



SUPREME COURT OF TEXAS PERMANENT JUDICIAL
COMMISSION FOR CHILDREN, YOUTH AND FAMILIES

**Supreme Court of Texas
Permanent Judicial Commission for
Children, Youth and Families**

**April 29, 2011
Meeting Notebook**

**The Supreme Court of Texas
201 W. 14th Street
Austin, Texas 78701**

Supreme Court of Texas
Permanent Judicial Commission for Children, Youth and Families
201 West 14th Street
Supreme Court Courtroom
Austin, Texas

April 29, 2011
10:00 – 1:00
Meeting Agenda

- 10:00** **Commencement / Opening Remarks – The Honorable Eva Guzman**
- 10:15** **Crossover Youth Practice Model – Shay Bilchik, Center for Juvenile Justice Reform, Georgetown University via GoToWebinar**
- 11:00** **Commission Membership Changes, Tab 2**
Collaborative Council Member Changes, Tab 2
Committee Membership Changes, Tab 2
- 11:05** **First order of business – The Honorable Eva Guzman**
1. Adopt Minutes from November 12, 2010 and January 21, 2011 Meetings, Tab 1
- 11:10** **Commission Report, Tina Amberboy, Tab 3**
Ratification of 4 items:
\$60,000 for scholarships to ABA conferences
\$5,000 for travel expenses for DFPS (Advanced Family Law)
\$60,000 for Conference of Urban Counties
\$117,450 for CPCMS reporting and system enhancements
- 11:30** **Basic Committee Report, Hon. Robin Sage, Tab 3**
- 11:45** **Training Committee Report, Hon Camile DuBose, Tab 3**
- 12:00** **Technology Committee Report, Hon. Karin Bonicoro, Tab 3**
- 12:15** **Education Committee Report, Hon. Patricia Macias, Tab 3**
- 12:30** **Legislative Committee Update, Hon. Dean Rucker, Tab 3**
- 12:45** **DFPS Update – Audrey Deckinga**
- 1:00** **Comments from Collaborative Council / New Business**
- 1:15** **Next Meeting – 2011 Schedule**
7/29/2011 (Consider re-schedule to 8/12/2011 or 8/18/2011)
11/18/2011

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Permanent Judicial Commission for Children, Youth and Families**

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PERMANENT JUDICIAL COMMISSION FOR CHILDREN, YOUTH AND FAMILIES

MINUTES OF MEETING

November 12, 2010

10 a.m. – 1 p.m.

Supreme Court of Texas Courtroom
Austin, Texas

ATTENDANCE

Members present:

Chair, Hon. Eva Guzman, Justice, The Supreme Court of Texas, Austin
Chair-Emeritus, Hon. Harriet O'Neill, Law Office of Harriet O'Neill, Austin
Vice-Chair, Hon. Darlene Byrne, Judge, 126th District Court, Austin

Audrey Deckinga, Assistant Commissioner for CPS, Dept. of Family and Protective Services, Austin
Hon. Camile Glasscock DuBose, Judge, 38th District Court, Uvalde
Bruce Esterline, Vice President for Grants, The Meadows Foundation, Dallas
Harper Estes, Shareholder, Lynch, Chappell and Alsup, Midland
Joe Gagen, Chief Executive Officer, Texas CASA, Inc., Austin
Stewart Gagnon, Partner, Fulbright and Jaworski, LLP, Houston
Joyce M. James, Associate Deputy Executive Commissioner, HHSC Center for Elimination of Disproportionality & Disparities,
Dr. Octavio Martinez, Executive Director, The Hogg Foundation for Mental Health, UT Austin, Austin
Selina Mireles, Attorney At Law, Laredo
Hon. Dean Rucker, Presiding Judge, 7th Region, 318th District Court, Midland
Fairy Davenport Rutland, Director, Appeals Div., Texas Health & Human Services Commission, Austin
Hon. Robin Sage, 307th Family District Court, Longview
Hon. Cheryl Lee Shannon, Judge, 305th District Court, Dallas

Members not present:

Judge Karin Bonicoro, Associate Judge, Child Protection Court of Central Texas, New Braunfels
Hon. Patricia A. Macias, Judge, 388th District Court, El Paso
Hon. Yvonne Gonzalez Toureilles, Representative, Texas House of Representatives, Alice
Hon. Bonnie Hellums, Judge, 247th District Court, Houston
Carolyne Rodriguez, Dir. Of Texas Strategic Consulting, Casey Family Programs, Austin
G. Allan Van Fleet, Shareholder, Greenburg Traurig, LLP, Houston
Hon. Jeff Wentworth, Senator, Texas Senate, San Antonio

Staff in attendance:

Tina Amberboy, Executive Director, Children's Commission
Steven Hardt, Research Assistant, Children's Commission
Tim Kennedy, TexDECK Project Manager, Office of Court Administration
Teri Moran, Manager, Communications, Children's Commission
Mena Ramon, Assistant General Counsel, Office of Court Administration
Carl Reynolds, Administrative Director, Office of Court Administration
Tiffany Roper, Assistant Director, Children's Commission

Kristi Taylor, Project Manager, Children's Commission
Mari Aaron, Executive Assistant, Children's Commission

Collaborative Council Members in attendance:

Emy Lou Baldrige, Co-Founder, Greater Texas Community Partners, Dallas
Barbara Elias-Perciful, President, Texas Loves Children, Dallas
Mike Foster, Executive Director, Neighbor to Family, Austin
David Halpern, Director, Promise Mentor Program, Seedling Foundation, Austin
Robert Hartman, Executive Vice President and COO, DePelchin Children's Center, Houston
Leslie Hill, Managing Attorney, Travis County Office of Child Representation, Austin
Richard Lavallo, Senior Attorney, Advocacy, Inc., Austin
Tracy Levins, Director, Admin. Svcs. And Community Relations, Texas Youth Commission, Austin
Rebecca Lightsey, Executive Director, Texas Appleseed, Austin
Madeline McClure, Executive Director, The Texas Association for the Protection of Children, Dallas
Dr. Sandeep Narang, Fellowship Director, Child Abuse and Neglect Division, Pediatrics Department, UT-San Antonio
Chadwick Sapenter, CEO and Founder, Little Book of Words, former foster youth, Austin
Armin Steege, Vice President of Programs, Austin Children's Shelter, Austin
Kenneth Thompson, Fatherhood Program Specialist, Dept. of Family & Protective Services, Austin

Collaborative Council Members not in attendance:

Roy Block, Executive Director, Texas Foster Family Association, San Antonio
Irene Clements, Vice President for Advocacy, Children and Family Services, Lutheran Social Services
William B. Connolly, Attorney, Connally & Chireman, LLP, Houston
Penny Cook, Co-Founder, The Faith Connection, Dallas
Elizabeth Cox, foster and adoptive parent, San Antonio
Kevin Cox, foster and adoptive parent, San Antonio
De Shaun Ealoms, Parent Program Specialist, Dept. of Family and Protective Services, Austin
Debra Emerson, CPS Director of Permanency, Dept. of Family & Protective Services, Austin
Susan Hopkins Craven, Executive Director, Texas Alliance for Infant Mental Health, Austin
Chris Hubner, Staff Attorney, Texas Juvenile Probation Commission
Natalie Furdek, Women's Substance Abuse Services Coordinator, Dept. of State Health Services, Austin
Paul E. Furrh, Jr., Chief Executive Officer, Lone Star Legal Aid, Houston
Eileen Garcia, Executive Director, Texans Care for Children, Austin
Shannon Ireland, Executive Director, Texas Council of Child Welfare Boards, New Braunfels
Alicia Key, Deputy Attorney General for Child Support, Office of the Attorney General
Stephanie Smith Ledesma, Attorney at Law, Austin
Hon. F. Scott McCown, Executive Director, Center for Public Policy Priorities, Austin
Judy Powell, Communications Director, Parent Guidance Center, Austin
Johana Scot, Executive Director, Parent Guidance Center, Austin
Janet Sharkis, Executive Director, Texas Office of Developmental Disabilities, Austin
Gloria Terry, Coalition President, Texas Council on Family Violence, Austin
Arabia Vargas, Chair, Bexar County Child Welfare Board, San Antonio
Meghan Weller, Director of Public Affairs, Children's Advocacy Centers of Texas, Austin
Aaron Williams, Social Services Director, Alabama-Coushatta Tribe of Texas

CALL TO ORDER AND OPENING REMARKS, Justice Eva Guzman

Justice Guzman called the meeting to order at 10:00 a.m.

Chair Emeritus O'Neill, congratulated Justice Guzman on her election victory.

Commissioner Membership Changes

Justice Guzman noted that the Supreme Court of Texas will sign a court order in late November to renew the memberships of six Commissioners: Hon. Camile Glasscock DuBose, Hon. Bonnie Crane Hellums, Hon. Patricia Macias, Hon. Dean Rucker, Joyce James and Fairy Davenport Rutland. Each member will serve an additional three-year term.

Collaborative Council Membership Changes

Dr. Sandeep Narang, Fellowship Director for the Child Abuse and Neglect Division of the Pediatrics Department at UT-San Antonio and an immediate past Fellow in Child Abuse at the Kempe Center for the Prevention and Treatment of Child Abuse and Neglect, University of Colorado School of Medicine and The Children's Hospital-Denver joins the Collaborative Council. Chris Hubner, staff attorney at the Texas Juvenile Probation Commission and the current Chair of the State Bar of Texas Juvenile Law Section, also joins the Collaborative Council.

Committee Membership Changes

Justice Guzman noted that there are no committee membership changes to report at this meeting.

Staff Member Changes

Katie Fillmore joined the Supreme Court in September as the Policy Attorney for the Children's Commission.

Steven Hardt joined the Supreme Court in August as the Research Assistant for the Children's Commission. Mr. Hardt recently passed the bar.

Recognition of Guests

Justice Guzman noted that no guests are in attendance at today's meeting.

ADOPTION OF AUGUST 20, 2010 MEETING MINUTES

The attending members approved the meeting minutes of the August 20, 2010 Children's Commission meeting by general consent.

REPORT TO THE COMMISSION, Tina Amberboy, Executive Director

Ms. Amberboy reported to the Commission on the staff-directed and committee projects that staff work on daily.

DISPROPORTIONALITY TRAINING FOR JUDGES

The Commission discussed this new initiative at the August meeting and granted authorization to form a judicial disproportionality workgroup to address training and issues in the judicial system. Members of the workgroup were identified and the first meeting is scheduled on December 10 in Austin. Joyce James and Carolyn Rodriguez are co chairs. Initial efforts will focus on clarification of the purpose and development of strategies for the workgroup to look at how judges are trained and help those judges institute a workplan and implement training within their local jurisdictions. Six judges have agreed to serve on the workgroup in addition to staff from the People's Institute and NCJFCJ.

LEGAL REPRESENTATION STUDY

The deadline to publish the study was extended from late October 2010 to January 2011 to conduct re-verification of some of the data collected for the study.

BENCH BOOK

The Bench Book was introduced and explained at the August meeting of the Commission. The judges will have access beginning next week. Justice Guzman noted that commission staff is seeking feedback on content and input to ensure that the Bench Book is a useful tool.

COMMITTEE REPORTS AND BUDGET APPROVAL

Basic Projects Committee, the Honorable Robin Sage, Chair

Judge Sage reported on the October 13 Basic Committee conference call meeting. Judge Sage noted that the committee completed grant approvals at the July meeting. There are no action items on the agenda for today. Judge Sage noted that the Texas Lawyers for Children (TLC) website project received a nomination for the Award for Excellence in Social Innovation.

Training Committee, The Honorable Camile DuBose, Chair

Judge DuBose provided an update to the Commission on projects authorized last summer and reviewed during the October 26 conference call meeting:

Attorney Training

NACC Child Welfare Law Conference: The conference was held October 20-23, 2010 in Austin. The funding approved by the Commission included registration scholarships for approximately 220 attorneys and 25 members of judiciary from Texas and the Commission's Training Committee.

Advanced Family Law Child Abuse and Neglect Track: The feedback from those who attended the August 11, 2010 conference in San Antonio has been very positive. Funding for registration scholarships was given to 49 attorneys to attend the training. The Commission set aside \$5,000 to fund attorney scholarships for the 2011 track.

DFPS Attorney Scholarships to attend Advanced Family Law or NACC Annual Conference: Funds approved by the Commission provided scholarships for seven DFPS attorneys to attend the AFL track and approximately 15-20 attorneys to attend the NACC conference.

Trail Skills Training: Ms. Roper is investigating training options through the National Institute of Trail Advocacy (NITA), the ABA, and the NACC to determine whether the training may be modified to meet the existing needs.

Child Welfare Law Certification: Beginning in May 2009, NACC began to offer child welfare law certification to qualifying Texas attorneys. Twelve lawyers and one judge from Texas received the NACC certification in October. The committee set aside \$20,000 to support continued training for the certification exam and will conduct further discussion on the issue at the next committee meeting on whether to otherwise support the attorneys seeking the certification in 2011.

Prosecutor Training: The committee approved funding for a CPS track at the Texas District and County Attorneys Association (TDCAA) Crimes against Children Conference, set for April 2011. The funding will support attendance by DFPS attorneys and prosecutors and possibly children and parents' attorneys.

SBOT CAN Committee Multi-disciplinary Training: Ms. Amberboy updated the committee on the grant application submitted by the State Bar of Texas Child Abuse and Neglect Committee to present a multidisciplinary two day conference in late 2011. Ms. Amberboy and Ms. Roper reviewed the application. Since the grant application was reviewed after the committee met, the application did not go back to committee, but the committee granted approval to set aside the funds in the budget for this conference at a previous meeting.

ACTION: Justice Guzman asked for motion to approve funding of \$25,000 for the State Bar of Texas Child Abuse and Neglect Committee multidisciplinary training/conference for FY2011. Mr. Estes moved, Mr. Gagen seconded, and the motion passed.

Judicial Training - TCJ

Judge DuBose noted that some of these funds enable judges to attend NCJFCJ training. The upcoming trainings include the March 2011 National Conference on Juvenile and Family Law in Reno and the Annual Conference scheduled for July 2011 in New York City.

Beyond the Bench: The next Beyond the Bench training is set for Central Texas in 2011 with a date to be determined. Development of the 2012 statewide Beyond the Bench training is underway.

Implicit Bias in Judicial Decision-Making: The next conference regarding implicit bias in judicial decision-making is planned for May 2011. Judge DuBose encouraged judges and attorneys to attend Undoing Racism training.

Associate Judges Conference and CPS Judges Conference: These conferences will be merged in 2011.

Judicial Technical Assistance: The Committee approved funding for ongoing data analysis for local jurisdictions.

Drug Court Training/Round Table: Ms. Taylor reported on the Drug Court Round Table held on November 3-4 in Austin. Nine existing drug courts were represented and two drug court teams expressed interest in starting drug courts. Approximately fifty people attended the Round Table, including substance abuse specialists, representatives from the Department, judges, and court coordinators. Technical assistance was provided by national partners. The evaluations following the Round Table were positive. The Round Table provided a good opportunity for teams to compare structure and practices and delivered practical information on how to start new drug courts and improve existing ones. Planning is underway regarding next steps and follow up.

Local Jurisdiction Disproportionality Training: The meeting to initiate development of local jurisdiction disproportionality training will be on December 10 in Austin.

Mediation Project: Cynthia Bryant, University of Texas School of Law Mediation Clinic, authored a report on CPS Mediations in Texas. The findings noted a lack of data with regard to guidelines for attorneys, mediators and judges to follow and on long-term effects of mediation. Ms. Bryant, in collaboration with Susan Schultz, Center for Public Policy Dispute Resolution, UT Law, will develop a research project to provide additional data and report on CPS mediations.

Technology Committee, Tina Amberboy

Ms. Amberboy provided an update to the members on behalf of Judge Karin Bonicoro. The Committee met by conference call on October 14. Ms. Amberboy noted that all committee activity is slow at this time because the grant year began on October 1. As the year progresses, there will be more detail to report on the projects. A brief update on the projects funded by the technology committee included:

Child Protection Case Management System

The CPCMS project team is working on version 2.0 and enhancements to the system. Ms. Amberboy noted that the system is being utilized by most of the Child Protection Courts.

National Information Exchange Model

Judge Rob Hofmann participates on behalf of the Commission. In October, Judge Hofmann attended the meeting in Denver to discuss development of additional court performance measures focused on well-being measures. The National Center for State Courts developed Toolkit measures. Thirty measures of court performance are used by Child Protection Courts in child protection cases. There are twenty one measures adopted in the Texas CPCMS. At the national level, the measures are based on safety, permanency, due process and timeliness and until the October meeting, have not focused on well-being measures. The October meeting in Denver looked at where to begin and decided on education outcomes as the well being measure they will work on initially. The Education Committee will remain informed regarding the progress of this topic.

Video Conferencing

There is progress on the project. Discussion continues in the committee on how to utilize videoconferencing to increase participation of youth who are placed out of their county and are unable to attend their permanency and placement hearings in person. The issue of confidentiality has been reviewed in detail. Assessment of the types of hardware available to purchase to assure reliable and confidential transmission is ongoing. The committee concluded that Skype or a similar product is a flexible and affordable option. The system now in place and utilized by the TYC and CPS allows concurrent conferencing capability, but is more expensive. The committee will continue discussion on how to move ahead with acquisition of hardware and how to manage the associated inventory and capital equipment issues.

County Information Resources Agency

The project to build the interface for data sharing is ongoing. CIRA expects to submit the functionality report to the CIRA board by December.

CIRA Hosting

CIRA's initial project plan was to host the existing CPCMS source code and permit availability to counties interested in utilizing the data to track measures related to CPS cases. Since the committee met in July, CIRA has confirmed that it is unable to pursue this partnership at this time. At the October meeting the committee voted to recover the funds because CIRA is unable to provide the data hosting at this time.

ACTION: Justice Guzman asked for motion to recover funding of \$100,000 allocated to CIRA for the FY2011 data hosting project, Judge Sage moved; Ms. James seconded; and the motion passed.

OCA

Improve Network Connectivity at the CPC Locations

Improvement of internet connectivity at the CPC locations will be addressed in FY2011. Initial site assessments are underway. An in-depth report will be provided to the Commission at the January meeting.

Temporary Staffing for Data Entry at CPCs

Temporary staff will perform data entry of case information into CPCMS at four CPC's in Region 2 and eliminate a current backlog.

EDUCATION COMMITTEE, Tiffany Roper, Assistant Director, Children's Commission

Ms. Roper reported on behalf of Judge Macias, Chair of the Education Committee, to the Commission on the inaugural meeting of the Education Committee held on September 30-November 1. The pre-planning efforts enabled the committee members to receive clear direction on the charge given by the Court in the order establishing the Education Committee and accomplish significant work during the two-day meeting. The diverse membership of the committee provided for a range of perspectives from leaders in the Department, the judiciary and the state education systems. Information provided to the committee included an overview by Kathleen McNaught on 'Child Welfare 101' which included details on how CPS cases progress through the court system and the various placement options for children. The academic challenges of foster youth were highlighted through data from several national studies. Judge Macias acknowledged the challenge of improving outcomes in a state as diverse and vast as Texas, while guiding the committee to leverage their strengths and define its vision. Four sub-committees will be charged with moving forward with the efforts to address and respond to the issues of education of foster youth. The role and expectations of the following sub-committees will be discussed at the January 7 meeting.

1. School Readiness
2. School Stability and Transitions
3. School Experience, Supports and Advocacy
4. Post-Secondary Education

STRATEGIC PLANNING COMMITTEE, Harper Estes, Shareholder, Lynch, Chappell & Alsup, Midland,

Mr. Estes reported on the progress of development of the strategic plan. The committee met on November 11 and expects to have the revised strategic completed in 2011.

DFPS UPDATES

Audrey Deckinga, Assistant Commissioner for CPS, TX Dept. of Family and Protective Services, Austin

Ms. Deckinga updated the Commission on the Permanency Care Assistance project and Foster Care Redesign. She acknowledged the appropriation issues the Department will address during the 82nd Legislative session. Ms. Deckinga reviewed the information in a presentation given by the DFPS Commissioner at the joint budget hearing. The presentation provided detail on the budget reductions that will be proposed to the legislature. The bulk of the proposed reductions are in administrative areas. The Department will seek to maintain the current funding levels for direct services.

LEGISLATIVE COMMITTEE, Hon. Dean Rucker, Regional Presiding Judge, 7th Administrative Region, and District Judge, 318th District Court, Midland,

reported that the committee is prepared to serve as a resource for the legislature during the 82nd session. The leadership of the committee has developed an ongoing working relationship with legislators and conduct discussions on how proposed legislation affects the courts. Judge Rucker noted that he anticipates that the issues expected to arise during the session will include legal counsel appointments, procedural matters and the handling of CPS cases. The committee staff is mindful that its communications are perceived as speaking for the court and are aware of the need to comply with the code of judicial conduct. Judge Rucker encouraged

members of the Children’s Commission to bring any issues or proposals for policy or legislative matters to him or the staff.

APPLESEED PROJECT, Rebecca Lightsey, Texas Appleseed, Inc. Executive Director

The final report of the Appleseed study on children in permanent managing conservatorship (PMC), “Improving the Lives of Children in Long-Term Foster Care: the Role of Texas’ Courts and Legal System”, was distributed to the members. Ms. Lightsey acknowledged the pro bono partnership with Marcy Greer of Fulbright and Jaworski that allowed for completion of the study. The charge of the study was to review the outcomes of children in PMC and how the courts and legal system can be improved to help decrease the amount of time required for these children move to permanency and address the issues and concerns of all stakeholders. Extensive data sources were researched for the study. The fifteen jurisdictions selected for study have jurisdiction of approximately 65% of the children in the Texas foster care system. Interviews were conducted with stakeholders in the six largest Texas counties and eight child protection courts. The Department provided PMC data for use in the study for the period of 2005 – 2008. Ms. Lightsey reported on the details of the report results. She noted the statistics from the recent Chapin Hall study on the rates of completion of higher education, arrest rates and homelessness for former foster children as context for the importance of the report findings. The study noted that 20% of children who enter PMC remain in care more than 2 years. She noted the high likelihood of aging out for children who are in care between 3 to 4 years. Eighty percent of children in PMC who are adopted are under the age of 10. Information on stability and number of placements was reviewed and the evidence of the need to move children to permanency as rapidly as possible was noted. The data elements for race and ethnicity were reviewed and the findings support the effect of disproportionality affecting African American youth in the system.

Ms. Lightsey noted that the policy recommendations generated from the report findings benefitted from the efforts of many of the Commission members. The strengths within the State of Texas to address the issues and improve the system include a robust statute in the Family Code, numerous courts committed to system improvement, interdisciplinary teams and stakeholders and the leadership and support of the Commission. Some key factors that address improved outcomes for these children include a need to increase the sense of urgency among attorneys and caseworkers, improve accountability for adequate preparation by attorneys and caseworkers, permit the inclusion of the child in the courtroom, ensure that there is an adult present in court who has a relationship with the child and awareness of the case and improve communication among stakeholders about how to achieve permanency for the child.

Ms. Greer reported on the recommendations cited in the study. She stressed that an abundance of data was reviewed for the study that provided information to utilize for system improvements. She acknowledged that the goal of the study is to achieve an appropriate home placement for each child and noted the support, needs and risk issues for adolescent age children in the system. In order to obtain additional information on practices to attain true permanency, a pilot program is proposed that will provide quantitative data on the success of the practices and recommendations on outcomes. The details of the report recommendations can be viewed in full in the report that is online at www.texasappleseed.net. During Ms. Greer’s review of findings and recommendations, Dr. Martinez noted that a peer-to-peer program is under consideration by the Hogg Foundation and suggested that it may be considered as an additional resource option for these children. Ms. Greer agreed and noted that there are Youth Specialists, who are often former foster youth, assigned to help develop advocacy skills in these children.

Justice Guzman acknowledged the efforts that contributed to completion of the report. She opened the floor to comments from members and discussion concerning the pilot program, which the Commission and Casey Family Program will support. Ms. James noted the importance of data to inform work on gaps and inequities within the systems. The report and its recommendations warrant support of the pilot. Judge Specia commented that the pilot program approach is critical and will be a method to avoid any unintended consequences that could arise from passage of legislation and ensure that any proposed policy revisions are data-driven. Justice Guzman concurred that the pilot program will identify how any proposed changes will impact the judges hearing these cases. Judge Rucker acknowledged that the report and the pilot program will provide a sound basis to move forward with efforts to improve the system. Dr. Martinez recommended that an evaluation component for the pilot program be included from the inception. Ms. Lightsey commented that there will be a fiscal analysis component included to demonstrate cost savings to the state. Ms. Deckinga responded to a question from Mr. Sapenter on the inclusion of a tracking mechanism for the 3 to 5 year period after youth leave the system. She noted that Texas, through use of a national youth in transition database, will, when possible, track children after they leave the foster care system. Chair-Emeritus O'Neill noted the importance of including information from the Legal Representation Study when development of the pilot program goes forward. Ms. Amberboy commented that the funding of the pilot program will be discussed in detail with the Commissioners at the January meeting. The Commission acknowledged the contributions and pro bono resources provided by Ms. Greer to the overall success of the report.

