affects children		
	Understands the importance of resilience in overcoming trauma in children		
	Knows strategies to address educational challenges		
	Understands the challenges faced by youth in the child welfare system as they navigate the fifth stage of development focused on identity vs.roles		
	Understands the risk factors for child abuse and neglect		
	Understands possible reactions to separation and loss		
	Recognizes the importance of understanding a child's journey through the child welfare system		
	Understands Minimum Sufficient Level (MSL) of Care and its importance in best interest		
	Understands the nature and scope of the roles of others in court system (e.g., caseworkers, attorneys, therapists, etc.)		
	Knows the importance of the federal laws that impact their advocacy		
	Understands what constitutes abuse and neglect		

Child Welfare History

MARY ELLEN'S STORY

Mary Ellen's case took place in 1874. Her spirit remains with us because her case is generally regarded as the beginning of public concern for the plight of children who have been abused or neglected.

Mary Ellen was a child whose father was dead and whose mother could not care for her because she was destitute and had to work full time. The New York Commission of Charities and Correction placed Mary Ellen with Mary McCormack Connolly and her husband, who were to care for her and report each year on her progress.

Instead, Mrs. Connolly abused her. She beat Mary Ellen, locked her in a room, rarely allowed her outside and did not provide adequate food or clothing.

Upset by the child's screaming, a neighbor told a mission worker about Mary Ellen. The mission worker could find no one to intervene; the police had no grounds because no crime was being committed, and the agencies wouldn't get involved because they did not have legal custody.

The mission worker finally appealed to Henry Bergh, the founder and president of the American Society for the Prevention of Cruelty to Animals (ASPCA). He took up her cause and was able to persuade a judge to hear her case.

Mary Ellen was carried into the courtroom wrapped in a horse blanket. This is what the newspaper reported that she told the judge:

> "My father and mother are dead. I don't know how old I am. I call Mrs. Connolly mama. I have never had but one pair of shoes, but I cannot recollect when that was. . . . My bed at night has been only a piece of carpet stretched on the floor underneath a window. Mama has been in the habit of whipping and beating me almost every day. She used to whip me with a twisted whip—a rawhide. [Mama] struck me with the scissors and cut me. . . . I have no recollection of ever having been kissed by anyone—have never been kissed by Mama. Whenever Mama went out I was locked up in the bedroom. I do not want to go back to live with Mama because she beats me so."

Mary Ellen was removed from the people who had mistreated her. Her case stirred public attention, and complaints began to pour in to Henry Bergh. So many cases of child beating and cruelty to children came to light that citizens called a community meeting and formed an association "for the defense of outraged childhood." That association gave rise to the Society for the Prevention of Cruelty to Children, which was formally incorporated the year after Mary Ellen's situation came to light.

CHILD-FOCUSED POLICIES ARE RELATIVELY NEW

- 1899: The country's first juvenile court, in Chicago, placed dependent and delinquent children in homes for wayward youth or reform schools.
- 1910: X-ray technology was developed, eventually allowing doctors to detect subdural (under the skin) injuries and untreated fractures. This allowed for better identification of cases of child abuse.
- 1938: The Fair Labor Standards Act (FLSA), which detailed children's first legal rights, imposed restrictions on working hours and conditions.
- 1962: Dr. C. Henry Kempe created the diagnosis for battered child syndrome.
- 1965: Mandatory reporting laws were in place in all states.
- Beginning in the 1970s, the United States Congress became aware (along with the rest of the nation) that the child welfare system was not adequately protecting children. From a historical perspective, it can be said that we are still relatively new to the concepts of protecting children who've been abused or neglected. We are also new to developing appropriate systems, methods, and programs to cope with the problems these families and children face.
- The list on the following pages outlines information about federal child abuse and neglect laws. You do not need to memorize these laws; just become familiar with them.

Federal Child Abuse and Neglect Laws

1974: Child Abuse Prevention and Treatment Act (CAPTA), Public Law 93-247, amended 1996

Created the National Center on Child Abuse and Neglect and earmarked federal funds for states to establish special programs for child victims of abuse or neglect.

Requires that states:

- Have child abuse and neglect reporting laws.
- Investigate reports of abuse and neglect.
- Educate the public about abuse and neglect.
- Provide a guardian ad litem to every child who has been abused or neglected whose case results in a judicial proceeding.
- Maintain the confidentiality of child protective services records.

1978: Indian Child Welfare Act (ICWA), Public Law 95-608

Responded to congressional hearings in the 1970s that revealed pattern of public and private removal of Indian children from their homes, undermining families and threatening tribal survival and Native American cultures. ICWA was designed to implement the federal government's trust responsibility to the nations by protecting and preserving the bond between Indian children and their tribe and culture.

Requires that states:

- Recognize that Indian children have special rights as members of sovereign nations within the United States.
- Set up placement preference schemes for foster care placements and adoptions of children who have been determined to be Indian children.
- Establish the right of certain entities, including the tribe and the Indian custodian, if one exists, to appear as parties to child welfare cases.

- Determine when and if a case should be transferred to tribal court.
- Describe rights of the Indian child and the child's tribe.

CASA/GAL volunteers should:

- Ask whether every child has Native heritage.
- Investigate tribal resources and services that can benefit the child.
- Be aware that jurisdiction can be transferred to the tribal court.
- Pay attention to the needs of the child as it relates to each family's unique practices and traditions.
- Remember that Adoption and Safe Families Act (ASFA) timelines do not apply to Indian children sovereign nations within the United States.
- Keep in mind that ICWA takes precedence over other federal and state laws.
- Visit the National Indian Child Welfare Association website; it has several excellent packets of ICWA information available for a small charge.

1980: Adoption Assistance and Child Welfare Act, Public Law 96-272

The law requires that states:

- Recruit culturally diverse foster and adoptive families.
- Comply with the Indian Child Welfare Act.
- Establish standards for foster family homes and review the standards periodically.
- Set goals and plan for the number of children who will be in foster care for more than 24 months.
- Provide "reasonable efforts" to prevent or eliminate the need for removal of the child from their home or to make it possible for the child to return to their home.
- Have a data collection and reporting system about the children in care.

CASA/GAL volunteers should:

- Consider possible placements that respect a child's cultural heritage but do not limit their options.
- Become familiar with IMPACT, the data collection system used by DFPS to document all stages of service of a case, including when someone reports abuse, neglect, or exploitation and when those cases are investigated.

1990: Indian Child Protection and Family Violence Prevention Act

- Establishes federal requirements for the reporting and investigation of child abuse and neglect on tribal lands.
- Requires background checks on individuals who have contact with Indian children (including foster and adoptive families).
- Authorizes funding for tribal child abuse prevention and treatment programs.

1993: Court Improvement Legislation

- Encourages reform in the court system.

1994: Multi-Ethnic Placement Act (MEPA)

- Prevents discrimination on the basis of race, color or national origin in the placement of children and in the selection of foster and adoptive placements.
- Decreases the time children wait to be adopted.

1996: Child Abuse Prevention and Treatment Act (CAPTA) Amended

- Amended to include Court Appointed Special Advocates as guardian ad litem.

1997: Adoption and Safe Families Act (ASFA), Public Law 105-89

This act embodies three key principles:

- The safety of children is the paramount concern.
- Foster care is a temporary setting and not a place for children to grow up.
- Permanency planning should begin as soon as the child enters foster care.

This act directs timelines within which the child welfare system operates:

- Requires a permanency plan within 12 months.
- Requires a dispositional hearing within 12 months of placement.
- Requires court reviews every six months.

1997: Volunteer Protection Act

- Limits liability of volunteers.

1999: Foster Care Independence Act

- Addresses needs of older youth in foster care, particularly those aging out of the system.

This act does the following:

- Allows states to serve youth up to age 21 regardless of whether or not they are eligible for the Title IV-E Foster Care Program.
- Increases federal funding to assist and serve young people transitioning from foster care.
- Establishes the John H. Chafee Foster Care Independence Program, which strongly supports the dependency system's capacity to help youth make a healthy transition into adulthood (see information on the next page).
- Allows states to provide Medicaid to young people between the ages of 18 and 21 who were in foster care on their 18th birthday.

