



---

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

---

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

**September 19, 2014  
MEETING NOTEBOOK**

The State Bar of Texas - Texas Law Center  
1414 Colorado St.  
Austin, Texas 78701



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

**September 19, 2014  
Meeting Notebook**

**Table of Contents**

**Commission, Committee and Collaborative Council Member List..... 1**  
**Minutes from May 16, 2014 Commission Meeting..... 2**  
**September 19, Report to Commission..... 3**  
**Grant Applications ..... 4**

- Texas Center for the Judiciary**
- Office of Court Administration**
- Texas CASA**
- University of Texas Mediation Project**



**Supreme Court of Texas**  
**Permanent Judicial Commission for Children, Youth and Families**  
**State Bar of Texas – Texas Law Center**  
**Austin, Texas**  
September 19, 2014  
9:30 a.m. – 3:30 p.m.  
Meeting Agenda

- 9:30 Commencement / Opening Remarks – The Honorable Eva Guzman
- 9:45 First order of business – The Honorable Eva Guzman
  - 1. Adopt Minutes from May 16, 2014, Tab 2
- 9:50 Commissioner Updates
- 11:00 Executive Director Report – Tina Amberboy/Commission Staff, Tab 3
- 11:45 Lunch – Served on-site
- 12:30 Data/Technology Committee Report – Tina Amberboy
- 12:45 Basic Committee Report – Judge Bonnie Hellums
- 1:00 Training Committee Report – Justice Michael Massengale
- 1:15 Texas Blueprint Update – Judge Rob Hofmann
- 1:30 Hearing Observation Project Implementation – Judge Robin Sage
- 1:45 Legal Representation / Legislative – Judge Dean Rucker
- 2:00 DFPS Update – Judge John Specia
- 2:15 Office of Court Administration – David Slayton
- 2:30 New Business/Comments from Collaborative Council
  - 2015 Meeting Schedule
- 2:45 Adjourn



**INSERT - TAB 1**



## CHILDREN'S COMMISSION MEMBERS

Hon. Eva Guzman, Chair	Stewart W. Gagnon	Hon. Cheryl Lee Shannon
Hon. Harriet O'Neill, Chair Emeritus	Hon. Helen Giddings	Vicki Spriggs
Hon. Darlene Byrne, Vice Chair	Hon. Bonnie Crane Hellums	Sharayah Stiggers
Hon. Jo Ann Battise	Hon. Rob Hofmann	Terry Tottenham
Lisa Black	Dr. Octavio Martinez	G. Allan Van Fleet
Hon. Jean Boyd	Hon. Michael Massengale	Hon. Carlos Villalon
Sheila Sturgis Craig	Hon. Mary Murphy	Hon. Judy Warne
Bruce Esterline	Hon. Peter Sakai	
Gabriela Fuentes	Luanne Southern	

## COMMITTEE MEMBERS

<b>EXECUTIVE</b>	<b>BASIC PROJECTS</b>	<b>TECHNOLOGY PROJECTS</b>	<b>TRAINING PROJECTS</b>
Hon. Eva Guzman, <i>Chair</i>	Hon. Bonnie Crane Hellums <i>Chair</i>	Vicki Spriggs, <i>Chair</i>	Hon. Michael Massengale, <i>Chair</i>
Hon. Harriet O'Neill, <i>Chair Emeritus</i>	Gabriela 'Gaby' Fuentes	Dan Capouch	Hon. Mark Atkinson
Hon. Darlene Byrne <i>Vice Chair</i>	Colleen McCall	Jason Hassay	Tymothy Belseth
Hon. Bonnie Crane Hellums	Hon. Peter Sakai	Hon. Gilford Jones	Cathy Cockerham
Hon. Michael Massengale	Hon. Cheryl Lee Shannon	Octavio Martinez	Barbara Elias-Perciful
Hon. Dean Rucker	Hon. Olen Underwood	Robert Nolen	Alice Emerson
Vicki Spriggs	Hon. Doug Warne	Hon. Virginia Schnarr	Debra Emerson
	<i>Staff: Tina Amberboy</i>	G. Allan Van Fleet	Hon. Richard Garcia
	<i>Kristi Taylor</i>	Hon. Carlos Villalon	Tracy Harting
		Bryan Wilson	Hon. Lamar McCorkle
		<i>Staff: Tina Amberboy</i>	Dr. Sandeep Narang
			Pam Parker
			Tanya Rollins
			Fairy Davenport Rutland
			Hon. Ellen Smith
			Elizabeth Watkins
			<i>Staff: Tiffany Roper</i>
			<i>Milbrey Raney</i>

## COLLABORATIVE COUNCIL MEMBERS

Irene Clements	Mike Griffiths	Stephanie Ledesma	Andrea Sparks	Tina Amberboy, Executive Director
William B. Connolly	Diane Guariglia	Tracy Levins	Jeanne Stamp	Tiffany Roper, Assistant Director
De Shaun Ealoms	Sandra Hachem	Rebecca Lightsey	Armin Steege	Jamie Bernstein, Staff Attorney
Barbara Elias-Perciful	David Halpern	Diana Martinez	Gloria Terry	Milbrey Raney, Staff Attorney
Debra Emerson	Ashley Harris	Madeline McClure	Kenneth Thompson	Kristi Taylor, Program Manager
Laura Figueroa	Robert Hartman	Hon. F. Scott McCown, ret.	Arabia Vargas	Rashonda Thomas, Grants & Finance Specialist
Mike Foster	Leslie Hill	Dr. Sandeep Narang	Larry Williams	Vacant, Executive Assistant
Mara Friesen	Bruce Kendrick	Anu Partap	Judy Powell	Jessica Arguajo, Administrative Assistant
Sadie Funk	Lori Kennedy	Judy Powell	Lisa Ramirez	Hon. Robin Sage, Jurist in Residence
Paul E. Furrh, Jr.	Knox Kimberly	Lisa Ramirez	Johana Scot	<i>Office of Court Administration</i>
Helen Gaebler	Kelly Kravitz	Janet Sharkis	Richard Lavallo	Hon. Dean Rucker, Jurist in Residence
Christina Green				<i>Office of Court Administration</i>