BREAK - 11:55

RECONVENE: 12:15

Justice Guzman's schedule required that she travel to Lubbock; Judge Byrne reconvened the meeting.

OFFICE OF COURT ADMINISTRATION, Carl Reynolds, Administrative Director

Mr. Reynolds reported on the NCJFCJ All-Sites meeting held in Louisville, Kentucky in early October. Initial discussion is underway to apply the model courts program that the NCJFCJ operates to one or more of the Cluster Courts. Mr. Reynolds is working to schedule a follow up call on further planning. While in Louisville, Mr. Reynolds also met with Aaron Williams, Social Services Director of the Alabama-Coushatta Tribe in Texas and a Collaborative Council member. Judge Byrne and Mr. Reynolds plan to travel to East Texas and visit the reservation. Lastly, he reported that along with Simi Denson and Mena Ramon, he attended the Children's Justice Act Taskforce meeting chaired by Judge Rucker. Funding for Simi Denson's position was reauthorized for the upcoming year.

JURIST IN RESIDENCE, Judge John Specia

Judge Specia reported on his participation at the Drug Court Round Table, held on December 3-4. There are now nine drug courts in the state, and there is interest by several other courts to begin a drug court program.

COMMISSION MEMBERS UPDATES

Judge Byrne asked the Commission members to introduce themselves and share news from their locales.

Stewart Gagnon, Partner, Fulbright and Jaworski, LLP, Houston,

Reported on the work he has been involved in over the past year with regard to self-representation. A forum was held last April and planning for a pilot project is underway. Information and best practices

to assist and educate individuals who elect self-representation will be prepared. Mr. Gagnon noted that there are frequent self-representation cases involving children's issues.

Harper Estes, Shareholder, Lynch, Chappell & Alsup, Midland, reported on his work on the board of directors for an initiative with Midland Fairhavens. The initiative began as a partnership with several Midland churches and the Junior League of Midland. Midland Fairhavens is a residential campus for single mothers and their children who have the opportunity to attend college or vocational training.

Hon. Dean Rucker, Regional Presiding Judge, 7th Administrative Region, and District Judge, 318th District Court, Midland, acknowledged the ad litem representation efforts provided by Richard Lavallo and the successful intervention efforts he provided on behalf of a young man in RTC.

Hon. Cheryl Lee Shannon, Judge, 305th District Court, Dallas, reported on efforts underway in Dallas to incorporate the education piece introduced by the Commission's Education Committee in September. Plans are underway for a January 2011 brown bag meeting on education advocacy. A lawyer from Advocacy, Inc., will present at the January meeting. The videoconferencing project is progressing. The equipment is installed and a user training session is scheduled for next week.

Hon. Robin Sage, 307th Family District Court, Longview, announced her plans to retire in six weeks. Following her retirement from the 307th, she will take over some of the northeast Texas child protection docket and will remain involved in hearing CPS cases. Judge Sage noted that the Longview Adoption Day united twelve children with adoptive families.

Hon. Virginia Schnarr, Associate Judge, Sabine Valley Child Protection Court, introduced herself to the Commission and had no comments.

Honorable John Specia, Jurist in Residence,
Judge Specia made no additional comments to the Commission.

Vice-Chair, Hon. Darlene Byrne, Judge, 126th District Court, Austin, reported on the increase in cases in Travis County. She expressed her concern over the magnitude of severity in the cases she is hearing. Judge Byrne extended an invitation to any members, stakeholders and legislators to be a guest in her courtroom and have the opportunity to gain perspective on the reality of the cases coming before the court. She also reported on Judge Hathaway's Successful Youth Need Community 'SYNC' court that serves youth age 15-17. There are eight youth involved in the court at present. Forms and information on protocols will be provided on request.

Chair-Emeritus, Hon. Harriet O'Neill, Law Office of Harriet O'Neill, Austin, commented on her transition to private practice. She reflected on the success of the Children's Commission since it began. She commented on the impact of inviting judges and legislators to be guests in courtrooms and gain first hand experience on the reality of the dockets. Judge Specia will prepare a JIR to judges prior to the convening of the 82nd Legislative session to invite legislators or their staffs to court.

Dr. Octavio Martinez, The Hogg Foundation for Mental Health, UT Austin, Austin, commented on the Op-Ed series on mental health that will appear in the Houston Chronicle. The Hogg Foundation held a forum on mental health issues at the Capitol for legislative staff and nearly fifty attended. Pete Earley served as keynote speaker.

Hon. Camile Glasscock DuBose, Judge, 38th District Court, Uvalde, agreed that she is seeing an increase of severe criminal cases on her docket. She acknowledged that the work of this Commission is bringing issues to the forefront for consideration.

Selina Mireles, Attorney At Law, Laredo, commented on her representation of children and parents in Laredo. She has practiced in the field for nearly ten years. She noted that she is seeing extremely serious cases in Laredo.

Audrey Deckinga, Assistant Commissioner for CPS, Dept. of Family & Protective Services, Austin, agreed with the observation of an increase in the severe nature of the present intake cases in Texas. She acknowledged that the Department's staff in the field are aware of and encouraged by the support of the Children's Commission.

Fairy Davenport Rutland, Director, Appeals Div., Texas Health & Human Services Commission, Austin, commented in support of the Undoing Racism training efforts championed by Joyce James. She concurred with Judge Rucker's recognition of the work of Richard Lavallo. The Child Abuse Committee is moving forward with projects for disseminating information on the dangers of fetal alcohol syndrome, shaken baby issues and preparation of the agenda for the Advanced Family Law course next August. The committee will also present at the Bar Leaders Convention on pro bono opportunities and Adoption Day events. Work is also underway on the Child Welfare Conference. She commented on work with Judge Sage to expand efforts toward a legal specialization in the field.

Bruce Esterline, Vice President for Grants, The Meadows Foundation, Dallas, commented on possible funding for the Appleseed pilot program. He noted efforts to address the aftermath of the budget cutbacks mandated by the 82nd legislature are being considered and expects a reduction in prevention and intervention funding.

Joe Gagen, Chief Executive Officer, Texas CASA, Inc., Austin, reported on the increase in CASA volunteers in the state during the last fiscal year. For 2009, there were 6,000 active volunteers throughout Texas, and CASA hopes to increase that number by 1,100 for 2010. Even so, only one half of all children in care are being served by a CASA volunteer. CASA will request additional funding from the legislature. Capitol Day will be held on February 1, 2011 and many CASA volunteers will attend and address legislators. There are 22 new house members and CASA will schedule time for many of them to sit in Judge Byrne's court in 2011.

COLLABORATIVE COUNCIL REPORT

Judge Byrne acknowledged the advisory efforts and expertise of the Collaborative Council members.

TexProtects Update, Madeline McClure, Executive Director, The Texas Association for the Protection of Children, reported on her association's efforts on representation of thirty groups working in child advocacy and the Round Table events that they hosted over the last year. A legislative and budget agenda have been prepared.

Advocacy Inc., Update, Richard Lavallo, acknowledged the immediacy of the response from the Children's Commission on the issue of foster youth in TYC. Mr. Lavallo asked the members to focus on the issues of use of psychotropic drugs in the treatment of youth in care and also the misuse of physical restraint on youth in RTC's. He recounted two instances where use of physical restraint resulted in death of the youths involved. The need to quantify use of physical restraint, reform practices and propose alternatives is urgent. System wide training concerning the need for trauma-

sensitive programming should be a priority for the Commission during the upcoming year. Mr. Lavallo and Dr. Martinez have discussed methods to incorporate alternative responses to physical restraint developed by the Hogg Foundation. Judge Specia commented on the work underway in San Antonio. Tracy Levins commented that after TYC implemented six core strategies to respond to the youth in the facilities, a 56% reduction in use of restraints was reported in the population. The cost savings to the state are evident with prevention of injuries and associated litigation. Chair Emeritus O'Neill suggested that the Commission develop a workgroup to address the issues and report back at the January Children's Commission meeting.

Mentoring Program Update, David Halpern, the mentoring program for children of incarcerated parents is now in its sixth year. In 2010, there are 300 mentors who provide outreach to children. Presently, there are 89 children who have requested mentors but cannot be served. Mr. Halpern asked the Commission to utilize their networks in the Austin area to identify interested mentors.

Texas Lawyers for Children, Barbara Elias-Perciful, expressed appreciation to the Commission for its support as a key element in TLC's nomination for the Award for Excellence in Social Innovation. Current funding will allow TLC to continue to provide project resources for judges, attorneys and stakeholders. TLC's expanded services will include assistance to multidisciplinary groups as well as judges and attorneys to link to email networks and sustain communication. Advocacy, Inc., has agreed to participate in TLC's communication tools to improve access to the expertise and relevant topics for youth in TYC. The project continues to maintain a comprehensive resource of current topics for use by the state's judges. TLC provides interactive email alerts to over 300 judges and 1,300 attorneys that allow for efficient project planning. Additional detail on TLC's Online Center are included in the report in the meeting notebook.

COMMENTS/NEW BUSINESS

NEXT MEETING

The 2011 meeting schedule of the Children's Commission will be

January 21, 2011

April 29, 2011

July 29, 2011

November 18, 2011

ADJOURNMENT

The meeting was adjourned at 1:12 p.m.

INSERT COLOR PAGE DIVIDER

PERMANENT JUDICIAL COMMISSION FOR CHILDREN, YOUTH AND FAMILIES

MINUTES OF MEETING

January 21, 2011
1:00 p.m. – 4:00 p.m.

Supreme Court of Texas Courtroom
Austin, Texas

ATTENDANCE

Members present:

Chair-Emeritus, Hon. Harriet O’Neill, Law Office of Harriet O’Neill, Austin

Judge Karin Bonicoro, Associate Judge, Child Protection Court of Central Texas, New Braunfels
Audrey Deckinga, Assistant Commissioner for CPS, Dept. of Family and Protective Services, Austin
Joe Gagen, Chief Executive Officer, Texas CASA, Inc., Austin
Stewart Gagnon, Partner, Fulbright and Jaworski, LLP, Houston
Dr. Octavio Martinez, Executive Director, The Hogg Foundation for Mental Health, UT Austin, Austin
Hon. Dean Rucker, Presiding Judge, 7th Region, 318th District Court, Midland
Fairy Davenport Rutland, Director, Appeals Div., Texas Health & Human Services Commission, Austin
G. Allan Van Fleet, Shareholder, Greenburg Traurig, LLP, Houston
Hon. Judy Warne, District Judge, 257th Family Court, Houston

Members not present:

Chair, Hon. Eva Guzman, Justice, The Supreme Court of Texas, Austin
Vice-Chair, Hon. Darlene Byrne, Judge, 126th District Court, Austin
Hon. Camile Glasscock DuBose, Judge, 38th District Court, Uvalde
Bruce Esterline, Vice President for Grants, The Meadows Foundation, Dallas
Harper Estes, Shareholder, Lynch, Chappell and Alsup, Midland
Hon. Bonnie Hellums, Judge, 247th District Court, Houston
Joyce M. James, Associate Deputy Commissioner, HHSC Center for Elimination of Disproportionality & Disparities
Hon. Patricia A. Macias, Judge, 388th District Court, El Paso
Selina Mireles, Attorney At Law, Laredo
Carolynne Rodriguez, Dir. Of Texas Strategic Consulting, Casey Family Programs, Austin
Hon. Robin Sage, 307th Family District Court, Longview
Hon. Cheryl Lee Shannon, Judge, 305th District Court, Dallas
Hon. Jeff Wentworth, Senator, Texas Senate, San Antonio

Staff in attendance:

Tina Amberboy, Executive Director, Children’s Commission
Simi Denson, Office of Court Administration
Tim Kennedy, TexDECK Project Manager, Office of Court Administration
Teri Moran, Manager, Communications, Children’s Commission
Mena Ramon, Assistant General Counsel, Office of Court Administration
Carl Reynolds, Administrative Director, Office of Court Administration
Tiffany Roper, Assistant Director, Children’s Commission

Kristi Taylor, Project Manager, Children's Commission
Mari Aaron, Executive Assistant, Children's Commission

Collaborative Council Members in attendance:

Roy Block, Executive Director, Texas Foster Family Association, San Antonio
Irene Clements, Vice President for Advocacy, Children and Family Services, Lutheran Social Services
Penny Cook, Co-Founder, The Faith Connection, Dallas
De Shaun Ealoms, Parent Program Specialist, Dept. of Family and Protective Services, Austin
Barbara Elias-Perciful, President, Texas Loves Children, Dallas
Debra Emerson, CPS Director of Permanency, Dept. of Family & Protective Services, Austin
Mike Foster, Executive Director, Neighbor to Family, Austin
David Halpern, Director, Promise Mentor Program, Seedling Foundation, Austin
Leslie Hill, Managing Attorney, Travis County Office of Child Representation, Austin
Chris Hubner, Staff Attorney, Texas Juvenile Probation Commission
Richard Lavallo, Senior Attorney, Advocacy, Inc., Austin
Rebecca Lightsey, Executive Director, Texas Appleseed, Austin
Dr. Sandeep Narang, Fellowship Director, Child Abuse and Neglect Division, Pediatrics Department, UT-San Antonio
Judy Powell, Communications Director, Parent Guidance Center, Austin
Janet Sharkis, Executive Director, Texas Office of Developmental Disabilities, Austin
Armin Steege, Vice President of Programs, Austin Children's Shelter, Austin
Arabia Vargas, Chair, Bexar County Child Welfare Board, San Antonio
Meghan Weller, Director of Public Affairs, Children's Advocacy Centers of Texas, Austin
Aaron Williams, Social Services Director, Alabama-Coushatta Tribe of Texas

Collaborative Council Members not in attendance:

Emy Lou Baldrige, Co-Founder, Greater Texas Community Partners, Dallas
William B. Connolly, Attorney, Connolly & Chireman, LLP, Houston
Elizabeth Cox, foster and adoptive parent, San Antonio
Kevin Cox, foster and adoptive parent, San Antonio
Susan Hopkins Craven, Executive Director, Texas Alliance for Infant Mental Health, Austin
Natalie Furdek, Women's Substance Abuse Services Coordinator, Dept. of State Health Services, Austin
Paul E. Furrh, Jr., Chief Executive Officer, Lone Star Legal Aid, Houston
Eileen Garcia, Executive Director, Texans Care for Children, Austin
Robert Hartman, Executive Vice President and COO, DePelchin Children's Center, Houston
Shannon Ireland, Executive Director, Texas Council of Child Welfare Boards, New Braunfels
Alicia Key, Deputy Attorney General for Child Support, Office of the Attorney General
Stephanie Smith Ledesma, Attorney at Law, Austin
Tracy Levins, Director, Admin. Svcs. And Community Relations, Texas Youth Commission, Austin
Madeline McClure, Executive Director, The Texas Association for the Protection of Children, Dallas
Hon. F. Scott McCown, Executive Director, Center for Public Policy Priorities, Austin
Diana Martinez, Director of Public Policy and Education for TexProtects, Austin
Chadwick Sapenter, CEO and Founder, Little Book of Words, former foster youth, Austin
Johana Scot, Executive Director, Parent Guidance Center, Austin
Leslie Strauch, Clinical Profession, UT School of Law, Austin
Gloria Terry, Coalition President, Texas Council on Family Violence, Austin
Kenneth Thompson, Fatherhood Program Specialist, Dept. of Family & Protective Services, Austin

CALL TO ORDER AND OPENING REMARKS, Harriet O'Neill

Chair Emeritus O'Neill called the meeting to order at 1:05 p.m.

Commissioner Membership Changes

Chair Emeritus O'Neill noted that the Supreme Court of Texas signed a court order on January 10 to appoint Hon. Judy Warne to the Commission. Judge Warne will serve a three-year term.

Before the April meeting of the Commission, we will submit a letter to Speaker Straus to request another House Member be appointed as an *ex officio* to replace outgoing Representative Yvonne Gonzalez-Tourelles.

Collaborative Council Membership Changes

Leslie Strauch, Clinical Professor, the University of Texas School of Law Children's Rights Clinic, Lori Kennedy, Managing Attorney, Travis County Office of Parent Representation and Diana Martinez, Director of Public Policy and Education for TexProtects, the Texas Association for the Protection of Children joined the Collaborative Council.

Committee Membership Changes

Catherine Babbitt, who served as a member of the Foster Care Task Force and as a member of the Technology Committee since its inception has elected to discontinue her membership.

Staff Member Changes

Steven Hardt, Research Assistant for the Children's Commission left the Commission in December.

Recognition of Guests

Chair Emeritus O'Neill recognized the guests in attendance: Tracy Eilers, Director of Foster Care with Cenpatico, Ashley Harris, Texans Care, Cynthia Morales, Appellate Attorney, DFPS.

DISCUSSION OF NOVEMBER 12, 2010 MEETING MINUTES

A quorum was not present at this meeting so adoption of the meeting minutes of the November 12, 2010 Children's Commission meeting will be deferred until the April meeting. Ms. Rutland noted a correction to the minutes, and asked that the reference to the Child Abuse Committee be corrected to note that it is not the HHSC's committee. Mr. Gagen noted that the date for Capitol Day for Texas CASA be corrected to February 1, 2011.

MISSISSIPPI SUPREME COURT, Kristi Taylor, Program Manager

Ms. Taylor reported to the Commission that Justice Randy Pierce, Mississippi Supreme Court, Judge Thomas Broome, Rankin County Youth Court and Judge Virginia Carlton, Mississippi Court of Appeals, all members of the Mississippi Commission on Children's Justice will meet on January 27, 2011 with Chief Justice Wallace Jefferson, Justice Eva Guzman, Commission Chair Emeritus Harriet O'Neill, Judge John Specia, Judge Dean Rucker, Ms. Anne Heiligenstein, Ms. Audrey Deckinga and Ms. Joyce James. The intent of the meeting is to discuss and share best practices learned in the formation of the Texas Children's Commission.

COMMISSION MEMBERS UPDATES

Chair Emeritus O'Neill asked the Commission members to introduce themselves and share news from their locales.

Fairy Davenport Rutland, Director, Appeals Div., Texas Health & Human Services Commission, Austin, reported that the State Bar Committee on Child Abuse and Neglect continue planning for the

Advanced Family Law Award to be given in August. Work continues on pro-bono efforts to assist children who age out of foster care. Ms. Rutland noted that Texas Lawyers For Children received the 2010 Award for Excellence in Social Innovation from the Dallas Center for Non-Profit Management. The award is given to projects that demonstrate novel solutions to social problems.

Audrey Deckinga, Assistant Commissioner for CPS, Dept. of Family & Protective Services, Austin, deferred her time until later in the meeting.

G. Allan Van Fleet, Shareholder, Greenburg Traurig, LLP, Houston, reported on a video on cyber-bullying that was produced to facilitate high school education and discussion and will premier at the ABA mid-year meeting. Work continues on a number of children's issues.

Hon. Judy Warne, District Judge, 257th Family Court, Houston, commented that she is pleased to join the Commission. As the Administrative Judge for the Family Trial Division in Harris County, she is working to initiate six new judges. Judge Warne is working on the issue of teen dating violence.

Hon. Dean Rucker, Regional Presiding Judge, 7th Administrative Region, and District Judge, 318th District Court, Midland, reported that recently he has been working on family law and criminal law cases and his docket has returned exclusively to family law.

Hon. Karin Bonicoro, Associate Judge, Child Protection Court of Central Texas, New Braunfels, provided a brief introduction and noted that she is the Chair of the Commission's Technology Committee.

Joe Gagen, Chief Executive Officer, Texas CASA, Inc., Austin, reported on efforts to set the legislative agenda and address the goal of designating a CASA for every child in care and also provide support to DFPS in its efforts to sustain the budget resources necessary to serve children in the foster care system. A training session on the child welfare system was provided to selected legislative staff during the first week of the 82nd session. Capitol Day is scheduled for February 1. During the event, information will be provided to legislators about the need to prioritize the issues of children in foster care. CASA representatives will continue work in support of Foster Care Redesign and provide outreach and information on the importance of this issue to legislators. The first round of appropriations designated no cuts in the legislative support for CASA volunteers. CASA intends to request additional funds. Efforts continue toward volunteer recruitment and former first lady Laura Bush has provided a public service announcement that will air in mid-March or early April. CASA will continue to develop a quality assurance model to ensure that each volunteer assigned will provide the highest level of representation to the child. A meeting with the foster care alumni association was held and opportunities for further collaboration were discussed. The need for recruitment of minority CASA volunteers was highlighted in the media recently and the topic ties in to the disproportionality efforts underway. CASA and the Department will conduct training in nine different areas of the state in 2011 to address minority recruitment and disproportionality.

Stewart Gagnon, Partner, Fulbright and Jaworski, LLP, Houston, reported on the status of the self represented litigants project. Efforts are underway to have the Supreme Court of Texas appoint a taskforce to develop forms for use by self represented litigants when filing certain proceedings such as family law and probate proceedings. The Houston Bar Foundation James B. Sales Pro Bono Leadership Award recognizes a lifetime of contributions and leadership in the area of representation of individuals in need of legal assistance. Former Justice and Chair Emeritus Harriet O'Neill will receive the award in Houston on February 8. Judge Warne and

former Justice O'Neill acknowledged Mr. Gagnon's efforts to champion the legal needs of the less fortunate.

Dr. Octavio Martinez, The Hogg Foundation for Mental Health, UT Austin, Austin, commented that research and tracking on over 100 bills that related to mental health issues have been the priority of the Hogg Foundation. Efforts to address the issue of restraints used on youth in care are underway. The third in the Op Ed series on mental health in the Houston Chronicle will be published this week and will address the physical component of children in mental health services.

REPORT TO THE COMMISSION, Tina Amberboy, Executive Director

Ms. Amberboy noted that the committee chairs will provide updates to the Commission on the individual committee activities later in the meeting and limited her remarks to reporting on the status of the year end submissions to the Administration of Children and Families and to the Supreme Court and the Commission. The highlights of the ACF and Supreme Court reports are described in detail in the meeting notebook. Details about the Legal Representation Study and the work of the Education Committee will be reviewed in detail later in the meeting. Ms. Amberboy included information about two new projects that are under consideration; 1) the Legal Orphan Project and 2) the ICPC Project. The Legal Orphan Project will focus on how courts and judicial practice can reduce the number of children who presently age out of foster care as legal orphans. Texas was selected as one of the states to participate in the project. The Reform of the Interstate Compact for the Placement of Children project is a response to the delays that result in permanent placements of children subject to the terms of the compact which governs the placement of foster children who move from one state to another. Additional information that will include detail on the funding allocation requests for these respective projects will be presented at the next Commission meeting in April.

COMMITTEE REPORTS AND BUDGET APPROVAL

Basic Projects Committee, Kristi Taylor on behalf of the Honorable Robin Sage, Chair

Ms. Taylor reported on the meeting of the Basic Committee held on January 5. No new projects were proposed during the meeting. Ms. Taylor asked the users of the CPS Bench Book to share information about the Bench Book to new judges and review the JIR Letter from Judge Specia. User feedback on the functionality and content of the Bench Book is welcome. An update on the Judicial Disproportionality Workgroup was provided. During the first meeting in early December the group developed a mission statement and agreed to subsequent meetings to further develop principles and strategies to address the issue of disproportionality and disparate outcomes in the child protection system. Undoing Racism training will be delivered to four jurisdictions in 2011, the first being in Bryan, Texas next week with Judge John Delaney and local community leaders. The workgroup will participate in Undoing Racism training on February 16-18 in Austin. Ms. Taylor and Ms. Amberboy will accompany Ms. James to a strategic planning meeting with the People's Institute in New Orleans at the end of January. Ms. Taylor announced that the Children's Commission will receive the Trailblazer Award from the Austin Council of the Anti-Defamation League on February 16 in recognition of the efforts of the Commission. An update on the Round Table on Notice and Engagement was provided. Numerous stakeholders attended the Round Table and engaged in productive discussions and identified multiple issues that affect how to achieve the best results for children in the system. Work is underway on a JIR on the results of the Round Table.

Training Committee, Tiffany Roper on behalf of The Honorable Camile DuBose, Chair

Ms. Roper reported on several of the ongoing projects of the Training Committee which met on January 12, 2011.

Attorney Training

NACC Child Welfare Law Conference: The conference was held October 20-23, 2010 in Austin. The funding approved by the Commission included registration scholarships for approximately 220 attorneys and 25 members of judiciary from Texas and the Commission's Training Committee.

Three newer projects that will be developed over the next few months include:

1. Trial Skills Training

The need for attorney training in the area of statutory material and case law as well as basic trial skills training has been identified. National training options have been assessed, however the conclusion is to create a curriculum that can be conducted around the state by training facilitators. A workgroup consisting of litigators and experienced trial attorneys will be formed to work on development of a specialized trial skills training program. Ms. Roper will follow up on a suggestion to contact the Access to Justice Commission and assess the available training provided to legal services lawyers as well as other sources of existing resources.

