

# Legislative Advocacy Guide

## Texas CASA

### Fall 2013



**TEXASCASA**  
Court Appointed Special Advocates  
FOR CHILDREN

## WHY SHOULD CASA VOLUNTEERS ADVOCATE FOR CHILDREN IN THE CAPITOL?

- Legislators assume that if you don't show up, you must be satisfied with the status quo and indifferent to what happens.
- If you don't speak up, who will?
- Because it works! We can make a powerful impact on the child protection system by speaking up for children **at the Capitol** as well as in the courts.

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

*For the same reasons that they are effective advocates in court!*

- Volunteers are well-trained to speak up for children professionally yet persuasively;
- Legislators know that volunteers don't have financial incentives or other hidden agendas when they advocate. Their only motivation is the children's best interest;
- Volunteers are community members, constituents and voters. They bring that perspective and power to their advocacy;
- Volunteers can share personal case examples of how the child protection system works or doesn't work for individual children and families; and
- Volunteers are passionate about helping children and their passion is contagious.

Advocates from around  
Texas attend hearing  
regarding CASA budget



Rep. Marsha Farney and  
Sherita Lynch, CASA of  
Williamson County LAT chair  
and volunteer advocate



Lt. Gov. David Dewhurst with LAT  
Chair Cheryl Reed, CASA of the  
Coastal Bend and Anna Morris,  
Brush Country CASA

## WE ARE MAKING A DIFFERENCE!

### **CASA Priorities Achieved in the 83rd Texas Legislative Session**

#### **Strengthened CASA Advocacy for Children**

- SB 1 (Williams/Pitts): Appropriates \$21 million to Texas CASA for the 2014/15 biennium, a \$4 million increase over FY 2012/13.
- SB 425 (Nelson): Requires CPS to consult with CASA and AAL in placement decisions for a child unless an emergency renders consultation impossible.
- HB 1185 (Thompson/Longoria): Allows CASA and AALs to retain records re: children they represent for a reasonable time in case the child comes back into foster care at a later time.
- HB 1227 (Dukes): For more efficient information sharing, requires DFPS to give access to a child's electronic case file to that child's CASA.

#### **Improved the Quality of Foster Care for Children**

- SB 1 (Williams/Pitts): Appropriates funding for additional CPS employees to reduce caseloads and turnover, for additional services, and for an increase in foster care reimbursement rates.
- SB 425 (Nelson): Requires CPS to consult with CASA and AAL in placement decisions for a child unless an emergency renders consultation impossible.
- SB 534 (West) (Sponsor: Dukes) (includes language from HB 3399 (Raymond)) –Requires foster care providers to include in their notices to discharge a child the reason for the discharge and the provider's recommendation for a more stable placement. Requires the CPS court report at placement review hearings to address any changes in placement that have occurred and describe any barriers to sustaining placement.

#### **Improved Mental Health Services for Children in DFPS Legal Custody**

- HB 915 (Kolkhorst/Gonzalez, N./Burkett/Naishtat/Dukes): Strengthens informed consent and judicial review of psychotropic medication use to treat children in foster care. Requires in-person medication review with prescribing physician every 90 days. Expands protections to children from other states in CPS custody.

### **Improved CPS Management and Performance**

- SB 1 (Williams/Pitts) Appropriates funding for additional CPS employees to reduce caseloads and turnover.
- SB 771 (Uresti/Nelson) (Sponsor: Raymond) – Requires CPS to develop an employee training program in management skills for employees in management positions.