- Increases the youth-assets limit from $1,000 to $10,000 without jeopardizing the youth's eligibility for Title IV-E–funded foster care.
- Ensures that foster parents have adequate preparation to care for the children placed in their home. This provision can be used to strengthen the preparation of foster parents to care for adolescents.
- Provides additional funding for adoption incentive payments.
- Mandates that states use a portion (up to 30 percent) of their independent living program funds to provide room and board for youth 18 to 21 who have left foster care.

The John H. Chafee Foster Care Independence Program does the following:

- States explicitly that "enrollment in Independent Living Programs can occur concurrently with continued efforts to locate and achieve placement in adoptive families for older children in foster care," thereby clarifying that independent living services should not be seen as an alternative to adoption for teens.
- Requires states to train both foster and adoptive parents (as well as group-care workers and case managers) about the issues confronting adolescents preparing for independent living.
- Reinforces the importance of providing personal and emotional support for children aging out of foster care, through the promotion of interactions with dedicated adults.
- Specifies that independent living services may be provided to young people at "various ages" and various stages of achieving independence, "including children waiting for adoption or other permanent options".

Other Laws That Affect CASA/GAL Volunteer Work

- The Health Insurance Portability and Accountability Act of 1996 (HIPAA) requires, among other things, permission or a court order to access "protected health information" for any individual. Your program will have information on how to access health records.
- Special Immigrant Juvenile Status (SIJS) assists some children, including those in foster care, in obtaining legal permanent residency.
- Title VI of the 1964 Civil Rights Act says that any entity that receives federal funds must provide a professional interpreter in court.
- Titles IV-B and IV-E of the Social Security Act:
    - IV-E is the primary federal funding stream that partially reimburses states for foster care for qualified children.
    - IV-B allots funding for targeted case management services.
    - The state must pay all expenses for a child who is not IV-E eligible for out of state general revenues. These expenses include foster care and therapy.
- The Victims of Child Abuse Act of 1990 (VOCAA) protects the privacy rights of child victims or witnesses during the investigation or prosecution of a federal crime.

Texas Family Code: Foster Children's Bill of Rights

Title 5. The Parent-Child Relationship and the Suit Affecting the Parent-Child Relationship
Subtitle E. Protection of the Child
Chapter 263. Review of Placement of Children Under Care of Department of Family and Protective Services
Subchapter A. General Provisions
Sec. 263.008. Foster Children's Bill of Rights

(a) In this section:

(1) "Agency foster home" and "facility" have the meanings assigned by Section 42.002, Human Resources Code.

(2) Repealed by Acts 2015, 84th Leg., R.S., Ch. 944, Sec. 86, eff. September 1, 2015.

(3) "Foster children's bill of rights" means the rights described by Subsection (b).

(b) It is the policy of this state that each child in foster care be informed of the child's rights provided by state or federal law or policy that relate to:

(1) abuse, neglect, exploitation, discrimination, and harassment;

(2) food, clothing, shelter, and education;

(3) medical, dental, vision, and mental health services, including the right of the child to consent to treatment;

(4) emergency behavioral intervention, including what methods are permitted, the conditions under which it may be used, and the precautions that must be taken when administering it;

(5) placement with the child's siblings and contact with members of the child's family;

(6) privacy and searches, including the use of storage space, mail, and the telephone;

(7) participation in school-related extracurricular or community activities;

(8) interaction with persons outside the foster care system, including teachers, church members, mentors, and friends;

(9) contact and communication with caseworkers, attorneys ad litem, guardians ad litem, and court-appointed special advocates;

(10) religious services and activities;

(11) confidentiality of the child's records;

(12) job skills, personal finances, and preparation for adulthood;

(13) participation in a court hearing that involves the child;

(14) participation in the development of service and treatment plans;

(15) if the child has a disability, the advocacy and protection of the rights of a person with that disability; and

(16) any other matter affecting the child's ability to receive care and treatment in the least restrictive environment that is most like a family setting, consistent with the best interests and needs of the child.

(c) The department shall provide a written copy of the foster children's bill of rights to each child placed in foster care in the child's primary language, if possible, and shall inform the child of the rights described by the foster children's bill of rights:

(1) orally in the child's primary language, if possible, and in simple, nontechnical terms; or

(2) for a child who has a disability, including an impairment of vision or hearing, through any means that can reasonably be expected to result in successful communication with the child.

(d) A child placed in foster care may, at the child's option, sign a document acknowledging the child's understanding of the foster children's bill of rights after the department provides a written copy of the foster children's bill of rights to the child and informs the child of the rights described by the foster children's bill of

rights in accordance with Subsection (c). If a child signs a document acknowledging the child's understanding of the foster children's bill of rights, the document must be placed in the child's case file.

(e) An agency foster home or other residential child-care facility in which a child is placed in foster care shall provide a copy of the foster children's bill of rights to a child on the child's request. The foster children's bill of rights must be printed in English and in a second language.

(f) The department shall promote the participation of foster children and former foster children in educating other foster children about the foster children's bill of rights.

(g) The department shall develop and implement a policy for receiving and handling reports that the rights of a child in foster care are not being observed. The department shall inform a child in foster care and, if appropriate, the child's parent, managing conservator, or guardian of the method for filing a report with the department under this subsection.

(h) This section does not create a cause of action.

Texas Family Code: Powers and Duties of Guardian Ad Litem for Child

Title 5. The Parent-Child Relationship and the Suit Affecting the Parent-Child Relationship

Subtitle A. General Provisions

Chapter 107. Special Appointments, Child Custody Evaluations, and Adoption Evaluations

Subchapter A. Court-Ordered Representation in Suits Affecting the Parent-Child Relationship

Sec. 107.002. Powers and Duties of Guardian Ad Litem for Child.

(a) A guardian ad litem appointed for a child under this chapter is not a party to the suit but may:

(1) conduct an investigation to the extent that the guardian ad litem considers necessary to determine the best interests of the child; and

(2) obtain and review copies of the child's relevant medical, psychological, and school records as provided by Section 107.006.

(b) A guardian ad litem appointed for the child under this chapter shall:

(1) within a reasonable time after the appointment, interview:

(A) the child in a developmentally appropriate manner, if the child is four years of age or older;

(B) each person who has significant knowledge of the child's history and condition, including educators, child welfare service providers, and any foster parent of the child; and

(C) the parties to the suit;

(2) seek to elicit in a developmentally appropriate manner the child's expressed objectives;

(3) consider the child's expressed objectives without being bound by those objectives;

(4) encourage settlement and the use of alternative forms of dispute resolution; and

(5) perform any specific task directed by the court.

(b-1) In addition to the duties required by Subsection (b), a guardian ad litem appointed for a child in a proceeding under Chapter 262 or 263 shall:

(1) review the medical care provided to the child;

(2) in a developmentally appropriate manner, seek to elicit the child's opinion on the medical care provided; and

(3) for a child at least 16 years of age, ascertain whether the child has received the following documents:

(A) a certified copy of the child's birth certificate;

(B) a social security card or a replacement social security card;

(C) a driver's license or personal identification certificate under Chapter 521, Transportation Code; and

(D) any other personal document the Department of Family and Protective Services determines appropriate.

(c) A guardian ad litem appointed for the child under this chapter is entitled to:

(1) receive a copy of each pleading or other paper filed with the court in the case in which the guardian ad litem is appointed;

(2) receive notice of each hearing in the case;

(3) participate in case staffings by the Department of Family and Protective Services concerning the child;

(4) attend all legal proceedings in the case but may not call or question a witness or otherwise provide legal services unless the guardian ad litem is a licensed attorney who has been appointed in the dual role;

(5) review and sign, or decline to sign, an agreed order affecting the child;

(6) explain the basis for the guardian ad litem's opposition to the agreed order if the guardian ad litem does not agree to the terms of a proposed order;

(7) have access to the child in the child's placement;

(8) be consulted and provide comments on decisions regarding placement, including kinship, foster care, and adoptive placements;

(9) evaluate whether the child welfare services providers are protecting the child's best interests regarding appropriate care, treatment, services, and all other foster children's rights listed in Section 263.008;

(10) receive notification regarding and an invitation to attend meetings related to the child's service plan and a copy of the plan; and

(11) attend court-ordered mediation regarding the child's case.