2. Parent Attorney Conference and Child Attorney Conference

At the January meeting of the Training Committee, FY2011 funds in the amount of \$60,000 were authorized to coordinate with the ABA to send 25 parents attorneys to the ABA Parents' Attorney Conference on July 13-14 in Washington DC and 25 child attorneys to the Child's Attorney Conference on July 15-16, also in Washington DC. To ensure full participation by attorneys who receive the conference scholarship awards, the attorneys are responsible for their travel, food and per diem expenses, including taxi fare. The scholarships will cover the registration cost and lodging for the conferences. Chair Emeritus O'Neill proposed inclusion of the expectation that the recipients of the conference scholarships serve on workgroups or training debriefings upon completion of the conferences.

ACTION: There was not a quorum at this meeting so a vote to approve the allocation of \$60,000 for the Parent Attorney Conference and Child Attorney Conference scholarships could not be requested. The operating procedures of the Children's Commission state that the Commission's Executive Committee can vote to fund a project or authorize expenditure of funds. The action of the Executive Committee can then be ratified by the full Commission at its next meeting. This item will appear on the April 29, 2011 agenda for ratification.

3. Guide for Child Friendly Courthouses

At the January committee meeting Meghan Wells and Joy Rauls of the Children's Advocacy Center of Texas provided background information on a proposed grant application to fund a project to develop a best practice guide to enhance child friendly courthouses for children who must testify in court in Texas. Ms. Roper will deliver additional information on the project to the Training Committee and the Commission at the April meetings.

4. Website Updates

Judicial training dates will be added to the website.

Technology Committee, The Honorable Karin Bonicoro, Chair

Judge Bonicoro reported on the meeting of the Technology Committee held on January 6, 2011.

Child Protection Case Management System

The CPCMS project team is working on open service enhancement requests, generated by input from individual users. The volume of enhancement requests has increased since the end of August when the original FY2011 funding request was submitted. An increase in funds is needed to address the projected level of effort of the project team to resolve the enhancement requests. At the January meeting, an amendment to the FY2011 CPCMS budget totaling \$117,450 was authorized.

ACTION: There was not a quorum at this meeting so a vote to approve the amendment to the OCA Tex DECK budget for enhancements to CPCMS in the amount of \$117,450 could not be requested. The operating procedures of the Children's Commission state that the Commission's Executive Committee can vote to fund a project or authorize expenditure of funds. The action of the Executive Committee can then be ratified by the full Commission at its next meeting. This item will appear on the April 29, 2011 agenda for ratification.

National Information Exchange Model

Judge Rob Hofmann participates on behalf of the Commission. In October, Judge Hofmann attended the meeting in Denver to discuss development of additional court performance measures focused on well-being measures. The National Center for State Courts developed Toolkit measures. Thirty measures of court performance are used by Child Protection Courts in child protection cases. There are twenty one measures adopted in the Texas CPCMS. The group wants to include Texas in the next phase of their work in early February or March. At the national level, the measures are based on safety, permanency, due process and timeliness and until the October meeting, have not focused on well-being measures. The October meeting in Denver looked at where to begin and decided on education outcomes as the well being measure they will work on initially. The Education Committee will remain informed regarding the progress of this topic.

Video Conferencing

Three vendor firms will have the opportunity to propose solutions for the project. One firm, Visionality, completed their presentation which included equipment and software that enable children to participate in video conference meetings with their judges and possibly their caseworkers. Access is available from multiple devices (laptop, desktop, the most recent android or iphone or special monitors). OCA staff will assess each vendor proposal to ensure that the system that is finally selected will provide an affordable and viable solution and allow participation of children in their hearings.

CUC/Tech Share

At the January committee meeting, Mr. Charles Gray reported on the grant application for this project. The committee authorized allocation of \$60,000 to fund phase one of the project. As a result of a collaboration between Bexar, Dallas and Tarrant counties and the Texas Juvenile Probation Commission, the Juvenile Case Management System (JCMS) is under development. The system includes a court case management module designed to improve the efficiency and operation of the Family Courts that handle juvenile delinquency cases. These Family Courts frequently work with CPS cases, therefore expansion of the JCMS Court Module capabilities that will allow integration or interfacing with FRS.V2 and CPCMS will provide a resource for the case management approach. Phase One efforts will identify system specifications required to integrate data elements of the systems and facilitate merged dockets and the ability to track court performance.

ACTION: There was not a quorum at this meeting so a vote to approve the allocation in the amount of \$60,000 for Phase One of the CUC/Tech Share Project could not be requested. The operating procedures of the Children's Commission state that the Commission's Executive Committee can vote to fund a project or authorize expenditure of funds. The action of the Executive Committee can then be ratified by the full Commission at its next meeting. This item will appear on the April 29, 2011 agenda for ratification.

Improve Network Connectivity at the CPC Locations

Sprint and Verizon account representatives were contacted to secure new cellular air-cards to begin site specific testing for availability of service provider signal and bandwidth throughput at 27 locations. Testing is underway and upon completion of the tests for signal strength and data throughput functionality, OCA will determine if switching cellular providers is an appropriate solution and if the additional installation of a cellular booster or cellular repeater system is required as part of the solution. Evaluation of capabilities will be site specific in order for the most appropriate solution to be determined.

Temporary Staffing for Data Entry at CPCs

A temporary staff person was selected from a staffing agency in the Houston area and has received training on the CPCMS system. Data entry has begun in Conroe, Texas, to be followed by the East Texas CPC and the Brazos River Valley CPC. The goal to eliminate the data entry backlog in the four Region 2 CPCs is expected to be complete by the end of the federal fiscal year, September 30, 2011.

County Information Resources Agency

In December, CIRA advised of a change of contractors to complete their requirements study, delaying the completion of the study by approximately two months. Although the funding of \$74,336 will remain as a placeholder pending the review of CIRA's functionality report to the CIRA board, as a result of delays, progress on the development phase of the project will be insufficient during FY2011. A recommendation was brought forth that the funds be retargeted for the interface development between CPCMS and the Juvenile Case Management System (JCMS) project hosted by the Conference of Urban Counties (CUC) Tech Share program.

ACTION: Ms. Amberboy included information on a recommendation to the Commission to reimburse DFPS in the amount of \$2,273.75 out of the FY2011 budget for expenses incurred by DFPS attorneys who travelled to attend the Advanced Family Law conference last summer. DFPS was unable to submit the request for reimbursement prior to the end of FY2010 although the Commission had approved the expense. The funds rolled forward into the FY2011 budget. Since there was not a quorum at this meeting a vote to approve the payment could not be requested. The operating procedures of the Children's Commission state that the Commission's Executive Committee can vote to fund a project or authorize expenditure of funds. The action of the Executive Committee can then be ratified by the full Commission at its next meeting. This item will appear on the April 29, 2011 agenda for ratification.

EDUCATION COMMITTEE, Tiffany Roper on behalf of The Honorable Patricia A. Macias, Chair

The second meeting of the Education Committee was held on January 7, 2011. There was full participation by the high-level members of the Committee. During this meeting several committee members and organizations took part in panel presentations regarding the educational provisions of

the federal Fostering Connections to Success Act and data sharing between agencies. The committee approved the structure of, charge to, and membership of its four sub-committees:

1. School Readiness (Foster Children Age 0-5)
2. School Stability and Transitions (Foster Children Age 5-17)
3. School Experience, Supports, and Advocacy (Foster Children Age 5-17)
4. Post-secondary Education (Older Foster Youth)

The four sub-committees will have a joint meeting on February 4 to review information about the Children's Commission and the purpose of the Education Committee. Each sub-committee will then meet monthly following the February 4 meeting. At present, there are over 70 members among the four sub-committees. Over the next year, the sub-committee members will work to identify challenges and resources that affect the educational outcomes of foster youth. In addition, members will look at data sharing, judicial practices, the need for multidisciplinary training and will develop recommendations to present to the Education Committee, followed by presentation to the Commission in March of 2012. Ms. Roper reviewed a presentation for the Commission that contained current DFPS/TEA data on foster youth and their educational outcomes. Details of the data elements contained in the presentation are provided in the meeting notebook. Information on the membership and the work of the Education Committee and its sub-committees will be posted on the Commission website.

LEGISLATIVE COMMITTEE, Hon. Dean Rucker, Regional Presiding Judge, 7th Administrative Region, and District Judge, 318th District Court, Midland, reported that the Legislative Workgroup has been formed and will meet periodically to discuss the appropriateness and necessity of developing resource papers in consideration of proposed amendments to the Texas Family Code. The resource papers prepared by the workgroup are intended to assess a proposed bill's impact on judicial administration of child protection cases. The group includes trial judges who hear CPS cases. The papers are not intended as advisories issued by the Supreme Court of Texas or any other court, nor are these papers rulings on specific cases or legal issues, but are solely intended to address the improvement of the law, the legal system, and the administration of justice. To date, resource papers have been initiated or issued on Senate Bill 218 and House Bill 436. The resource papers will be posted on the Commission website.

STRATEGIC PLANNING COMMITTEE, Tina Amberboy on behalf of Harper Estes, Shareholder, Lynch, Chappell & Alsop, Midland Ms. Amberboy reported that the Committee met on November 11, 2010. It was decided at the meeting to broaden the strategic plan goals under three headings: Evaluate, Educate, and Improve. The suggested tools to accomplish the goals are judicial leadership, collaboration and cultural awareness/disproportionality. Work continues on the new goals and directives and the next meeting of the Strategic Planning Committee will be set for spring 2011. A formal revised strategic plan will be presented to the Commission at the April meeting.

BREAK - 2:18 p.m.

RECONVENE - 2:35 p.m.

LEGAL REPRESENTATION STUDY, Tina Amberboy, Executive Director, Children's Commission Ms. Amberboy reported on the final Legal Representation Study, published in January 2011. The study investigated how legal representation is conducted throughout the state by assessing in depth numerous issues that affect legal representation. The results of the study do not differ significantly from what many in the child-protection community had anticipated. The findings indicate much

variation in nearly every aspect of CPS legal representation in Texas – from the timing and length of appointments to the size of the pool of available, qualified attorneys. Ms. Amberboy provided an overview presentation to the Committee that included information on the goals, methodology, findings and statistics on the case study representation models. The report contains 26 recommendations that deal with Method of Appointment, Timing, Duration, Training, Qualifications, Compensation and Accountability. Ms. Amberboy noted that a workgroup will be formed to review the issues identified in the study and develop consensus on appropriate strategies and responses to the recommendations. The entire report can be accessed on the Children’s Commission website: <http://www.supreme.courts.state.tx.us/children.asp>.

TRAVIS COUNTY OFFICE OF CHILD REPRESENTATION, Leslie Hill, Managing Attorney, Travis County Office of Child Representation Ms. Hill provided an overview on the status of the pilot program established in 2009 in Travis County and the efforts made to improve the quality of representation to OCR clients utilizing an institutional model. The office works on a range of cases including court ordered services, PMC, and TMC cases, which are the majority of casework. The staff represent a wide range of multidisciplinary experience and proficiency to meet the needs of clients. Two staff attorneys received the NACC Child Welfare Law Certification in October of 2010. Ms. Hill noted the benefits of working with collaborative partners to leverage strong working relationships.. The benefits of the oversight committee in determining the effectiveness of the legal representation provided to clients were detailed. Two sub-committees provide oversight and direction on the organizations evaluation and finances and ensure an effective, long-term structure. Under a contract with George Mason University, a multi-year evaluation of the program is underway. Ms. Hill highlighted the numerous best practices in place at the OCR that include specialized training, interaction in the community through presentations (CASA, Brown Bag Series and Model Court trainings) and the distinguished speakers series and outreach to health care providers. Ms. Hill discussed the efforts employed to obtain data driven outcomes in support of the work and demonstrate the benefits to the state and community.

TRAVIS COUNTY OFFICE OF PARENT REPRESENTATION, Lori Kennedy, Managing Attorney, Travis County Office of Child Representation Ms. Kennedy reported on the work of the OPR and the expertise of its staff. Two OPR attorneys hold the NACC Child Welfare Certification. The collaborative efforts utilized by the office are a key component in meeting the goal to preserve, strengthen and support Travis County families. The goal is accomplished through delivery of early, effective and consistent legal representation by qualified attorneys and social workers. Ms. Kennedy noted the benefit of a one judge – one docket system that allows the judges to be well informed about the cases coming before them. Ms. Kennedy noted that the demographic statistics on who OPR serves are maintained by the office. Several examples of successful outcomes were described and highlighted the specialized and individualized efforts provided to client families. Ms. Kennedy acknowledged the need to sustain and continue efforts to develop best practices related to trauma informed care, individualized client services, family search and engagement and disproportionality.

ADOPTION REPORT, Penny Cook, Co-Founder, The Faith Connection

Ms. Cook reported on the report of the Adoption Review Committee published in December and the follow up efforts that will be developed. The Committee focused on how to move children in the child protective services system to permanency and expedite adoptive placements. The report focused on how to overcome the barriers to adoption. Ms. Cook acknowledged the complicated interrelationship of the systems that impact the opportunity for permanency for a child. The need to engage the communities and identify strategies to sustain efforts to move children through the system as statewide budget cutbacks are implemented was acknowledged. Arabia Vargas noted that there are

regions in the state (Bexar County) that have successful models. The Adoption Review Committee will meet on February 16 and Ms. Cook invited all interested parties to contact her.

DFPS UPDATES

Audrey Deckinga, Assistant Commissioner for CPS, TX Dept. of Family and Protective Services, Austin

Ms. Deckinga updated the Commission on the efforts the Department is working on with regard to adoption. Texas overall is doing significant work in many areas in achieving permanent adoptive placements for its children. Ms. Deckinga highlighted the Diligent Recruitment Grant that the Department has received with Texas CASA. Regions 3, 4 and 5 will be specifically targeted because these areas have been identified as having a high percentage of children of color waiting for adoption. Recruitment of resource families will be a priority. The Department intends to be very inclusive in seeking collaboration partners to work on the issue. Ms. Deckinga noted that Pastor Russell Rodgers is a member of the Adoption Review Committee as well as the Vice Chair of the Committee for Promoting Minority Adoptions. Ms. Deckinga approached Casey Family Programs for assistance on behalf of the Committee for Promoting Minority Adoptions to fund statewide forums to encourage minority families to consider providing adoption to the children of color in the CPS system. There will be three community forums and the disproportionality taskforce will participate and provide public education and awareness efforts and help with recruitment. Texas CASA will also partner with the Department on these efforts.

Anne Heiligenstein, Commissioner, Dept. of Family and Protective Services, Austin

Ms. Heiligenstein reported on the status of the House appropriations bill and the state of funding for the Department. The one-time federal appropriation available in the last biennium will not be replaced in the general revenue this session. The current bill contains numerous stringent reductions that include roll back of foster care rates, and a reduction of 825 fte positions. In addition a 45% reduction in prevention and early intervention programs for probation programs and there will be a need to supplant state funding with local funding for adoption and post adoption programs. In addition, the current appropriation will result in a \$2 million reduction in funding to adult protective services. Ms. Heiligenstein noted for the judges at the meeting the figures on the shortfall for the current fiscal year that has resulted from the lower than projected revenues from state sales tax. The options utilized by the Department to cover budget overages in the past are not an option for this year because of the funds that were offered up to comply with budget reduction requests. This will result in a pullback of spending for purchase of services for Child Protective Services (contract dollars). Specialty staff will be redirected to perform case work duties.

JIR, The Honorable John Specia, Jurist in Residence

Judge Specia reported that his efforts are focused on the follow ups on Beyond the Bench and the Roundtables held last year.

OFFICE OF COURT ADMINISTRATION, Carl Reynolds, Administrative Director

Mr. Reynolds reported that the Child Protection Courts budget were not affected by the budget reduction recommendations, however cuts are anticipated in other areas. The Child Protection Courts will host a training on March 7-8 and will collaborate with NCJFCJ on a leadership segment of the program. Mr. Reynolds and Ms. James delivered a presentation on disproportionality to a criminal justice group in mid January and the feedback has been positive.

COLLABORATIVE COUNCIL REPORT

Chair Emeritus O'Neill asked that in the interest of time, instead of oral reports on Texas Lawyers for Children and Advocacy, Inc., the Commission refer to the Collaborative Council reports contained in the meeting notebook.

COMMENTS/NEW BUSINESS

Chair Emeritus O'Neill asked the judges to return to their districts and remind other judges to reach out to legislative staff and request that they allocate time to observe cases.

NEXT MEETING

The 2011 meeting schedule of the Children's Commission will be April 29, 2011

ADJOURNMENT

The meeting was adjourned at 4:35 p.m.

INSERT - TAB 2

**Placeholder for
Children's Commission Membership list
...Attached as a separate Publisher File...
Adobe Acrobat 9 will not convert this file format**

INSERT - TAB 3



Children's Commission

SUPREME COURT OF TEXAS PERMANENT JUDICIAL
COMMISSION FOR CHILDREN, YOUTH AND FAMILIES

**Supreme Court of Texas
Permanent Judicial Commission for
Children, Youth and Families**

**REPORT TO THE COMMISSION
April 29, 2011**

**201 W. 14th Street
Austin, Texas 78701**

**Supreme Court of Texas
Permanent Judicial Commission for Children, Youth and Families
Report for April 29, 2011**

MINUTES– November 12, 2010 and January 21, 2011 meeting (adoption pending), **TAB 1**

COMMISSION MEMBERSHIP CHANGES TAB 2

On March 28, 2011, the Court signed an order appointing the Honorable Michael Massengale, Justice, 1st Court of Appeals, Houston to a three year term on the Commission. Justice Massengale has served on the Court of Appeals since 2009, and prior to that was a partner with Baker Botts in Houston.

COLLABORATIVE COUNCIL MEMBERSHIP CHANGES

New Members:
Kate McGlaghen, Texas Workforce Commission.

Please refer to the updated Collaborative Council list found at Tab 2.

COMMITTEE MEMBERSHIP CHANGES

Liz Kromrei has returned from retirement and has resumed her role on the Technology Committee.

STAFF CHANGES

No Staff Changes

COMMITTEE ACTIVITIES

Basic Grant Committee

The Basic Committee held a conference call on April 13th. The details of this report include the history and ongoing progress of staff directed and grant funded projects, including updates of events occurring after the April 13th committee meeting. For minutes regarding the full discussion of that meeting, please see the committee minutes in this meeting notebook under Tab 4.

Update on Basic Projects

1. Child Protection Law Judicial Bench Book

The Bench Book was introduced this August at the CPS Judicial Conference held in San Antonio, moved to the Texas Center for the Judiciary (TCJ) server in November, and was made available to all CPS judges on December 1, 2010. CPS Judges who have a secure log-in on TCJ's website can access the Bench Book from the TCJ secure site,

including links to cases and statutes on Lexis/Nexis. The Bench Book currently contains statutory requirements and checklists for each phase of a child protection case, as well as information on topics such as Disproportionality, STAR Health and the Permanency Care Assistance program. The Bench Book boasts numerous links to helpful guidelines, forms and other websites. Additional content, including caselaw, DFPS policy and best practice tips, will be added over the next year.

There are still very few users. The Commission staff requested that TCJ temporarily display the CPS Bench Book more prominently on their opening webpage and to move the link to the top of the list because it currently falls below the page view. Staff will demo the Bench Book again at the CPS Judicial Conference in July.

2. Appleseed Permanent Managing Conservatorship (PMC) Project

Texas Appleseed has completed its study of Texas children in PMC and published the final report in November 2010 and made a formal presentation to the Commission at its November 12th meeting. The full report can be found by linking here: http://www.texasappleseed.net/images/stories/reports/FosterCare-rev_press.pdf. An abbreviated version of the report also appeared in the October issue of the Bar Journal. The Appleseed workgroup and a subset of workgroup members met several times over the past quarter to discuss how to move forward with the Benchmark Pilot. The groups have discussed the pilot design and elements, possible jurisdictions for implementation, and an evaluation component. Casey has agreed to cover the cost of the independent evaluator. Considerations/Recommendations include: docket changes, categorizing cases from simple to complex categories and structuring hearing schedules that are more appropriate to the category, urging stakeholders to make a cultural shift to emphasize permanency value training to examine the of PMC cost and cost savings in finding permanency, importance for child, frequent revisiting of solutions, cultural and diversity competency and training of involved parties and stakeholders.

Tina Amberboy, Tiffany Roper, Sarah Abrahams, and Rebecca Lightsey and Kathryn Freeman with Texas Appleseed met with Harris County Judges Angela Ellis and Michael Schneider to discuss these courts becoming a Pilot Court. Casey Family Programs is working with Appleseed to research and develop the evaluation component. Part of the objective is to identify the data that needs to be collected for evaluation of the pilot program. The Appleseed pilot team will travel back to Houston in May to meet with a larger group of stakeholders.

3. Round Table Series

In December 2010, with the help of Casey Family Programs and the Department of Family and Protective Services (DFPS), the Permanent Judicial Commission for Children, Youth and Families (Children's Commission) co-hosted a round table

discussion on notice and engagement of parties and stakeholders in Child Protective Services (CPS) cases. The round table brought together various stakeholders, including judges from across the state, representatives of DFPS, prosecutors, attorneys, former foster youth, parents and relatives who were involved in CPS cases, and foster parents. The round table discussion revealed that DFPS is not consistently or timely providing service of citation or notice as required by the rules. It was also unclear whether DFPS was successful in notifying adult relatives within 30 days of the removal, as is required by federal law and DFPS policy. DFPS also is not consistently complying with the requirements for notice relating to permanency and placement review hearings. Also, most participants felt that DFPS could improve its engagement efforts because individuals who might be able to assist in the case are not being engaged, and even when they receive notice and attempt to participate, they do not feel welcome by the judges or are discouraged from participating.

The report lists several action items that will be tracked by the Commission in partnership with DFPS. A copy is included under Tab 8 and you can link to report here:

<http://www.supreme.courts.state.tx.us/children/pdf/NoticeEngage.pdf>

4. Legal Representation Study (LRS)

The Children's Commission approved the formation of a workgroup to study implementation of the LRS recommendations. Judge Dean Rucker will chair the LRS workgroup and members include: Judge Angela Ellis, Ms. Barbara Elias-Perciful, Mr. Bryan Wilson, Mr. Carl Reynolds, Mr. Charles Vaughn, Judge Darlene Byrne, Mr. Gary Fickes, Ms. Jane Burstain, Mr. Joe Gagen, Ms. Johana Scot, Mr. John Odam, Judge John Specia, Mr. Kenneth Hines, Ms. Leslie Strauch, Ms. Marcy Greer, Ms. Mary Christine Reed, Ms. Rebecca Lightsey, Mr. Richard Lavallo, Judge Susan Redford and Mr. Wesley Shackelford. The workgroup will hold its first conference call on May 26, 2011 to discuss how to move forward on the recommendations. The entire report can be accessed on the Children's Commission website:

<http://www.supreme.courts.state.tx.us/children/pdf/LRS.pdf>

5. Jurist in Residence (JIR)

The Jurist in Residence project was created to foster judicial leadership and promote greater expertise among child protection judges. The Commission's JIR, Judge John Specia, has been instrumental in advancing judicial education and community collaboration across the state. Most recently, Judge Specia consulted with the Supreme Court of Mississippi and a conference of judges regarding the formation and benefits of a statewide judicial commission to assist dependency and delinquency courts. JIR newsletters on the emergency cancellation of DFPS contracts with certain providers, and Foster Care Redesign were published in March 2011. A JIR on Psychoactive Medication

is pending. Judge Specia and Tina Amberboy traveled to Jackson, Mississippi on April 26, 2011, to testify before the Mississippi Commission on Children's Justice.

6. National Adoption Day

Adoption Day is supported by the Children's Commission to help consummate adoptions from foster care, celebrate and honor all families who adopt, and raise awareness about foster care children still waiting for adoption.

7. Judicial Technical Assistance

Judicial Technical Assistance amounts to providing to requesting judges a report that evaluates their jurisdiction's performance on permanency outcomes as measured by the DFPS data collected due to federal requirements. The federal Administration for Children and Families (ACF) uses the data to assess and rate how state child-protection systems perform in child safety, permanency and well-being. This joint project with the Center for Public Policy Priorities resulted from the well-received February 2010 PMC Round Table. Judges may use the data report to help them identify areas for improvement. To date, a permanency data analysis has been provided to Bexar County, Travis County, Tarrant County, Gregg County, the Cen-Tex Child Protection Court Cluster, and requests are pending for Harris County, Anderson County, Brazos County (Bryan), the Brazos River Valley Cluster, Ellis County, and Smith County. We have also used the following counties as comparison counties in preparing the specific county summaries: Harris, Dallas, McLennan, Henderson, Smith, Northeast Texas Cluster, Sabine Valley Cluster, Central Texas Cluster, South Plains Cluster, Brazos River Valley Cluster.