## STAFF



**INSERT - TAB 2**



**PERMANENT JUDICIAL COMMISSION FOR CHILDREN, YOUTH AND FAMILIES**

**MINUTES OF MEETING**

**May 16, 2014**

**9:30 a.m. – 3:30 p.m.**

**State Bar of Texas – Texas Law Center**

**Austin, Texas**

**ATTENDANCE**

**Members in attendance:**

Chair, Hon. Eva Guzman, Justice, the Supreme Court of Texas, Austin

Vice-Chair, Hon. Darlene Byrne, Judge, 126th District Court, Austin

Hon. Jo Ann Battise, Senior Peacemaker, Alabama-Coushatta Tribe of Texas, Livingston

Hon. Jean Boyd, Judge, 323<sup>rd</sup> District Court, Fort Worth

Bruce Esterline, Vice President for Grants, The Meadows Foundation, Dallas (via proxy Andrew Keller)

Gabriela Fuentes, Office of the Governor, Austin

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

Hon. Helen Giddings, Texas Representative, District 109, Dallas (proxy Morgan Constantino)

Hon. Bonnie Hellums, Judge, 247th District Court, Houston

Hon. Rob Hofmann, Judge, 452nd District Court, Mason

Hon. Michael Massengale, Justice, 1st Court of Appeals, Houston

Hon. Peter Sakai, Judge, 225th District Court, San Antonio

Luanne Southern, Senior Director of Texas Strategic Consulting, Casey Family Programs, Austin

Vicki Spriggs, Chief Executive Officer, Texas CASA, Inc., Austin

Sharayah Stiggers, Parent Liaison, Texas Dept. of Family & Protective Services, Region 8, San Antonio

Terry Tottenham, Of Counsel, Fulbright and Jaworski, L.L.P., Austin

G. Allan Van Fleet, Partner, McDermott Will & Emery L.L.P., Houston

Hon. Carlos Villalon, Associate Judge, Child Protection Court of the Rio Grande, Edinburg

Hon. Judy Warne, Judge, 257th Family Court, Houston

**Members not in attendance:**

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

Lisa Black, Assistant Commissioner for Child Protective Services, Texas Department of Family and Protective Services, Austin

Dr. Octavio Martinez, Executive Director, the Hogg Foundation for Mental Health, UT Austin, Austin

Hon. Mary Murphy, Presiding Judge, the First Administrative Judicial Region, Dallas

Hon. Cheryl Lee Shannon, Judge, 305th District Court, Dallas

**Staff in attendance:**

Tina Amberboy, Executive Director, Children's Commission

Jessica Arguijo, Administrative Assistant, Children's Commission

Jamie Bernstein, Staff Attorney, Children's Commission

Tim Kennedy, TexDECK Project Manager, Office of Court Administration

Mary Mitchell, Executive Assistant, Children's Commission  
Mena Ramón, General Counsel, Office of Court Administration  
Milbrey Raney, Staff Attorney, Children's Commission  
Hon. Dean Rucker, Presiding Judge, 7th Region, 318th District Court, and Jurist in Residence  
Hon. Robin Sage, Senior District Judge and Jurist in Residence  
Tiffany Roper, Assistant Director, Children's Commission  
Kristi Taylor, Project Manager, Children's Commission  
Rashonda Thomas, Grant Account Specialist, Children's Commission

**Collaborative Council Members in attendance:**

Irene Clements, President, Texas Foster Family Association, and Consultant, Butterfly Marketing, LLC, Pflugerville  
De Shaun Ealoms, Parent Program Specialist, Dept. of Family and Protective Services, Austin  
Barbara Elias-Perciful, President, Texas Loves Children, Dallas  
Mike Foster, Program Specialist, Pathways, Austin  
Helen Gaebler, Sr. Research Attorney, William Wayne Justice Center for Public Interest Law, UT School of Law, Austin  
Hon. Diane Guariglia, Attorney, Guariglia & Placzek, PLLC, Houston  
David Halpern, Director, Promise Mentor Program, Seedling Foundation, Austin  
Ashley Harris, Child Welfare Policy Associate, Texans Care for Children, Austin  
Rebecca Lightsey, Executive Director, Texas Appleseed, Austin  
Diana Martinez, Director of Public Policy and Education for TexProtects, Austin  
Judy Powell, Communications Director, Parent Guidance Center, Austin  
Johana Scot, Executive Director, Parent Guidance Center, Austin  
Janet Sharkis, Executive Director, Texas Office for Prevention of Developmental Disabilities, Austin  
Andrea Sparks, Executive Director, National Center for Missing and Exploited Children, Austin  
Larry Williams, Alabama-Coushatta Tribe of Texas, Livingston

**Collaborative Council Members not in attendance:**

William B. Connolly, Attorney, Connolly & Shireman, LLP, Houston  
Debra Emerson, CPS Director of Permanency, Dept. of Family & Protective Services, Austin  
Laura Figueroa, the Arbitrage Group, Inc., Katy  
Mara Friesen, Deputy Director for Child Support, Attorney General's Office  
Sadie Funk, Executive Director, Texas Alliance for Infant Mental Health, Austin  
Paul E. Furrh, Jr., Chief Executive Officer, Lone Star Legal Aid, Houston  
Eileen Garcia, Chief Executive Officer, Texans Care for Children, Austin  
Christina Green, Director of Public Affairs, Children's Advocacy Centers of Texas  
Mike Griffiths, Executive Director, Texas Juvenile Justice Department, Austin  
Sandra Hachem, Sr. Assistant County Attorney, Harris County Attorney's Office, Houston  
Robert Hartman, Executive Director, Providence Service Corporation, Abilene  
Leslie Hill, Managing Attorney, Travis County Office of Child Representation, Austin  
Chris Hubner, General Counsel, Travis County Juvenile Probation, Austin