(d) The court may compel the guardian ad litem to attend a trial or hearing and to testify as necessary for the proper disposition of the suit.

(e) Unless the guardian ad litem is an attorney who has been appointed in the dual role and subject to the Texas Rules of Evidence, the court shall ensure in a hearing or in a trial on the merits that a guardian ad litem has an opportunity to testify regarding, and is permitted to submit a report regarding, the guardian ad litem's recommendations relating to:

(1) the best interests of the child; and

(2) the bases for the guardian ad litem's recommendations.

(f) In a nonjury trial, a party may call the guardian ad litem as a witness for the purpose of cross-examination regarding the guardian's report without the guardian ad litem being listed as a witness by a party. If the guardian ad litem is not called as a witness, the court shall permit the guardian ad litem to testify in the narrative.

(g) In a contested case, the guardian ad litem shall provide copies of the guardian ad litem's report, if any, to the attorneys for the parties as directed by the court, but not later than the earlier of:

(1) the date required by the scheduling order; or

(2) the 10th day before the date of the commencement of the trial.

(h) Disclosure to the jury of the contents of a guardian ad litem's report to the court is subject to the Texas Rules of Evidence.

(i) A guardian ad litem appointed to represent a child in the managing conservatorship of the Department of Family and Protective Services shall, before each scheduled hearing under Chapter 263, determine whether the child's educational needs and goals have been identified and addressed.

Acronyms and Definitions

AAL – Attorney ad litem, attorney for the child

Abuse – When an individual, whether through action or failing to act, causes injury, death, emotional harm or risk of serious harm to a child

ADA – Assistant District Attorney; the attorney representing CPS, often referred to as the DA

ADHD – Attention deficit/hyperactivity disorder

Adoption Staffing – A meeting where the case file is officially transferred from the Temporary Managing Conservatorship (TMC) caseworker to the new adoption caseworker. CASAs can attend this meeting and contribute valuable information to the new worker about the children, their needs and the adoption plan.

AG – Attorney General

APS – Adult Protective Services; the agency responsible for investigating abuse/neglect and exploitation of the elderly or individuals who have a disability

CAC – Forensic interview that is administered to children who have made an outcry of physical or sexual abuse. This interview is done at the Center for Child Protection (CAC - Child Advocacy Center was the original name)

CASA – Court Appointed Special Advocate

CCMS – Child Care Management Services

CCP – Center for Child Protection; an organization focused on reducing trauma to victims of child sexual abuse, physical abuse and neglect during the investigations of child abuse cases.

COS – Court-Ordered Services; cases where parents maintain rights of their children, but the court requires parents to do services to maintain these rights. In COS cases, the state does not take legal custody of the children. The children live either with the parents or in a placement that the parents have approved (like a relative or symbolic relative).

COS – Circle of Support; a meeting conducted for teens, to discover the teen's goals and if they need extra support; the individuals attending the meeting are usually suggested by the teen. These meetings are held at least annually for all children in CPS custody (TMC or PMC – Permanent Managing Conservatorship) age 16 and over. The youth may invite anyone they wish to be there, and the goal is for trusted adults to assist the youth in developing plans as they approach adulthood. These meetings are run by a CPS facilitator and will include the youth's Preparation for Adult Living (PAL) worker from CPS, who will also provide the youth with information on the benefits available to them as a teen in care.

CPA – Child Placing Agency; an agency that trains and licenses foster parents

CPS – Child Protective Services; a division of a state agency that investigates reports of abuse and neglect of children, places children in foster care, and places children in adoptive homes.

CPU – Child Placement Unit; the part of CPS that locates foster homes/RTCs for children in CPS care

CVS – Conservatorship; the work unit that handles cases where CPS is granted temporary or permanent conservatorship (custody) of children

DFPS – Department of Family and Protective Services; the state agency that includes

Child Protective Services (CPS), as well as programs protecting people with disabilities, the elderly and overseeing childcare.

DSM – Diagnostic and Statistical Manual of Mental Disorders; published by the American Psychiatric Association and offers a common language and standard criteria for the classification of mental disorders.

ED – Emotional Disturbance

Emotional Abuse – The systematic diminishment of a child. It reduces a child's self-concept to the point where the child feels unworthy of respect, friendship, love and protection.

FA – Father

FAS – Fetal Alcohol Syndrome

FBSS – Family-Based Safety Services; protective services provided to any family that needs CPS assistance to reduce the likelihood that a child in the family will be abused or neglected.

FGC – Family Group Conference; a meeting in which the child and family meet with relatives, friends, CPS supervisors and caseworkers, service providers, CASA, and support persons in the community to develop a plan to ensure that the child is cared for and protected from future harm. These meetings are generally two to three hours, but are sometimes longer. The idea is to bring together all of the parties and all important family members – grandparents, aunts, uncles, cousins and any symbolic relatives – to support the family and figure out how they can work toward the permanency goal. Like permanency conferences, a convener from CPS facilitates FGCs. These are typically positive meetings, focusing on the hopes, dreams, strengths, and support network of the family. The reasons for removal are discussed, and the family has a chance to explore and discuss solutions on their own.

FH – Foster Home

Final Orders – The court must enter a final order before the first Monday after the first anniversary of the order appointing CPS as temporary managing conservator, unless the court has granted an extension. A final order is one that:

- Requires the child be returned to the parents
- Names a relative or another person as the child's managing conservator
- Without terminating the parent-child relationship, appoints CPS as the managing conservator of the child, or
- Terminates the parent-child relationship and appoints a relative, another suitable person, or CPS as the managing conservator.

FP – Foster Parents

FTT – Failure to Thrive; when a child under 2 years of age has a weight or rate of weight gain significantly below that of other children of similar age.

FTM – Family Team Meeting

GAL – Guardian Ad Litem. Some CASA programs are given the legal status of GAL by their court. Texas Family Code states that "the guardian ad litem conducts an investigation to the extent that the guardian ad litem considers necessary to determine the best interests of the child."

Hair Strand – A hair strand test is used to detect drug use for roughly the past three months.

Hrg – Hearing

Hx – History

ICPC – Interstate Compact on the Placement of Children; established to ensure that when children are placed out of state, they receive protection and services that would be provided in their home state. An ICPC Home Study is required and done on the potential out-of-state placement.

ICWA – Indian Child Welfare Act (pronounced ick-wuh); a federal law that seeks to keep American Indian children with American Indian families

IOP – Intensive Outpatient Services; nonresidential services for drug or alcohol treatment.

ISP – Individualized Service Plan; a treatment meeting usually held at the child's placement to see how the child is progressing, if they are meeting their goals both at home and in school and a review of medications; the child will attend this meeting and have input. CASA should also attend this meeting.

JMC – Joint Managing Conservatorship; the sharing of the rights and duties of a parent by two parties, ordinarily the parents, even if the exclusive right to make certain decisions may be awarded to one party.

JPO – Juvenile Probation Officer

LD – Learning Disabled

LOC – Level of Care; the level of care is determined by the Youth for Tomorrow Organization, and once it has been established, the level of care determines the placement for each child. The levels are basic, moderate, specialized and intense.

Mediation – A meeting between the child's parents, the parents' attorneys, CPS, the child's attorney, and CASA to reach an agreement regarding permanency instead of going to trial. These all-day meetings are designed to find a permanent legal solution to which all parties can agree. They take place toward the end of a case, usually when reunification is unlikely and an alternate legal outcome is needed. This may be a time when parents recognize that they are unlikely to have their children returned, but that they can avoid a trial by agreeing to some terms. For example, they may agree to relinquish parental rights if the children will be adopted by a specific relative. They are facilitated by licensed mediators, and all conversations during mediation are confidential. Unless pre-authorized, only legal parties to the case may attend.

Medical Neglect – The failure of the person responsible for the child's welfare to meet their medical needs

MGF – Maternal Grandfather

MGM – Maternal Grandmother

MSL – Minimum Sufficient Level (of care)

MO – Mother

MSA – Mediated Settlement Agreement

MSP – Munchausen Syndrome by Proxy

Neglect – The failure of a person responsible for the child's welfare to provide necessary basic needs, care or medical attention.

NOS – Not Otherwise Specified

NSUP – Neglectful Supervision; the failure of the person responsible for the child's care to adequately supervise them

OSAR – Outreach Screening Assessment and Referral; the first point of contact for those seeking substance abuse services. These services are free for individuals who qualify.