Harris County

A more intense Judicial Technical Assistance project that goes beyond merely providing permanency data analysis was launched in Harris County in February in partnership with the Harris County judges handling CPS cases, DFPS and Harris County CPS, Casey Family Programs, Texas Appleseed, and the Center for Public Policy Priorities. In summary, an April 2010 judicial "Beyond the Bench" conference and an October 2010 report on children in long-term foster care, published by Texas Appleseed, helped shed light on key issues affecting Harris County. As a result of these findings, state and county judicial leaders expressed interest in finding workable solutions to improve court processes and judicial practices in managing its child-protection cases. The issues identified included case delays, accountability and preparation, service of citation and notice, low reunification rate, lack of permanency, Disproportionality, case management and docketing, legal fees for appointed attorneys, countywide oversight and cooperation. Read the final report under Tab 9 or link to the full report here: <http://www.supreme.courts.state.tx.us/children.asp>

8. Judicial Disproportionality Workgroup (JDW)

In an effort to address how cultural and institutional racism contributes to the over-representation of African-American, Native-American and Hispanic youth and families in our child protection system, the Supreme Court Children's Commission, in partnership with Casey Family Programs, Texas Strategic Consulting and the Texas Health and Human Services Commission Center for the Elimination of Disproportionality and Disparities, formed a workgroup to help the legal system do its part in addressing this important issue. The JDW is co-chaired by Joyce James, Associate Deputy Commissioner, HHSC Center for Elimination of Disproportionality & Disparities, and Carolyne Rodriguez, Senior Director, Texas Strategic Consulting, with Casey Family Programs, Associate Judge Meca Walker of Harris County, and Senior District Judge John Specia. The JDW held its first meeting on 12/10/10 and adopted a mission statement as well as anti-racist principles that will guide the workgroups course. Most members of the workgroup participated in an Undoing Racism workshop on February 16 – 18, 2011. On April 15th, the JDW met again to discuss the curriculum for the upcoming Implicit Bias Conference scheduled for 6/6 – 6/7/2011. At the Implicit Bias Conference, some of the nation's preeminent experts will lead discussions on race and racism, including its history in the United States, key Supreme Court decisions, current research, and tools judges can use to affect change in their court rooms, such as the NCJFCJ Court Catalyzing Change Bench Card.

9. Tribal Initiatives

On April 1st, Vice-chair Judge Darlene Byrne, Carl Reynolds, State Court Administrator, and Kristi Taylor of the Children's Commission traveled to the Alabama-Coushatta reservation in Livingston, Texas to attend their Judicial Symposium. The delegation met with the Tribal Peacemaking Court and Collaborative Council Member Aaron Williams. Judge Michael Petoskey, the keynote speaker, is an elder and member of the Grand Traverse Band of Ottawa and Chippewa Indians. He has been instrumental in developing five tribal courts in Michigan and serves as chief judge in three of those courts. Judge Petoskey offered many ideas to promote better relationships between state and tribal courts and a deeper understanding of federal Indian law and the legal standing of tribes. Members of the Alabama-Coushatta shared many of their traditions and core values used in the tribal courts, creating an enriching and rewarding experience.

10. Psychoactive Medications

The Children's Commission hosted an informal discussion on April 21, 2011 regarding the newly revised Psychotropic Medication Utilization Parameters for Foster Children

(Parameters), a best practices guideline to ensure comprehensive evaluations and appropriate treatment of children prescribed such medications. The Parameters have been very successful, leading to significant reduction in the overall use of psychotropic medications and decreases in the use of multiple medications for the same purpose. Dr. James Rogers, Medical Director of DFPS, Dr. David Harmon, Chief Medical Director of Superior Health Plan, and Commissioner Octavio N. Martinez, Jr., M.D., described for the group how the Parameters were developed and the ways in which the Parameters are used in health screenings, automated monthly pharmacy screenings, and by CPS staff, CASAs, caregivers, attorneys and judges in the review of the medications of foster children. Commissioner Audrey Deckinga, DFPS Assistant Commissioner for CPS, and Kathy Teutsch, CPS Division Administrator of Medical Services added institutional knowledge of the Psychotropic Medication Utilization Review (PMUR), the process to seek further scrutiny of prescriptions that appear to fall outside the Parameters. Judge Diane Guarigila, Associate Judge of the 245th Harris County District Court, Judge John Hathaway, Associate Judge of the Travis County Youth Transition Court, and Judge Karin Bonicoro, Associate Judge of the Child Protection Court of Central Texas also provided feedback about the trends they see in their courts and their ideas for improving the Parameters and PMUR process. The collaborative discussion led to a better understanding of the PMUR process, identification of possible gaps in the system, and potential solutions to be explored further.

11. Restraint Group / Trauma Informed Services

In response to concerns raised by Richard LaVallo of Disabilities Rights Texas (formerly Advocacy, Incorporated) regarding the recent death of a foster child as a result of being physically restrained in a residential treatment center, the Children's Commission formed a workgroup to further study the use of physical restraints and other emergency behavioral interventions. The Restraint Workgroup has met three times, focusing on the goals of the group such as (i.) proposing guidelines for the use of physical restraints for foster youth similar to those that have developed for psychotropic medications; (ii.) propose changes to the DFPS rules governing the physical restraint in residential treatment centers; (iii.) providing data on the use of physical restraint in residential treatment centers for judges, caseworkers, CASA volunteers and attorneys ad litem; and (iv.) explore the possibility of stakeholders applying for a Developing Trauma-Informed System of Care grant. The Restraint Workgroup also attended a training on trauma-informed services sponsored by the Hogg Foundation. The training brought national experts on trauma-informed care who stated that physical restraint is often trauma inducing for youth who are victims of abuse and neglect. Trauma-informed care focuses on comfort and de-escalation in crisis, rather than control and restraint. This approach leads to fewer injuries of youth and staff and a more healing treatment environment. Further, facilities adopting alternatives to physical restraint have found that while the no-restraint approach may be more costly up-front, these practices

eventually lead to cost savings through less turnover, and fewer workers' compensation claims.

12. NCJFCJ Legal Orphan Project

A new project started in FY2011 focuses on how courts and judicial practice can help stem the growing number of children who are aging out of foster care as legal orphans. Judge Michael Key, current president of the NCJFCJ, heads an ad hoc committee composed of a few states to examine the issue in order to present findings and recommendations to the Administration of Children and Families. Texas was selected as one of the states to participate in the project. The financial contribution required of each state is approximately \$5,000.00.

The Legal Orphan Project targets at youth who are at risk of aging out without biological ties to any parent. Legal orphans cannot inherit, benefit from being added to a parent's insurance, cannot get any SSI or military benefits that might be passed through from a parent or even a grandparent. The deliverables for each participant state: to identify the number of children who are 12 and older with termination of parental rights regardless of whether their plan is adoption and who have been in foster care for at least one year; to produce a written report about the problem, propose solutions, and start a national dialogue among child welfare professionals and the judiciary; and to build a national curriculum around permanency counseling for children who identify as not interested in being adopted. A Texas workgroup will be formed before the next Commission meeting.

13. ICPC Reform

The Interstate Compact on the Placement of Children (ICPC or Compact) was intended to be a uniform state law governing the interstate placement of children in foster care. However, in practice, the ICPC is inconsistently applied and is criticized for being unworkable and an unnecessary delay to children's permanency. The current ICPC has been in existence for over 40 years and has been plagued with problems, primarily relating to its inconsistent interpretation and enforcement.

It is considered by most child welfare professionals to be the cause of tremendous and unnecessary delay in placing children in permanent homes. It prolongs the length of stay in foster care, which in turn costs states and judicial systems money, and months and sometimes years of a child's life.

Currently, the ICPC is controlled by the American Public Human Services Association (APHSA), which administers the Compact on behalf of the states. Although the APHSA recognizes that problem exists, it has been unable to produce an amended compact that child welfare professionals and states will agree to. Most professionals knowledgeable about the ICPC express concern over three main issues dealing with the subjective

nature of homestudies, the failure to provide a presumption of non-custodial parental fitness, and the ability for judicial review or appeal of the denial for placement.

Many child welfare professionals have determined that it is time for the ICPC to be reformed. The National Association of Counsel for Children (NACC) has formed a national workgroup, and Texas has been invited to participate in the dialogue about what can be done, and how to proceed. Texas submitted comments to the Conference of State Court Administrators for inclusion in comments to the APHSA at their annual meeting in April.

Training Grant Committee

The Training Committee met by conference call on April 6, 2011. The details of this report include the history and ongoing progress of training committee projects. For minutes regarding the full discussion at the April 6 meeting, please see the minutes in this meeting notebook under Tab 4.

Training Grant Applications / Funding Requests

Update on FY2011 Projects

Attorney Education

1. NACC Child Welfare Law Conference – The NACC annual conference will be held August 30-September 1, 2011 in San Diego, CA. This annual conference offers nationally known expert speakers on multi-disciplinary topics related to legal representation in child abuse and neglect cases. The Training Committee approved \$6,000 to provide registration scholarships to approximately 15 Texas attorneys who represent parents, children, and DFPS in CPS cases.

2. Scholarships for Child Abuse and Neglect Track at Advanced Family Law (AFL) – In FY 2010, 42 attorneys attended the Child Abuse and Neglect Track at Advanced Family Law on commission-funded scholarships. At the April 6 meeting, the committee approved funding of an additional \$5,000 to the \$5,000 previously approved to provide registration scholarships to attorneys for the day-long Child Abuse and Neglect Track at the State Bar of Texas Annual Advanced Family Law Conference in 2011. An interagency agreement regarding the 2011 scholarships was recently signed and the application process will begin soon.

3. Scholarships for DFPS attorneys to attend the TDCAA Crimes Against Children Conference in April, 2011 -- Committee members approved \$25,000 to provide scholarships for DFPS attorneys who otherwise would not be able to attend legal training to attend the Texas District and County Attorney's Association

Crimes Against Children Conference, which will include a two-day track on CPS cases. The conference occurred April 12-15 in Houston. In addition to state's attorneys, TDCAA offered several registration scholarships to parent/child attorneys.

4. Trial Skills Training – The committee approved \$40,000 at the July 2010 meeting to develop trial skills training in FY 2011. A workgroup, to be led by Justice Michael Massengale of the 1st Court of Appeals in Houston, will develop the curriculum for this training, with plans to offer the training across Texas jurisdictions.

5. Child Welfare Law Certification – In May 2009, the Texas Board of Legal Specialization approved the application of NACC to offer child welfare law certification to qualifying Texas attorneys. Fourteen Texas attorneys applied for the 2010 certification exam and thirteen of the fourteen attorneys sat for the exam. In July 2010, the NACC certified 12 Texas lawyers and one judge as Child Welfare Specialists. The committee set aside \$20,000 to support training for the certification exam. Currently, at least four Texas attorneys have applied for the certification and approximately 35 have requested that the application be sent to them.

6. SBOT CAN Committee Multi-disciplinary Training in FY 2011 – The State Bar of Texas Child Abuse and Neglect Committee pushed back the date of its multi-disciplinary conference to FY 2012.

7. American Bar Association (ABA) Parent Attorney and Children and the Law Conferences in FY 2011 – At the January meeting, the committee approved funding of \$60,000 to work with the ABA to send Texas attorneys to the two upcoming conferences. Training grant funding will cover registration, a percentage of lodging expenses, and administrative costs of the ABA. Attorneys will be expected to cover travel and other expenses. The Parent Attorney Conference is scheduled for July 13-14, 2011 and the Children and the Law Conference is scheduled for January 15-16, 2011, both in the Washington, D.C. area. Applications were due by April 8; roughly 125 attorneys applied for the scholarships.

Judicial Training

1. The Texas for the Judiciary (TCJ) conferences in 2011:

NCJFCJ National Conference on Juvenile and Family Law and Annual Conference –In 2011, the NCJFCJ National Conference on Juvenile and Family Law was held in March in Reno and approximately 30 attendees came from Texas. The Annual Conference of the NCJFCJ will be held during July in New York City. Judges who attend the July conference will be required to attend the CPS Judges Conference.

Beyond the Bench – The Beyond the Bench conference brings together a comprehensive list of stakeholders in the child-protection system from a particular

region for a two-day multi-disciplinary training that includes open communication and collaboration, brainstorming, and problem solving as well as discussion of best practices. Stakeholders who participate include judges, prosecutors, CASA, CPS, foster parents, educators, mental health/substance abuse professionals, public health professionals, law enforcement, the Texas Workforce Commission, educators, former foster youth, and parents formerly involved with CPS. The next Beyond the Bench will occur in August 24-26, 2011 and will target courts in Central Texas. TCJ will get planning underway in FY 2011 for a state-wide Beyond the Bench to occur in 2012.

Implicit Bias in Judicial Decision-Making – This judicial conference, the first of its kind in Texas for child protection judges, took place May 10-11, 2010 in Bastrop. The conference addressed implicit bias in judicial decision-making and tools for judges to use to avoid it. Feedback from the training was extremely positive. The next conference regarding implicit bias in judicial decision-making is scheduled June 6-7, 2011.

CPS/Associate Judges Conference – This annual conference, held August 4-6, 2010 in San Antonio, is designed specifically for district and other judges who hear child-protection cases and focuses on best practices and cross-disciplinary issues. Commission staff worked with the Texas Center for the Judiciary regarding curriculum for this conference. The committee approved funding the CPS Judges Conference in FY 2011; it is scheduled in July 6-8, 2011 and will combine content traditionally presented at what was known as the Associate Judges Conference.

Other Judicial Conferences

TCJ broadened the scope of the language in its FY2011 grant application to include conferences held by national organizations other than the NCJFCJ; the committee approved funding for additional judicial conferences at its July 2010 meeting.

Judicial Technical Assistance – In March 2010, the committee approved funding for the Texas Center for the Judiciary to work with experts who may provide judicial technical assistance to improve moving children to permanency. In 2010, judicial technical assistance primarily funded analysis of county-level data, particularly looking at permanency outcomes. Additional courts have requested an analysis of their jurisdiction since the last commission meeting. At the July committee meeting, the committee approved funds requested by TCJ to continue providing judicial technical assistance in FY 2011.

Funding for Local Training –Beginning FY 2011, as part of its grant award activities, if commission staff approves a grant application of a court for local training, TCJ will handle reimbursement of approved costs incurred for the training. Funding for local training will be included in the award given to TCJ. The committee approved the use of training grant funding for this project in FY 2011.

2. Office of Court Administration (OCA) Judicial Education – The Office of Court Administration's training is usually scheduled in October. The CIP Training Grant funds an annual two-day workshop for CPC judges to cover current multi-disciplinary topics. OCA pushed back the training to March 7-8, 2011 because of judicial interest in attending the NACC conference in October 2010. Fifteen judges and 16 court coordinators attended the conference, which included national speakers on educational outcomes of foster youth and judicial leadership.

3. Local Jurisdiction Disproportionality Training – At its July meeting, the committee approved funding of \$30,000 to be used for local jurisdiction disproportionality training in FY 2011. Since the meeting, the Commission approved the creation of a workgroup to determine the scope of this training. The workgroup has held several meetings to discuss the best method of delivering this training to Texas judges and local jurisdictions.

4. Mediation Project – Cynthia Bryant, clinical professor at the University of Texas School of Law Mediation Clinic recently wrote a report on the state of CPS mediations in Texas, including review of how cases are referred to mediation, how attorneys are trained to advocate for their clients during mediation, and when in the case timeline mediations are usually conducted. The report, though comprehensive, drew attention to the lack of data regarding mediations and of guidelines for attorneys, mediators, and judges regarding CPS mediations.

Ms. Bryant and Susan Schultz, Center for Public Policy Dispute Resolution at the University of Texas School of Law and potentially the LBJ School of Public Affairs plan to collaborate in the development of a policy research class of law and/or public affairs students to conduct research and produce a report regarding CPS mediations. The committee approved funding of \$25,000 for a mediation project in FY 2011; the policy research project may get off the ground during the 2012/2013 school year. An advisory group for this project will be created over the next few months.

5. Children and the Courtroom Project – On April 6, the Training Committee approved funding \$25,000 for a proposal of the Children's Advocacy Centers of Texas to produce a guide of best practices regarding child testimony in civil and criminal child abuse and neglect proceedings. The guide, which will be available later in 2011, will be disseminated to courts across Texas.

Technology Committee Report

The Technology Committee met via conference call on April 7, 2011. For minutes regarding the full discussion of that meeting, please see the committee minutes in this meeting notebook under Tab 4.

1. Child Protection Case Management System (CPCMS)

Commission's Executive Committee voted in January to approve the increase in funding to amend the OCA TexDECK grant (\$117,450). The Commission will ratify the vote of the Executive Committee on 4/29/11. The amendment will bring the total of the TexDECK grant for FY2011 to 402,770.00.

Version 3.1 enhancements were implemented on Friday, March 4th, which included 5 system enhancements and 3 bug fixes.

The quarterly meeting of the CPCMS Advisory Group was held on Tuesday, March 8th. The Advisory Group reviewed and approved additional enhancements that will be rolled out in versions v3.2 (scheduled for implementation the first week of May), v3.3, and v3.4. The Advisory Group requested that six tickets be elevated to a higher priority and addressed as soon as possible, and eliminated two enhancement requests, which were removed from the development schedule.

Version 3.3 and Version 3.4 are scheduled to be completed in May and June (respectively).

There will be approximately 40 unaddressed enhancement tickets after June 2011. CIP funding to address these tickets will be requested in the FY2012 CIP Grant Application that will be presented to the Technology Committee at the June 30th meeting.

2. National Information Exchange Model (NIEM)

The National Resource Center for Child Welfare Data and Technology (NRCCWDT) held a 2 ½ day workshop in Austin (March 1- 3). The agenda was focused on implementing privacy solutions in child welfare and the applicability of FERPA, HIPAA and 42 CFR (Confidentiality of Alcohol and Drug Abuse Patient Records. Texas state agency representatives from the Texas Education Agency (TEA), Department of Family and Protective Services (DFPS), the Office of Court Administration (OCA) and the Children's Commission attended the workshop.

The workshop participants discussed the privacy and confidentiality concerns associated with sharing information between TEA, DFPS, and Courts. The NRCCWDT is offering to fund 50% of the costs to develop data sharing interfaces between TEA, DFPS, and OCA (for CPCMS users). The remaining costs of the project would be state or CIP expense. The workshop attendees are awaiting instructions from NRCCWDT on the next steps and CC/OCA staff will bring the matter back to the Technology Committee before any final decisions are made about whether to engage in this effort this year. No new activities at this time.

3. Judicial Connectivity Support

At the August 20, 2010 meeting, the Commission voted to approve funding \$160,150 in FY2011 to improve network connectivity at the Child Protection Court Locations. Originally there were 29 county court sites identified as having insufficient access to cellular internet connectivity using cellular air cards. To date, 30 county court sites have been visited, local contacts established and information collected to address improving access to county network resources and Internet connectivity. The objective of the project is to improve wireless internet access for 25+ county courts that are utilized by the CPC staff. The funding covers contract expenses for a project lead, travel, equipment, and installation and set-up services. Site visits to 77 additional counties will be scheduled over the next 60 – 90 days. Project expenditures are approximately 12K to date.

Child Protection Court of Central Texas – 7 county court sites

Centex Child Protection Court – 3 county court sites

Child Protection Court of the Hill Country – 11 county court sites

Child Protection Court of South Texas – 9 county court sites

The solutions vary depending on which carrier serves the county / courthouse. The equipment purchased may be for the benefit of the county or the court, such as a router or equipment such as an aircard or antenna may be purchased for the individual user. One portable cellular booster system was purchased in February 2011, and is being field tested by Judge Kevin Hart in the South Plains Cluster Court (Lubbock, Texas area).

Based 2 months of testing with a Verizon aircard with an external antenna, all CP court staff that have a Verizon aircards will be issued an external antenna to improve their cellular network connectivity April 30, 2011.

4. Data Interface(s) for data sharing with TechShare Program – Juvenile Case Management System (JCMS)

This project is aimed at developing and implementing a Child and Protective Services (CPS) court management component of the JCMS Court Module to be initially piloted by the 304th and 305th Family District Courts in Dallas County, the 323rd Family District Court in Tarrant County, and to be evaluated for future use by the 289th, 386th and 436th Family District Courts in Bexar County. The initial project, which is funded by this first phase / first award of \$60K will be to identify system specifications required to integrate elements of the FRS.V2 or interface with CPCMS into the business and technical requirements and specifications defined for the JCMS Court Module. Once this stage is completed, the Urban Counties will seek additional grant funding from the Commission to move forward with Feature Design moving toward the actual integration and implementation of these elements into the JCMS Court Module.

OCA Interface Requirements / Duties (\$74,336) is still allocated in the budget, but is merely a placeholder until the CUC project progresses to the point where they can advise as to whether OCA will need to build an interface on the CPCMS side.

5. CPCMS Staff Assistance – Region 2

This funding is aimed at assisting two of the four courts in the 2nd Administrative Judicial Region to input backlogged CPCMS case data into the case management system. The four include:

East Texas – 5 counties, 542 cases

Brazos River Valley – 6 counties, 215 cases

Southeast Texas – no assistance needed at this time

Three Rivers – no assistance needed at this time

The temporary data entry staffer has updated 625 of the 757 (total) open cases in the two courts. Information from approximately 1650 court reports have been entered by the temporary staff.

Staff will analyze using part of the funds to acquire temporary staff in Austin to assist with the CenTex Child Protection Court and the Rio Grande Valley West Child Protection Court backlogs, based on requests from those courts.

6. Video Conferencing

Proposals submitted by three video conferencing vendors that were identified from the Information and Communications Technology (ITC) Cooperative Contracts established at the Department of Information Resources (DIR). The proposed solution from Visionality / Designs That Compute, based on the Mirial ClearSea product line is scheduled for a 30-day trial test, beginning the week of April 3rd – 9th. OCA will serve as the Multipoint Control Unit (MCU) manager. Non-court testing partners are being recruited to participate in the 30-day trial test such as Disability Rights (formerly Advocacy Inc), and the 7th Court of Appeals in Amarillo, Texas

Three court sites have agreed to participate in the 30-day trial test: Harris County District Court Judge Michael Schneider; Travis County Associate Court Judge John Hathaway; and Child Protection Court of Central Texas Judge Karin Bonicoro

Inexpensive (\$89) web cameras are being ordered for use with notebook computers. At this time, no other end-point equipment is planned to be purchased for the pilot test. Analysis is in process on whether a more robust end-point configuration (i.e., \$9k - \$11k) for video conferencing equipment will be required to support the court room location. This cost should fall within the 100K allocated.

Stakeholders met on April 18, 2011, and determined that a pilot project involving 5 to 10 cases from each court participating in the pilot. The project will start in June to accommodate summer schedules.

Education Committee Report

On May 20, 2010, the Supreme Court of Texas signed the *Order Establishing Education Committee of Permanent Judicial Commission for Children, Youth and Families*. The idea of this special committee arose during the October 2009 National Judicial Summit when the Texas team developed and adopted a state action plan that included the goals of improving education outcomes for kids in care and keeping foster children closer to their homes.

The Education Committee membership includes high level decision-makers from the child protection and education systems. (For a list of committee members, see: Order Establishing Education Committee). Unlike other collaborations between child protection and education around the country, the Texas committee is unique because it is judicially created and led.

The Education Committee, chaired by Judge Patricia Macias, has met three times – September 30-October 1, 2010 (in-person), January 7, 2011 (in-person) and April 8, 2011 (teleconference).

Between the January 7 and April 8 meetings, four sub-committees were created to help address the charge given to the Education Committee:

1. School Readiness (Foster Children Age 0-5)
2. School Stability and Transitions (Foster Children Age 5-17)
3. School Experience, Supports, and Advocacy (Foster Children Age 5-17)
4. Post-secondary Education (Older Foster Youth)

The sub-committees began meeting by holding a joint sub-committee meeting on February 4, 2011. At that meeting, the sub-committees learned about the Children's Commission and the creation of and charge to the Education Committee. The sub-committee members received information regarding educational outcomes of foster youth, including education data provided about Texas foster youth by the Texas Education Agency. The sub-committees will continue meeting, at least monthly, between now and March 2012, when the Education Committee will provide recommendations in a final report to the Children's Commission.

To date, each of the sub-committees has met twice independently of the other sub-committees. The first meeting of each sub-committee was devoted to identifying challenges and existing resources to address those challenges; the second focused on the creation of a sub-committee action plan. During the April 8 committee conference call, Education Committee members heard reports from co-chairs of each sub-committee regarding their meetings and action plans. Each action plan includes goals to develop recommendations regarding data/information sharing, judicial best practices, multi-disciplinary training, and future collaboration.

Finally, during the January 7 committee meeting, the members discussed ways they would raise awareness of the Education Committee and its work. Among some of the work, Jim Crow, Executive Director of the Texas Association of School Boards (TASB), supported the inclusion of two articles on the efforts of the Education Committee in the January/February 2011 edition of *Texas Lone Star* magazine, TASB's flagship publication, which reaches over 11,000 school officials and others. DFPS, TEA, and Casey have proffered staff to be part of the sub-committees. Joy Baskin, Chair of the State Bar of Texas School Law Section, noted that education issues for foster youth have been positioned on events for school attorneys and she will share information about the education perspective at state bar training.

