

## Political Science 4370 and 3354

*Court-Appointed Special Advocates (CASA) Clinical Course:*

# ***Children's Rights Law & Advocacy, 2021-2022***

**(3 credits for the full 12-month commitment: August 2021-August 2022)**

**Location** Miners Hall 104

**CRN** 16754 (Pols 4370—Fall Semester)  
19862 (Pols 3354—Fall Semester)

**Time/Days** **CASA Training Classes** (Online)  
Throughout August 2021 per CASA of El Paso Schedule  
+ *Court observation and online modules as assigned*  
+ *Swearing In Ceremony*

**Fall Semester** (Miners Hall 104) (In Person)

**Friday, August 27, 2021, noon-2:00 p.m.: team and case assignments**

**CASA Case Staffings in Red:**

**CASA Inservice Classes in Blue:**

**Friday, September 10, 2021, noon-2:00 p.m.**

**Friday, September 24, 2021, noon-2:00 p.m.**

**Friday, October 8, 2021, noon-2:00 p.m.**

**Friday, October 22, 2021, noon-2:00 p.m.**

**Friday, November 5, 2021, noon-2:00 p.m.**

**Friday, November 19, 2021, noon-2:00 p.m.**

**Friday, December 3, 2021, noon-2:00 p.m.**

**Friday, December 17, 2021, noon-2:00 p.m.**

+*Communication on individual case WhatsApp groups*

+*One meeting per case team over winter break*

+*Optima system updates timely produced (within 24 hours)*

+*Court reports as required for court hearings—see below*

+**Court Proceedings** as scheduled per case-*State Courthouse—*

*11<sup>th</sup> Floor*

**Professor** Lisa J Soto, Esq. ([lsoto9@utep.edu](mailto:lsoto9@utep.edu))

**Office** Miners Hall 107

**Phone** 915-747-8581 or x8581 on campus

**Office Hours** T, W, Th 2:00 p.m.-4:00 p.m. & by appt (virtual or in person)

**CASA of El Paso Supervisor:** Ana Dominguez-Gardenhire ([adgardenire@casaoelpaso.org](mailto:adgardenire@casaoelpaso.org))

## Course Description

After having completed an application, passed screening and background checks, undergone preliminary training, and been sworn in as Court Appointed Special Advocates (“CASAs”) through CASA of El Paso, students enrolled in this year-long course will learn about Texas law pertaining to the protection of children from abuse and neglect and the proceedings associated with the removal of children from their homes. Students will be assigned to teams and will serve together as CASAs for children who are removed from their homes, and in most cases, placed in foster or kinship care in El Paso County. Students will fulfill the duties and responsibilities of CASAs pursuant to the Texas Family Code from the time they are court-appointed to a case to the time they are released by the court from their duties. In that capacity, students will investigate all aspects of each case and visit with the children assigned to them to advocate for the best interest of the children during court proceedings. They will keep timely notes and records on the Optima system and prepare detailed reports and recommendations to the court prior to each proceeding. In inservice classes, students will learn about various children’s rights topics as they pertain to the children we represent, such as: professional ethics in advocacy; testifying in court; standards and legal requirements for removal and case proceedings through permanent placement; how parties may legally intervene in these cases; grounds for termination of parental rights; laws pertaining to educating youth with special needs; services and preparation for children aging out of the foster care system; mental health issues in children; interviewing children; case mediation; the experience from the child’s perspective, biological parent perspective, foster parent perspective, Department perspective; etc.