PAL – Preparation for Adult Living; a program that provides youth in foster care age 16 or older with training in independent living skills, support services and benefits to prepare them for departure from CPS care.

PC – Permanency Conference; a meeting to go over the families' service plan. These are generally one-hour meetings at CPS. PCs are meetings for all parties on the case to come together and discuss the history and permanency plans. The child's placement may be present for this meeting, as well. A convener will run the meeting and make sure everything is covered. Everyone will receive a copy of what was discussed. This can be particularly helpful to make sure everyone knows where the parents are on their services and how they can move forward.

Permanency – The goal of the CPS program is to provide permanence (i.e., a permanent home) for a child who's been removed from home and placed in substitute care by resolving family dysfunction and returning the child to the family. If this objective cannot be attained, CPS recommends termination of the parent-child relationship and permanent placement of the child with another family or caretaker.

PGF – Paternal Grandfather

PGM – Paternal Grandmother

PHAB – Physical Abuse; intentionally harming a child, using excessive force or reckless endangerment.

Physical Neglect – The failure of the person responsible for a child's care to meet the child's physical needs for food, clothing, shelter, etc.

PMC – Permanent Managing Conservatorship; when a judge appoints a person to be legally responsible for a child without adopting the child. The court can give PMC to someone other than a parent, including CPS, a relative, a close family friend or a foster parent. This can happen with or without the termination of parental rights.

PO – Parole Officer

Possessory Conservator – A possessory conservator typically still has parental rights, but will not have the final say on most decisions.

Presentation Staffing – This meeting, part of the adoption process, is when CASA can talk directly with a family who has been selected to adopt a child to make sure that the family has a very clear idea of what to expect. Often, the current foster family participates and can share details of the child's daily routine, behaviors, food preferences, etc. At this meeting, a visitation and transition plan is created. The adoptive family will be given 24 hours after this meeting to confirm that they want to move forward.

RAD – Reactive Attachment Disorder

RAPR – Refusal to Accept Parental Responsibility; pronounced "rapper"

RTB – Reason to Believe; when an incident is reported during an investigation and there is enough proof to believe the incident did occur

RTC – Residential Treatment Center; provides specialized inpatient psychotherapy and education services for youth.

R/O – Ruled Out; when an incident is reported during an investigation and there is not enough proof to believe the incident did occur

SAPCR – Suit Affecting the Parent-Child Relationship, aka Original Petition

SBS – Shaken Baby Syndrome, aka Abusive Head Trauma

SIDS – Sudden Infant Death Syndrome

Selection Staffing – This meeting, part of the adoption process, is to assess home studies on potential adoptive families. CASA and CPS have generally selected top choices of families and are given a chance during this meeting to ask follow-up questions and express concerns. By the end of the meeting, there is often a plan on how to move forward.

Service Plan – Developed initially 30–45 days after a child's removal from home and reviewed in preparation for hearings, the service plan is developed by everyone involved in the case, including CASA. The goal of the service plan is to secure permanency for the child through one of these ways:

- Reunification with parent(s)
- Termination of parents' rights to the child
- Placement of child with relatives
- Placement of child in foster care, or
- Adoptive placement

Show Cause (262 Hearing) – This hearing will happen about two weeks after the ex parte hearing. The name refers to the chapter of the Texas Family Code that requires a hearing in which the parents are present and can answer the allegations of abuse and neglect. CPS can start the service plan at this time to show the parents what they can complete for the case to move toward reunification. If CASA was appointed ex parte, CASA will be present at this hearing.

SSI – Supplemental Security Income; a federal program providing income for basic needs for the elderly and people with disabilities

SXAB – Sexual Abuse; engaging a child in any activity for an adult's own sexual gratification.

Acronyms and Definitions

TANF – Temporary Aid for Needy Families; a federally funded state program that provides financial help for children and their parents or relatives who are living with them.

TBRI – Trust-Based Relational Intervention; an attachment-based, trauma-informed intervention that is designed to meet the complex needs of vulnerable children.

TMC – Temporary Managing Conservatorship; when CPS temporarily becomes the parent of the child

TPR – Treatment Plan Review

TPR – Termination of Parental Rights

Trial – The trial is the final hearing at which a final order is made by the judge after considering testimony and evidence offered by all parties involved, including CASA, regarding the child's best interest.

Tx – Treatment

UTD – Unable to Determine; when an incident is reported but the investigation is unable to determine whether or not the incident did occur

Additional Acronyms and Definitions for specific topics can be found at:

- Hearings - Chapter 1, Page 52
- Educational Advocacy - Chapter 7, Page 245

Bleux Case File

CPS Case File					
Last Name of Case: Bleux			Legal Number(s): D-1-FM-18-097542		
Child(ren)'s Name	DOB	Age	Ethnicity	Sex	Current Location
Deshawn Bleux	March 12	4 months	AA	Male	Foster Care

Current Caretaker(s)	Address	Phone
Emily Padron and Lawrence Cary	8904 Cleveland Ave NW	512-555-2272

Attorneys for:		
Mother	Samuel Bluestein	512-555-7622
Father	Jacob Bell	512-555-6704
CPS	Meghan Fowler	512-555-9300 ext. 38
Child	Elaine Moore	707-555-6659

Case History
May 19: CPS received a referral from the hospital regarding a 2-month-old child who appeared to show symptoms of shaken baby syndrome. Child, Deshawn Bleux, was admitted to the hospital by father, Miles Bleux. In speaking with this social worker (SW), father said he took child to hospital when he could not be woken up for his regular 10 p.m. feeding. SW spoke with Dr. Maronian, who said child suffered a concussion and will be kept overnight for observation. May 21: Child remains in the hospital with an injury more severe than previously thought; due to the child's young age, doctors have said they would like a few additional days of tests and observations before releasing him. Child will be placed in foster home pending CPS investigation. Criminal charges are also pending against the parents, but because various people have various versions of the story, police have not determined who, if anyone, should be charged. SW attempted to speak with each parent (mother, Antoinette Bleux; father, Miles Bleux), but they refused to be interviewed on the advice of counsel.

Case History continued
May 23: Dr. Maronian has cleared Deshawn to be released from hospital. Child placed in foster care. SW spoke with father, Miles Bleux, who denies shaking the child but would not comment further on the case. Father told SW that he works as a dishwasher in a local restaurant. He said that he worked as a chef in his father's restaurant "back home" (in Baton Rouge, LA) but has not been able to find employment as a chef since moving here. When asked if he felt his employment situation is a stressor on his family, he replied, "Of course it is, but I have to do what I have to do." May 24: SW spoke with mother. She has refused to say anything other than she was not home at the time of the incident. Mother attends the nursing program at the community college; she works during the day and attends classes at night.

CASA/GAL History	Person(s)	Date Assigned	Date Terminated
Case Initially Assigned to:	You and your team	Today	N/A
Current CASA/GAL Volunteer:	You and your team	Today	
Initial CPS Caseworker:	Jane Morgan		
Current CPS Caseworker:	Jane Morgan		

Court-Ordered Services
For the Child: No court orders at present
For the Father: No court orders at present
For the Mother: No court orders at present

MEMORANDUM OF UNDERSTANDING

June 6 Family Team Meeting

Case No. D-1-FM-18-097542

Allegation(s): Child sustained serious injuries requiring hospitalization.

In the matter of: Deshawn Lee Bleux

Age: 2 months

The PURPOSE of the Family Team Meeting and the Memorandum of Understanding is to expedite the court process for children by sharing information and making recommendations regarding the following issues: placement, visitation, services, paternity and child support.

I. ATTENDANCE: Present at this conference were the following parties: Kerry Rowan, family team meeting coordinator; Jane Morgan, county Child Protective Services (CPS) caseworker; Kim Rytter, CPS supervisor; Antoinette Bleux, mother of the child; Samuel Bluestein, attorney for the mother; Miles Bleux, father of the child; Jacob Bell, attorney for the father; Sandi Freeman, county health clinic coordinator; Ramona Haskins, CASA supervisor; Elaine Moore, attorney for the child; Sabine Lee, maternal aunt; Adrienne Nikos, CPS intern

II. RIGHTS: For purposes of this Memorandum of Understanding, all defenses that could be made by all parties are preserved. In order to protect the rights of all parties, this Memorandum of Understanding does NOT serve to waive any standard objection by law.