### **Improved Educational Outcomes for Children in CPS Custody**

- SB 832 (Davis): Requires the Texas Education Agency to maintain a list of district foster care liaisons and provide training to liaisons on facilitating enrollment or transfer of children in CPS custody.
- SB 833 (Davis): Requires the Texas Education Agency to aggregate data in schools databases re: children in CPS custody in order to study trends and needs.
- SB 1404 (Patrick/Uresti): Provides protections for high school students in DFPS custody who are transferred into different school districts including exceptions for course completion and graduation.
- HB 2619 (Naishtat): Allows a child in CPS custody and placed outside their home school's jurisdiction to attend their home school. Requires GAL's and AAL's to report to the court on their efforts to address the educational needs of the children they represent. Allows the court to appoint a surrogate parent, which can be a CASA, when necessary to ensure the educational rights of a child eligible for a district's special education program are protected. Requires school districts to provide notice to a child's educational decision maker and caseworker regarding events that may significantly impact the education of a child. Requires school districts to excuse a child from school to attend a mental health or therapy appointment.

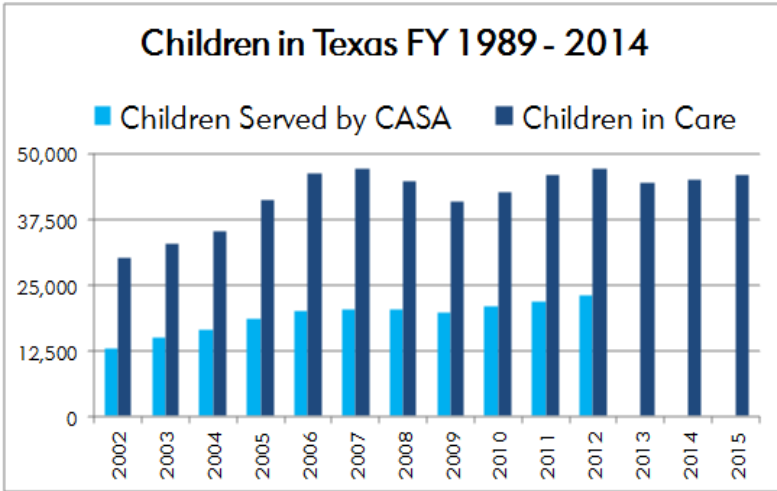
### **Improved Court System Response to Domestic Violence in CPS**

#### **Cases**

- SB 130 (Nelson/Garcia): Ensures that prosecutors who represent CPS are not precluded from assisting victims of domestic violence in obtaining protective orders.



## BUT WE STILL A HAVE A LONG WAY TO GO.



1) Only half of the children in care have a CASA.

2) We must continue to advocate for improvements to the child welfare system. Based on feedback from the CASA network, we are advocating that the legislature study the following issues during the legislative interim:

- Improving the caregiving in foster care for traumatized children;
- Increasing support for relatives who want to care for children rather than resorting to foster care;
- Fostering healthy relationships between children in care and their family and extended family; and
- Improving support for transitioning youth.

3) Sunset review of DFPS gives us an opportunity to reform the system.