The aims of this course include your ability to:

- Articulate what constitutes child abuse and neglect under Texas law
- Understand the legal meaning of “minimum sufficient level of care” in this context
- Advocate for the best interest of children in the system, both on written reports and recommendations to the court and orally in court (and in so doing, understand and act to protect the educational, physical, and psychological needs of the children in the child protection system, with the ultimate goal of finding safe, permanent placement for the children)
- Understand the history and development of child abuse and neglect laws
- Identify applicable state, tribal, and local laws and how they guide our work as CASAs
- Understand how a child abuse or neglect case enters the child protection system
- Recognize and understand the various legal hearings associated with these cases and what occurs at each point in the process
- Gain confidence in preparing for and presenting information in court proceedings
- Understand the legal grounds for termination of parental rights
- Understand educational rights of children with special needs
- Work collaboratively and in a culturally competent manner with all involved in the cases
- Understand the potential impacts of mental illness, substance abuse and addiction, domestic violence, and other challenges in child abuse and neglect cases
- Maintain and respect the confidentiality of the cases and related information

- Plan and complete thorough investigations in each case to uncover all information necessary to make informed recommendations
- Follow local CASA program requirements in terms of case assignment, obtaining records, submitting court reports, documenting time and case activities/updates, and maintaining personal safety while engaging in this work

## Required Texts & Materials

*The National Court Appointed Special Advocate Association CASA/GAL Pre-Service Volunteer Training Curriculum materials, including Volunteer Manual Chapters One through Eight and pre-work handouts and online materials associated with each chapter*

Supplemental Course Materials: various handouts, instructional material, and resource materials will be provided throughout the year on Blackboard

## Assignments/Requirements

CASA of El Paso will assign each team of students to individual cases involving children in the child welfare system. Team members are jointly and severally responsible for adhering to the minimum standards required of CASAs and must fulfill all responsibilities required of CASAs pursuant to the Texas Family Code duties of the Guardian Ad Litem, as provided in training. You will also be assigned one final group project and presentation in the spring semester.

As each child's needs, situation, and proceedings will be different, team members are required to confer with the supervisory team when determining the proper course of action in each case.

### ***COURT REPORTS***

Team members are jointly and severally responsible for submitting a written court report, in the required format, via email to Professor Soto ***no later than 15 calendar days prior to each court proceeding*** related to your assigned cases so that Professor Soto may review the reports prior to submitting them to Ms. Dominguez-Gardenhire at CASA of El Paso for filing.

You are expected to produce thorough, high quality, sophisticated reports with well-founded recommendations. Every recommendation must be premised upon information that you have researched, observed, and/or gathered. A part of the quality is the appearance of your work. Neatness, visual appeal, and mechanical and grammatical correctness matter. I expect you to proofread and edit each submission; spell check is not a sufficient method of proofreading for grammar or for spelling.

### ***COURT PROCEEDINGS***

Team members are jointly and severally responsible for attending and advocating in court proceedings related to their assigned cases.

### ***RECORD OF WORK***

Each student is required to input detailed notes and accurate time records of work on each case into the **Optima** system ***WITHIN 24 HOURS*** of performing the work so as to keep the team

and supervisors apprised of all case-related information. You are able to access the Optima system from any electronic device.

*ON THE WEDNESDAY* before each case staffing class, each team is required to work together to provide an **running court report** on your case via email to Professor Soto and Ms. Dominguez-Gardenhire regardless of whether you will be in attendance at the case staffing. The running court report should be highly detailed and include all updates since the last case staffing class. In case staffing classes, we will discuss the cases and case strategy going forward. The running court report can be condensed to provide the most relevant and current information for the court when your court reports are due 15 days prior to each hearing.

### ***CONFIDENTIALITY***

As addressed and agreed to in the CASA of El Paso training, remembers that you must preserve and protect the privacy, confidentiality, and security of all confidential information relating to your assigned case and CASA of El Paso in accordance with applicable laws and program procedure. You must only access, use, and disclose confidential information in the performance of your CASA duties, when required or permitted by law, and disclose information only to persons who have a right to receive that information. When using or disclosing confidential information, you will use or disclose only the minimum information necessary. You will discuss confidential information in class and for case work-related purposes only. You must not knowingly discuss any confidential information within hearing distance of other persons who do not have the right to receive the information. You must protect all confidential information disclosed to you in the course of your work and relationship with CASA of El Paso, even after you are no longer a CASA or assigned to a case.