III. ATTORNEYS: Have been appointed to represent the parents in this matter. At the first court hearing, the court has determined the child and parents qualify for court-appointed lawyers.

IV. PARENTS: Inquiries have been made as to the identity and location of any missing parent.

- The mother (age 18) did attend the child planning conference.
- The mother has been served the juvenile petition at the child planning conference. The mother stated that the address on the petition is correct.
- The mother can be reached at 512-555-1790, cell number.
- The father (age: 20) did attend the child planning conference.
- The father was served the juvenile petition at his home.
- The father stated that the address on the petition is the correct address.
- The father can be reached at 512-555-3865, cell number.
- According to the father, his name is on the child's birth certificate.
- According to the parents, they are married.

V. HISTORY: CPS said that the agency received a report. The report alleged that the child was physically abused. The child was admitted to County Hospital and was diagnosed with a subdural hematoma (bleeding on the brain) and retinal hemorrhaging. A child medical exam was completed and indicated that the child had been injured by means other than accidental. Detective John Hollowell of the City Police Department is in charge of a criminal investigation.

- CPS stated that both parents had access to the child during the time when the injuries occurred, and that in order to ensure the safety of the child the agency has filed a petition for custody of the child.
- CPS reported that the child was in the hospital for one week.
- CASA volunteer for the child will be [Your Name]; they can be reached at XXX-XXXX.
- According to the caseworker, the county medical examiner stated that the injuries could have occurred on the evening he was admitted and were determined to be non-accidental in origin.

VI. PLACEMENT: Inquiries have been made as to whether a relative of the child is willing and able to provide proper care and supervision of the child in a safe home and whether placement with such a relative could be in the child's best interest:

- The child is currently placed in a foster home.
- CPS stated that the child is doing well.
- The agency is considering other family members for placement of the child.

VII. SERVICES FOR THE PARENTS

Services for the mother of the child:

- At the 262 the mother was ordered to attend parenting education and anger management, to undergo a mental health assessment and follow all recommendations, to attend medical education concerning shaken baby syndrome, and to attend visitation.
- The mother stated that she is willing to comply with services but that she does not see herself as being in need of all of them.

Services for the father of the child:

- At the 262 the father was ordered to attend parenting education and anger management, to undergo a mental health assessment and follow all recommendations, to attend medical education concerning shaken baby syndrome, and to attend visitation.
- The father stated that he is willing to comply with services.

VIII. SERVICES FOR THE CHILD

Medical Background

- The child was born at County Hospital.
- The child's doctor is Early Years Peds in the city.
- The child has no diagnosed medical conditions.

- According to the parents, the child has no known affiliation with a recognized Native American group.

Recommendations

- CPS recommends that the child participate in the Children's Health and Development Program and continue to receive all medical and developmental services. The mother requested that, if needed, she would like the physical therapist to come to the home. The mother requested that the child be maintained on the formula he is accustomed to.

IX. VISITATION

- All visits are to be supervised at this time.
- Visitation would be twice weekly, at the agency for two hours. The parents may visit together if they choose. If they choose not to attend together or it is deemed unsafe for visits together, Mrs. Bleux's visits will be Tuesdays, 3:30–5:30 p.m. and Mr. Bleux's visits will be Thursdays, 3:30–5:30 p.m. Any family placement will be informed of the agency's policies for visitation. The aunt may also visit with the child.

X. AUTHORITY: The parties agree that CPS shall be granted authority to arrange, provide, and/or consent to any medical treatment, psychiatric treatment, psychological service, educational needs, or any other remedial evaluations required by the child, including a physical examination to be conducted as mandatory by licensure requirements; and CPS has the authority to request and be provided with any medical, mental health and educational records pertaining to the child.

XI. FUTURE COURT DATES

- The next court hearing in this case will be a status hearing currently scheduled for August 7, 2018, at 2 p.m.

FAMILY TEAM PLANNING CONFERENCE SIGN-IN

I understand that juveniles will be discussed in the Family Team Planning Conference. Through their signatures, the undersigned acknowledge and agree that the privacy of children and their families should be strictly maintained.

Date:		Juvenile(s) Name(s): Deshawn Lee Bleux	
Name	Agency	Address	Phone #
Kerry Rowan	FC	3rd Flr CCH	512-555-4567
Sandi Freeman	CHCC	200 Brookdale	512-555-6789
[Your Name]	CASA	5th floor CCH	415-555-3770
Ramona Haskins	CASA	5th floor CCH	618-555-3770
Sabine Lee		330 Hawkins	512-555-9752
Antoinette Bleux		330 Hawkins	512-555-1790
Sam Bluestein		1260 Main St., Ste 200	403-555-7622
Jane Morgan	CPS	200 Brookdale	917-555-7262
Miles Bleux		740 Center, Apt 204	512-555-3865
Jacob Bell	OPR	7525 Broad	512-555-6704
Adrienne Nikos	CPS	200 Brookdale	512-555-7579
Kim Rytter	CPS	200 Brookdale	713-555-7260
Elaine Moore	OCR	202 Eclipse	512-555-6659

FAMILY TEAM PLANNING CONFIDENTIALITY AGREEMENT

Through their signatures, the undersigned acknowledge that this Memorandum of Understanding has been read to them, accurately reflects what occurred during the Family Team Meeting, and they have received a copy of the Memorandum of Understanding.

Date:	File Number/Name: D-1-FM-18-097542	
Role	Name	Signature
Mother	Antoinette Bleux	
Mother's Attorney	Samuel Bluestein	
Father	Miles Bleux	
Father's Attorney	Jacob Bell	
CASA Volunteer	[Your Name]	
CASA Supervisor	Ramona Haskins	
Family Team Mtg. Coord.	Kerry Rowan	
CPS Caseworker	Jane Morgan	
CPS Supervisor	Kim Rytter	
CHCC Coordinator	Sandi Freeman	
WCPSS Representative		
Friends & Relatives	Sabine Lee (maternal aunt)	
Child's Attorney	Elaine Moore	
Others	Adrienne Nikos (CPS intern)	

INCIDENT REPORT SUPPLEMENT CITY POLICE

1. OFFENSE Child Battery	2. CLASSIFICATION Simple	3. DATE/TIME OF REPORT Thursday 01:10 hrs
4. VICTIM (LAST, FIRST, M) Bleux, Deshawn Lee	5. ADDRESS 740 Center St., Apt. 204	

Synopsis:
The following report contains information concerning child battery. Hospital emergency room reported possible child battery due to shaken baby syndrome.

Victim Info:
Deshawn Lee Bleux B/M/2 months 740 Center St., Apt. 204

Suspect Info:
Miles Bleux, father of victim (same address)

Investigation Notes:
We were dispatched to the hospital on a child battery call. Emergency room physician Dr. Saul Maronian informed us that the victim was brought to the hospital by his parents. Victim was unconscious with shallow breathing. Upon examination, retinal hemorrhages were found, indicating possible shaken baby syndrome. Victim was taken for whole body CT scan and MRI, which revealed minor swelling of the brain and a subdural hematoma but no other injury and no signs of previous injury. Oxygen therapy has been started. Infant expected to be hospitalized for one or two days. CPS called.

Dr. Maronian informed us that while victim was being scanned, mother became very upset. When he gave parents the diagnosis, mother screamed, "You bastard, how could you!" and began punching father. Father repeated, "I didn't do anything," while fending off mother. Dr. Maronian observed that mother is physically smaller, and although father appeared angry, he merely tried to block her blows. Hospital security separated them.

Hospital will provide photographs and scans of victim's injuries.

Incident Report continued
We next spoke with mother, Antoinette Lee Bleux, 18, same address as victim and suspect. It appeared that Mrs. Bleux had been crying. Mrs. Bleux informed us that she was out with friends and returned home at approx. 21:30 and went straight to bed. She reports baby was sleeping in crib at that time and that husband later woke her in a panic because baby would not wake up. They brought the baby in and have since learned that he is stable and not in grave danger. She admitted to hitting her husband and screaming at him in the emergency room. "I just lost it. I'm sorry I acted like that." Mother expressed strong need to see child. Nurse escorted mother to infant's bedside for a short visit. Antoinette Bleux was released to her sister—they left the hospital together.