On the national level, there are several events in 2011 that will focus on educational outcomes of foster youth, including a meeting in November jointly held by the U.S. Departments of Health and Human Services and Education. Teams from all 50 states, Washington, D.C., and Puerto Rico will participate and focus on the education needs of children in foster care.

Texas is receiving national recognition about this initiative. The emphasis on cross-system responsibility for foster youth is guiding the work and the collaborative effort at seeking solutions to the issues is a foundation for a national model and long term relationships among the systems represented on the committee and sub-committees.

The Education Committee will next meet on June 24, 2011.

Strategic Planning Committee

At its April 30, 2010 meeting, the Commission directed the three standing committees to review the existing strategic plan and submit their comments or proposed changes to the Strategic Planning Committee that was scheduled to meet on August 19. The committee, chaired by Harper Estes, includes judicial chairs of each committee (Basic - Robin Sage, Technology - Karin Bonicoro, Training - Camile DuBose, Education – Patricia Macias, Legislative – Dean Rucker), Commission Vice Chair Darlene Byrne, and Audrey Deckinga, the DFPS Assistant Commissioner for CPS. A verbal report to the

Commission regarding the August 19th meeting was delivered by the Committee Chair at the August 20th meeting. The Strategic Planning Committee met again on November 11, 2010, and the Chair provided a report at the November 12, 2010, Commission meeting. The committee decided to broaden the strategic plan goals under three headings: Evaluate, Educate, and Improve. The suggested tools to accomplish the goals would be judicial leadership, collaboration and cultural awareness/Disproportionality. The Children's Commission staff continues to work on the new goals and directives and will convene another meeting of the Strategic Planning Committee in July 2011 after Commission staff returns from its annual CIP Conference where amendments to the Program and Instructions and over CIP strategic plans applicable to each state will be modified.

Legislative Workgroup

The Legislative Workgroup has only met by conference call one time during this session. Children's Commission staff has solicited input from several judges on various House and Senate bills including and has provided resources papers on the following:

HB435, Amending § 102.008(b)(8) of the Family Code to add that a petition initiating a suit affecting the parent-child relationship (SAPCR) does not need to include the name of an alleged father or a statement that the father's identity is unknown, if the suit is brought under Family Code § 161.002(b) (2) or (3) in which adoption or termination of parental rights is requested; and § 107.013(a) of the Family Code to repeal the requirement that the court appoint an attorney ad litem to represent the interests of an alleged father who failed to register with the registry under Chapter 160 and whose identity or location is unknown.

HB436 amending Section 102.003(a)(12) of the Texas Family Code to provide foster parents with standing¹ to file a suit affecting the parent-child relationship (SAPCR) after the child has been placed in the foster home by DFPS for at least six months. Under existing law, § 102.003(a)(12) requires at least 12 months.

HB121 & HB835 both amending Section 102.006(c). HB 121 replaces the enumerated persons with "a person related to the child within the fourth degree of consanguinity" (4th degree would extend to first cousins of the child) and adds that these people can file a petition requesting "adoption." HB 835 replaces the enumerated persons with "a person related to the child within the third degree of consanguinity," adds that these

people can file a petition requesting “adoption,” and changes the deadline to 30 days after termination.

SB1025, intended to ensure that parents in a child-protection case are aware of the right and procedure for requesting appointed counsel, and that parents have the availability of counsel to prepare for the full adversary (14-day) hearing.

SB1026 adds Sections 107.0131 and 107.0132 to codify powers and duties, including minimum training requirements, for parents’ attorneys, similar to those under existing law for children’s attorneys. Section 107.0132 codifies powers and duties of an attorney appointed to represent an alleged father.

HB3123 codifies existing federal requirements and adds judicial oversight to ensure compliance. Federal law requires that notice be given to relatives within 30 days of the child’s initial removal from home (beginning of case). HB 3123 codifies federal law requiring the Department of Family & Protective Services (DFPS) to notify adult relatives within 30 days of a child’s removal from home. It also amends “service plan” requirements to make state law consistent with federal requirements that plan be developed “jointly” with parent(s) and be “part of the case record. Early court review of efforts to locate necessary parties will help ensure due process is provided. Court oversight of efforts to locate relatives and necessary parties will save time and taxpayer money. Court review of the service plan, under HB 3123, is designed to encourage parental involvement in the development of the plan and to ensure that the plan is reasonable.

The Commission Staff has provided testimony on the above bills as well as HB3311 (clarifying that a meeting in the hallway of the courthouse is not sufficient to comply with the attorney ad litem’s duty to meet with their client prior to a hearing), HB3314 (requiring an AAL to file a statement of compliance with the duty if the child is not present in court), and HB1466 (HB 1466 creating a new declaratory action allowing a young adult (18 or older, but younger than 21) to file a suit seeking a declaration from the court that the youth is abused, neglected or abandoned and thereby eligible to apply for Special Immigrant Juvenile (SIJ) status.

INSERT - TAB 4

**The Supreme Court of Texas
Permanent Judicial Commission for Children, Youth and Families**

Basic Committee Meeting Minutes

April 13, 2011

This meeting was held at noon on April 13, 2011 via teleconference located at 201 W. 14th Street- Sixth Floor OCA conference room, Austin, Texas.

ATTENDANCE OF MEMBERS

Members	Members
Name	Name
The Honorable Robin Sage, Chair	The Honorable Mickey Pennington, Member
The Honorable Elma Salinas Ender, Member	The Honorable Doug Warne, Member
The Honorable Bonnie Hellums, Member	The Honorable Virginia Schnarr, Member
Ms. Colleen McCall, Member	The Honorable Peter Sakai, Member
Ms. Kristi Taylor, Staff	Mr. Joe Gagen, Member
Ms. Tina Amberboy, Staff	
Teri Moran, Staff	
Ms. Carlyne Rodriguez, Member	
Ms. Barbara Elias Perciful, Member	
The Honorable Cheryl Lee Shannon, Member	

I. Call to Order

Judge Sage, Committee Chair, called the meeting to order at 12:00 p.m.

II. Update on Basic Projects

a. Bench Book

- Very few users so far
- Marketing strategies – Bench Book to be highlighted on TCJ website; Demonstration at CPS Judges Conference.

Discussion:

Barbara Elias-Perciful offered to include the CPS Bench Book as part of the Texas Lawyers for Children online center to increase the accessibility and usage of the Bench Book.

b. Appleseed Permanent Managing Conservatorship (PMC) Project

- In Nov 2010 Texas Appleseed published its final report
- Next step is the Permanency Review Benchmark Hearing Pilot – the Appleseed Workgroup met several times over the quarter to discuss pilot design, possible jurisdictions, and how to evaluate the program. Casey will cover the costs of an independent evaluator.

- Considerations/Recommendations include: docket changes, simple to complex hearing schedules, a cultural shift to emphasize permanency value training to examine the of PMC cost and cost savings in finding permanency, importance for child, frequent revisiting of solutions, cultural and diversity competency and training of involved parties and stakeholders.

Discussion :

Tina Amberboy, Sarah Abrahams, and Texas Appleseed met with Harris County Judges Angela Ellis and Michael Schneider to discuss these courts becoming a Pilot Court. Carolyne Rodriguez noted that Casey Family Programs is working with Appleseed to reasearch and develop the evaluation component. The Appleseed Workgroup must identify the data that needs to be collected for evaluation of the pilot program. The Appleseed pilot team will travel back to Houston in May to meet with a larger group of stakeholders.

c. Notice and Engagement Round Table

- Notice and Engagement - In December, the Commission, Casey and DFPS hosted a round table discussion regarding gaps in the process of timely serving citations or notice of hearings as required by law; the recommendations from this Round Table were many including:

(1) Training

Judicial / Legal System:

- a. Procedures for monitoring compliance with service and notice requirements and enforcing noncompliance (such as sanctions under Rule 21b of the Texas Rules of Civil Procedure).
- b. Instruction on ability to issue a standing order allowing notice to be accomplished via email with a read receipt requested unless not feasible.
- c. Emphasize the importance of timely service and notice and its impact on timely resolution of the case and permanency for the child.
- d. Increase judicial awareness of resources available to DFPS through the Vital Statistics Unit (VSU) and other databases, so that judges can inquire regarding the status of pending requests.
- e. Address attitudes and misconception regarding the involvement of alleged fathers, relatives, caregivers, and youth, and emphasize the importance (and statutory requirements) of their involvement throughout the case.
- f. Practices to ensure parents, youth and other participants understand their rights and feel welcomed and empowered to participate in the case.
- g. Practices to increase the early involvement of parents and family members at the ex parte stage (the point of removal) and inform parents of the right to legal counsel.

DFPS Investigators & Caseworkers:

- h. Differences between Service and Notice under the Texas Rules of Civil Procedure and Family Code, and notice requirements of the Family Code that do not have to be executed in accordance with the Texas Rules of Civil Procedure.
- i. Procedures for searching for parents and relatives and requesting information from the VSU (including emphasis on the importance of obtaining contact information so that service or notice can be timely executed.)
- j. Procedures for engaging families at the investigative stage and involving them in the ex parte hearing (and the importance of this early involvement).
- k. Ensure Family Team Meeting staff apprises parents of their rights and that the nature of the FTM is voluntary.
- l. Ensure caseworkers advise parents of their right to a court appointed attorney if they cannot afford one, and not merely that they have the right to hire one.

(2) Tools

- a. Develop a checklist for judges to monitor compliance with service and notice requirements (available through the Child-Protection Benchbook).
- b. Consider the feasibility of creating a publicly accessible website that includes basic, non-confidential information about hearing dates and times.

(3) DFPS Policy

- a. Examine policy regarding certain criminal convictions that may affect an individual's suitability for placement.
- b. Examine the Memorandum of Understanding with the DSHS regarding obtaining and paying for birth certificates and other family information..
- c. Work with DSHS to obtain computer access to the VSU databases.
- d. Partner with the Parent Collaboration Group or other parent representatives to establish a mentoring group for parents who are involved in a CPS case to help overcome issues of embarrassment and fear.

(4) Statutes

- a. Examine whether Texas Family Code Chapter 160, Section 155.101, and/or 108.110 should be amended to give DFPS direct computer access to the VSU databases that contain information on the court of continuing jurisdiction, acknowledgments of paternity, and filings of intent to claim paternity, without the necessity of a court order or fee, including the cost to accomplish such a change.

Ideas for future Round Tables:

- Reunification
- Psychoactive Medications
- Legal Representation Study Workgroup
- Appellate Workgroup-Trial Skills
- Tribal Collaboration

d. Legal Representation Study (LRS)

- The Children’s Commission approved the formation of a workgroup to study how to implement the LRS recommendations. Judge Dean Rucker will chair the LRS workgroup and the first conference call will be held May 26, 2011. The LRS report can be accessed on the website.

Discussion: In the LRS Report there are 26 recommendations of which a few are now proposed legislation such as required training for attorneys representing parents.

e. Judicial Technical Assistance

This joint project with the Center for Public Policy Priorities resulted from the well-received February 2010 PMC Round Table. Judges may use the data report to help them identify areas for improvement. To date, a permanency data analysis has been provided to Bexar County, Travis County, Tarrant County, Gregg County, the Cen-Tex Child Protection Court Cluster, and requests are pending for Harris County, Anderson County, Brazos County (Bryan), the Brazos River Valley Cluster, and Ellis County.

f. Harris County Judicial Outreach

An April 2010 judicial “Beyond the Bench” conference and the Appleseed Report on children in long-term foster care, helped shed light on key issues affecting Harris County

State and county judicial leaders expressed interest in finding workable solutions to improve court practices re: case delays, accountability and preparation, service of citation and notice, low reunification rate, lack of permanency, disproportionality, case management and docketing, legal fees for appointed attorneys, countywide oversight and cooperation.

A final report on Harris County is on the Commission’s website. The emphasis on coordination, communication and engaging stakeholder is applicable to other jurisdictions in addition to Harris County.

g. Judicial Disproportionality Workgroup

- To address how cultural and institutional racism contributes to the over-representation of African-American, Native-American and Hispanic youth and families in CPS system.

- The Children's Commission, with Casey Family Programs, Texas Strategic Consulting and the Texas Health and Human Services Center for the Elimination of Disproportionality and Disparities, formed a workgroup.
- The workgroup is co-chaired by Joyce James, Associate Deputy Commissioner, HHSC Center for Elimination of Disproportionality & Disparities, and Carolyn Rodriguez.
- The JDW held its first meeting on 12/10/10 and adopted a mission statement as well as anti-racist principles that will guide the workgroups course. Most members of the workgroup participated in an Undoing Racism workshop on February 16 – 18, 2011. Discussing how to create a module for local implementation.
- The JDW will meet again on 4/15/11 to discuss the upcoming Implicit Bias Conference Scheduled for 6/6 – 6/7/2011. Some of the nation's preeminent experts will lead discussions on race and racism, including its history in the United States, key Supreme Court decisions, current research, and tools judges can use to affect change in their court rooms, such as the NCJFCJ Court Catalyzing Change Bench Card.

Discussion: Ms. Taylor updated the group on the agenda lined up for the Implicit Bias conference this June. Invitations are limited to judges only.

h. Psychoactive Medications

- Judges and other stakeholders expressing concern about the use and over-use of psychoactive medications in children in foster care.
- There is also confusion or little understanding of the Prescribed Medication Utilization Review (PMUR) process and its effectiveness.
- Two weeks prior to this meeting, the State of Texas was sued in federal court. The class-action lawsuit alleges, among other things, that the state addresses emotional and behavioral problems of foster children by consenting to the use of powerful psychotropic drugs and that in FY2010 psychoactive drugs were administered to 13,775 foster children (over 30% of the kids).
- In response to these recent events, the Children's Commission is hosting an informal discussion on April 21, 2011 at 12:00 noon in the Sixth Floor OCA Conference Room.

i. Restraint Group/ Trauma-informed Services

- In response to concerns raised by Richard LaVallo of Disabilities Services of Texas regarding the recent deaths of foster children during restraints, the Children's Commission formed a workgroup which has met twice and will meet again this Friday April, 15. Discussion will focus on trauma informed services and alternatives to use of restraints on a child and what are after effects. Alternate options and outcomes include taking more time to deescalate situation, teach the lesson later, less trauma. When trauma informed services are applied, morale goes up, employees get hurt less and better results are obtained from kids.
- Goals of Workgroup: best practice guidelines or standards with a process to flag incidences that fall outside the guidelines, rule changes, judicial and attorney education.
- Trauma-informed Services – Hogg Foundation sponsored a CLE; will be on agenda for CPS Judicial conference; Shift in paradigm, takes more time but results in improved morale and less expenses for workers' compensation.

j. Tribal Initiatives

- Alabama Coughatta Judicial Symposium April 1st – Hon. Michael Petoskey was keynote; met with the Peacemaker Court - 4 Judges; Peacemaking – cultural services focused on healing; focus on talking things out with the tradition of passing the basket; relationship; Sharing important part of Native American culture – not an attitude of bringing in the “answer” but dialoguing instead.
- Develop a mechanism in the law to recognize how the courts interacted. What model? Full faith and credit? Commodity - Ended up using court rule.
- Develop of Indian Law standing committee in State Bar – improving relationship between tribal and state courts; educate bar with respect to tribal sovereignty.
- Develop an American Indian Law section of State Bar – (different bc open to all attorneys who pay their dues) can do more than committee.
- Add Tribal Courts to Annual Directory of all attorneys and courts.
- Include Tribal courts laws or overview as part of the directory.
- Open trainings/training materials to tribal court judges and staff to all trainings, e.g. New Judges Training, also helped to form relationships.
- Offer Technical Assistance from the State Court Administrator’s office – for form development, technology.
- Evaluate Judicial education for tribal sov., jurisdiction, ICWA.
- Seek tribal comment on court rules.
- Seek tribal comment on Bench Book revisions.
- (Tribal Court)seeks grant to develop and adopt Tribal Court Rule for the commodity agreement.
- Develop procedure to address warrants and subpoenas – required subpoenas be issued by court from state court judge and then submitted to tribal court; is it presented by court or attorney – attorneys have to apply for tribal bar before they can appear before tribal court.
- Child support orders are full faith and credit enforceable against Tribes– casino receives many, many support orders; receives US bankruptcy court orders, IRS levies; Submit articles to be Published in bar magazine (sometimes have entire issue dedicated to Native American issues).
- Co-presided over an adoption (state judge asked to hold court in tribal court).

- Provide access to tribal members such as probation – courtesy co-supervision; liaison to tribal services.
- State court requested that case be transferred to tribal court bc tribe had superior services, e.g. Juvenile wellness court (drug court) local state juvenile judge – can state court refer juvenile to tribal wellness court? Sure call it a program.
- Open houses, presentations at law schools.

Discussion:

Colleen McCall commented that the Tigua tribe in El Paso has been working with DFPS caseworkers and is paying for two caseworkers to travel to Alaska with the Tigua tribe.

k. NCJFCJ Legal Orphan Project

- Focuses on how courts and judicial practice can help stem the growing number of children who are aging out of foster care as legal orphans. The Committee formed by NCJFCJ to look at youth aging out without any legal ties. Consider reestablishing parental rights, if appropriate.
- Judge Michael Key, current president of the NCJFCJ, heads an ad hoc committee composed of a few states to examine the issue in order to present findings and recommendations to the Administration of Children and Families.
- Texas was selected as one of the states to participate in the project. The financial contribution required of each state is approximately \$5,000.00.
- The deliverables: to identify the number of children who are 12 and older with termination of parental rights regardless of whether their plan is adoption and who have been in foster care for at least one year; to produce a written report about the problem, propose solutions, and start a national dialogue among child welfare professionals and the judiciary; to build a national curriculum around permanency counseling for children who identify as not interested in being adopted.

Discussion:

Ms. Amberboy asked the committee to pend this item until she has an invoice from NCJFCJ for the consulting judge's fee. A Texas workgroup will be formed before the next commission meeting.

l. Reform of the Interstate Compact for the Placement of Children (ICPC)

- The Interstate Compact on the Placement of Children was intended to be a uniform state law governing the interstate placement of children in foster care. However, in practice, the ICPC is inconsistently applied and is criticized for being unworkable and an unnecessary delay to children's permanency. The current ICPC has been in existence for over 40 years and has been plagued with problems, primarily relating to its inconsistent interpretation and enforcement.

- Currently, the ICPC is controlled by the American Public Human Services Association (APHSA), which administers the Compact, but unable to produce an amended version.
- Three main issues dealing with the subjective nature of homestudies, the failure to provide a presumption of non-custodial parental fitness, and the ability for judicial review or appeal of the denial for placement.
- The National Association of Counsel for Children (NACC) has formed a national workgroup including Texas re: what can be done, and how to proceed.
- Texas submitted comments to the Conference of State Court Administrators for inclusion in comments to the APHSA at their annual meeting in April.

III. **New Business**

Webb County Grant Application for new Drug Court Coordinator. Request is for \$16,905 for 2011 – June through September (4 months).

Discussion

With many cuts in federal funding for drug courts, there was concern that many courts would need funding and it will be difficult to draw the line. Ms. Taylor noted that grant was for starting a new court, more like a pilot project and that Webb County would be expected to seek other funding in the future.

ACTION: Judge Sage asked for a motion to approve \$16,905 for the Webb County Drug Court Coordinator. Ms. Colleen McCall made a motion, Ms. Carlyne Rodriguez seconded and the motion passed.

IV. **Next Meeting**

The next meeting of the Basic Committee is scheduled for July 6 as an in-person meeting in Austin at the same hotel as where the CPS Judges Conference begins later that day. NOTE: Following adjournment, the Committee agreed to change the next meeting to the morning of July 6, 2011. Information on the exact time and location will be forwarded later.

V. **Adjourn**

The meeting adjourned at 12:35 p.m.

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**The Supreme Court of Texas
Permanent Judicial Commission for Children, Youth and Families**

Training Committee Meeting Minutes

April 6, 2011

ATTENDANCE OF MEMBERS

Members Present

Members Absent

Name	Name
Judge Camile DuBose, Chair	Teleconference
Ms. Alice Emerson, Member	Teleconference
Judge Richard Garcia, Member	Teleconference
Ms. Tracy Harting, Member	Teleconference
Dr. Sandeep Narang, Member	Teleconference
Ms. Pam Parker, Member	Teleconference
Ms. Fairy Davenport Rutland, Member	Teleconference
Judge Ellen Smith, Member	Teleconference
Ms. Joy Rauls, Guest	Teleconference
Ms. Meghan Weller, Guest	Teleconference
Ms. Carol Green, Guest	Teleconference
Ms. Tiffany Roper, Staff	In Person
Ms. Mari Aaron, Staff	In Person

Ms. Cathy Cockerham, Member
Ms. Joyce James, Member
Hon. Lamar McCorkle, Member
Ms. Shaneka Odom, Member
Mr. Randy Sarosdy, Member
Ms. Ginny Woods, TCJ

The Committee had a quorum present for this meeting.

I. Call to Order

Judge DuBose called the meeting to order at 12:04 p.m.

II. Changes to Committee Membership -- *No changes to committee membership.*

III. Adoption of Minutes

ACTION: Judge DuBose asked for a motion to ratify the approval of the January 12, 2011 Training Committee meeting minutes. Ms. Rutland made a motion, Ms. Debra Emerson seconded and the motion passed.

IV. Update on Training Grant Funding

Fiscal Year 2011 funds of \$585,113 received, so programs are funded through end of FY2011. CIP is funded through the reauthorization act and acquires money via drawdowns from the federal government. Commission staff will attend the annual CIP Conference in May and Ms. Roper will report on the status of future funding at the July meeting. Future funding requirements must demonstrate measurable changes and outcomes for projects funded by CIP programs. A possible option may be request of an annual continuing resolution for funding since this is may be more likely to obtain approval. Ms. Roper will advise this committee if any other actions are indicated, such as contacting stakeholders to solicit support.

V. Update on Training Projects

a. Child Abuse and Neglect Track at Advanced Family Law

- *SBOT and Supreme Court signed interagency agreement for registration/payment*
- *Commission approved \$5000 at August 20 meeting for scholarships to attend the workshop in 2011; would like to up to \$10,000 because video replays offered this year*
- *Committee members believed costs of video replay. After meeting, SBOT conference brochure reviewed; on page 16, states the replay will be offered at same costs as live session.*

ACTION: Judge DuBose asked for a motion to approve an additional \$5,000 for scholarships to the Child Abuse and Neglect Track. Ms. Elias-Perciful made a motion, Judge Garcia seconded and the motion passed.

b. DFPS attorney training

- *DFPS attorneys to attend April TDCAA conference next week, which will have 2-day DFPS attorney track; award statement to DFPS signed – fund allotment previously approved by Training Committee*
- *TDCAA offered several registration scholarships to child and parent attorneys – given to several attorneys from Houston*
- *Ms. Roper also attending and will report at the July meeting*

c. TCJ in 2011

- *CPS Judges Conference -- Joint conference scheduled for July 6-8 in Austin. Save the date info has gone out to judges. Judge Smith suggested better coordination between CPS Judges Conference and Juvenile Law Conference so no overlap.*
- *Beyond the Bench – Start planning for statewide in 2012; scheduled August 24-26 in Austin for central Texas courts. Planning has commenced.*
- *Implicit Bias in Judicial Decision-Making –scheduled for June 6-7, 2011 in Austin. Agenda in development.*
- *National conferences – National Conference on Juvenile and Family Law (NCJFCJ) Reno (March 2011) at end of March. Ms. Roper and Ms. Amberboy attended March conference, as did roughly 30 Texas judges. NCJFCJ Annual Conference NYC (July 2011). Scholarship application process open. Mari Kay Bickett is new Executive Director of NCJFCJ.*

d. OCA Child Protection Court Judges Conference

- *Held March 7-8, 2011, national speakers on education and judicial leadership. Attended by 15 judges and 16 court coordinators.*

e. Trial Skills Training

- *\$40,000 approved for this training at January meeting*
- *Getting workgroup established; to be headed by Justice Michael Massengale from 1st COA in Houston, who is interested in training on appellate issues; want to create replicable training that can be conducted around state by trained facilitators*

f. Child Welfare Law Certification

- *Quality Improvement Center for the Legal Representation of Children offering a application fee waiver to 200 applicants nationwide; began accepting on January 1, covers full application fee*

- 3 TX attorneys have applied; 20 more have received application materials
- TC previously set aside \$20,000 for Red Book training; waiting to see if more TX attorneys apply before schedule; will have Red Book training at NACC conference in August

g. Local Jurisdiction Disproportionality Training

- The Training Committee approved \$30,000 for local dispro training at July meeting
- Ms. Amberboy formed a special workgroup to address judicial training regarding dispro issues; this workgroup will look at best way to deliver training on local basis in 2011
- Met in December 2010 and adopted a mission statement and principles to guide work
- Each workgroup member participated in Undoing Racism workshop 2/16-2/18; now discussing best way to move forward (meeting on April 15)
- List of judicial disproportionality workgroup members will be sent to Training Committee

h. Mediation Project

- Training Committee approved \$25,000 for project at July meeting
- UT Law Mediation Clinic, UT Center for Public Policy Dispute Resolution Center, LBJ School of Public Affairs – joint Policy Research Project (PRP) – looking at Fall 2012 to start 2-semester project
- Dr. Pat Wong, knowledgeable about CPS issues, interested in working on PRP
- Meeting on 3/25 with TR, Cynthia Bryant, Susan Schultz and Sherri Greenberg to develop project
- Next step is formation of small advisory group – OCA, UT Law, LBJ, judges, DFPS (program/attorney), mediator, AAL, parent's attorney, TX CASA, state's attorney; possibly a couple of others;

i. SBOT CAN committee multi-disciplinary training in FY 2011

- Grant award of \$25,000 approved by commission at November 12 meeting
- If funding available, moving to FY 2012

j. ABA Parent Attorney and Child Attorney Conferences

- Parents' Attorney Conference, July 13-14, 2011 in DC
- Child's Attorney Conference, July 15-16, 2011 in DC
- Working with ABA to cover registration fees and partial credit for lodging for 2 nights; attorneys cover other expenses
- Scholarship application sent out on 3/17; deadline 4/8 – 80 scholarships (40 to each)
- As of April 6, 75 applications received; some CPS regional attorneys and prosecutors interested; committee agrees that any leftover scholarships be awarded to interested prosecutors/CPS attorneys
- Giving priority to those who have not received scholarship through Children's Commission within past year; must be licensed in TX and in receipt of appointments as parent or child attorney within last 12 months

k. Children's Advocacy Centers of Texas

- Grant application emailed to committee with agenda
- Requesting \$25,000 to do project
- On call to answer questions

Discussion: Joy Rauls, Executive Director of Children's Advocacy Center reported on the project. The impetus for the grant proposal is to facilitate a multidisciplinary approach to children in the system

and in the process and decrease the re-victimization and lessen trauma experienced by children in the process. There is a need to increase the child-friendly aspect of the court experience. During visits with judges and legislators and Senate Criminal Justice and Jurisprudence Committees, Ms. Rauls and Ms. Weller became aware of requests for best practices, while ensuring that the needs of all parties will be met. Judges are demonstrating creative solutions, but no clearinghouse exists for implementing minor modifications to proceedings and identifying legally permitted modifications. Other states are addressing the issue as well and Texas can take the lead. An advisory group will be formed comprised of judges, parent advocate, youth, former foster youth. The final product will be distributed to all civil and district courts and public electronically; CAC is working with TCJ to utilize and distribute at future conferences. The grant funding will cover staff time, publishing expense, dissemination and mailing. Ms. Weller commented that there is national interest and state legislative activities include Senate interim charges concerning this issue; the work will pinpoint needs that can be addressed without legislative mandates. Law students will help with research. The printing cost is sizeable in order to provide a printed document to judges.