Bruce Kendrick, Director of Outreach, Embrace Texas, McKinney  
Lori Kennedy, Managing Attorney, Travis County Office of Parental Representation, Austin  
Kelly Kravitz, Foster Care Education and Policy Coordinator, TEA, Austin  
Richard Lavallo, Legal Director, Disability Rights Texas, Austin  
Stephanie Ledesma, Assistant Professor, TSU Thurgood Marshall School of Law, Houston  
Tracy Levins, Manager, Prevention/Early Intervention, Texas Juvenile Justice Dept., Austin  
Madeline McClure, Executive Director, the Texas Association for the Protection of Children, Dallas  
Hon. F. Scott McCown, Clinical Professor and Director of the Children's Rights Clinic, The University of Texas School of Law, Austin  
Dr. Sandeep Narang, Director, Child Abuse Fellowship, Division of Child Protection Department of Pediatrics, C.A.R.E. Center, UTHSC-Houston  
Dr. Anu Partap, Assistant Professor in Pediatrics, Southwest Medical Center, Dallas  
Lisa Ramirez, Women's Substance Abuse Services Coordinator, Dept. of State Health Services, Austin  
Jeanne Stamp, Sr. Program Coordinator, Texas Homeless Education Office, the Charles A. Dana Center, Austin  
Armin Steege, Vice President of Programs, Austin Children's Shelter, Austin  
Leslie Strauch, Clinical Professor, University of Texas 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  
Arabia Vargas, Chair, Bexar County Child Welfare Board, San Antonio

### **CALL TO ORDER AND OPENING REMARKS, Justice Eva Guzman**

Justice Guzman called the meeting to order at 9:37 a.m.

### **Recognition of Guests**

Justice Guzman welcomed attendees and guests. Justice Guzman spoke briefly about a meeting hosted by the American Leadership Forum in Houston earlier in the week which discussed how to help children aging out of foster care. She mentioned that as the young adults in the room who had aged out of care shared their stories, they all agreed that they wished that their voice could have been heard. Justice Guzman praised the dedication and commitment of the members of the Commission to serve as a catalyst of change, and stated that she would like the Commission to discuss what can be done to further improve the outcomes of children aging out of foster care. Justice Guzman also mentioned the Meadows Foundation Summit, which took place in April and advised the group that Mr. Andy Keller would provide an update later in the meeting.

### **Commissioner Membership Changes**

Justice Guzman announced that Ms. Lisa Black, Assistant Commissioner for Child Protective Services, Texas Department of Family and Protective Services, has been added to the Commission.

### **Collaborative Council Membership Changes**

Justice Guzman announced that the Hon. Diane Guariglia, a former judge from Houston, has joined the Collaborative Council, Judge Guariglia previously worked on the psychotropic medications workgroup.

Ms. Andrea Sparks, Executive Director of the National Center for Missing and Exploited Children, formerly with CASA, has also joined the Collaborative Council.

Justice Guzman reminded the Collaborative Council that members should complete speaker cards if they wished to be added to the agenda.

#### **CIP Committee Member Changes**

Justice Guzman announced that Judge Carlos Villalon and Judge Ginny Schnarr have joined the Technology Committee.

#### **Staff Member Changes**

Justice Guzman announced that a new attorney, Ms. Jamie Bernstein, has joined the Children's Commission.

#### **ADOPTION OF March 28, 2014 MEETING MINUTES**

Justice Guzman directed members to Tab 2, noted that members had the opportunity to review the minutes, and asked if there were any corrections or discussion. There were no corrections or any discussion points raised.

**ACTION:** Justice Guzman asked for a motion to adopt the meeting minutes of the March 28, 2014 meeting. Judge Byrne made a motion and Judge Sakai seconded. The attending members adopted the meeting minutes unanimously.

#### **COMMISSION MEMBER UPDATES**

**Ms. Vicki Spriggs, Chief Executive Officer, Texas CASA, Inc.** provided updates on Texas CASA's major efforts. Ms. Spriggs advised that CASA is focusing on volunteer recruitment and retention, with a goal that 100% of children in the foster care system have a CASA volunteer assigned. In the last fiscal year 7,621 volunteers provided services to 23,611 children, targeted focus will be given to recruiting more male, African American, and Hispanic volunteers. CASA has increased its programs across the State with the Abilene program in April, the 72<sup>nd</sup> program which will be located in Lubbock, and the Dallas program which has moved into a new facility. Ms. Spriggs added that the National CASA conference will be held in Grapevine, Texas in June and invited members to attend. Ms. Spriggs noted that the Mental Health Taskforce is focusing on mental health issues for children in foster care continues to meet, Ms. Spriggs hopes to have more information to share regarding this at the next meeting.

**Hon. Judy Warne, Judge, 257th Family Court, Houston** announced that the CPS Project Court is up and running, Judge Underwood has established this as a PMC court and appointed Judge Griffith. Eight of the nine family courts are currently participating and initially Judge Griffith will hear nothing but PMC cases in order to target those children and help them achieve permanency. It is hopeful that pending live cases will also be referred so that Judge Griffith can continue to get those children out of

care as soon as possible. Judge Warne is very optimistic that Harris County is moving in a good direction.

**Hon. Michael Massengale, Justice, 1st Court of Appeals, Houston** deferred his reports on Trial Skills and the Training Committee until later on the agenda. Justice Massengale recognized Mr. David Halpern, in attendance today, as a member of the Trial Skills faculty and publicly thanked him for his commitment to this project, Justice Guzman added her thanks. Justice Massengale concluded that he had no further updates regarding the creation of the Foundation, as mentioned at the March meeting, but plans to have more information at the next meeting and asked any member who would like to become involved with this endeavor to contact him.

**Hon. Bonnie Hellums, Judge, 247th District Court, Houston**, reported that the American Leadership Forum, on May 15, was incredibly powerful. There were 82 attendees from around the State to include CPS and former foster youth that had aged out of care. Judge Hellums found it astounding to hear that a number of children that are adopted are then returned to care, and is concerned about the effect that it must have on the child to be taken away from their parents, adopted, and then given back. Judge Hellums has reached an agreement with Judge Griffith that cases referred to the PMC court that have a special relationship with a particular judge will be referred back so that each judge can maintain the relationships that have been built. Judge Hellums noted that in her jurisdiction the Family Intervention Court (drug court), and in particular the infants and toddler portion, is going very well. Judge Hellums and Judge Specia will be key note speakers at The Keeping Infants and Toddlers Safe (KITS) conference which will be held at the Council on Alcohol and Drugs, Jackson Street, Houston on June 19-20. Judge Hellums also noted that she has a CASA volunteer on every case and mentioned that she had an infant's case on her docket where the baby was required to stay in the hospital for two and a half months, pending approval of the baby's placement, and the only visitor to hold and love that baby throughout this five month period was the CASA worker who visited daily.