END OF PRE-WORK FOR CHAPTER 1

The Four Key Components of the CASA/GAL Volunteer Role

INVESTIGATION

Gather information to carry out an objective examination of the situation including getting to know the child(ren) and their families. This includes developing an understanding of the needs of the child(ren), the relationships that the child(ren) have with family members and fictive kin, the history of the child(ren) and their family, the family environment, traditions and practices, and the existing or potential support system.

This information is gathered through regular visits in the placement (and elsewhere), plus conversations, research, and observations with the child(ren), their parents, relatives, fictive kin, teachers, doctors, therapists, caregivers, service providers, daycare workers, CPS caseworkers, the attorney ad litem, and anyone else who has knowledge of the child(ren) or the family. This is not an investigation of the abuse or neglect that started the case. Investigators with CPS have already completed that.

FACILITATION

Identify resources and services for the child(ren) and their family, and facilitate a collaborative relationship between all parties involved in the case, helping to create a situation in which the child(ren)'s needs can be met. Ensure that any information that you obtain during your investigation reaches the parties that need that information. For example, if you are told that your child is failing math during a conversation with the child's teacher, do not assume that the CPS caseworker has that information. Make sure to give that information to anyone who needs it.

ADVOCACY

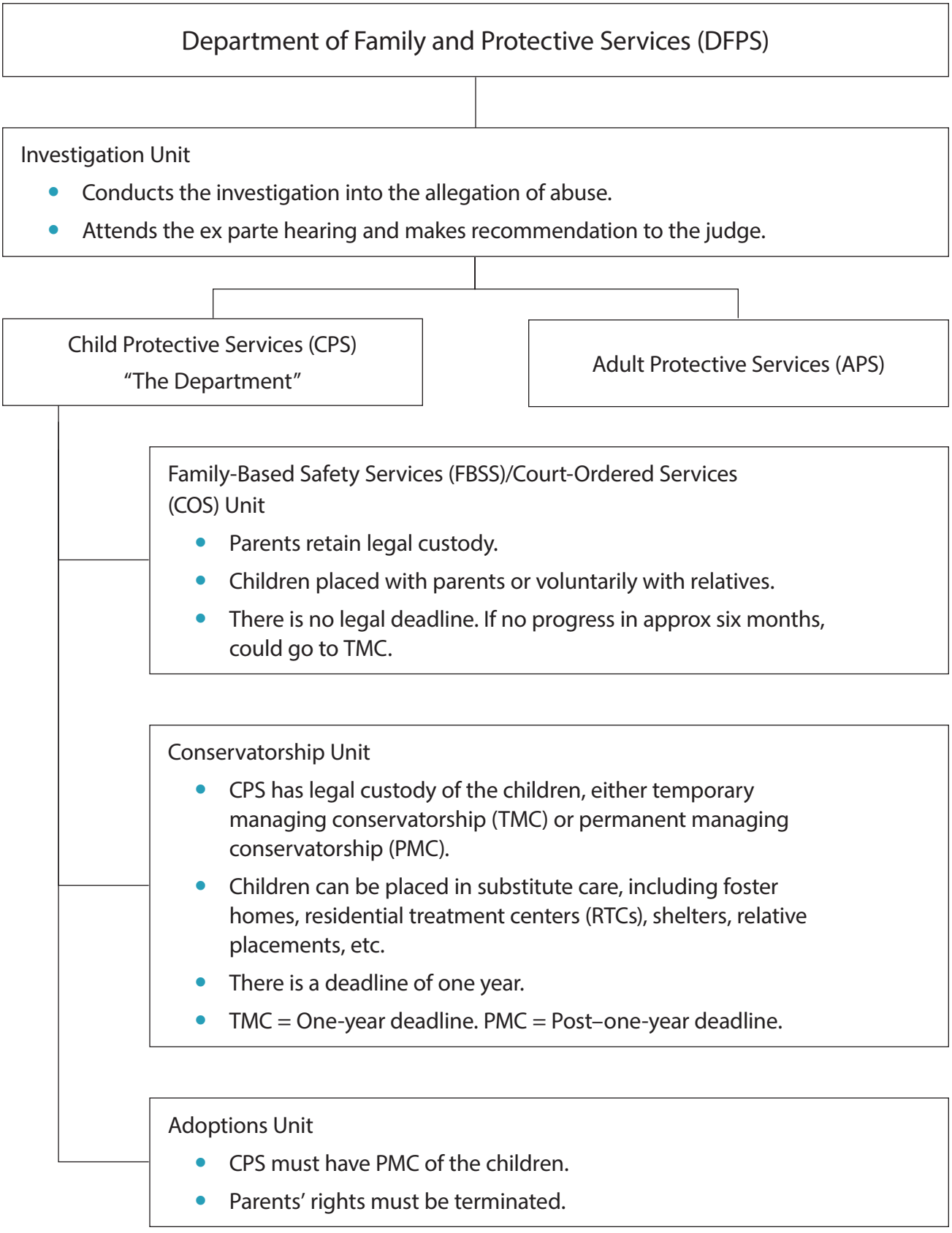
Speak up for the child(ren) by making fact-based recommendations regarding the child(ren)'s best interest in a written court report and verbally during hearings. Understand that, although court is a very important part of CASA's advocacy, it is not the only place advocacy occurs.

The majority of our advocacy actually occurs outside of the courtroom during meetings and conversations with the parties on the case. If you see a need that is not being met for your child(ren), you should discuss it with your supervisor and bring it up to the parties immediately. Do not wait for court to be the child(ren)'s advocate.