Ms. Rutland noted that the advisory committee should include a child in order to include that perspective on the court experience. The Civil and Criminal systems should be represented; the committee members inquired if there will be 2 guides. Initially, there will be one document but the content will clarify issues for children involved in dual actions. The guide will be informed by thorough research of case law and incorporate information currently missing on creative ways to modify the courtroom; Judge Oldner is serving in an advisory capacity and the entire spectrum of the experience will be addressed. The required match is provided by state appropriations from the Office of the Attorney General, in addition to a small amount from Children's Justice Act

ACTION: Judge DuBose asked for a motion to approve funding of the CACTX project in amount of \$25,000. Judge Smith made a motion, Ms. Alice Emerson seconded and the motion passed.

NACC 2011 Annual Conference

- *August 29-September 1, 2011 in San Diego*
- *Registration = \$395 but Ms. Roper will see if NACC will offer discount*
- *Want to offer limited number of registration scholarships to qualifying attorneys – 15 for at little less than \$6,000*
- *May come back to committee in July if TCJ needs additional funding to cover judicial scholarships to NACC conference*

ACTION: Judge DuBose asked for a motion to approve setting aside \$6,000 for registration scholarships for attorneys to attend the NACC annual conference. Judge Garcia made a motion and Ms. Harting seconded and the motion passed.

12:50 New Business

- *Date for next meeting – Next commission meetings are 4/29 and 7/29. Members discussed the schedule for the next meeting. At this time, members will plan to attend a teleconference meeting the last week of June. Members will provide preferred dates to Ms. Roper and she will schedule the meeting date for the usual 12:00 noon time. Alternately, if funding allows, staff will schedule a ½ day in-person meeting instead of the teleconference call. This meeting will take place the morning of July 6 in Austin.*

12:50 Adjourn

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**The Supreme Court of Texas
Permanent Judicial Commission for Children, Youth and Families**

Technology Committee Meeting Minutes

**April 7, 2011
Teleconference: 1-866-633-3380; *1278673*
Austin, TX**

ATTENDANCE OF MEMBERS

Members Present		Members Absent
Name		Name
Hon. Karin Bonicoro, Chair	Teleconference	
Hon. Oscar Gabaldon, Member	Teleconference	Mr. Kevin Cox, Member
Ms. Elizabeth Kromrei, Member	Teleconference	Mr. Jason Hassay, Member
Mr. Robert Nolen, Member	Teleconference	Hon. Gilford Jones, Member
Mr. Carl Reynolds, Member	Teleconference	Ms. Linda Uecker, Member
Ms. D.J. Tessier, Member	Teleconference	Mr. G. Allan Van Fleet, Member
Mr. Bryan Wilson, Member	Teleconference	
Ms. Tina Amberboy, Staff	Teleconference	Mr. Casey Kennedy, OCA
Mr. Tim Kennedy, OCA	Teleconference	
Ms. Mari Aaron, Staff	Teleconference	

I. Call to Order

Judge Karin Bonicoro, chair called the meeting to order at 12:04 p.m.

II. Roll Call

Members present on the conference call line were announced.

III. Adoption of Minutes

Judge Bonicoro noted that the minutes from the January 6, 2011 meeting were reported to the Children's Commission at the January 21, 2011 meeting; a quorum was not present at this meeting so adoption / ratification of the meeting minutes will be deferred until the April meeting of the Children's Commission.

IV. Update on FY2011 Technology Projects

- a. Texas Data Enabled Courts for Kids (TexDECK): Child Protection Case Management System (CPCMS) (\$402,770)**

- Commission's Executive Committee voted in January to approve the increase in funding to amend the OCA TexDECK grant (\$117,450). The Commission will ratify the vote of the Executive Committee on 4/29/11. The amendment will bring the total of the TexDECK grant for FY2011 to 402,770.00.
- Version 3.1 enhancements were implemented on Friday, March 4th, which included 5 system enhancements and 3 bug fixes.
- The quarterly meeting of the CPCMS Advisory Group was held on Tuesday, March 8th. The Advisory Group reviewed and approved additional enhancements that will be rolled out in versions v3.2 (scheduled for implementation the first week of May), v3.3, and v3.4. The Advisory Group requested that six tickets be elevated to a higher priority and addressed as soon as possible, and eliminated two enhancement requests, which were removed from the development schedule.
- Version 3.3 and Version 3.4 are scheduled to be completed in May and June (respectively).
- There will be approximately 40 unaddressed enhancement tickets after June 2011. CIP funding to address these tickets will be requested in the FY2012 CIP Grant Application that will be presented to the Technology Committee at the June 30th meeting.

Discussion: Mr. Tim Kennedy reported on the status of the project. Version 3.1 enhancements were implemented as of March 4 and included 5 system enhancements and three functionality 'fixes'; three additional releases are on schedule for completion for June 10. The project has encountered no impediments to progress; tickets continue to come in and tickets will remain when scope is completed. Mr. Kennedy expects to submit a grant request for FY2012 to clear carry-over tickets. He confirmed that versions 3.3 and 3.4 will include additional reporting capabilities. Ms. Denson has assisted with appropriate adjustments to the reporting. All outcome measures will be complete by June 2011.

b. National Information Exchange Model (NIEM) (\$5,000)

- The National Resource Center for Child Welfare Data and Technology (NRCCWDT) held a 2 ½ day workshop in Austin (March 1- 3). The agenda was focused on implementing privacy solutions in child welfare and the applicability of FERPA, HIPAA and 42 CFR (Confidentiality of Alcohol and Drug Abuse Patient Records. Texas state agency representatives from the Texas Education Agency (TEA), Department of Family and Protective Services (DFPS), the Office of Court Administration (OCA) and the Children's Commission attended the workshop.
- The workshop participants discussed the privacy and confidentiality concerns associated with sharing information between TEA, DFPS, and Courts. The NRCCWDT is offering to fund 50% of the costs to develop data sharing interfaces between TEA, DFPS, and OCA (for CPCMS users). The remaining costs of the project would be state or CIP expense. The workshop attendees are awaiting instructions from NRCCWDT on the next steps and CC/OCA staff will bring the matter back to the Technology Committee before any final decisions are made about whether to engage in this effort this year. No new activities at this time.

Discussion: Ms. Amberboy reported on the status of the project. Ms. Amberboy, Mr. Tim Kennedy, and Mr. Carl Reynolds attended the National Resource Center for Child Welfare

Data and Technology (NRCCWDT) meeting in Austin on March 1-3. Resource issues will drive the progress roll forward. The state of Colorado is the example source and the issue is likely to push out to the next legislative cycle. Mr. Kennedy commented on the possibility of submitting a grant request to fund 2 developers with CIP funds (1 to sit at DFPS). Specific data identification is needed. He will follow up with the Department's IT staff to obtain a figure on the full costing out of the proposed project.

c. Judicial Connectivity Support (\$160,150)

- 30 county court sites have been visited, local contacts established and information collected to address improving access to county network resources and Internet connectivity. The objective of the project is to improve wireless internet access for 25+ county courts that are utilized by the CPC staff. The funding covers contract expenses for a project lead, travel, equipment, and installation and set-up services. Site visits to 77 additional counties will be scheduled over the next 60 – 90 days. Project expenditures are approximately 12K to date.

- Child Protection Court of Central Texas – 7 county court sites
- Centex Child Protection Court – 3 county court sites
- Child Protection Court of the Hill Country – 11 county court sites
- Child Protection Court of South Texas – 9 county court sites

- The solutions vary depending on which carrier serves the county / courthouse. The equipment purchased may be for the benefit of the county or the court, such as a router or equipment such as an aircard or antenna may be purchased for the individual user. One portable cellular booster system was purchased in February 2011, and is being field tested by Judge Kevin Hart in the South Plains Cluster Court (Lubbock, Texas area).
- Based 2 months of testing with a Verizon aircard with an external antenna, all CP court staff that have a Verizon aircards will be issued an external antenna to improve their cellular network connectivity April 30, 2011.

Discussion: Mr. Tim Kennedy reported on the status of the project. Mr. Ron Clark has completed assessment visits to county court sites. He has covered 4 of the 17 sites. Variances in network connectivity among counties have been determined, with virus and connectivity speed issues noted in some. Mr. Clark will meet with CIRA representatives regarding information sharing on the issues identified. There was a suggestion to consider approaching Gayle Latham, CIRA to participate in this committee. Mr. Wilson noted that a contract review/audit of each county may reveal unutilized resources. Mr. Clark will begin to raise the issue on his assessment site visits. Best course of action will follow assessment visits – e.g., Mills County – has ISP, but no plans to provide connectivity to courtroom.

d. Data Interface(s) for data sharing with TechShare Program – Juvenile Case Management System (JCMS) (\$60,000)

- This project is aimed at developing and implementing a Child and Protective Services (CPS) court management component of the JCMS Court Module to be initially piloted by the 304th and 305th Family District Courts in Dallas County, the 323rd Family District Court in Tarrant County, and to be evaluated for future use by the 289th,

386th and 436th Family District Courts in Bexar County. The initial project, which is funded by this first phase / first award of \$60K will be to identify system specifications required to integrate elements of the FRS.V2 or interface with CPCMS into the business and technical requirements and specifications defined for the JCMS Court Module. Once this stage is completed, the Urban Counties will seek additional grant funding from the Commission to move forward with Feature Design moving toward the actual integration and implementation of these elements into the JCMS Court Module.

Discussion: Ms. Amberboy reported on the project and noted that contracts are signed and design evaluation is underway.

- **OCA Interface Requirements / Duties (\$74,336)** is still allocated in the budget, but is merely a placeholder until the CUC project progresses to the point where they can advise as to whether OCA will need to build an interface on the CPCMS side.

e. CPCMS Staff Assistance – Region 2 (\$40,000)

- This funding is aimed at assisting two of the four courts in the 2nd Administrative Judicial Region to input backlogged CPCMS case data into the case management system. The four include:
 - East Texas – 5 counties, 542 cases
 - Brazos River Valley – 6 counties, 215 cases
 - Southeast Texas – no assistance needed at this time
 - Three Rivers – no assistance needed at this time
- The temporary data entry staffer has updated 625 of the 757 (total) open cases in the two courts. Information from approximately 1650 court reports have been entered by the temporary staff.
- Staff will analyze using part of the funds to acquire temporary staff in Austin to assist with the CenTex Child Protection Court and the Child Protection Court Rio Grande Valley West backlogs, based on requests from those courts.

Discussion: Mr. Tim Kennedy reported on the project status. The data entry person has updated 625 of the 757 open cases in the two Montgomery County courts. Data entry assistance is not needed at this point for the Administrative Judicial Regions (AJR). The data entry person will be deployed next week to Judge VanOrden and Judge Flores courts.

f. Video Conferencing (\$100,000)

- Proposals submitted by three video conferencing vendors that were identified from the Information and Communications Technology (ITC) Cooperative Contracts established at the Department of Information Resources (DIR). The proposed solution from Visionality / Designs That Compute, based on the Mirial ClearSea product line is scheduled for a 30-day trial test, beginning the week of April 3rd – 9th. OCA will serve as the Multipoint Control Unit (MCU) manager. Non-court testing

partners are being recruited to participate in the 30-day trial test such as Disability Rights (formerly Advocacy Inc), and the 7th Court of Appeals in Amarillo, Texas

- Three court sites have agreed to participate in the 30-day trial test. Harris County District Court, Judge Michael Schneider, Travis County District Court, Judge John Hathaway, Child Protection Court of Central Texas, Judge Karin Bonicoro
- Inexpensive (\$89) web cameras are being ordered for use with notebook computers. At this time no other end-point equipment is planned to be purchased for the pilot test. Analysis is in process on whether a more robust end-point configuration (i.e., \$9k - \$11k) for video conferencing equipment will be required to support the court room location. This cost should fall within the 100K allocated.

Discussion: Mr. Tim Kennedy reported on the status of the project. The proposal submitted by Visionality was accepted and a 30 day pilot test of their solution commenced this week. No final commitment will be finalized unless the decision is to go forward following the pilot test period. Tests are scheduled with Advocacy Inc. (Disability Rights Texas) on Friday; next week testing will expand to the three courts who have volunteered (Judge Schneider, Houston; Judge Hathaway, Austin; and Judge Bonicoro, New Braunfels).

DFPS will meet to update on the status of the project and identify a point person for each of the three courts to work on scheduling issues. Mr. Kennedy will provide details to Ms. Kromrei and schedule a call with the IT staff at the Department to clarify expectations and provide appropriate support. The committee members discussed the need to clarify the connectivity procedures and specify who courts will connect to (youth or foster parents phone/computer) and address any barriers. For the purpose of the 30 day pilot testing period, selected cases have been designated and a more robust case scheduling will follow. The committee members conducted a discussion on the logistical points and issues regarding the project and focused on identification of which cases are on the dockets of the pilot courts during the testing period, and determining if the placement can accommodate the linkages required for this type of hearing. DJ Tessier suggested that perhaps that local Child Welfare Boards can assist with subsequent efforts. The priority is to have successful test. At the request of Ms. Amber boy, Mr. Tim Kennedy will check to see if the vendor will extend the pilot time period to 60 days. Mr. Kennedy noted that the trial period is to test the equipment and connectivity and various equipment configurations; if equipment works and scenario testing works, rest of FY11 testing efforts can expand and increase participants. Hearings do not have to be part of this 30 day test period; during the pilot period, the focus is the need to confirm connectivity to chambers or bench and then schedule hearings. The Department must tell staff how to approach placement capabilities. Mr. Kennedy will provide technical assistance and advice. Ms. Kromrei will provide the Department contact names and the committee members agreed that a member from the Department's IT staff can join any calls to provide technical clarification and ensure that no conflict arises with DFPS IT guidelines and security. Mr. Wilson commented that the Dallas equipment has been utilized several times in 263 child protection hearings and also for juvenile issues and will expand.

V. New Business

Next Meeting

Following the adjournment of the meeting, Ms. Amberboy has initiated plans to obtain meeting space prior to the plenary session of the CPS Judges Conference at the Austin Hilton on July 6. The Technology Committee will meet in person in Austin on July 6. Details on specific time will be forthcoming. The October 27 meeting will be held via conference call.

VI. Judge Bonicoro adjourned the meeting at 12:47 p.m.

INSERT - TAB 5

Education Committee Report

On May 20, 2010, the Supreme Court of Texas signed the *Order Establishing Education Committee of Permanent Judicial Commission for Children, Youth and Families*. The idea of this special committee arose during the October 2009 National Judicial Summit when the Texas team developed and adopted a state action plan that included the goals of improving education outcomes for kids in care and keeping foster children closer to their homes.

The Education Committee membership includes high level decision-makers from the child protection and education systems. (For a list of committee members, see: [Order Establishing Education Committee](#)). Unlike other collaborations between child protection and education around the country, the Texas committee is unique because it is judicially created and led.

The Education Committee, chaired by Judge Patricia Macias, has met three times – September 30-October 1, 2010 (in-person), January 7, 2011 (in-person) and April 8, 2011 (teleconference). The first two meetings occurred in-person; the third was held via conference call due to the time constraints imposed by the current legislative session.

Between the January 7 and April 8 meetings, four sub-committees were created to help address the charge given to the Education Committee:

1. School Readiness (Foster Children Age 0-5)
2. School Stability and Transitions (Foster Children Age 5-17)
3. School Experience, Supports, and Advocacy (Foster Children Age 5-17)
4. Post-secondary Education (Older Foster Youth)

The sub-committees began meeting by holding a joint sub-committee meeting on February 4, 2011. At that meeting, the sub-committees learned about the Children's Commission and the creation of and charge to the Education Committee. The sub-committee members received information regarding educational outcomes of foster youth, including education data provided about Texas foster youth by the Texas Education Agency. The sub-committees will continue meeting, at least monthly, between now and March 2012, when the Education Committee will provide recommendations in a final report to the Children's Commission.

To date, each of the sub-committees has met twice. The first meeting of each sub-committee was devoted to identifying challenges and existing resources to address those challenges; the second focused on the creation of a sub-committee action plan. During the April 8 committee conference call, Education Committee members heard reports from co-chairs of each sub-committee regarding their meetings and action plans. Each action plan includes goals to develop recommendations regarding data/information sharing, judicial best practices, multi-disciplinary training, and future collaboration.

Finally, during the January 7 committee meeting, the members discussed ways they would raise awareness of the Education Committee and its work. Among some of the work, Jim Crow, Executive Director of the Texas Association of School Boards (TASB), supported the inclusion of two articles on the efforts of the Education Committee in the January/February 2011 edition of *Texas Lone Star* magazine, TASB's flagship publication, which reaches over 11,000 school officials and others. DFPS, TEA, and Casey have proffered staff to be part of the sub-committees. Joy Baskin, Chair of the State Bar of Texas School Law Section, noted that education issues for foster youth have been positioned on events for school attorneys and she will share information about the education perspective at state bar training.

On the national level, there are several events in 2011 that will focus on educational outcomes of foster youth, including a meeting in November jointly held by the U.S. Departments of Health and Human Services and Education. Teams from all 50 states, Washington, D.C., and Puerto Rico will participate and focus on the education needs of children in foster care.

Texas is receiving national recognition about this initiative for the initiative that is driving the work of the full committee and the sub-committees. The emphasis on cross-system responsibility for foster youth is guiding the work and the collaborative effort at seeking solutions to the issues is a foundation for a national model and long term relationships among the systems represented on the committee and sub-committees.

The Education Committee will next meet on June 24, 2011.

INSERT - TAB 6

STRATEGIC PLAN UPDATE

Content in Report to Commission (Tab 3, Pages 17-18)

LEGISLATIVE UPDATE

Content in Report to Commission (Tab 3, Pages 18-19)

INSERT - TAB 7

Children's Commission Project Is Honored with the 2010 Award for Excellence in Social Innovation

A project of the Children's Commission, the Texas Lawyers for Children Online Legal Resource and Communication Center, was honored with the 2010 Award for Excellence in Social Innovation by the Dallas Center for Nonprofit Management, after selection by an independent panel of community leaders. This prestigious award is given to the organization that best provides ***"a novel solution to a social problem that is more effective, efficient and sustainable... and demonstrates significant positive change around a specific social issue."*** The award ceremony was held during the "Night of Light" gala on November 19, 2010, at the Hilton Anatole Hotel, with 700 people in attendance.

TLC's Online Center brings crucial information and communication networks to the fingertips of judges and attorneys who handle abused children's cases, giving them instant access to the top expertise of their colleagues across the state. These judges and attorneys estimate that their cases involve 63,500* Texas children annually. The Online Center is effective. The judges and attorneys using the Online Center consistently report that it helps them achieve the best interest of the children in their cases—giving children statewide a better chance for a safe home and a higher quality of life. TLC's Online Center has been replicated in the state of California, and many other states are interested in bringing this project to their states.

* Some children may have been double-counted if a judge and attorney included the same child in their estimates.



TLC's Director, Barbara Elias-Perciful, J.D., (left) accepts the "Award for Excellence in Social Innovation" from Ms. Gillian Breidenbach at the Dallas Center for Nonprofit Management's annual gala, "A Night of Light".
Photo by Michael Garrett.

Update on Texas Lawyers for Children – April 2011

TLC Launches Communication Tools to Facilitate the Commission's Project to Help Dually Managed Youth

TLC launched new communication tools, including an email network, discussion board, and document vault, for attorneys handling juvenile delinquency cases and is partnering with the State Bar's Juvenile Law Section to publicize these new services. These tools were launched to support the Commission's project of funding attorneys from Disability Rights Texas (formerly Advocacy, Inc.) to represent dually managed youth (those who have been confirmed as abused or neglected and who also have a case in the juvenile justice system). By creating a conduit between the project's attorneys and attorneys across the state, the Commission can leverage the expertise developed through its project so that it impacts the cases of youth statewide.

TLC Will Add Online Training to Its Online Legal Resource and Communication Center

TLC is currently working to add Online Training to the services it provides to judges and attorneys across the state via its Online Center by adding the capability of showing videotaped presentations. TLC plans to use this capability to offer high quality training to judges and attorneys on key issues pertinent to child abuse cases. (Although judges cannot receive CJE credit for taking courses online at this time, making training programs available online will give judges convenient, immediate access to information.) In an age of tight budgets, attorneys need readily available, high quality training programs to maintain high standards of practice.

TLC Prepares to Assist in Ground-Breaking CPS Collaborative Law Pilot Project

TLC will soon be providing services to assist with an innovative pilot project in Dallas County. The project targets families that CPS is managing through Family Based Safety Services and provides the child and family members with pro bono attorneys who have been trained in the collaborative law process. Volunteer mental health professionals serve as the process facilitators. The goal is to collaboratively arrive at a safe outcome for the child that all participants are committed to achieve. Although this pilot is fairly new, the outcomes of initial cases have been extremely positive. The project may prove to be quite promising as a way to safely reduce the number of children in foster care. TLC will be providing online registration for attorneys to volunteer for the project, as well as email networks, a discussion board, and a document vault so that those involved can exchange expertise and ideas and refine their processes for handling these collaborative cases. TLC will also provide the attorneys with legal resource materials. Not only will these tools aid the pilot, but, over time, as other areas of the state investigate this method of working with families, the best practices and critical success factors for the project will already be documented, compiled, and available for review online so that the project can be replicated across the state more effectively. The project has already sparked interest from other states and even another country.

TLC Publicizes the Availability of Commission Scholarships

TLC promoted an initiative of the Commission by publicizing the availability of scholarships offered by the Commission to attorneys handling child abuse cases across the state. The scholarships will enable approximately 80 Texas attorneys to attend either of two highly-acclaimed conferences offered by the American Bar Association's Center on Children and the Law in Washington, D.C. this summer. TLC sent an email to over 1,300 attorneys regarding the scholarships and posted information about these scholarships in its Online Center. These efforts, along with emails sent by the Commission's staff, generated a tremendous amount of interest in the conferences, and over 120 attorneys applied for the available scholarships.

TLC Launches Email Network for Family Drug Treatment Court Teams

TLC launched and publicized a new email network this spring for the multidisciplinary teams handling cases in Family Drug Treatment Courts in Texas. The members of this network will be

using it to share best practice tips and brainstorm regarding issues they face as they seek to handle cases as effectively as possible and to help provide information to other courts to help them start Family Drug Treatment Courts more easily. A separate, private email network for judges who preside over Family Drug Treatment Courts or who are interested in learning more about them was launched previously.

