

AGREEMENT BETWEEN

TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

and

COURT APPOINTED SPECIAL ADVOCATES OF THE SOUTH PLAINS, INC.

I. Introduction. The following Memorandum of Understanding (MOU) signed by the Texas Department of Family and Protective (DFPS), Child Protective Services division (CPS) and Court Appointed Special Advocates of the South Plains, Inc. (CASA) represents guidelines for a mutually agreeable working relationship between CPS and CASA. Each agency is committed toward working together for the common goals of moving every child through the foster care system in a timely manner and finding a safe and permanent home for each child. CPS and CASA will not always agree, however, these guidelines are designed to facilitate an open style of communication between CPS in the Lubbock region and the local CASA programs- CASA of the South Plains. The mutual goal is to help the courts achieve permanency for children as quickly as possible.

II. Appointment.

- A. CASA of the South Plains, once appointed to a case, will notify the district attorney, CPS caseworker, and others involved in the suit of its acceptance to the case. Request for a CASA volunteer can also be made at a later date only by notifying the CASA Executive Director or Program Director that the request is being made.
- B. For the term of the appointment of CASA, the volunteer advocate and the CPS caseworker for the child will remain in contact conveying necessary information regarding the status of the case. The CPS caseworker and CASA volunteer advocate will respond to all email or telephone communication within three days' time from the date of the original email or telephone communication.
- C. The CASA volunteer advocate is a sworn officer of the court who remains active on the case until legal permanency is attained for the child(ren) or as directed by the court.
- D. In any case in which CASA serves as the guardian ad litem for the child(ren), the provisions of this agreement shall not be construed to place any limitation on the powers and duties of the guardian ad litem, as contained in Section 107.002 of the Texas Family Code.

III. Confidentiality.

A. Section

Access to Records:

1. CASA is entitled to CPS records pursuant to the Texas Family Code.

2. CPS will forward all case related paperwork (including home studies, adoptive studies, psychological evaluations and reports from professionals or agencies other than CPS) to CASA of the South Plains within one week's time of when CPS received this information. This will be done by placing the information in the designated CASA box or via fax, mail or email. No information should be sent to the individual homes of the volunteer advocates. If records are faxed or mailed a cover letter should accompany the records stating "this information is bound by federal and state confidentiality laws and violation of these laws could result in criminal and/or civil penalties."
3. CASA volunteers will have access to the case record in the CPS office. The file will be made available by appointment.
4. If CASA is appointed to a case, which is still in the investigative process, the CASA volunteer can get verbal information from the CPS caseworker until documents are received.
5. The CASA volunteer will review the case after completing required training, after having been sworn in as an officer of the court, and after having signed an Oath of Confidentiality and after signing a "Certificate of Acceptance" form.
6. The CASA volunteer will call to make an appointment with the CPS caseworker or supervisor in order to read the case file and discuss the case. The CASA volunteer will maintain contact with the caseworker on a monthly basis throughout the life of a case.
7. The CPS worker is notified in writing that a CASA volunteer has been assigned to a case.

Introduction to the Child:

1. The CASA volunteer will obtain the name and number of the foster parent (or placement) through the CPS worker. Foster parents should be given adequate notice prior to home visits by a CASA volunteer. If CASA has concerns about the child's placement, CASA should report the concerns to CPS. If CASA sees a need to make an unannounced foster home visit, CASA will first notify CPS as to the concern and intent to visit. If the concern is substantiated, CASA will immediately notify the CPS caseworker.
2. It is not necessary for the CPS caseworker to accompany the CASA Volunteer on visits to the foster home. The volunteer has been trained to explain the purpose of the program, should a foster parent not be acquainted with CASA.

Represent the Child's Best Interest:

1. CASA advocates will ensure that a Case Plan, Education Portfolio, and Health Passport have been created for each child;
2. CASA advocates will provide input for the Health Social Educational and Genetic History report (HSEGH), profile in TARE, Life Book, targeted recruitment and preparation for adoption;

3. CASA advocates will participate in Permanency Planning Meetings, Transition Planning Meetings, Discharge Planning Meetings, and Adoption Selection Staffing. Participate in the Family Group Decision-Making Meetings (Family Group Conferences, Family Team Meetings, and Circles of Support) per protocol. CASA may assist CPS in the engagement of family member and children in Family Group Conference Decision Making Meetings;
4. The CASA volunteer and CASA Supervisor will review home studies of prospective adoptive families that are determined eligible by CPS and will be invited to participate in the selection staffing for the child or children. CASA will offer an opinion as to the appropriateness of a potential family to CPS and the court.
5. CASA advocates will participate in mediation regarding access to, conservatorship of, or any other issue related to the child;
6. CASA advocates will review the medical care provided to the child and seek to elicit, in a developmentally appropriate manner, the child's opinion on the medical care provided.

