

SUBJECT: Contract eligibility for court-appointed volunteer advocates

COMMITTEE: Human Services — favorable, without amendment

VOTE: 9 ayes — Rose, Herrero, Darby, Elkins, Hernandez, Hughes, Legler, Naishtat, Walle
0 nays

WITNESSES: For — Joseph Gagen, Texas CASA; (*Registered, but did not testify:* Noelita Lugo, Texans Care for Children)
Against — None
On — Johana Scot, Parent Guidance Center

BACKGROUND: Family Code, sec. 264.601(2) defines a “volunteer advocate program” as a volunteer-based, nonprofit program providing advocacy services to abused or neglected children with the goal of obtaining a permanent placement for a child that is in the child's best interest.

Under Family Code, secs. 264.602(a) and 264.603(a), the statewide organization with which the attorney general contracts must contract for services with eligible volunteer advocate programs to expand the existing services of the programs. The contract must include measurable goals and objectives for expanding local volunteer child advocate programs to areas of the state in which those programs do not exist.

Family Code, sec. 264.603(b) provides that no more than 12 percent of the annual legislative appropriation to the statewide organization with which the attorney general contracts may be spent for administrative purposes.

Family Code, sec. 264.604 requires that to be eligible for a contract, a public or private non-profit entity must have operated a volunteer advocate program for at least two years.

Under Family Code, sec. 264.602(c), the attorney general may develop a scale of state financial support for volunteer advocate programs that declines over a six-year period beginning on the date each contract takes

effect. After the end of the contract the attorney general may not provide more than 50 percent of the program's funding.

Family Code, secs. 264.607(b) and (c) provide that the attorney general shall develop forms in consultation with individuals or groups with expertise in the dynamics of child abuse and neglect and in operating volunteer advocate programs and that the statewide organization may require the volunteer advocate program to use the forms provided by the attorney general.

DIGEST:

HB 4806 would amend Family Code, sec. 264.601(2) to define a "volunteer advocate program" as a volunteer-based, nonprofit program that:

- provides advocacy services to abused or neglected children with the goal of obtaining a permanent placement for a child that is in the child's best interest; and
- complies with recognized standards for volunteer advocate programs.

The bill would amend Family Code, sections 264.602 and 264.603 to remove the contractual requirement of a statewide organization to contract with eligible volunteer advocate programs to expand the existing services of the programs.

Expenses incurred in promoting public awareness of the need for volunteer advocates, or to explain the work performed by volunteer advocates, would not be considered administrative expenses for the purposes of sec. 264.603(b).

The bill also would amend the Family Code to require that the contract with the statewide organization:

- include measurable goals and objectives relating to the number of volunteer advocates in the program, and the children receiving services from the program; and
- follow practices designed to ensure compliance with standards referenced in the contract.

HB 4806 would amend the Family Code to require that to be eligible for a contract, a public or private non-profit entity would have to have operated a volunteer advocate program for at least six months.

The bill would repeal Family Code sections 264.602(c), and 264.607(b) and (c).

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.