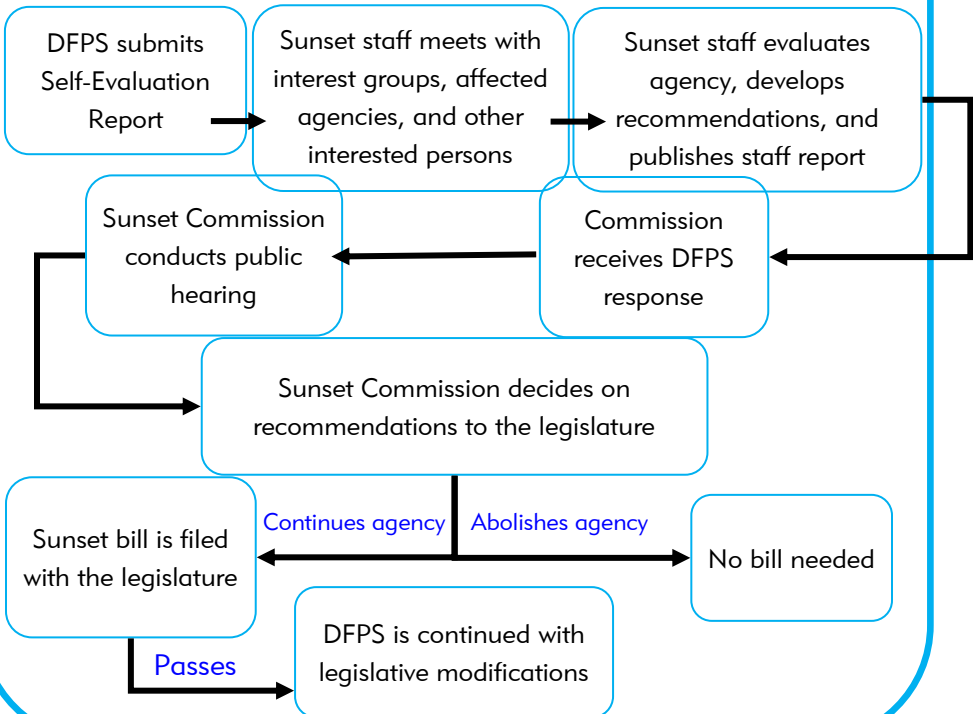
# Sunset Review of DFPS

The **Sunset Advisory Commission** is a group of five state senators, five state representatives, and two members of the public. It evaluates state agencies to determine if they are still needed, if they are effective, and how they could be more efficient. If the Commission decides the agency needs to make changes, it will include those changes in the legislation that authorizes the agency to continue to exist.

**DFPS is up for review in 2015!** CASA is already being asked for input. We will have the opportunity to submit our own written recommendations and testify at hearings. To do this we need to hear from YOU! **Please read Section 9 of the DFPS self-evaluation**

([https://www.dfps.state.tx.us/About\\_DFPS/sunset.asp](https://www.dfps.state.tx.us/About_DFPS/sunset.asp))

**and send us your feedback on this section and any other ideas for improvement of DFPS you have at [cmasters@texascasa.org](mailto:cmasters@texascasa.org). They've asked for a deadline of December 16th, so please start reading!**



# TEXAS CASA'S RECOMMENDATIONS FOR INTERIM CHARGES FOR THE 83RD LEGISLATIVE INTERIM

*Legislative committees often use the time in-between sessions (the "interim") to conduct in-depth studies and hold hearings on important issues. The committees report on their findings to the full legislature. Some of the issues studied become the subject of legislation the following session. Based on input received from CASA advocates, we submitted the following recommendations as items worth interim study.*

## **Improving the caregiving in foster care for traumatized children**

1) Research models of relationship based, trauma-informed caregiving for children in foster care. Determine which models would most likely provide the best outcomes for abused and neglected children and identify barriers to implementing such models in Texas. Make recommendations for implementation.

## **Increasing support for relatives who want to care for children instead of resorting to foster care**

2) Research child protection models where relatives of abused and neglected children are provided timely supports and resources that enable them to care for children instead of resorting to paid foster care. Determine whether the Texas child protection system could achieve better outcomes for children and could realize costs savings by increasing the number of relatives willing and able to care for children and decreasing amounts spent on paid foster care. Make recommendations for implementation.



### **Fostering healthy relationships between children in care and their family and extended family**

3) Research services that would allow a child placed in the state's conservatorship (either temporarily or permanently) to continue to engage in a healthy and safe manner, when possible, with their parents and relatives throughout their time in the system.

### **Improving support for transitioning youth**

4) Assess the effectiveness of current adult preparation programs and services offered to youth exiting the foster care system. Recommend improvements, including providing a system of support and guidance, to improve outcomes.

*Do you have any stories that might help support these recommendations? Send an email to Cristina Masters, Legislative Advocacy Coordinator, at [cmasters@texascasa.org](mailto:cmasters@texascasa.org) and let her know!*



# WHY SHOULD WE ADVOCATE OUTSIDE OF THE LEGISLATIVE SESSION?

Just like most things, legislative advocacy is all about relationships. In order for legislators to help us during session, we need to build relationships with them outside of session.

