

**Committee on Ways and Means**

**Subcommittee on Human Resources**

**Hearing on Child Protection Oversight**

**April 22, 1999**

**Statement Submitted for Consideration by the Committee**

**Cory J. Jensen  
Legislative Assistant**

**Men's Health Network  
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As the Subcommittee on Human Resources examines current child protection laws, they should take note of successful efforts at the state level. While states are accountable for their own guidelines, the federal government should promote those initiatives that have had a positive impact in moving children off the adoption roles and into caring families. We urge the subcommittee to consider the following three improvements to the foster care-adoption system.

**Foster Care Alternatives Must Be Considered First**

By statute, Child Protective Services in the state of Texas must initially consider placing a child with a fit and willing relative instead of in foster care. The specific statute reads:

The court shall place a child removed from the child's custodial parent with the child's noncustodial parent or with a relative of the child if placement with the noncustodial parent is inappropriate, unless placement with the noncustodial parent or relative is not in the best interest of the child [S.B. 359 (e)].

An example CPS letter documenting child custody is included (Exhibit A). A recent Washington Post article (April 13, 1999) cited Texas as having the fourth highest increase in adoption rates. In 1998, Texas had a 76 percent increase in the number of adoptions (the above statute went into effect September 1997).

Other states should be required to seek placement with relatives before putting a child in foster care. The practice of placing the child with a relative forgoes future long and costly court fights over custody of a child that has unnecessarily been placed on the adoption track. In turn, this accelerates the adoption process for other children and allows resources to be used for foster care and on placing those children who do not have "fit and willing relatives."

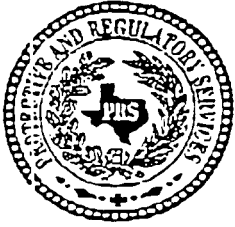
**Requiring Professional Standards**

In order to ensure that well trained professionals are handling child protection cases, the federal government should require states to set caseworker standards. For example, Louisiana requires that a person performing social studies have a master's degree in marriage and family therapy or a related field. Texas' requirements are less strict, requiring a college degree and

relevant experience. By requiring states to set their own standards, qualified caseworkers will be appointed to protect the best interests of the children.

### **Reporting Requirements**

To better protect abused children, states should be required to report the specific relationship of the perpetrator to the abused. Current guidelines for the National Child Abuse and Neglect Data System only require for data to be accumulated on the number of perpetrators and if the perpetrator was a parent (not which parent), caretaker, day care provider or of another relationship to the victim. Documenting the familial relationship of the perpetrator to the abused would provide policy makers with the information necessary to develop better policy and procedures to address the perplexing problem of child abuse.



TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES

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May 12, 1998

To Whom It May Concern:

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This letter is to verify that Mr. John [redacted] has been the caretaker for his minor children Jeffery DeWayne, Dorothy Gail, and David James [redacted]. He has been responsible for the basic necessity and care of these children since February 23, 1998.

[redacted]  
CPS Caseworker