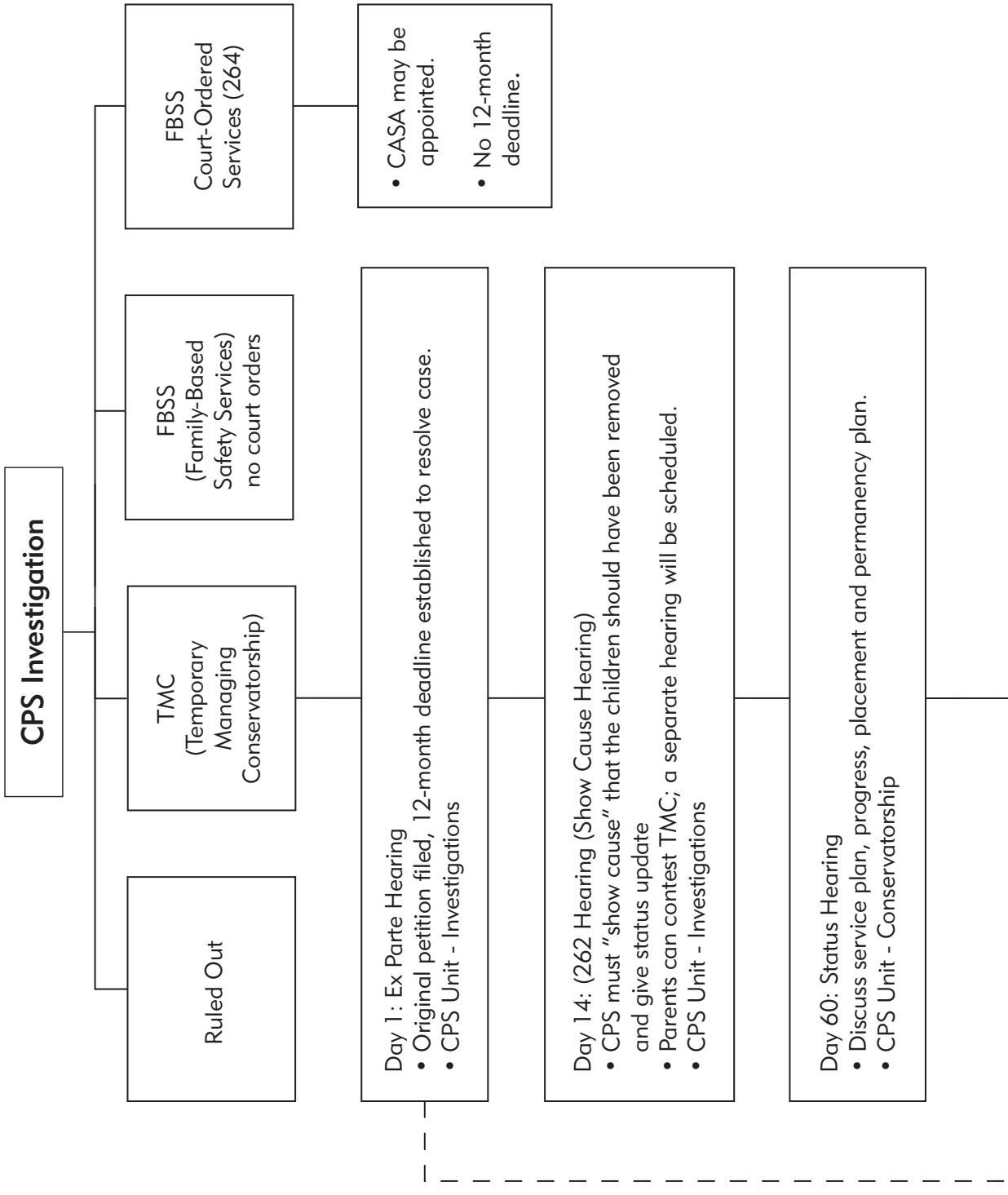
MONITORING

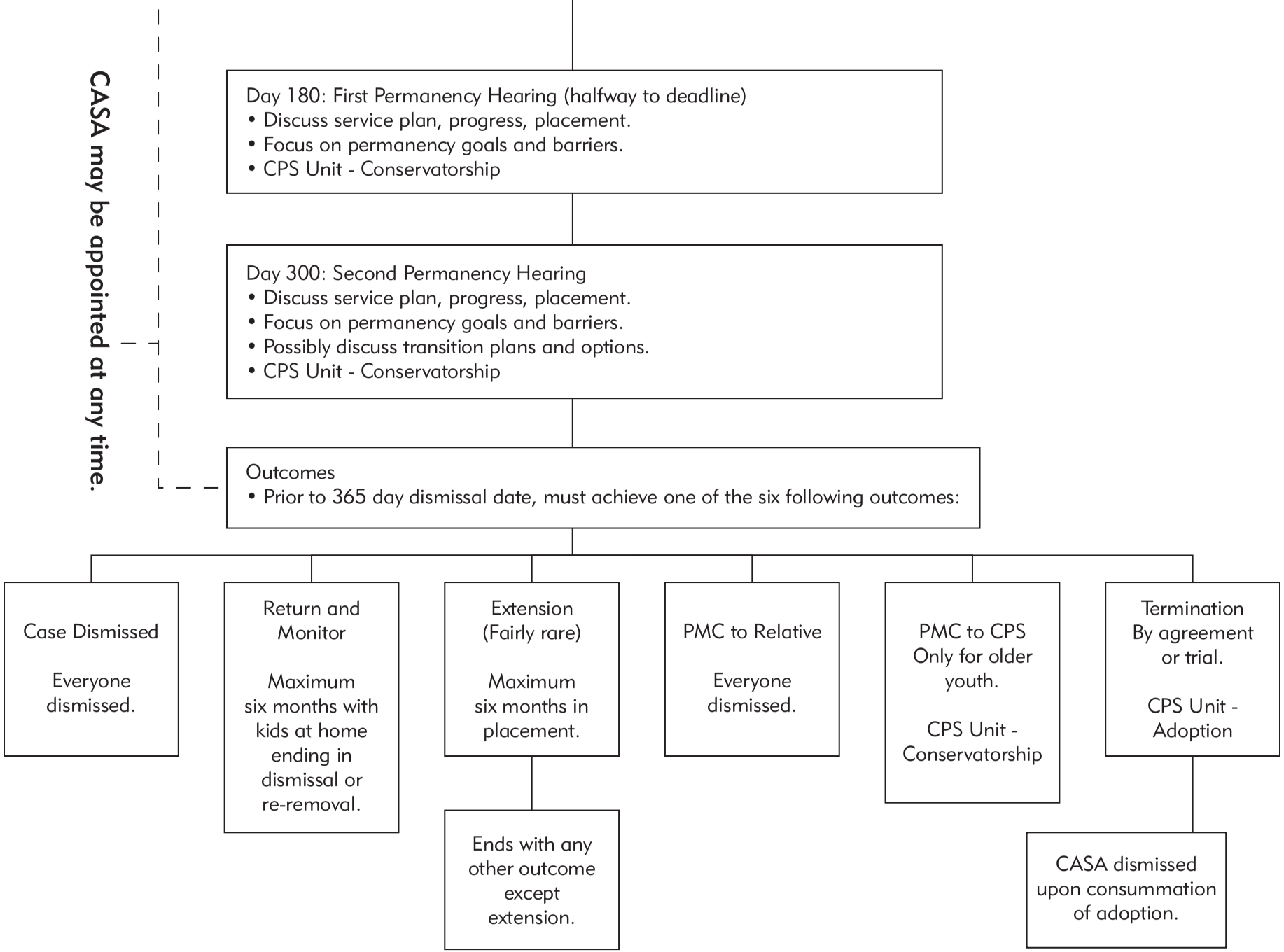
Visit the child(ren) in their placements regularly to ensure their safety and assess their needs. Keep track of whether the orders of the court and the plans of the CPS services agency are carried out, and report to the court or the CPS caseworkers when any of these parties do not follow those orders and plans.

Department of Family and Protective Services Units



Child Protective Services Process Flowchart




CASA may be appointed at any time.
Day 180: First Permanency Hearing (halfway to deadline)
• Discuss service plan, progress, placement.
• Focus on permanency goals and barriers.
• CPS Unit - Conservatorship
Day 300: Second Permanency Hearing
• Discuss service plan, progress, placement.
• Focus on permanency goals and barriers.
• Possibly discuss transition plans and options.
• CPS Unit - Conservatorship
Outcomes
• Prior to 365 day dismissal date, must achieve one of the six following outcomes:
Case Dismissed
Everyone dismissed.
Return and Monitor
Maximum six months with kids at home ending in dismissal or re-removal.
Extension (Fairly rare)
Maximum six months in placement.
Ends with any other outcome except extension.
PMC to Relative
Everyone dismissed.
PMC to CPS Only for older youth.
CPS Unit - Conservatorship
Termination By agreement or trial.
CPS Unit - Adoption
CASA dismissed upon consummation of adoption.

Child Protective Services Hearings

FBSS/COURT-ORDERED SERVICES HEARINGS

Chapter 264 or COS Review

Court-ordered services cases have review hearings around every three to four months. There is not a legal deadline for these cases. The focus is on both the children and the parents. CASA is expected to have a report and be present at the hearing to provide recommendations.

TEMPORARY MANAGING CONSERVATORSHIP HEARINGS

Ex Parte Hearing

Once a child is removed from a home, the case will need to be before a judge within 72 hours. Usually, only CPS is present at that point, so the hearing is called ex parte, meaning all parties are not present. This is when the attorney ad litem is generally appointed and often when CASA is appointed. CASA is not normally involved in a case at this point.

262 Hearing (Show Cause)

This hearing will happen about two weeks after the ex parte hearing. The name refers to the chapter of the Texas Family Code that requires a hearing in which the parents are present and can answer the allegations of abuse and neglect. CPS can start the service plan at this time to show the parents what they can complete for the case to move toward reunification. If CASA was appointed ex parte, CASA will be present at this hearing.

Status Hearing

This hearing takes place two months after the 262. This hearing will solidify the service plan and clarify what the parents need to be doing and address the services the children may need. CASA is expected to have a report and be present at the hearing to make recommendations.

First Permanency Hearing

This hearing takes place at six months from the beginning of the case. This is the approximate halfway point, and the judge wants to know where the case is going and how to get there. It is important to make sure all original concerns are addressed and there is a strong permanency plan and a strong concurrent plan. CASA is expected to have a report and be present at the hearing to make recommendations.

Second Permanency Hearing

Generally, four months after first permanency, there is another hearing to make sure everything is still on the right track. At this hearing, the judge wants to see the permanency plan being put into action. If the parents aren't working toward reunification, mediation and merits are generally requested. If the parents are doing well, discussion begins about the reunification plan and the possibility of return and monitoring. CASA is expected to have a report and be present at the hearing to make recommendations.