Notification of Staffings/Meetings:

1. The CPS caseworker will notify the CASA staff of any and all formal meetings at least two weeks in advance via mail or email. Formal meeting (or "staffings") occur when those people external to the agency are brought together to discuss the direction of the case and the best interest of the child. In the event that an emergency meeting takes place, the CPS caseworker will notify the CASA staff verbally and via email. Professionals invited to the meeting may include but are not limited to therapists, foster parents, CPS caseworkers, CASA volunteers and staff, and attorneys.

Hearings:

1. CASA will attend all judicial review hearings. The court should notify CASA of the time and date.
2. Questions about services for the child or family should be raised with the CPS caseworker and/or his/her CPS supervisor prior to the hearings. Also, prior to court hearings and as early as possible, the CPS caseworker and CASA volunteer will share his/her recommendations for the purpose of clarification.
3. When CPS is requesting a dismissal, CASA will be notified at least one week in advance.

Independent Recommendations:

1. The CASA volunteer works closely with the attorney ad litem but submits an independent recommendation to the court. The recommendation may or may not be in accordance with the attorney or CPS.

Handling Disagreements:

1. Difficulties on specific cases concerning the roles, relationships or procedures between CASA and CPS should be handled between the CASA volunteer and supervisor and the CPS caseworker and supervisor. If no resolution is reached, the CPS Program Director and the CASA Program Director or Executive Director should be notified. When concerns arise about specific CPS caseworkers, the CASA Volunteer Supervisor will contact the CPS Supervisor directly regarding the issue.
2. When differences of opinion exist between CASA and CPS as to the best interest of the child, every effort will be made to reach a satisfactory conclusion prior to the court appearance. This may necessitate a meeting of all parties concerned, and either CPS or CASA may ask for the meeting.
3. Realizing that CASA and CPS may not always agree on a case, CASA and CPS will at least have shared all issues and concerns as soon as they are identified.

Training:

1. CPS shall participate and assist in the orientation/training of CASA volunteers, giving presentations about the agency and its roles and responsibilities. The External Specialist or designee will make these presentations.
 - a.) CASA volunteers will be allowed to ride along with CPS workers as part of their initial volunteer training once all classroom training is complete, the criminal and child abuse registry back ground checks have been received and approved and the volunteer has taken an oath of confidentiality. All arrangements for the ride along trainings will be made between the CASA Training Director, or designee, and the CPS Program Director, or designee.
2. CASA shall participate and assist in the training of CPS caseworkers, giving presentations about the agency and its roles and responsibilities. The Program Director, Executive Director or designee will make these presentations.
3. Whenever possible, in-service training will be a joint effort between CPS and CASA.

Notification of Changes:

1. The CPS caseworker will notify CASA of any changes relating to the child (placement prior to move, if possible, placement disruptions, runaways, hospitalizations).
2. The CPS caseworker will notify CASA of any changes in visitation schedules if possible 24 hours in advance.
3. The CPS caseworker will notify CASA of any possible relative placements.

Reporting Child Abuse:

1. If an outcry or new information or an incident of child abuse or neglect is conveyed to the CASA volunteer, that new information must be reported immediately to CPS Intake. This information will also be shared with the CPS caseworker or supervisor.

Adoptions:

CPS and CASA recognize that adoption is a sensitive matter. All efforts shall be made to share information so that adoption may be accomplished as expeditiously as possible. Recognizing this:

1. CPS has responsibility for selecting the appropriate adoptive parents and home for the child.
2. It is permissible for CPS to show the CASA supervisor the home studies for the families under consideration for adoption.
3. CPS shall consider CASA's recommendations in making a decision.
4. CPS will notify CASA of the date and time of the Adoption Hearing.

CASA Executive Director

DFPS Regional Director

Date

Date