Remember: although legislating is a full-time job, legislators don't get paid enough to make it their only profession! Most legislators have jobs outside of the Capitol. They are doctors, lawyers, businessmen, and many other things ... So keep in



mind they might not always be able to meet with you. If you are scheduled to meet with a member of staff, go ahead and take the meeting—the staffer will report on your meeting to the legislator. Legislative staff are very influential to their bosses.

The important thing is to **make your presence known**. We don't want to only appear during session! **Invite your legislator and their staff to special events**, such as swearing-in ceremonies, board meetings, or other events that you think would be appropriate. **Invite them to your office for a meet and greet** with other advocates and program staff. **Write them letters** to let them know about important issues that are on our radar, such as foster care redesign or Sunset Review of DFPS. Keep them informed and engaged!

## TIPS FOR CASA ADVOCACY

**Subscribe to our Capitol Beat newsletter.** Keep up to date with our work with the legislature, including calls to action!  
<http://texascasa.org/about/legislative-advocacy/>

**Develop strong relationships with legislative staff.** The district director, legislative director and/or chief of staff are very important, but even the receptionist can help with your advocacy efforts. Staffers will be your main contact during session. These are also the people who do the leg work, research the bills, get background information and keep the legislator versed on current issues and/or bills. Explaining your concerns and suggestions to them will help get your issue before the legislator.

**Talk about the challenges of the system without badmouthing or blaming** CPS, attorneys, judges or foster homes. Badmouthing can diminish your and CASA's integrity.

**Tell a CASA story** (without giving names or other identifying information). Legislators and staffers meet with people every day all day long about statistics and economics and policies. Stories are what grabs their attention, what they remember and what pulls at their heartstrings.

**You don't need to be an expert** on child welfare statistics or the budget to make the case for CASA. Your CASA story as a volunteer and your experiences on individual cases, your passion to help children, the fact that you are volunteer and a constituent go a long way.

**Thank legislators and their staff constantly.** You can never thank them enough.

**Remind them what CASA is and what we do.** Don't assume they know because they already support CASA or because they say they know. They don't. Even our biggest supporters don't really get it. Yet.

# THE TEXAS LEGISLATURE

What: The Texas Legislature is the legislative body that **makes state laws from the State Capitol in Austin**. The Texas Legislature is made up of **150 House Members** and **31 Senators**. The Speaker of the House (chosen each session by his colleagues) leads the House. The Lieutenant Governor (chosen in a statewide election every four years) leads the Senate. The Governor has the power to prioritize certain legislation by declaring it emergency legislation and can sign bills (or allow them to become law without his signature) or veto bills after they are passed by the legislature.