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CHILD PROTECTION DAY – A HUGE SUCCESS

On March 24, 2011, numerous child advocate organizations participated in Child Protection Day to call attention to the need for increased funding for critical Child Protection Services funding. Child Protection Day was an all-day event, beginning at 9 a.m. with advocacy briefings for advocates preparing them to meet with their legislators, to the noon rally on the Capitol steps, and ending with legislative briefings for legislators and their staff. During the morning advocacy briefings, Senator Leticia Van de Putte and Senator Jose Rodriguez fired up the more than 130 advocates in attendance with their motivating speeches. Special thanks to our excellent co-presenters, Irene Clements and Jim Hine for their passionate and informative presentations!

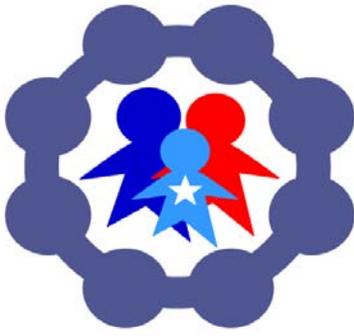
We were truly overwhelmed by the turnout at the rally. More than 250 advocates donning blue ribbons and holding umbrellas joined us on the Capitol steps to deliver a special message to legislators: "It's Raining, It's Pouring, Child Abuse is Soaring! No Cuts to Kids!" calling on lawmakers to stop the damaging cuts to Child Protection Services under consideration by the Legislature and to fully use the Rainy Day Fund.

TexProtects was honored to have the support of key legislators at Thursday's rally, including Chairman of the Human Services Committee Representative Richard Peña Raymond, Laredo; and Senator Judith Zaffirini, Laredo; who so eloquently reiterated the need to maintain funding for these crucial programs.

Our partners for the day included: The Texas Council of Child Welfare Boards, Texas CASA, Center for Public Policy Priorities, Texans Care for Children, the Child Protection Roundtable, Texas Home Visitation Coalition, Texas Foster Family Association, Child Builders, National Association of Social Workers - Texas Chapter, the Texas Association of Child Placing Agencies, The Texas Network of Youth Services, Texas Association Against Sexual Assault, Voices for Children of San Antonio, and Greater Texas Community Partners.

The rally garnered the attention of several local media outlets, including [KXAN](#), [Dallas Morning News](#), [KVUE](#), [Austin American Statesman](#) and Fox News.

Enjoy photos, download handouts and watch the Rally on YouTube at www.texprotects.org/ChildProtectionDay2011



Child Protection Roundtable Legislative Proposals Agenda for the 82nd Legislative Session

Prevention

1. SB 471 // HB 1114 - Child Abuse Prevention Training

HB 1114 by Rep. Tan Parker. Heard in Public Education on 4/19. Pending.

SB 471 by Sen. Royce West. Referred to Health & Human Services.

2. HB 2324 - Child Abuse Reporting in Schools and Day Care Centers

HB 2324 by Rep. Richard Raymond. Heard in Public Education on 4/19. Pending.

CPS Improvements

1. HB 1854 // SB 993 – Parental Child Safety Placements

HB 1854 by Rep. Eddie Rodriguez. Heard in Human Services. Engrossed.

HB 993 by Sen. Carlos Uresti. Heard in Health and Human Services. Engrossed.

2. SB 218 – Removal of the Perpetrator

SB 218 by Sen. Jane Nelson. Heard in Jurisprudence. Engrossed

3. SB 434 - Domestic Violence and Children Abuse Task Force

SB 434 by Sen. Jane Nelson. Heard in Health and Human Service. Engrossed.

4. HB 753 - Hiring Preferences for Social Workers

SB 753 by Rep. Richard Raymond. Heard in Human Services. Sent to Local Calendar.

Substitute Care Improvements

1. HB 1709 // SB 63 – Individual Development Accounts for Foster Youth

SB 1709 by Rep. Dawnna Dukes. Pending in Human Services.

SB 63 by Rep. Judith Zaffirini. Pending in Business and Commerce.

2. SB 219 – Trauma- Informed Care

SB 219 was filed by Sen. Nelson. Heard in Health and Human Services. Engrossed

3. HB 2170 – Protecting Foster Youth from Identity Theft

HB 2170 by Rep. Richard Raymond. It was heard by Human Services. Engrossed.

SB 1637 by Sen. Wendy Davis. Referred to Health and Human Services.

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Texas CASA would like to extend an invitation for you to meet **Diana Franzetti, Executive Director of the Texas Regional office about the National Center for Missing and Exploited Children and her staff.**

The Center is relatively new in Austin and has resources and training to share. Come for an informal brown bag lunch and hear about the Center's resources and assistance that could benefit your organization.

**When: Wednesday, May 4, 2011
11:30 – 1:00**

**Where: Texas CASA offices
1501 West Anderson Lane
Austin, Texas 78757**

*The Austin Texas **Regional Office of National Center for Missing & Exploited Children** provides*

- *training for law enforcement and prosecutors with a particular emphasis on Internet related crimes against children*
- *assistance to government and non-government organizations in prevention and education programs to educate the community about child safety.*

All of the presentations and materials are provided at no charge to parents, children, guardians, educators, community leaders and law enforcement. The NetSmartz online safety presentations are a resource that uses the latest technology to create high-impact, age appropriate educational activities for even the most tech-savvy kids. The goal of NetSmartz is to extend the safety awareness of children and empower them to make responsible decisions online and in real life. This is accomplished by enhancing the ability of children to recognize dangers on the Internet; encourage children to report victimization to a trusted adult; support and enhance community education efforts; increase communication between adults and children about online safety and enhance the ability of children to understand that people they first "meet" on the Internet should never be considered their friend.

Please RSVP to Cathy Cockerham at ccockerham@texascasa.org by Monday, May 2nd if you or a staff member from your organization will be able to come.

And, let us know if you plan to bring your own brown bag or would like to bring a \$5 donation for chips, sandwich and a cookie to be there for you. (We will have soft drinks, water and tea for all)

We look forward to seeing everyone!

INSERT - TAB 8

Notice and Engagement Round Table





Notice and Engagement Round Table

In December 2010, with the help of Casey Family Programs and the Department of Family and Protective Services (DFPS), the Permanent Judicial Commission for Children, Youth and Families (Children’s Commission) co-hosted a round table discussion on notice and engagement of parties and stakeholders in Child Protective Services (CPS) cases. The round table brought together various stakeholders, including judges from across the state, representatives of DFPS, prosecutors, attorneys, former foster youth, parents and relatives who were involved in CPS cases, and foster parents. The discussion focused on compliance with statutorily required notice procedures and methods of engaging relatives and other stakeholders who may be able to help the child reach permanency.

Essentially, notice and engagement are two separate issues. First, the Family Code requires DFPS to provide “notice” (information) relating to certain DFPS actions and the Texas Rules of Civil Procedure require DFPS to obtain service of citation and serve notice related to child-protection suits to designated parties and participants. Second, engagement relates to efforts beyond the required notice that are intended to encourage participation and involvement in the court process to help the child achieve permanency as quickly as possible.

The discussion revealed that notice is not always provided as statutorily required and that engagement of essential participants is often disregarded.

I. Notice

DFPS is responsible for providing notice of several matters, some relating to agency activities (such as investigations or removals) and some relating to a lawsuit (requiring service in accordance with the Texas Rules of Civil Procedure). While the same word “notice” is used for both, it is important to distinguish between the two to understand the rules for executing each.

First, the Family Code requires that DFPS provide notice to parents of the investigation and removal of a child and notice to relatives following the removal.¹ These obligations, however, do not need to be executed in accordance with the notice requirements of the Texas Rules of Civil Procedure.

Next, in lawsuits filed by DFPS, it is responsible for obtaining service of citation containing the original petition and notice of trial settings and other events during the pendency of the legal case. These notice requirements come not only from the Texas Rules of Civil Procedure, but also the Family Code and federal law. With respect to service of the citation, the Family Code directs that service be made “as in other civil cases.”² Accordingly, DFPS is responsible for obtaining service of citation to all parties listed in Section 102.009(a) of the Family Code.³ Service must be accomplished via the method prescribed in Rule 106 and by an authorized person under Rule 103 of the Texas Rules of Civil Procedure.

Additionally, the persons enumerated in Family Code Section 102.009 are also entitled to notice of hearings and trial settings. Texas Rule of Civil Procedure 245 governs the timeframe within which DFPS, as the petitioner, must notify parties in the case of trial settings.

Finally, the Family Code mandates that written notice be provided pursuant to Texas Rule of Civil Procedure 21a of the case review hearings mandated by Chapter 263. Rule 21a states notice shall be provided “in person or by agent or by courier receipt delivery or by certified or registered mail, to the party’s last known address, or by [fax] . . . or by such other manner as the court in its discretion may direct.”

A. Compliance with Requirements

Service of Citation & Petition: The round table discussion revealed that DFPS is not consistently or timely providing service of citation or notice as required by the rules.

Participants suggested several reasons for the lack of compliance with service of citation requirements. Often the parent-respondents in CPS cases are difficult to locate and move frequently without providing DFPS with an updated address. Typically, DFPS has difficulty locating a noncustodial parent, especially when that parent is an “alleged father” and has not legally established paternity. Mothers are sometimes reluctant to disclose the name or location of the alleged father for various reasons. For instance, the mother might not know his location or they are no longer in communication. Complicating

¹ Specifically, DFPS is required to provide notice to parents about an ongoing investigation pursuant to Texas Family Code Section 261.307 (Information Relating to Investigation Procedure). If the investigation rules out the alleged perpetrator, Section 261.315 requires DFPS to provide notice to that individual so that he or she can request removal of the allegations from DFPS records. If the investigation results in removal of the child, DFPS must provide notice to the parents pursuant to Section 262.109. Within 30 days after the removal, Federal law requires that DFPS exercise due diligence to identify and provide notice to all adult grandparents and other adult relatives of the child. 42 U.S.C. § 671(a)(29). DFPS has incorporated this federal requirement into its policy. See DFPS CPS Handbook § 2663 (Notification to Relatives Following a Removal), *available at* http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS_pg_2650.jsp#CPS_2663.

² Tex. Fam. Code § 102.009(c).

³ Specifically, Section 102.009 provides that service of citation shall be provided to a managing conservator, a possessory conservator, a person having possession of or access to the child under an order, a person required by law or by order to provide for the support of the child, a guardian of the person or estate of the child, each parent as to whom the parent-child relationship has not been terminated or process has not been waived under Chapter 161, an alleged father unless there is attached to the petition an affidavit of waiver of interest or unless the petitioner has complied with the provisions of Section 161.002(b)(2), (3), or (4), a man who has filed a notice of intent to claim paternity, DFPS or the Title IV–D agency, a prospective adoptive parent, a person designated as the managing conservator in a revoked or unrevoked affidavit of relinquishment or written consent to adoption, or any other person who has or who may assert an interest in the child.

matters is the fact that prosecutors and representatives of DFPS do not always have quick or reliable access to information databases, such as the registries maintained by the Vital Statistics Unit (VSU).

The VSU of the Texas Department of State Health Services (DSHS) maintains three separate databases that must be searched in a child-protection case: the Paternity Registry (containing notices of intent to claim paternity filed to preserve rights a man might have to a child);⁴ the Acknowledgement of Paternity Registry (containing records of acknowledgments signed by a mother and a man claiming to be the biological father);⁵ and a database containing information on the court of continuing jurisdiction, if any, for a particular child.⁶ Each of these databases is established and governed by separate statutory provisions and are not cross-referenced. DFPS does not have computer access to the VSU databases, which slows their ability to identify fathers. DFPS caseworkers must submit a written request for each type of search and wait around 14 days for the request to be processed by an employee of DSHS.

The persons authorized to obtain information in the databases (i.e. the individuals permitted to request a search of the database) varies for each registry, and the statutory provisions relating to release of information is different for each.⁷ In practice, the duty of submitting the request is not always completed by the same individual. For instance, the duty could be completed by the DFPS caseworker, the attorney for DFPS, or the county attorney. One participant stated that, in her area, a court order was required to obtain access to information in the Acknowledgment of Paternity database. Following the round table, a representative of DFPS clarified that a court order is no longer required. However, it is unclear whether that applies to all of the types of individuals that might be checking the database (including prosecutors).

Caseworkers often perform the initial search for family members using a variety of free or publicly available internet databases.⁸ Caseworkers also have access to the Diligent Search Unit (DSU) within DFPS, charged with searching for absent parents and extended family members and conducts inquiries through public information sources. However, the DSU also lacks access to the three registries and must submit a request to DSHS, which can delay the process by an additional week because the DSU must group search requests together rather than submitting requests one at a time.

Notice to Adult Relatives Regarding Removal: It is unclear whether DFPS is successful in notifying adult relatives within 30 days of the removal, as is required by federal law and DFPS policy. Round table participants discussed that parents are often reluctant to provide caseworkers with contact information for relatives because they are embarrassed or believe that the case will be resolved quickly without the need to involve relatives. DFPS's duty to notify relatives is more easily completed when parents provide information at the beginning of the case, and it can avoid delays associated with obtaining information from the various databases discussed above. One parent that was formerly involved in a CPS case suggested providing parents with more information or a parent partner (an assigned parent who has

⁴ Tex. Fam. Code § 160.402.

⁵ *Id.* § 160.302.

⁶ *Id.* § 155.101.

⁷ Compare *Id.* §§ 155.101, 160.313, 160.412.

⁸ Specifically, caseworkers search internet databases, including various White Pages (www.Whitepages.com), www.Anywho.com), Google (www.Google.com), the Federal Bureau of Prisons' Inmate Locator (www.bop.gov), Victim Information and Notification Everyday's National Database (www.vinelink.com), Tex. Dep't of Crim. Justice's Offender Database (<http://168.51.178.33/webapp/TDCJ/index2.htm>), and Mexico's Social Service Agency (Sistema Nacional para el Desarrollo Integral de la Familia (DIF)) www.dif.sip.gob.mx; see also Appendix 5261, DFPS's CPS Handbook ("Detailed Diligent Search for Parent (Steps to Take)") (http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS_px_5261a.jsp#CPS_apx5261a).

been involved in a CPS case and can act as a parent's guide and ally) so that they better understand the process.

Notice of Hearing Dates: DFPS also is not routinely complying with the requirements for notice relating to permanency and placement review hearings.⁹ Participants indicated that providing notice in a CPS case presents unique challenges, including a long list of persons who are statutorily entitled to notice and the frequent and routine hearings requiring notice to all of those persons. The obligation of providing notice to so many individuals can become extremely burdensome and costly.

As previously discussed, DFPS struggles with maintaining updated records of the participants' addresses due to lack of communication of the information to DFPS as well as internal communication failures within the agency. Parents often move during what is a typically unstable time in their lives and children frequently change placements multiple times within a year. However, if the attorneys and DFPS caseworkers are meeting their responsibilities, they should be in regular contact with their clients and should be able to ensure updated contact information for notice purposes.

The round table participants noted that most judges do not hold DFPS to their obligation to provide written notice pursuant to Rule 21a and, instead, allow oral "in-court" notice to suffice to inform interested persons of the next review hearing. In-court notice is one way to provide actual notice of upcoming hearings to persons present in the courtroom, but it is not effective in providing notice to those not present in court or to update parties and participants when there has been a change in date or time of a setting. Without the provision of written notice after in-court notice is given, not all persons learn of upcoming hearings. Furthermore, in court notice does not satisfy DFPS's obligation of notice under Rule 21a. However, it should be noted that Rule 21a allows the judge discretion to order that notice be provided in another manner. If the judge authorizes notice by an alternative manner, the judge must take steps to ensure that notice is received by all persons entitled to receive notice.

B. Possible Solutions

Service of Citation: DFPS has a statutory duty to serve citation on a parent whose parental rights are being affected.

- 1. Judicial Practice:** Judges should verify that citation and notices have been properly served to all entitled persons or that service has been properly waived, if a parent has elected to waive service. Review the record prior to every hearing for a return of service as required by Rule 107 of the Texas Rules of Civil Procedure and proof of compliance with Rule 21a.
- 2. Service Check Docket:** Jurisdictions might establish a Service Check Docket, described by Judge Kim Brown of Tarrant County as an uncontested docket held on a weekly basis to verify [with the clerk] that proof or certification of service has been properly executed, returned, and is included in the court's record.
- 3. Assistance of Other Parties:** Parties to the case should be informed about the status of service prior to hearings and encouraged to offer assistance in locating parents and relatives. The attorney ad litem for the child is in a unique position to assist with this and should raise concerns to the court about service since it is the child whose permanency is delayed because service is not accomplished timely.

⁹ See Tex. Fam. Code §§ 263.301, 263.501.

4. **Increased Diligent Search Efforts:** Texas Lawyers for Children (TLC) maintains a listserv of attorneys willing to provide pro bono services to lawyers handling child abuse and neglect cases and may be willing to assist with diligent search efforts.
5. **Waiver of Service by Sheriff or Constable:** Tarrant County and the Child Protection Court of South Texas accomplish service of citation by a waiver of service that has the copy of the suit affecting the parent-child relationship (SAPCR) attached. In other words, if the parent is present at the ex parte hearing, the attorney representing DFPS asks the parent if they would be willing to waive service of citation and, instead, receive a copy in person in court.
6. **Statutory Changes:** The legislature should consider statutory changes that would provide DFPS with direct (computer) access to the VSU database so it can search the registries directly. Streamlining the process by cross-referencing the databases and allowing DFPS access would enhance the ability for parties to timely receive notice of the lawsuit. Also, eliminating the requirement that DFPS pay a fee for searching the registry would reduce costs. These changes are a vital to ensure that parents have the opportunity to be involved in the case from the beginning. Many important decisions are made within the first 14 days. If a parent or alleged father cannot be located without a search of the registries, service cannot be made at the time of filing and is delayed until the request is processed, and as a result, that parent might miss crucial parts of the case.
7. **Training:** DFPS should include training to increase awareness among its staff of what is required to obtain information from the registries. Currently, DFPS is required to submit requests to the VSU at DSHS to conduct searches of the three databases. It normally takes two to three weeks to receive a response to the request. Also, DFPS should ensure that the workers know they no longer need to submit a court order with their request for a search of the AOP database. Additionally, DFPS should collaborate with county attorney offices (or whatever agency handles representation of DFPS) so that those attorneys are also aware of the ways to obtain information from the database. Training for both caseworkers and attorneys should address the urgency of obtaining contact information so that parties can receive timely service of the citation and petition.

Notice: Notice of hearings does not have to be accomplished through a sheriff or constable. It must merely satisfy Rule 21a of the Texas Rules of Civil Procedure, which allows the court some direction to order that notice be accomplished in an alternative manner.

1. **Training:** DFPS should ensure caseworkers are trained on the difference between service and notice and the applicable statutory provisions and rules.
2. **Standing Order:** Courts should consider issuing a standing order in their jurisdiction allowing notice required by Family Code Chapter 263 to be accomplished via email, with a read receipt requested, unless an individual has not provided an email address or expressly requests some other form of notice.¹⁰ Any alternative method of service approved by the court must be appropriate under the circumstances. For instance, if a participant does not have access to email, ordering notice by email is not appropriate. Further, any alternative method of providing

¹⁰ Rule 21a of the Texas Rules of Civil Procedure provides that written notice may be provided "in person or by agent or by courier receipt delivery or by certified or registered mail, to the party's last known address, or by telephonic document transfer . . . or by such other manner as the court in its discretion may direct."

notice should comply with the spirit of Rule 21a, allowing for some type of documentation to prove receipt of the notice.

- 3. Public Hearing Schedule Webpage:** Although it would not satisfy Rule 21a, DFPS and courts could consider whether a public website might be established so that parents, foster parents, caregivers and other interested parties may view non-confidential hearing date, time, and location information. This would help increase awareness of upcoming hearings.

II. Engagement

A. *Effectiveness of Efforts*

The second part of the round table focused on engagement of parties, children, caregivers, and other stakeholders with an interest in the child's well-being. Most participants felt that DFPS could improve its engagement efforts; individuals who might be able to assist in the case are not being engaged, and even when they receive notice and attempt to participate, they do not feel welcome or are discouraged from participating.

The discussion revealed that DFPS leaves a great deal of discretion to individual caseworkers to decide whether to engage relatives and other family members early in the case. Both caseworkers and prosecutors expressed that hearings are often easier and take less time without the involvement of family, and as a result, some caseworkers have made it a practice to not include family members. Understandably, bringing another voice to the table requires additional time. Taking time to engage participation may assist the family and child reach permanency more quickly. Engaging children, youth, and other stakeholders may provide the court with additional information regarding names and whereabouts of an absent parent and potential placements.

Including participants in the court process is also a requirement of the Family Code. Specifically, the Family Code provides that the child, parent, foster parent or relative providing care, and any other person named by the court to have an interest in the child is entitled to be present and be heard at the hearing. However, several round table participants indicated that they had been excluded from being present in the courtroom. One foster parent stated that, when she came to court for a permanency hearing, she was forced to leave the courtroom and was not allowed to participate. Other participants expressed that they are unfamiliar with the proceedings and are too intimidated to raise their voice. Other barriers affect their participation as well; in large urban counties with more than one court house, participants get lost trying to find the location of the hearing. Docketing also discourages participation; some courts schedule all hearings first thing in the morning, and participants spend most of the day waiting for their cases to be called.

During the discussion, both DFPS and judges recognized that relatives and other caregivers can be a great asset and need to be involved early in the case. However, some DFPS and court practices seem to discourage participation by those individuals. To encourage meaningful participation of relatives and caregivers, both DFPS and the courts need to make a concerted effort to notify them of hearings and welcome their contribution. An initial step is to empower these individuals with information about the hearings, so that they understand what is going on and can add value to the proceedings.

B. Possible Solutions

- 1. Policy changes:** DFPS agreed to review its policies and revise them, if necessary, to emphasize the importance of engaging families. Similarly, DFPS should revise caseworker training to provide instruction on early engagement of the family in the investigation and ex parte stage. This should not be difficult to accomplish if DFPS is already engaging many families in Family Team Meetings, which usually occurs early in the case before removal.
- 2. Judicial Training:** Judges should be trained on the importance of family engagement, along with ideas and tools for docket management to accommodate family members' participation. Notice and engagement is a topic on the agenda for the CPS Judicial Conference scheduled for July 2011.
- 3. Attorney and Advocate Training:** Attorneys and CASA volunteers should be trained on the importance of family engagement, and be instructed to locate and encourage the early and continued involvement of relatives and other appropriate persons. Attorneys representing parents could encourage relatives to be a support system for the parent-client and help keep the parent on track to achieving reunification.

III. Moving Forward (Next Steps)

A. Training

- 1. Judicial / Legal System:**
 - a. Procedures for monitoring compliance with service and notice requirements and enforcing noncompliance (such as sanctions under Rule 21b of the Texas Rules of Civil Procedure).
 - b. Instruction on ability to issue a standing order allowing notice to be accomplished via email with a read receipt requested unless not feasible.
 - c. Emphasize the importance of timely service and notice and its impact on timely resolution of the case and permanency for the child.
 - d. Increase judicial awareness of resources available to DFPS through the Vital Statistics Unit (VSU) and other databases, so that judges can inquire regarding the status of pending requests.
 - e. Address attitudes and misconception regarding the involvement of alleged fathers, relatives, caregivers, and youth, and emphasize the importance (and statutory requirements) of their involvement throughout the case.
 - f. Practices to ensure parents, youth and other participants understand their rights and feel welcomed and empowered to participate in the case.
 - g. Practices to increase the early involvement of parents and family members at the ex parte stage (the point of removal) and inform parents of the right to legal counsel.

2. DFPS Investigators & Caseworkers

- a. Differences between Service and Notice under the Texas Rules of Civil Procedure and Family Code, and notice requirements of the Family Code that do not have to be executed in accordance with the Texas Rules of Civil Procedure.
- b. Procedures for searching for parents and relatives and requesting information from the VSU (including emphasis on the importance of obtaining contact information so that service or notice can be timely executed.)
- c. Procedures for engaging families at the investigative stage and involving them in the ex parte hearing (and the importance of this early involvement).
- d. Ensure Family Team Meeting staff apprises parents of their rights and that the nature of the FTM is voluntary.
- e. Ensure caseworkers advise parents of their right to a court appointed attorney if they cannot afford one, and not merely that they have the right to hire one

B. Tools

1. Develop a checklist for judges to monitor compliance with service and notice requirements (available through the Child-Protection Benchbook).
2. Consider the feasibility of creating a publicly accessible website that includes basic, non-confidential information about hearing dates and times.

C. DFPS Policy

1. DFPS should examine its policy regarding certain criminal convictions that may affect an individual's suitability for placement.
2. DFPS should examine its Memorandum of Understanding with the DSHS regarding obtaining and paying for birth certificates and other family information. To the extent necessary, DFPS should revise policies and current practices to streamline its access to information.
3. DFPS should work with DSHS to obtain computer access to the VSU databases.
4. DFPS should partner with the Parent Collaboration Group or other parent representatives to establish a mentoring group for parents who are involved in a CPS case to help overcome issues of embarrassment and fear.