## **Grading**

Final grades will be determined by your timeliness, good judgment, attention to detail, maintenance of confidentiality, and thorough, quality coverage and fulfillment of duties in each case assigned to your team. Your written court reports, Optima notes and records, and oral advocacy in the court proceedings will be considered in grading. Excellent overall advocacy for the best interests of the children assigned to you, as articulated in the CASA training and as expected of each student, will merit a top grade. Grades will not be communicated via email.

## **Attendance**

Attendance in class is mandatory regardless of whether you are taking the class for credit or not. University policy requires that you attend every class and case staffing. If you are absent, for whatever reason, you are responsible for finding out about missed information. Missing more than a total of two inservice or case staffing classes throughout the year without an approved excuse will result in your final grade being lowered up to two full letter grades. Persistent tardiness and early exits count as absence. Please be in class and be on time.

Attendance is also mandatory for court proceedings pertaining to your assigned children. Team members must share equally in the responsibilities of each case assigned to them, and must take turns as the primary oral advocate in court proceedings.

## **Conduct**

As you know, this course is unique at the undergraduate level and is designed to provide a much needed service to children in the child welfare system as well as to provide you with advanced preparation for law school and sharpen your analytical and written and oral advocacy skills. The subject matter is highly sensitive and critical in children's lives. I expect nothing less than respect for and professional treatment of everyone in class and on the cases regardless of your personal beliefs or any propensity to make moral judgments. I expect you to do your work in the best interest of the children you represent according to the legal requirements applicable to us, regardless of how difficult it may be. You may disagree with the beliefs of others, and I encourage you in class to voice such disagreement in the pursuit of exploring the best interests of the children. However, personal insult and rudeness will not be tolerated. Instead, fervent discussion toward the ends we are trying to achieve as dictated by the law is the goal so that we may objectively and thoroughly evaluate information with as little bias as possible.

## **Withdrawals and Drops from Class; Discharge from Cases**

I reserve the right to drop anyone from the course on account of lack of participation, lack of effort, lack of quality performance, failure to complete the case requirements, or poor attendance. I am not required to drop a student for these failures; it is your duty to initiate a course withdrawal if you are unable to complete the course as prescribed. If you cannot complete the course as prescribed without an approved excuse, you do not file for a timely withdrawal, and I do not drop you of my own volition, you will receive an "F" for the course.

If you are not meeting your CASA duties and minimum requirements or not otherwise following the proscribed rules of your role as a CASA, you may be discharged from your case(s). I encourage and expect you to be forthcoming and proactive in communicating any concerns or limitations that you may have during the course of your case(s) so the supervisory team may help and nothing on the cases falls through the cracks.

## **Accommodations**

I am committed to following the laws that pertain to individuals with disabilities and making reasonable accommodations, in accordance with the applicable law, in consultation with the students and Center for Accommodations and Support Services (CASS). If you believe you have a disability for which accommodations are needed or if you already have a documented disability for which accommodations are needed, you must (1) notify and consult with CASS as soon as possible (747-5148; Union East, Room 106) and (2) see me immediately to discuss reasonable accommodation. See me immediately to discuss reasonable accommodations pertaining to the courtroom and attending court proceedings as well.

## COVID-19 Precautions

Please stay home if you have been diagnosed with COVID-19 or are experiencing COVID-19 symptoms. If you are feeling unwell, please let me know as soon as possible, so that we can work on appropriate accommodations. If you have tested positive for COVID-19, you are encouraged to report your results to [covidaction@utep.edu](mailto:covidaction@utep.edu), so that the Dean of Students Office can provide you with support and help with communication with your professors. The Student Health Center is equipped to provide COVID-19 testing.

The Center for Disease Control and Prevention recommends that people in areas of substantial or high COVID-19 transmission wear face masks when indoors in groups of people. The best way that Miners can take care of Miners is to get the vaccine. If you still need the vaccine, it is widely available in the El Paso area, and will be available at no charge on campus during the first week of classes. For more information about the current rates, testing, and vaccinations, please visit [epstrong.org](http://epstrong.org)