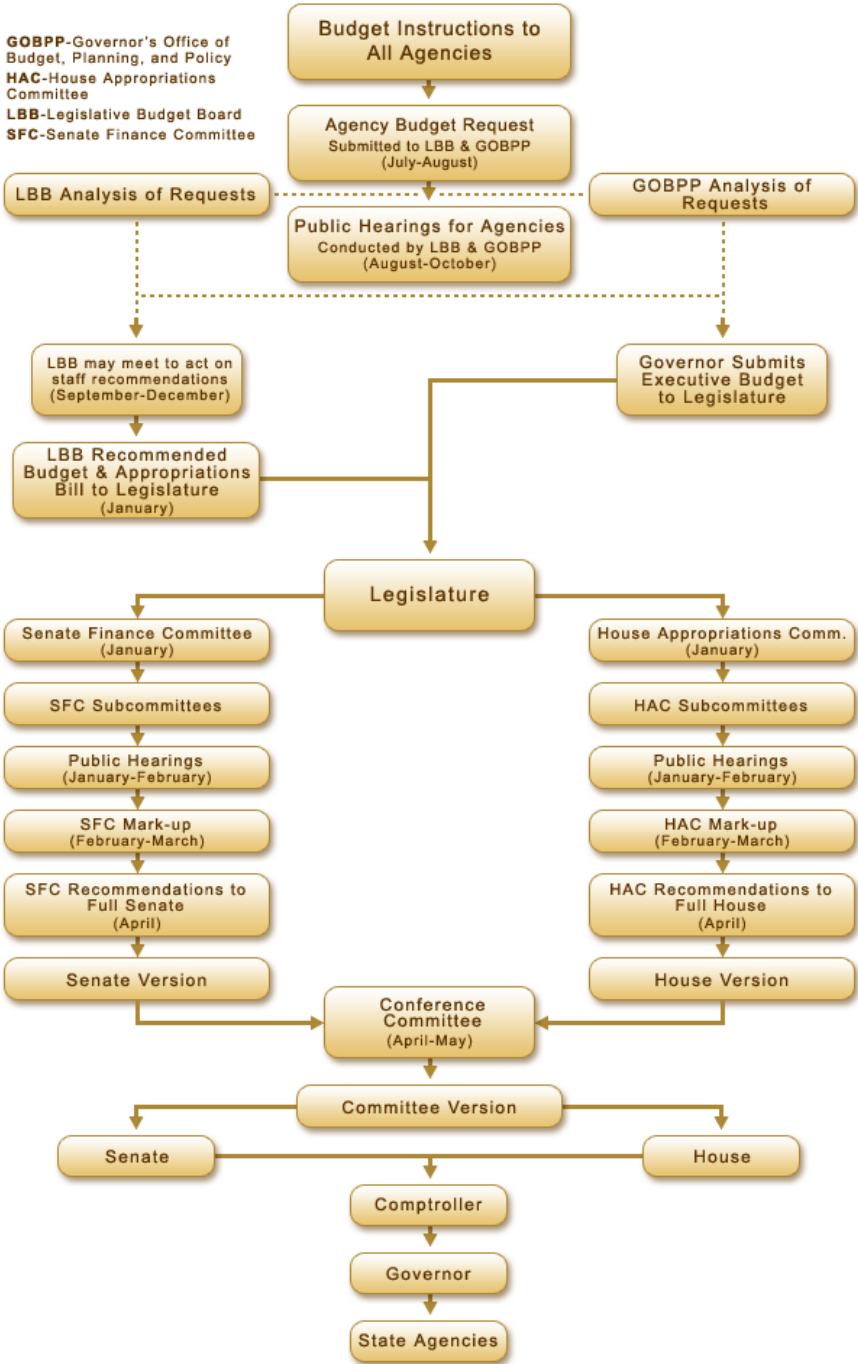
Who: In the 83rd (most recent) Texas legislative session, there were **95 Republicans and 55 Democrats in the House, and 19 Republicans and 12 Democrats in the Senate**. There were 119 male House members and 31 female House members and 25 male Senators and 6 female Senators.

When: **Regular Session is held every other year, in odd-numbered years, for 140 days starting in January**. Special sessions can be called by the Governor for up to 30 days at a time to address specific legislative matters. The time in between regular sessions is called the "Interim". During the Interim, the Lieutenant Governor and Speaker charge legislative committees with studying specific issues that may be left over from last session or gaining importance leading up to the next session. Committees usually hold hearings, including taking public testimony, on specific issues and then complete reports on these issues in the months before the legislative session.

Where: Legislators convene in the **State Capitol in Austin** but do **much of their work in their home districts**, including meeting with constituents about legislative issues. Most legislators work separate, full-time jobs in addition to their work as legislators, which require them to be in their home districts.