D. Statutory

1. Examine whether Texas Family Code Chapter 160, Section 155.101, and/or 108.110 should be amended to give DFPS direct computer access to the VSU databases that contain information on the court of continuing jurisdiction, acknowledgments of paternity, and filings of intent to claim paternity, without the necessity of a court order

or fee, including the cost to accomplish such a change. Lack of access delays service of citation and notice and acts as a barrier to achieving permanency as quickly as possible. The delay results in increased foster care expenses for DFPS and county expenses associated with the lawsuit.

E. Workgroup issue (additional consideration needed)

1. Examine whether a statutory change of Section 262.114 of the Family Code is warranted. Participants indicated that home studies cannot realistically be accomplished prior to the 14-day hearing. Accordingly, a statutory change replacing the requirement with a more realistic means of assessing the safety and suitability of a proposed placement may be required.
2. Consider the difference in the list of persons entitled to notice of hearings under Sections 263.301 and 263.501, and specifically, the inclusion of licensed administrator under Section 263.501 (Placement Reviews) but not 263.301 (Permanency Reviews). Evaluate whether statutory revision is appropriate to make the provisions consistent.
3. Examine the feasibility of judges making a “No Reasonable Efforts” finding when DFPS refuses to approve a home study and place the child in the home. Caveat: the statutory requirement of reasonable efforts relates to the need to remove the child and efforts to return the child home after removal, and there is a question about whether this finding is appropriate in this context.

INSERT - TAB 9

Harris County Child-Protection Collaborative Meeting



Harris County Judicial Round Table Follow-Up Report

Harris County is one of the largest and most diverse counties in Texas, and, as such, there are unique issues that impact its child-welfare population. As of the 2010 U.S. Census, Harris County had a population of 4.1 million, making it the most populous county in Texas. Roughly one-sixth of all Texans live in Harris County.¹ Twenty-nine percent of Harris County residents are under the age of 18. During the course of the 2010 fiscal year (Oct. 2009 – Sept. 2010), the foster care system in Harris County served a total of 7,346 children.² On average, there were 5,317 children in foster care on any given day in Harris County. To handle all of these cases, there are numerous judges and courts that have jurisdiction over child-protection issues. Because Harris County makes up such a significant portion of the Texas population, what happens in Harris County affects the state’s overall performance in the Child and Family Services Reviews (CFSR).³



An April 2010 judicial “Beyond the Bench” conference and an October 2010 report on children in long-term foster care, published by Texas Appleseed, helped shed light on key issues affecting Harris County.⁴ As a result of these findings, state and county judicial leaders have expressed interest in finding workable solutions to improve court processes and judicial practices in managing its child-protection cases.

Harris County’s large size creates distinct challenges that cannot always be properly addressed under the typical statewide approach. Accordingly, a more specific assessment of Harris County’s management of child-protection cases would assist the key players in developing more effective processes. In February 2011, the Children’s Commission, in partnership with the Texas Department of Family and Protective Services (DFPS), Casey Family Programs, Texas Appleseed, and the Center for Public Policy Priorities, sponsored a meeting of the Harris County District and Associate Judges from the Juvenile and Family Law Divisions to discuss barriers to permanency in Harris County child-protection cases and areas for improvement.

¹ Quick Facts: Harris County, U.S. Census Bureau, <http://quickfacts.census.gov/qfd/states/48/48201.html>.

² Statistics for Harris County, Texas, Fostering Court Improvement, <http://fosteringcourtimprovement.org/tx/County/Harris/>.

³ Each state is required to submit data to the U.S. Department of Health & Human Services (HHS) for the purposes of a federal review of each state’s compliance with titles IV-B and IV-E of the Social Security Act. The review system (known as Child and Family Services Reviews or CFSRs) is administered by the Children’s Bureau, part of the HHS. The CFSRs enable the Children’s Bureau to: (1) ensure conformity with federal child welfare requirements; (2) determine what is actually happening to children and families as they are engaged in child welfare services; and (3) assist states to enhance their capacity to help children and families achieve positive outcomes. See *Children’s Bureau Child and Family Services Reviews Fact Sheet*, Administration for Children and Families, <http://www.acf.hhs.gov/programs/cb/cwmonitoring/recruit/cfsfactsheet.htm>.

⁴ See Texas Appleseed, *Improving the Lives of Children in Long-Term Foster Care: The Role of Texas’ Courts & Legal System* (2010), available at http://www.texasappleseed.net/images/stories/reports/FosterCare-rev_press.pdf.

Concerns & Solutions

Case Delays

Section 263.401 of the Family Code requires that a child-protection Suit Affecting the Parent-Child Relationship must either commence trial on the merits or be dismissed within a year from the order awarding DFPS temporary conservatorship. However, in “extraordinary circumstances,” the court may grant a one-time extension not to exceed 180 days. In Harris County, over fifty percent of all cases are extended beyond the one-year deadline. While “extraordinary circumstances” are not defined by the Family Code, it cannot reasonably be interpreted to apply to a *majority* of all of the cases.

Accountability and Preparation

Although there are many factors that play a role in delaying permanency in child-protection cases, heavy case loads hinder preparation by county attorneys, parent and child attorneys, and caseworkers. There is a general awareness that not enough is accomplished in the interim between hearings. Caseworker turnover exacerbates this. The combination of these elements contributes to delays in achieving permanency.

Insufficient preparation by attorneys and participants not only delays cases, but leads to uninformed decisions. Adequate performance by caseworkers and attorneys are vital to improve the quality of the evidence before the court. Many judges and participants commented that there “isn’t enough time” for participants to complete all of the necessary work. There may also be a practice of putting off certain duties until just before a hearing, which contributes to the problems and to longer periods in foster care for children. Rather than accept various justifications for the lack of compliance, judges must communicate expectations to attorneys and caseworkers and hold them accountable for noncompliance. A programmatic and cultural shift to frontload cases is essential to the improvement of case outcomes and timeliness.

Service of Citation and Notice

Similarly, many judges recognized issues with a failure to provide proper service of citation and notice in compliance with the rules of civil procedure. Of note, a recent study by DFPS found that there is not a clear delegation of these duties; in some areas caseworkers are responsible for making sure service is accomplished and in other areas the county attorneys take on the responsibility. Also, judges noticed that DFPS frequently fails to complete a search of the paternity registry database until the end of the case, and as a result, persons who should have received notice at the beginning of the case are not given a meaningful opportunity to participate. To ensure that due process is carried out, DFPS must make a clear delegation of these duties to either someone within the agency or the prosecuting attorney’s office. Many of these same issues were identified on a statewide level by the Children’s Commission in a December 2010 Round Table; the product of that round table could assist Harris County leaders in identifying similar issues at a local level.⁵

Most importantly, judges must demand excellence from those parties and practitioners appearing before them to ensure that the interests of vulnerable children and families are being properly served by our child-protection system.

⁵ *Notice and Engagement Round Table*, Supreme Court of Texas Permanent Judicial Commission for Children, Youth & Families, <http://www.supreme.courts.state.tx.us/children/pdf/NoticeEngage.pdf>.

Low Rate of Reunification

In accordance with the Texas Family Code and federal funding requirements, the primary goal in any child-protection case is to reunite the parent and child, after the parent has completed the necessary services to be able to safely care for the child. It is only after reunification is ruled out that other options are considered. However, in Harris County, a relatively low number of child-protection cases end in reunification: only twenty-one percent. This is one of the lowest reunification rates among the other large urban counties in the state.

There are several factors that may contribute to low reunification rates both statewide and in Harris County in particular, including increased substance abuse by parents and caregivers, coupled with scarce treatment resources, and an increased emphasis on placing children with relatives.⁶ Also, states receive federal incentive payments for adoption, but not for reunification.

To increase reunification rates, Harris County should consider a programmatic and cultural shift to place more emphasis on the front-end of the case. Frontloading cases may increase reunification rates. In particular, there should be a renewed focus on effectuating notice and service of adult family members within the first sixty days of the case. Additionally, courts should initially concentrate on ordering only those services that are essential to determining the viability of reunification, including concrete services and training or substance abuse treatments.

Lack of Permanency

Of the children who entered foster care in Harris County during the 2009 fiscal year, only twenty-four percent (less than one in four) exited foster care to a permanent home, including reunification, permanent placement with relatives, and adoption. The remaining seventy-six percent did not exit foster care or left the foster care system with a nonpermanent outcome (e.g., aged out of foster care). As compared with the other large urban counties in Texas, Harris County had the lowest rate of children exiting foster care to permanency. In other words, Harris County foster children are more likely to remain waiting in foster care for several years.

Of the kids who left foster care during the 2009 fiscal year, seventy percent of them had been in foster care for three years or more. Thus, there appears to be a pattern of children entering foster care and waiting several years to achieve permanency. Obviously, it would be much more efficient for the child-welfare system and better for the children to increase placement efforts earlier in the case, so that there are not so many children lingering in foster care. Again, greater emphasis placed on finding permanency within the first twelve months could improve the number of children exiting to a permanent home.

One other problem that was noted is that once a case ends, whether the parental rights are terminated or not, and when a child is placed in the permanent managing conservatorship (PMC) of DFPS, the case loses its urgency and the attention of the attorneys and caseworkers. The statutory framework has established a one-year deadline for handling the legal case. As short as one year is, this statutory framework has created an environment whereby the greatest urgency occurs at the end of the twelve-

⁶ Recent policy changes have increased relatives' involvement in CPS cases and consideration of relatives as potential placements for children. Specifically, the 2005 Texas Legislature adopted the Relative Caregiver Program, and in 2008, Congress adopted the federal Fostering Connections to Success and Increasing Adoptions Act, which contained provisions to enhance relative involvement in CPS cases. TEX. FAM. CODE ANN. § 264.751 et seq.; Fostering Connections to Success and Increasing Adoptions Act of 2008, Pub. L. No. 110-351.

month period, rather than at the beginning. This phenomenon may be contributing to the majority of Harris County cases being extended beyond the one-year deadline.

Also, once a child enters PMC, attorneys and guardians ad litem are often taken off the case. For those attorneys who continue, there is little training available to guide the attorney in advocating for a child's needs during the PMC stage. Because the adversarial stage is over, many attorneys do not understand their duties or the very different issues present in this later stage of the case. Regardless of whether the judge chooses to keep children's attorneys on the cases during the PMC stage, the court needs to make a concerted effort to emphasize expectations of all participants and hold participants accountable.

Lastly, it is essential to allow the child to have a voice in the case, especially in the PMC stage. Because of the profound effects the courts' decisions have on children's lives, it is only appropriate that courts allow the children to be heard. Accordingly, Texas law requires that the court allow the child to be involved in the case. However, many courts have difficulty meeting this obligation. Many judges explain that there is no place in the courthouse for the child. This can be remedied, however, and Harris County judges could make a concerted effort to allow children to have their voices heard, whether it be by enhancing courtrooms with video conferencing equipment or by creating child-safe rooms in courthouses. With the many businesses and corporations headquartered in Harris County, there are many opportunities to involve corporate partners to improve courthouses to accommodate these children.

Disproportionality

Although the permanency rate for white children is only twenty-nine percent, the permanency rates for minority children are even lower. Only twenty-six percent of Latino children in Harris County exited the foster care system in the 2009 fiscal year to a permanent home. The permanency rate for African-American children in Harris County is lower still at only twenty-two percent. In other words, African-American children in Harris County have a significantly lower chance of exiting foster care to a permanent home than children of other races.

Harris County leaders should pay particular attention to the barriers to permanency that affect minority children and families, and should consider requiring training for child welfare stakeholders on how implicit bias may be impacting judicial and child protection decisions.

Case Management Complicated by Numerous Courts and Nonspecific Docket Times

Family Courts and Juvenile Courts have overlapping jurisdiction over child-protection issues. Family Courts decide matters and render judgments relating to families and children, including divorce, child custody, child support, visitation rights, protective orders and the emancipation of minors. Juvenile Courts decide matters involving adolescents who have not attained the age of majority, including criminal misconduct, juvenile delinquency and issues of neglect. Currently, there are ten family courts and three juvenile courts in Harris County. The judges of each of these courts employ associate judges to handle part of the case load. The ten family courts hear about half of the child-protection cases, and the three juvenile courts handle the other half.



The number of courts and judges, coupled with the Family Code's requirement that a case be before the court of continuing jurisdiction, complicates the filing of the case with the appropriate court. The court of continuing jurisdiction is not always properly identified, which causes cases to be filed in the improper court. As such, cases are being filed and transferred between the juvenile and family courts. This can delay a case being heard timely. The District Clerk has attempted to correct this issue by coding cases so that the computerized system catches potential courts of continuing jurisdiction.

Also, the courts are housed in three separate locations, causing logistical difficulties. Each court manages its own scheduling and docketing. Attorneys and caseworkers complain that they are sometimes scheduled to be in two different courts on the same date. The Harris County District Clerk helpfully suggested implementing a coding system that would recognize when attorneys or caseworkers are scheduled for more than one case at a particular time, in order to avoid such conflicts. It was also suggested that certain caseworkers and attorneys be assigned to only work in a particular court, but judges opined that doing so might cause an inequitable distribution of skilled attorneys and caseworkers.

Another problem that contributes to the inefficiencies and legal expense is the way the courts schedule the hearings. Many of the courts have one or two docket call times a day and set all of the day's cases for that time, rather than spacing them throughout the day. Thought should be given to implementing a scheduling system that would more specifically set the time of the hearing for a particular case so that caseworkers and attorneys would not have to block out an entire day for a single case and spend hours waiting for the case to be called. This would also save Harris County legal fees for attorneys who bill from the time they appear for a 9:00 docket call until their case is heard several hours later.

High Fees for Appointed Attorneys

Legal fees for court-appointed attorneys in child-protection cases are relatively high. Harris County may want to evaluate current legal representation appointment methods and compensation. As the Children's Commission detailed in its statewide *Legal Representation Study*, certain representation models and compensation structures have proven to be more cost-efficient and provide better quality service.⁷ Specifically, in urban areas with significant case loads, it may be more efficient and effective to provide representation through a central, county-run office that employs salaried attorneys, rather than appointing private attorneys paid on a per-hour or per-hearing basis. Harris County may want to consider establishing a parent and child legal representation division in its Public Defender's Office. This may require articulating the unique and complex issues of this practice area to the County Commissioner's Court to emphasize the importance of providing quality representation.

⁷ *Legal Representation Study*, Supreme Court of Texas Permanent Judicial Commission for Children, Youth & Families, <http://www.supreme.courts.state.tx.us/children/pdf/LRS.pdf>.

Additionally, Harris County could improve legal representation by clearly communicating expectations and duties of attorneys and holding attorneys accountable for not fulfilling their duties as required by the Family Code. For example, the judge could clarify the duties of an appointed attorney for an alleged father who is unknown or cannot be located by directing the attorney to start with a review of DFPS's efforts to identify or locate the father, to then proceed by conducting an independent



investigation to identify or locate the father. Also, judges could communicate expectations for children's attorneys that they see their clients and advocate according to their client's wishes. For attorneys who stay on cases after termination while the children are in the PMC of DFPS, judges should require the attorney to understand the child's need for permanency, stability, and well-being.

Lack of Countywide Oversight & Cooperation

The fragmented setup of the various courts makes collaboration between the courts very difficult. Further, the courts all have massive case loads and struggle to find time to hear all of their cases, leaving judges with little time to contribute to a countywide oversight effort. However, judges and other participants have indicated an increased awareness of the unique challenges within Harris County, and have identified forming a countywide review commission as a possible solution.

Next Steps: Forming a Harris County Council for Children & Families

Participants in the Harris County meeting agreed to take steps to form a judge-led, local child-protection council to promote informed discussion of local issues and to achieve structural change, data sharing, and collaboration. The Council may want to consider forming several workgroups or subcommittees to focus on discreet issues identified by the Council. A preliminary step to forming a Council and subcommittees would be to hold a local child welfare summit to allow the gathering of ideas and information regarding improvement of the child-welfare system.

In conjunction with these efforts, Harris County may want to partner with other organizations with similar missions such as Casey Family Programs and Texas Appleseed. Harris County may also want to explore local resources and donors to assist in these efforts.

The Children's Commission can provide assistance with a children's summit or with setting up a local commission. Harris County could implement a structure similar to the Children's Commission on a local level. Harris County could look to the directives included in the Supreme Court of Texas's order establishing the commission and appointment members as a guide. Links to the formation documents for the Children's Commission are provided below.

- Consultative Report to the Supreme Court establishing the need for a statewide commission for children, youth and families.
<http://www.supreme.courts.state.tx.us/children/reports/consultative-group-report.pdf>

- September 2007 Supreme Court Hearing regarding the need for an oversight commission
 - [Public Hearing Announcement](#)⁸
 - [Hearing Transcript](#)⁹
 - [Hearing Webcast](#)¹⁰
- November 2007 Supreme Court Order Creating Commission
<http://www.supreme.courts.state.tx.us/MiscDocket/07/07919300.pdf>
- November 2007 Supreme Court Order Appointing Commission Members
<http://www.supreme.courts.state.tx.us/MiscDocket/07/07919200a.pdf>
- Children’s Commission Website
<http://www.supreme.courts.state.tx.us/children/children.asp>
- Resources & Report’s Page of Commission Website
<http://www.supreme.courts.state.tx.us/children/resources.asp>

February 9, 2011 Harris County Judicial Round Table

Harris County District Judges:

Hon. Glenn Devlin	313 th Juvenile Court
Hon. Angela Ellis	315 th Juvenile Court
Hon. David Farr	312 th Family Court
Hon. Diane Guarigila	245 th Family Court
Hon. Michael Hay	246 th Family Court
Hon. Bonnie Hellums	247 th Family Court
Hon. Aneeta Jamal	314 th Juvenile Court
Hon. James Lombardino	308 th Family Court
Hon. Lisa Millard	310 th Family Court
Hon. Roy Moore	245 th Family Court
Hon. Conrad Moren	310 th Family Court
Hon. Robert Newey	311 th Family Court
Hon. Stephen Newhouse	313 th Juvenile Court
Hon. Deborah Patterson	257 th Family Court
Hon. John Phillips	314 th Juvenile Court
Hon. Denise Pratt	311 th Family Court
Hon. Charles Prine	309 th Family Court
Hon. Ricardo Ramos	308 th Family Court
Hon. Michael Schneider	315 th Juvenile Court
Hon. Ellen Shelton	312 th Family Court
Hon. Meca Walker	247 th Family Court
Hon. Judy Warne	257 th Family Court

⁸ <http://www.supreme.courts.state.tx.us/children/pdf/PubHearingAnnouncementJudCom.pdf>

⁹ <http://www.supreme.courts.state.tx.us/children/pdf/ChildrenCommissionHearingTranscript.pdf>

¹⁰ <http://stmarytxlaw.mediasite.com/stmarytx/Viewer/Viewers/Viewer320TL.aspx?mode=Default&peid=7cca5175-524e-48cc-b40d-3493c23738c5&pid=8889833e-cfdf-4fe9-8124-07e6b7525511&playerType=WM7>

Staff and Guests:

Justice Eva Guzman, Chair, Supreme Court of Texas Children's Commission
Sarah Abrahams, Texas Strategic Consulting, Casey Family Programs
Tina Amberboy, Supreme Court of Texas Children's Commission
Jane Burstain, Center for Public Policy
Candace Broussard-White, DFPS Child Protective Services Managing Regional Attorney
Chris Daniel, Harris County District Clerk
Audrey Deckinga, Texas Department of Family and Protective Services, Child Protective Services
Scott Dixon, Texas Department of Family and Protective Services, Child Protective Services
Sheryl Dotson, Texas Department of Family and Protective Services
Katie Fillmore, Supreme Court of Texas Children's Commission
George Ford, Harris County Child Protective Services
Deborah Fowler, Texas Appleseed
Veronica Juarez, Office of Senator John Whitmire
Jeff Nelson, Office of Senator Tommy Williams
Rebecca Lightsey, Texas Appleseed
Teri Moran, Supreme Court of Texas Children's Commission
John Odam, Harris County
Carl Reynolds, Office of Court Administration
Tiffany Roper, Supreme Court of Texas Children's Commission
Vince Ryan, Harris County Attorney
John Specia, Jurist in Residence, Office of Court Administration

Persons Interested in Participating in Harris County Efforts:¹¹

Justice William J. Boyce, Texas Fourteenth District Court of Appeals
Justice Jeff Brown, Texas Fourteenth District Court of Appeals
Justice Laura Higley, Texas First District Court of Appeals
Justice Michael Massengale, Texas First District Court of Appeals
Chris Daniel, Harris County District Clerk
Sandra Hachem, Harris County Attorney's Office
Hon. Bill Henderson, Attorney at Law (former District Judge)
Lorraine Cervantes, Attorney at Law

¹¹ Not present at Judicial Round Table, but expressed interest in participating.

INSERT - TAB 10

Account Summary

4/25/2011

Grant Number	Grantee	Budget Amount	Travel Expenses	Total Outlays to date	Remaining Balance
BASIC					
	Operating Budget	\$ 55,000.00		2,738.47	\$ 52,261.53
201-11-0000	Lubbock Transition Ctr	\$ 44,360.00		-	\$ 44,360.00
201-11-0001	Texas CASA	\$ 210,000.00		80,584.88	\$ 129,415.12
201-11-0002-2	OCA - CPS Judge Support (Tech Budget)	\$ 20,400.00		7,813.21	\$ 12,586.79
201-09/11-00022	Judge In Residence	\$ 50,000.00		3,966.09	\$ 46,033.91
201-10-0006	Texas Loves Children, Inc (Training Budget)	\$ 250,000.00		32,892.15	\$ 217,107.85
201-11-0009	ChildSafe	\$ 45,990.00		18,614.09	\$ 27,375.91
201-11-00010	Texas RioGrande Legal Aid, Inc.	\$ 125,000.00		65,343.00	\$ 59,657.00
201-11-00012	Tarrant County Challenge	\$ 55,139.00		45,858.57	\$ 9,280.43
201-11-0014	Travis County (OCR)	\$ 50,000.00		9,237.01	\$ 40,762.99
201-11-0015	Travis County (OPR)	\$ 50,000.00		9,910.19	\$ 40,089.81
	Advocacy Inc	\$ 100,000.00		-	\$ 100,000.00
	Adoption Day	\$ 5,000.00		-	\$ 5,000.00
	Bench Book (see travel summary)	\$ 20,000.00	472.16	5,510.60	\$ 14,489.40
	RoundTable (see travel summary)	\$ 15,000.00	1,659.83	1,659.83	\$ 13,340.17
	Education Committee Opr (see travel summary)	\$ 25,000.00	3,340.26	5,584.11	\$ 19,415.89
	Misc. (Drug Court RT Travel)	\$ -	9,543.22	9,543.22	\$ (9,543.22)
		<u>\$ 1,120,889.00</u>		<u>\$ 289,712.20</u>	<u>\$ 821,633.58</u>
TECHNOLOGY					
201-10-0002-1	OCA - Tex DECK	\$ 402,770.00		127,007.43	\$ 275,762.57
	NIEM	\$ 5,000.00		-	\$ 5,000.00
	Video Conferencing	\$ 100,000.00		-	\$ 100,000.00
	Judicial Connectivity	\$ 160,150.00		-	\$ 160,150.00
	Region 2 Staffing	\$ 40,000.00		4,097.02	\$ 35,902.98
	CPCMS Interface w/ JCMS	\$ 74,336.00		-	\$ 74,336.00
	OCA Project Manager	\$ 113,912.00		-	\$ 113,912.00
	TechShare/CUC	\$ 60,000.00		-	\$ 60,000.00
	Misc.	\$ -		-	\$ -
		<u>\$ 956,168.00</u>		<u>\$ 131,104.45</u>	<u>\$ 825,063.55</u>
TRAINING					
201-11-0002-3	OCA - CPS Judicial Training	\$ 30,000.00		6,651.33	\$ 23,348.67
201-11-0007	Texas Center for the Judiciary (TCJ)	\$ 531,526.90		82,563.59	\$ 448,963.31
201-11-00035	Texas Dept. of Family and Protective Services	\$ 25,000.00		-	\$ 25,000.00
201-10-0037	AFL	\$ 10,000.00		5,000.00	\$ 5,000.00
	CWL Certification	\$ 20,000.00		-	\$ 20,000.00
	CPS Mediation	\$ 25,000.00		-	\$ 25,000.00
	Local Dispro Trng JDW (see travel summary)	\$ 30,000.00	6,360.40	7,535.40	\$ 22,464.60
	SBOT Conference	\$ 25,000.00		-	\$ 25,000.00
	TDCAA Conference	\$ 35,000.00		-	\$ 35,000.00
	Trial Skills	\$ 40,000.00		-	\$ 40,000.00
	ABA Parent/Child Scholarships	\$ 60,000.00		-	\$ 60,000.00
	Misc. (NACC Final RFR)	\$ -		37,539.97	\$ (37,539.97)
		<u>\$ 771,526.90</u>		<u>\$ 101,750.32</u>	<u>\$ 692,236.61</u>
		<u>\$ 2,848,583.90</u>			<u>\$ 2,338,933.74</u>