Justice Guzman thanked Judge Hellums and noted that Judge Hellums' husband Carel had spearheaded the American Leadership Forum event.

**Hon. Rob Hofmann, Judge, 452nd District Court, Mason**, deferred his report on the Texas Blueprint Implementation Task Force until later in the meeting. Judge Hofmann reported that he will be serving on the Public-Private Partnership and is excited to be a part of this project.

**Ms. Sharayah Stiggers, Parent Liaison, Texas Department of Family and Protective Services** reported that the Parent Collaboration Group has been approved to take the 3 day Via Hope Peer Specialist Course starting on July 10. Most regions are well represented but there are still a few vacancies for family or parent representatives. Ms. Stiggers concluded that the reunification curriculum, which was developed in collaboration with Casey Family Programs, will be rolled out in DFPS Region 8.

Justice Guzman suggested that the Jurist in Residence communicate with judges around the state for recommendations on parents to join the state wide group. Ms. Stiggers added that interested persons should contact either herself or DeShaun Ealoms at the Texas Department of Family and Protective Services.

**Hon. Peter Sakai, Judge, 225th District Court, San Antonio**, advised that Bexar County continues to work on the needs and concerns of the foster children and the recent Child Abuse Prevention Month, Foster Care Recognition Month, Summits, and Conferences to bring everyone together into one room. The County Judge has expressed interested becoming part of this process and Judge Sakai will be having conversation with him, Judge Specia, and Senator Carlos Uresti on how to continue improvements in Bexar County. Judge Sakai continues to be concerned about the number of appeals being heard, and will continue his research in this area before bringing his recommendations back to Justice Guzman. Judge Sakai added that his main concern as administrative judge is the judicial workload. One of the big disputes with the county budget office is that they look at the number of cases being heard, and although the numbers remain fairly static the workload continues to increase. Judge Sakai asked OCA to look at the workload in the CPS cases, he believes that jury trials and contested judicial hearing are on the increase and would like to determine whether Bexar County needs another court, or if this is a systemic issue where dockets need to be processed more quickly. If systemic, then what tools are available for faster case resolution and permanency for the children?

Justice Guzman asked whether this was due to an overall increase in cases or contested hearings? Judge Sakai explained that this is mostly contested hearings, parents want their children back, but the Department is not returning them. The Department defers to the judge to make the call, either to terminate, place with family members, or dismiss. In a recent chapter 262 hearing the judge dismissed the case, it was a long two-week case with affluent people bringing experts. This was not a typical case but an example of the load which is being put on the courts. Justice Guzman added that this also puts a significant load on the caseworkers.

Judge Specia explained that the Department will begin conducting time studies to determine how long it takes to hear a case, in his opinion the judiciary should conduct a similar study. These cases are complex and there needs to be a study to determine how long it takes to hear a case, how long it should take, how many judges are required, and what is an appropriate case load. Judges are overburdened across the state and Judge Special feels that as more training is provided, the more judges are taught what they should do and the longer they spend on each case. Judge Sakai agreed that at some point the judges just have to move on, they cannot spend 24 hours a day on each case. Judge Byrne added that the legislature adds new mandates regarding judicial oversight and in her jurisdiction not only is the number of cases increasing, but also the complexity of the cases with numerous family members becoming involved. Judge Sakai and Judge Warne agreed and Judge Warne added that the judges who are conscientious and follow direction by getting the children into court are also clogging up the system because the cases take longer to hear.

**Ms. Luanne Southern, Senior Director of Texas Strategic Consulting, Casey Family Programs, Austin** provided an update on a project conducted last fall. Data summarized in a DFPS presentation

to Casey staff in 2013 indicated that Harris County had a low rate of children entering foster care, but these children tended to stay in care significantly longer than the Texas statewide average. The final report has been posted on the DFPS website at [https://www.dfps.state.tx.us/documents/about/Other\\_Reports/Harris\\_Cty\\_Assessment/Harris\\_County\\_Assessment\\_Report\\_April\\_2014.pdf](https://www.dfps.state.tx.us/documents/about/Other_Reports/Harris_Cty_Assessment/Harris_County_Assessment_Report_April_2014.pdf). Casey will remain involved with the project in order to provide consultants and provide support, and also to assist with implementation, and to assist with identifying short term and long term goals.

**Hon. Robin Sage, Senior District Judge and Jurist in Residence**, announced that as Jurist in Residence (JIR), she would defer most of her comments until later in the agenda and noted that the Hearing Observation Project data would provide Judge Sakai with information regarding the length of hearings. Judge Sage added that the report had also identified the greatest need for improvement was in the urban areas where the caseloads are so high they don't have time to do all that is required.

**Hon. Dean Rucker, Presiding Judge, 7th Region, 318th District Court, and Jurist in Residence** also deferred most of his comments until later in the agenda. Judge Rucker provided a short update on a Child Protection Court that was added in Odessa splitting the large caseload that was formerly assigned to one judge in Midland County.

**Hon. Carlos Villalon, Associate Judge, Child Protection Court of the Rio Grande, Edinburg** is trying to get the Public Defender's office involved in regard to the cost of attorney representation as there are approximately 360 conservatorship cases between Uvalde and Starr County. Judge Villalon is concerned with regard to sensitive information contained in the case files as there is no guidance regarding the CPS cases. Judge Villalon's jurisdiction has a large drug cartel and, due to threats, he is issuing pseudo non-disclosure orders not to disclose where the children go to school, or are located. His main concern is the safety of children, foster parents, and teams working each case and feels that a positive result of e-filing is that information is not as accessible. Judge Villalon does not allow any person not party to the case access to this information and requested clarification from the Commission on how to protect these records as some judges close out the hearings.