# TEXAS BIENNIAL BUDGET CYCLE CHART

**GOBPP**-Governor's Office of Budget, Planning, and Policy  
**HAC**-House Appropriations Committee  
**LBB**-Legislative Budget Board  
**SFC**-Senate Finance Committee



## THE U.S. CONGRESS AND THE TEXAS LEGISLATURE

CASA also advocates for children in the U.S. Congress in Washington, D.C., which enacts federal budgets and laws. While the vast majority of issues impacting CASA and the children we represent are addressed at the state level, much of the funding for the foster care system is paid for and regulated by federal law. For example, 60% of foster care payments are funded by the federal government with the state providing a 40% match. The state also sets the rates. In addition, federal VOCA (Victim of Crime Act funding) and National CASA funding is an important source of financial support for CASA programs.

Congress' legislative process is similar in many ways to Texas' but with a few key differences:

- The Texas Legislature is part time, meeting only from January through May in odd-numbered years, unless the Governor calls a special session. Congress is in session every year and year-round, except for a few short recesses.
- The Texas Legislature has 31 senators for each of the 31 senatorial districts, and 150 Representatives in the House according to House districts. Congress has 100 senators, two for each state that represent the whole state. Texas has 36 Congressmen and Congresswomen in the 435-member U.S. House of Representatives.
- Unlike the Texas Legislature, the U.S. Congress also has designated and formalized leadership roles for the two main political parties, Republican and Democratic, according to which party is in the majority. In the House, in addition to the Speaker John Boehner, there is a Majority Leader Eric Cantor, a Republican, and his counterpart, the Minority Leader Nancy Pelosi, a Democrat. In the Senate, in addition to Vice President Joe Biden, there is a Majority Leader Harry Reid, Democrat, and Minority Leader Mitch McConnell, Republican.



# CONTACTING YOUR LEGISLATORS

## TEXAS

### **Lieutenant Governor**

The Honorable (full name)  
Lieutenant Governor of Texas  
P.O. Box 12068  
Austin, TX 78711-2068  
*Salutation:*  
Dear Governor (last name):

### **Speaker of the House**

The Honorable (full name)  
Speaker of the House  
Texas House of Representatives  
P.O. Box 2910  
Austin, TX 78768-2910  
*Salutation:*  
Dear Mr. (last name): or  
Dear Speaker (last name):

### **State Senator**

The Honorable (full name)  
Texas Senate  
P.O. Box 12068  
Austin, TX 78711-2068  
*Salutation:*  
Dear Senator (last name):

### **State Representative**

The Honorable (full name)  
Texas House of Representatives  
P.O. Box 2910  
Austin, TX 78768-2910  
*Salutation:*  
Dear Representative (last name):

## U.S.

**NOTE: Because of security measures at the U.S. Capitol, it can take a few weeks for mail to be delivered. Therefore, it is better to email your U.S. Senators and Representatives to get your message their on time or send a letter to their district office. But letters sent by mail are generally more effective than emails.**

**Go to**  
**[www.fyi.legis.state.tx.us/](http://www.fyi.legis.state.tx.us/)**  
**to find your U.S. and Texas representatives.**



## ADDITIONAL RESOURCES

### **Texas CASA Capitol Beat**

Subscribe at

<http://texascasa.org/about/legislative-advocacy/>

### **Texas Legislature Online**

Statutes, legislation, reports, committees, hearings, etc.

<http://www.capitol.state.tx.us>

### **CPS Handbook**

Policies with references to laws and regulations

<http://www.dfps.state.tx.us>

### **Citizens Handbook to the Legislature:**

[http://www.senate.state.tx.us/assets/pdf/2007\\_Citizen\\_Handbook.pdf](http://www.senate.state.tx.us/assets/pdf/2007_Citizen_Handbook.pdf)

### **How a bill progresses through the Legislature**

<http://www.tlc.state.tx.us/gtli/legproc/process.html>

### **How to follow a bill through the process**

<http://www.legis.state.tx.us/resources/followabill.aspx>

### **Who Represents Me?**

<http://www.fyi.legis.state.tx.us/>

### **Texas Tribune**

Bios and directories of legislators, updates on the session, data on legislative issues

<http://www.texastribune.org>