Third Permanency Hearing

Each case is different, and some do achieve legal permanency before this stage and therefore do not require a Third Permanency Hearing. At this point, the one-year time frame is nearly over and the court is moving toward permanency. In rare cases, a six-month extension can be requested. CASA is expected to have a report and be present at the hearing to make recommendations.

PERMANENT MANAGING CONSERVATORSHIP HEARINGS

Permanency Hearings After Final Orders

If the child stays in the Permanent Managing Conservatorship of CPS, there will be regular hearings approximately every four months. These hearings focus on the well-being of the child, school and medical needs, and the adoption process, if applicable. CASA is expected to have a report and be present at the hearing to make recommendations.

OTHER HEARINGS

Contested Placement Hearing

This hearing will be called if there is disagreement about a child's placement. CASA will be expected to have an opinion about the best interest, and a court report may be needed if applicable and appropriate.

Special Hearing or Motion for Further Orders

All parties, including CASA, have the ability to set a hearing. This can be done for any reason, and CASA is expected to attend any hearing that is set. CASA will be given notice of at least three business days. CASA will often receive a motion from the attorney setting the hearing explaining the nature of the hearing. A court report may be needed if applicable and appropriate.

The Roles in a Child Welfare Court Case

CHILD

Why is the child's case in court?

- A petition has been filed alleging abuse or neglect.

What does the child need during court intervention?

- The child needs the court to order an appropriate intervention and treatment plan so they can live in a safe, stable home without ongoing need for intervention from the child protection agency.
- The child needs the court to address the areas of safety and protection, placement if the child is out of the home, family contact, belonging to a family, financial support, a support system, education, and mental and physical health.
- The child needs the court intervention to be focused and timely.
- The child needs services provided that will meet their needs.

CASA VOLUNTEER/GUARDIAN AD LITEM

What does the CASA volunteer do in the case?

- Independently investigate the child's case (not the original allegations of abuse, but the child's ongoing situation).
- Determine the child's needs.
- Explore family and community resources to meet the child's needs.
- Make recommendations to the court.
- Advocate for the child.
- Monitor the case.
- Be the voice of what is in the child's best interest.
- Try to ensure the child's expressed wishes are represented as well, when they are in the child's best interest.

What does the CASA volunteer bring to the case?

- An interest in improving the life of the child through the court process.
- Time, energy and focus.
- Longevity and consistency.
- An "outside the system" point of view and an independent perspective.
- The community's standard for the care and protection of its children.

When is the CASA volunteer involved in the case?

- CASA as an agency can be appointed as early as the ex parte hearing. A volunteer then becomes involved as soon as one is available. This can be as early as a couple of weeks.

ATTORNEY FOR THE CHILD/ATTORNEY AD LITEM

What does the attorney for the child do in the case?

- Represent the child's wishes.
- Protect the child's legal rights in court.
- Advise the child on legal matters (if the child is old enough).
- File legal documents relevant to the child's case.

What does the attorney for the child bring to the case?

- Legal expertise, facilitation and negotiation skills, and courtroom experience.

When is the attorney for the child involved in the case?

- From the petition filing through the end of the court case.

What is the difference between the attorney ad litem and the CASA volunteer's role as the guardian ad litem?

- The attorney ad litem represents the child's wants, while the CASA volunteer/guardian ad litem represents what is in the child's best interest or what they need. For example, if a child tells their attorney they want to eat ice cream for every meal every day, the attorney has to represent that to the court. The CASA volunteer can then tell the court that the child needs to have a well-rounded diet, not entirely featuring ice cream, because they are representing the child's best interest. So keep that in mind: what the child wants may not always be in their best interest, and that is the CASA volunteer's job to represent.

PARENTS

Why are the parents involved in the case?

- They have been forced into this court action because a child protection agency asked the court to intervene to protect the child from maltreatment and/or to have their basic needs met.

- They need to comply with the child protection agency's intervention plan and correct the conditions that led to the child's removal, thereby effectively protecting their child and/or enabling their child to return home.
- They need to follow the orders of the court or risk having their parental rights terminated.

What do the parents bring to the case?

- Love for the child.
- Family ties and network of connections.
- Their history of parenting the child.
- Their knowledge of the child.
- Their own traditions and practices.
- Their level of ability and skill as parents.
- Their mental, emotional, and physical health or illness.
- Their support systems.
- Their housing and income, or lack of it.
- Their own issues and problems.
- Their own strengths and resources.

ATTORNEY FOR THE PARENT

What does the attorney for the parent do in the case?

- Represent the wishes of the parent or caretaker they represent.
- Protect the legal rights of the parent or caretaker in court.
- Advise the parent or caretaker on legal matters.
- File legal documents relevant to the case.

What does the attorney for the parent bring to the case?

- Legal expertise, facilitation and negotiation skills, and courtroom experience.

When is the attorney for the parent involved in the case?

- From the petition filing through the end of the court case or whenever the court appoints them.

CHILD PROTECTIVE SERVICES (CPS) CASEWORKER

What is the role of the CPS caseworker in the case?

- The caseworker initiates the case by completing a risk assessment process and, based on risk and/or substantiated allegations of abuse and/or neglect, determining the need for court intervention. The caseworker petitions the court to intervene on the child's behalf because:
  - They have developed an intervention plan with the family, which has not resulted in eliminating the risk that child maltreatment will recur, or
  - Due to risk of imminent danger, they have removed the child from their home to ensure the child's safety.
- The caseworker petitions the court to order that the agency's intervention and treatment plan be followed by the parents and other service providers, thereby ensuring the child receives proper care and protection without requiring continuous agency intervention.
- The caseworker is responsible for managing the case and arranging for court-ordered services to be provided to the child and the child's family.

What does the CPS caseworker bring to the case?

- Training in analyzing risk, assessing service needs and providing guidance to families.

- Direct services for families to provide them with the knowledge, skills, and resources necessary for change.
- Links to other service providers so that the family can access resources outside the child protective services system.

When is the CPS caseworker involved in the case?

- From the initial contact with the family and/or child until the case closes (CPS caseworkers will change throughout the case as it transfers to different departments).

ASSISTANT DISTRICT ATTORNEY FOR CHILD PROTECTIVE SERVICES

What does this attorney do in the case?

- Represent the position of Child Protective Services in court.
- Protect Child Protective Services from liability.
- Advise Child Protective Services regarding its responsibilities as outlined in the law.
- File legal documents relevant to the case.

What does this attorney bring to the case?

- Legal expertise, facilitation and negotiation skills, and courtroom experience.

When is this attorney involved in the case?

- From the petition filing through the end of the case.

JUDGE

What does the judge do in the case?

- Determines if there is a continued safety issue for the child that necessitates continued out-of-home placement if the child has been removed from home.
- Decides if the child meets the legal definition of abused or neglected, and, if so, orders services that will address the needs of the child.
- Orders appropriate reviews.
- Hears testimony, motions, etc., regarding the case.
- Approves the permanent plan for the child.
- Orders termination of parental rights when appropriate.
- Settles disputed adoption cases.
- Closes the court case when there is no longer a need for court intervention or when the permanent plan has been achieved.
- Files legal documents when it is necessary.

When is the judge involved in the case?

- From the request for emergency custody at the petition filing until the court case is closed (or, if the child is not removed from home, from the arraignment or adjudication hearing, depending on jurisdiction, until the court case is closed).

INDIAN CHILD'S TRIBE

What does the Indian child's tribe do in the case?

- Represent to the court the "best interest of the child" as defined by the Indian Child Welfare Act (ICWA).
- Ensure that the parents, the child, and the tribe have all the rights they are afforded pursuant to ICWA.

- Bring to the attention of the court personalized service options that meet the unique needs of the child and dispositional recommendations.
- Protect the tribe's interest in the child and ensure the preservation of the child's ties to the tribe and its resources.
- Where appropriate, offer or require that the tribe take jurisdiction of the matter
- File legal documents when it is necessary.

What does the tribe bring to the case?

- A special perspective on preservation of the child's ties to the tribe.
- Knowledge of relevant community traditions, practices and services that can be considered as potential resources for the child.