Justice Guzman asked Judge Specia and Judge Rucker for input, Judge Specia noted that some counties keep the DPS/CPS files and the adoption files separate, and other counties keep them open. Safety issues are a major concern for the DFPS workers, especially when gangs are involved, and Judge Villalon's county is the number one focus for human trafficking in the state of Texas with gangs moving large numbers of unsupported minors through. Judge Rucker added that some years ago the Supreme Court adopted rule 76a of the rules of procedure, which provided protocol for sealing files in civil cases. There is an exception for family law which does not fall under 76a, if a judge decides that it is not in the child's best interest to have that information open they have the ability, under the rules of procedure, to seal the file. The judge must let it be known on the record the reason for sealing the file.

Justice Guzman stated that there is still a need for further study, perhaps through the Texas Center, to provide better guidance for judges as there is hesitancy in deciding whether the file should be sealed. Judge Sakai agreed that trafficking is also an issue when it comes to cases requesting special immigrant status and has already had one case where the child was part of a trafficking issue. Judge Sakai felt

that judges, especially along the border, should be very careful as it is difficult to tell whether a child is legitimately undocumented or part of a trafficking enterprise. Judges Warne and Hellums agreed that this was a real problem, Judge Hellums noted that Warren Cole, with the Texas Center, gave a presentation last week regarding unaccompanied minors crossing the border. These minors had stories with no validation, and it is very difficult for judges to make decisions.

Justice Guzman worries about making assumptions regarding the motivation behind filings, she hopes that the effort is on protecting the applicant and not focusing on whether this is a scam to bypass immigration laws.

**Mr. G. Allan Van Fleet, Partner, McDermott Will & Emery L.L.P., Houston** reported on representing children in the 5<sup>th</sup> circuit. Two children were brought across the Laredo border to visit relatives, when their mother came to collect them the children turned themselves into border patrol claiming the mother lived with the cartel and that they were beaten. The asylum process began and then the mother received an order from the District Court giving her custody of the children through the Hague Convention. In the interim the US Government had granted asylum to the children, which the District Court had disregarded, the 5<sup>th</sup> circuit decided that the District Court judge should have taken the asylum into account and remanded it. Mr. Van Fleet is waiting to see how this will transpire as there are huge international implications. Mr. Van Fleet also mentioned concerns about an older foster youth he has come to know who has attended three different high schools, two different grades, six different private/group situations moving from Huntsville to Houston, Houston to Canyon Lake, then back to Houston, Houston to Calvin, and Calvin to Willis – just this year. This child will age out in September, but is being set up to have no skills when she does age out.

Justice Guzman stated that the Commission would be looking at what else can be done to aide children aging out of foster care and suggested that Mr. Van Fleet could take a lead role in this endeavor.

**Mr. Stewart Gagnon, Partner, Fulbright and Jaworski, LLP, Houston** explained that he had missed the last meeting due to being appointed on an emergency basis to represent a five year old child who had been starved. In the course of this case, Mr. Gagnon has become a big fan of the work of Judge Specia and his employees, and feels that caseworkers have even heavier workloads than judges. Mr. Gagnon added that while Justice Guzman was a District Judge she had created a booth where people representing themselves in Houston could get advice, now that the Family Court is moving to the new Civil Court building the booth will be split between two facilities. Last year the booth serviced 7,619 citizens of Houston and Mr. Gagnon thanked Justice Guzman and praised her for her foresight.

Justice Guzman thanked Mr. Gagnon for all he does for those that have no access to legal representation, and would otherwise be invisible in the system. Mr. Gagnon's efforts allow the interaction between the judges and the pro se clients to run more smoothly. Judge Hellums agreed with Justice Guzman and expressed her thanks to Mr. Gagnon.

**Ms. Gabriela Fuentes, Office of the Governor, Austin** had no updates at this time.

**Mr. Bruce Esterline, Vice President for Grants, The Meadows Foundation, Dallas** was unable to attend today's meeting; Dr. Andrew Keller provided the update in his absence. Dr. Keller explained that the Meadows Mental Health Policy Institute for Texas is the legacy of the work that the Meadows Foundation has been doing in the area of mental health for almost 20 years. Dr. Martinez is Chairman of the Board, he and the Hogg Foundation have been critical partners from beginning and have been very supportive in the planning and conceptualization of the Institute. The Policy Institute was officially organized for business in October 2013 when Mr. Tom Luce, a Dallas attorney experienced in education reform, became President. The mission of the Institute is to use policy to promote more effective practices and programs related to mental health. Ms. Linda Evans, President of the Meadows Foundation, was clear that the Institute is about making change, and this is where the partnership with the Hogg Foundation, and with universities across the state, is so important. The Institute has borrowed freely from the success of the Children's Commission and has several Commission members working with the Institute. Judge McCown was on the original planning committee, and both Judge Specia and Ms. Amberboy are members of the Collaborative Council. The Institute policy staff believe that mental health is integral with children's well-being and to helping parents, foster parents, and other caregivers.

Going into the last session The Institute had not expected that the legislature would invest an additional \$350 million in mental health, and although they were aware of the 1115 waiver they had not realized there would be 400 district projects across the state, with \$800 million going to mental health. Almost doubling what the Department Health Services spends on mental health. The Institute is also involved with HHSC and the Sunset Review, with Mr. Luce being appointed to the Sunset Commission at the invitation of Speaker Strauss.

The Institute currently has twelve people assigned to policy, and is focused on three priorities:

- Children's mental health, to include parents and families.
- Veterans mental health, there are 1.7 million veterans in Texas and over 5.3 million Texans with connection to veterans.
- To be in communities across the state supporting local mental health authorities and substance abuse providers.

The Institute is based in Dallas and is represented in Austin by Mr. Coby Chase. Mr. Keller concluded that the Institute is very excited about collaborating with the various organization and looks forward to attending more meetings, he invited members to contact him at [akeller@texasstateofmind.org](mailto:akeller@texasstateofmind.org).

