

Political Science 4370

Court-Appointed Special Advocates (CASA) Clinical Course Children's Rights Law & Advocacy, 2019-2020 (3 credits for the full 12-month commitment: August 2019-August 2020)

Location Miners Hall 108 Conference Room
Wells Fargo Building 15th Floor
State Courthouse

CRN 17897 Fall Semester or 27355 Spring Semester

Professor Lisa J Soto, Esq. (lsoto9@utep.edu)
Clinical Support Gizelle Alvarado, LPC (gizelle.alvarado@gmail.com)
CASA of El Paso Nancy McMahon, Supervisor (nmcmahon@casaofelpaso.org)
Office Miners Hall 107
Prof. Phone 915-747-8581 or x8581 on campus
Prof. Office Hours T & W 10:00am-noon; Th 2:00-4:00pm & by appointment

Time/Days **CASA Training Classes** (Wells Fargo Building, 15th Floor)
August 20-23, 2019, 8:30pm-3:30pm
+ *Court observation and online modules as assigned*
+ *Swearing In Ceremony*

Fall Semester (Miners Hall 108 Conference Room)
Friday, August 30, 2019, noon: first day of class and case assignments
CASA Case Staffings (1st and 3rd Fridays of the month)
CASA Classes (2nd and 4th Fridays of the month)
Friday, September 6, 2019, noon-1:20pm
Friday, September 13, 2019, noon-1:20pm
Friday, September 20, 2019, noon-1:20pm
Friday, September 27, 2019, noon-1:20pm
Friday, October 4, 2019, noon-1:20pm
Friday, October 11, 2019, noon-1:20pm
Friday, October 18, 2019, noon-1:20pm
Friday, October 25, 2019, noon-1:20pm
Friday, November 1, 2019, noon-1:20pm
Friday, November 8, 2019, noon-1:20pm
Friday, November 15, 2019, noon-1:20pm
Friday, November 22, 2019, noon-1:20pm
Friday, December 6, 2019, noon-1:20pm

Spring Semester (Miners Hall 108 Conference Room)
Friday, January 24, 2020, noon-1:20pm (**CASA Case Staffing**)
Friday, February 7, 2020, noon-1:20pm (**CASA Case Staffing**)

Friday, February 21, 2020, noon-1:20pm (**CASA Class**)
Friday, March 6, 2020, noon-1:20pm (**CASA Case Staffing**)
Friday, March 13, 2020, noon-1:20pm (**CASA Class**)
Friday, April 3, 2020, noon-1:20pm (**CASA Case Staffing**)
Friday, April 17, 2020, noon-1:20pm (**CASA Class**)
Friday, April 24, 2020, noon-1:20pm (**CASA Case Staffing**)
Friday, May 1, 2020, noon-1:20pm (**Final Project Presentations**)
Friday, May 8, 2020, noon-1:20pm (**CASA Case Staffing**)

+ *One meeting per team over winter break*
+ *Optima system updates timely produced (within 24 hours)*
+ *Court reports as required for court hearings*
+ **Court Proceedings** as scheduled per case-*State Courthouse—
11th Floor*

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 class, 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; special education and 504 law; 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; 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
- Understand the legal grounds for termination of parental rights
- Work collaboratively and in a culturally competent manner with all those 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 and instructional material (to be distributed throughout the year)

Assignments/Requirements

Each team of students will be assigned by CASA of El Paso 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 research project and presentation in the spring semester.

As each child's needs, situations, 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 full written court report, in the required format, via email to Professor Soto and Ms. Alvarado *NO LATER THAN* 12 calendar days prior to each court proceeding related to their assigned cases so that the reports may be reviewed and edited prior to submitting them to Ms. McMahan at CASA of El Paso for filing ten calendar days prior to each court proceeding.

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 do 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 abreast of all case-related information. You are able to access the Optima system from any electronic device; this is to facilitate prompt entering of your time.

ON THE WEDNESDAY before each case staffing, you are required to provide an **updated court report** via email to Professor Soto, Ms. Alvarado, and Ms. McMahan, regardless of whether you will be in attendance at the case staffing.

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, 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 classes or case staffings without an approved excuse may result in your final grade being lowered as much as one full letter (or more). Persistent tardiness and early exits count as absence.

Attendance is 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 rotate 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 a degree of skill in written and oral advocacy. The subject matter we deal with 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 and/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 any student from the course on account of lack of participation, lack of effort, lack of quality performance, failure to complete the case requirements, and/or poor attendance. I am not required to drop a student for these failures; it is the student's duty to initiate a course withdrawal if he or she is 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 a grade of "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). We 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).

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.