**Mr. Terry Tottenham, Of Counsel, Fulbright and Jaworski, L.L.P., Austin** noted that on Tuesday, May 14th, the Texas Access to Justice Commission, with its co-sponsor the State Bar of Texas, hosted the annual Champions of Justice Gala which raised over \$300,000.00 for the veteran initiative. The guest speaker was Dr. Laura Marsh, the Executive Director of the Mental Health Care Line at the Michael E. DeBakey Veterans Affairs Medical Center in Houston. Ms. Marsh gave a powerful presentation about the sad state of affairs with our veterans and mental health issues. Mr. Tottenham

is very excited to collaborate with the Meadows Institute on mental health issues as this will benefit both veterans and children. Mr. Tottenham noted that Access to Justice Foundation staff have been working with the Family Initiatives Team from the Child Support Division of the Attorney General's Office, to address long standing problems faced by family violence advocates. The Access to Justice Foundation will also be working with the Office of the Attorney General to address these issues. Mr. Tottenham asked Mr. Torres to contact Ms. Amberboy to determine whether the Commission should be involved in these discussions.

**BREAK:** Justice Guzman recessed the meeting at 10:12 a.m. (1:19)

The meeting reconvened at 10:25 a.m. when Justice Guzman announced that a working lunch would be provided to members following the last two Commissioner updates. Justice Guzman opened the floor to Judge Boyd.

**Hon. Jean Boyd, Judge, 323rd District Court, Fort Worth** noted that this is national drug court awareness month and explained that today her court will host a celebration for their Family Drug Court, which is presided over by Judge Ellen Smith. Judge Smith has been the sole Family Drug Court judge in Tarrant County for eight years and it is due to her dedication that this court is a success. During this time, there have been 18 babies born with without drugs in their systems, with another clean baby expected. There has also been an increase in the number of fathers engaging in the Family Drug Court and Judge Boyd expressed her appreciation of Judge Smith.

**Senior Peacemaker Jo Ann Battise, Alabama-Coushatta Tribe of Texas, Livingston,** explained that she would provide a presentation later on the agenda which would include a video clip from the recent symposium hosted by the Alabama-Coushatta.

**Commissioner, Judge John Specia, Department of Family and Protective Services** also deferred his report.

**Hon. Darlene Byrne, Judge, 126<sup>th</sup> District Court, Austin,** provided a brief update regarding the transfer of cases and the timeliness of CPS cases going across county lines. The Children's Commission and the National Council of Juvenile and Family Court Judges met via teleconference, resulting in a brief survey to be completed by the judges attending the Child Welfare Judges Conference in June. The survey will analyze whether this issue should be a statewide initiative. Judge Byrne has a draft protocol in her county to assist with speeding the exit from, and ingress to, the county. Judge Byrne is working with Ms. Andrea Sparks to develop a court protocol regarding trafficking of minors, with an expected level of response to get the child back to safety. Judge Byrne also met with Ms. Jenny Hinson regarding permanency for children and noted that for National Foster Care Month, the National Resource Center for Permanency for Children will broadcast two free webinars on May 20 and May 29 (<http://www.nrcpfc.org/>).

**REPORT TO THE COMMISSION, Ms. Tina Amberboy, Executive Director,** advised that she would report on the areas not covered by others later in the agenda

Ms. Amberboy noted that one of the earliest issues addressed by the Commission was that of getting children into the courtroom. Ms. Amberboy has seen a tremendous change with the judges who work with the Commission embracing the idea that the child's voice is important, although there are still some youth who feel their voices are not being heard. Ms. Amberboy explained that the Child Welfare Judges Conference survey mentioned by Judge Byrne includes a question regarding youth in court. The Commission will assess the barriers to youth attending court but anticipate that the biggest challenge will be distance and transportation. Last year, the Commission created a video about youth in court; this video is available on the Commission website. Ms. Amberboy noted that the Commission is always open to ways to better serve the aging out youth.

The Commission staff, in partnership with the State Bar Committee on Child Abuse and Neglect, has developed an application, which will be submitted to the Texas Board of Legal Specialization (TBLS) to consider establishing a Child Welfare Law specialization.

In April, Ms. Amberboy travelled to New Orleans with Ms. Roper, Judge Sage, Ms. Hinson, Ms. Black and Ms. Garlinghouse to attend the annual Court Improvement Program (CIP) meeting. The Administration of Children and Families (ACF) allows management of the CIP programs across the states to be very driven by the states, which means that it is difficult for ACF to provide guidance on what should be done differently in order to improve the program. Each state is encouraged to continue project evaluation in order to improve practices. ACF stressed that success is not mandatory; sometimes programs will fail and that is acceptable if lessons are learned.

Ms. Amberboy noted that the Commission is currently working with Ms. Cynthia Bryant, from the University of Texas, on a mediation project which is centered on a project involving Judge Byrne and Travis County. The Commission's involvement will be to look at the project from a state-wide view to determine what is useful to the state and what might be replicable. A grant application is expected which may be received before the September Commission Meeting, in which case Commissioners will be notified by email. Judge Byrne explained that at a local level, many Commissioners Courts struggle with funding and the cost of civil indigent defense. Judge Byrne would like to evaluate the mediation practice in order to provide her local Commissioners Court with a cost benefit analysis comparing the cost if the same case that mediated successfully instead went to jury trial and appeal. This would quantify in dollars the added benefit of mediation for the Commissioners Court.

Ms. Amberboy referred members to a flier advertising the Cross Systems Summit being hosted by the Health and Human Services Commission Center for Elimination of Disproportionality and Disparities (CEDD). The summit will address inequities in the various systems that families and youth encounter such as education, juvenile justice, child welfare, housing and health care. The Commission will work with CEDD to bring Ms. Kimberly Papillon, a national expert on implicit bias and decision making, to speak at the conference. Ms. Papillon will also be speaking at the judicial conference in June.

Ms. Amberboy concluded with a voting matter. Last year, the Commission undertook the Hearing Observation Project, with Judge Sage and Ms. Garlinghouse travelling across the state observing hearings, collating data, and writing a report. The Commission spent approximately \$10,000.00 on this project and requested that the Jurist in Residence fund be replenished.

**ACTION:** Justice Guzman asked for a motion. Judge Byrne made a motion and Judge Hellums seconded. The attending members approved the budget increase unanimously. The motion was carried.

**RECESS FOR LUNCH** Justice Guzman announced that there would be a short break while members served themselves from the buffet line, following which the meeting would reconvene as a working lunch. Meeting adjourned at 11:45 a.m.

The meeting reconvened at 12:00 p.m. Justice Guzman welcomed members back and announced that she would depart the meeting at 12:15 p.m.; at that time Judge Byrne would serve as Chair.

**DISABILITY RIGHTS FOSTER YOUTH REPRESENTATION PROJECT WRAP UP, Ian Spechler** explained that during the last three years, Disability Rights Texas had worked a project funded by the Children’s Commission, the Meadows Foundation, and the Rees-Jones Foundation. Since 2010, Disability Rights Texas have represented youth with disabilities simultaneously involved in two systems, youth that are in foster care and also one of four situations:

- in a Texas Juvenile Justice Department (TJJD) facility
- in a State Supported Living Center (SSLC) facility
- at risk of going into a TJJD facility
- at risk of going into a SSLC facility, which is a facility is designed for adults with an IQ below 70

When Disability Rights Texas first became involved there were approximately 60 children assigned to these facilities even though they are not designed for children. The main aim was to advocate for children with disabilities to receive better education and therapeutic services to help children access preferred placements, appropriate medications, and ultimately for children and youth to be in safe placements where they could be part of the community. For education issues, Disability Rights Texas attended a number of Admission, Review, and Dismissal (ARD) meetings and requested evaluations and behavior intervention plans or changes in placement. As a result, it filed a number of TEA complaints and for due process hearings. In some cases, the child was medically fragile and, in one instance, a child had spent months at a time in the hospital with no access to education services. A complaint was filed on behalf of the child, resulting in the school district being required to provide educational services to children in hospitals. In another example, two youths moved from TJJD to the Texas Department of Criminal Justice (TDCJ) did not receive education services. A policy change was made and now TDCJ must provide special education services to all qualifying individuals under the age of 22.

For therapeutic services, Disability Rights Texas attended treatment team meetings and pushed the courts for creative solutions. In one case, a child in TJJD received no individual counseling even though he was entitled; in another case, a youth was regressing substantially. Disability Rights Texas was

involved in every step ensuring these children could receive appropriate treatment. For placement issues, Disability Rights Texas represented clients' express wishes in identifying their least restrictive placements; in many cases, this meant connecting with and finding fictive kin, identifying community placements, or asking courts or DFPS to lower a child's level of care so that a placement could be found. While medication was not initially identified as a project goal, it quickly became clear advocacy in this area was needed as there were instances where children were on five or six psychotropic medications at one time. Disability Rights Texas submitted utilization review requests and requested medication reviews, blood work or new evaluations in court. This is an area that still requires a lot of work with the ultimate goal to ensure that children are placed in suitable community placements. In one case where a youth had been in a SSLC since he was ten years old, Disability Rights Texas became involved when he was fourteen years old and worked with the court to get him into a community placement; he is still there and doing very well. Another child in TJJD had not spoken to his brother for four years; following Disability Rights Texas intervention, a court order was obtained mandating contact every two weeks.

At the end of three years, this project served a total of 219 youth in more than 60 counties with the following:

- 100% of youth met outside of a TJJD or SSLC facility maintained community placements (initial goal was 90%).
- 85% of youth previously institutionalized maintained community placements of at least six months (initial goal was 80%).

Disability Rights Texas conducted 56 presentations at national conferences, state bar conferences, and in smaller meetings and conferences for CASA, DFPS, and many others. Disability Rights Texas are currently seeking grant funding to incorporate trauma informed principles into foster care work. In the interim, it is taking appointments, paid at the regular rate of other ad litem in the counties, to represent youth with disability-related issues.

Mr. Spechler concluded by thanking the Supreme Court of Texas Permanent Judicial Commission for Children, Youth And Families, the Rees-Jones Foundation, the Meadows Foundation, and Texas Access to Justice Foundation for their support. He also thanked the other attorneys who had worked on the project: Richard Lavallo, Dustin Rynders, Allison MacManus, Meredith Parekh, and Michael Heagerty.

Justice Guzman thanked Mr. Spechler for the work that he had accomplished and the impact that this had on the foster community. Justice Guzman suggested submitting an article to the Texas Bar Journal.

Justice Guzman announced the next item on the agenda were the Committee updates. Judge Byrne assumed the responsibilities of the Chair.

## **COMMITTEE REPORTS AND VOTING MATTERS**

### **Data/Technology Committee Report, Ms. Vicki Spriggs**

Ms. Spriggs referred the members to page 18 of the commission report and announced that Judge Villalon and Judge Schnarr had joined the Data Technology Committee. Ms. Spriggs began her report

with the Notice & Engagement Web Application. This project involves using non-confidential case data to provide notice to parties and interested persons about upcoming hearings and is distributed via email. The user guide can be accessed via a link on the Children's Commission website. Persons must create an account within Child Protection Courts Management System (CPCMS) to begin receiving notification for cases; the results will display a Summary of All Cases, regardless of whether a hearing has been scheduled or not. A user can remove a case from their notification profile by simply clicking the "remove" link next to the case information. The user also has the option to receive notices 1, 3, 7, 14, and/or 30 days in advance of any hearing scheduled. The project is being piloted with Judge Villalon and possibly Judges Cathy Morris and Ginny Schnarr. The Children's Commission will begin development of an evaluation tool to assess the usefulness, effectiveness and accuracy of the system. The Office of Court Administration (OCA) will monitor the use and users through the CPCMS system. A request for this information to be included in the OCA Weekly Update will be submitted to David Slayton.

The video conferencing (VTC) project enables children involved in child abuse and neglect cases to participate in permanency and placement review hearings without them being physically present in the courtroom. OCA hosts and supports the hardware and software required to facilitate video conferencing between courts and residential placements. OCA has drafted a "how to" for use by courts and other stakeholders who wish to use video conferencing for a particular hearing and also maintains a list of Residential Treatment Centers (RTC) with video conferencing capability and a list of courts. OCA maintains a log of all hearings conducted, including the date, time, participating court, type of hearing, participating placement, length of hearing, any problems with the transmission quality or technical difficulties. Expansion of the project includes facilitating use by Providence Services Corporation, which is the prime contractor to DFPS for the foster care redesign project that includes six counties within regions 2 & 9 that have 70% of the RTC placements in the Redesign area. Judge Villalon is also interested in making VTC available to parents whose children are in RTC placements where the parents cannot travel; OCA and Judge Villalon are working with CPS to establish a second end-point from which parents can access the system. If the system is used for or to facilitate family therapy, there may be telemedicine rules that apply. DFPS has agreed to help work out the details on how to get VTC in place for this purpose.

The CPCMS Advisory Group has been meeting monthly since the summer of 2013 and will meet in person on June 9, 2014 at the June at the Child Welfare Judicial Conference at Lost Pines. OCA is working on a new hearings page that will go live in about two months; additionally, several bugs and enhancements have been processed. Ms. Spriggs asked if there were any questions; none were raised.

### **Basic Committee Report, Honorable Bonnie Hellums**

Judge Hellums reported on the Legal Representation Initiatives, Judges Alyce Bondurant and Cathy Morris chair the Parent Representation Workgroup created to help improve quality of legal representation for parents in CPS cases. The UT School of Law is taking the lead on drafting a Parent Resource Guide designed to orient parents to the gravity of their situation, validate emotions they may be feeling, and provide tools that may be helpful in organizing and keep track of progress with their

CPS cases. The Children's Commission is working with the Texas Legal Services Corporation to determine whether it is feasible to launch an online resource center for parents. The group is currently reviewing edits of the guide and will meet again in June 2014. The group anticipates completing the guide by the end of the calendar year.

The Children's Commission staff is currently modifying Child Protection Bench Book checklists and will launch a pilot at the June Child Welfare Judges Conference. The pilot is intended to assess whether judges would use checklists if they were shorter versus multi-page, statutory versus topical, or targeted to less experienced judges versus more experienced judges. This will help the Children's Commission determine what to include in the bench book going forward.

The DFPS Visitation Oversight Committee is overseeing DFPS reform of its visitation practice and policy. DFPS is developing a temporary and full visitation plan template, a visitation observation form, new training of staff and other stakeholders, policies and guidelines for assessing for safety concerns, establishing a level of monitoring and frequency, and fashioning best practices applicable to all areas. The plans and associated informational documents will help explain to parents their rights regarding visitation, when or why visits might be terminated, sharing of information gathered during visits, as well as possible parent coaching during visits. The Children's Commission will include information about visits in the new Parent Resource Guide and will produce a brochure about visitation in partnership and consultation with the Parent Resource Group and the Visitation Oversight Group.

Judge Hellums invited Judge Rucker to report on the Legal Representation Workgroup. Judge Rucker explained the underlying policy of the Legal Representation Workgroup is that children and parents in child protection cases are entitled to be represented by highly qualified, well trained, competent lawyers. The committee met on February 28 and selected a list of 8-10 items; of these, the committee voted and decided to focus on "standards of representation" and "indigence and working with Commissioners Courts". The standards of representation sub-committee will be chaired by Judge Gary Coley, Waco, and Rebecca Lightsey, Texas Appleseed. The indigence and commissioners court sub-committee will be chaired by Susan Redford, County Judge for Ector County, and Judge Cathy Morris, Child Protection Court of South Texas..

Judge Rucker quoted excerpts from the charge to each sub-committee and advised that the charges may be modified as the groups begin their work.

Justice Guzman departed the meeting at 12:30 p.m.

Judge Byrne explained that recently the National Council of Juvenile and Family Court Judges analyzed data related to the early appointment of attorney pilot. The report is almost ready for publication and the outcome related to the control group shows that every individual who had a first and last name in the original petition received an attorney the first day the lawsuit was filed. The lawyer was appointed to find his or her client and decide whether the client was entitled to counsel. If the individual

qualified, the order was converted to a full appointment. Lawyers were appointed within an average of 10 days, as opposed to the standard 45; the outcomes for the children were positive in 72% compared to the standard 50%, meaning that 72% of cases were dismissed or children were returned to parents or relatives. The cost per parent for an interim appointment of a lawyer is \$225.00.

Judge Hellums invited Judge Sage to report on the Jurist in Residence (JIR) and the Hearing Observation Project. Judge Sage explained that a JIR letter on the Indian Child Welfare Act (ICWA) was sent out to the judges to accompany the roundtable conducted by Judge Byrne and Senior Peacemaker Battise in Livingston. Judge Sage provided a brief background on the Hearing Observation Project that she and Tara Garlinghouse had conducted over the summer. The next stage will be to implement recommendations identified in the court observations. Judge Sage and Ms. Garlinghouse will give a presentation at the Child Welfare Judges Conference in June, when they will launch a Bench Book Checklist pilot to begin to make progress on the areas that showed as deficient. There will be an Implementation Committee to oversee the progress and ensure that judges continue to improve their performance in the courtroom.

Judge Hellums noted that on June 10<sup>th</sup> the Judicial Disproportionality Workgroup (JDW) will hold an in-person meeting during the annual Child Welfare Judges Conference. During this conference, there will be an educational session led by Kimberly Papillon on Neuroscience and Decision-Making. Ms. Papillon is a nationally recognized expert on the implications of neuroscience, psychology and implicit association in the analysis of decision-making.

The Center for the Elimination of Disproportionality and Disparities is hosting the 2014 Cross Systems Summit, a one-and-a-half day event in Austin on August 21st and 22nd. The summit will focus on addressing inequities in multiple systems and how outcomes in health and human services, social services, education, juvenile justice, housing, and other systems impact health and wellbeing. The summit will feature breakout sessions on both days on topics around social determinants of health, social justice, community engagement, cross systems collaboration, and advancements in addressing disproportionality and disparities in Texas.

On April 23rd, Commissioner and Senior Peacemaker Jo Ann Battise welcomed national experts, state court judges, tribal judges, and child welfare leaders to the Alabama-Coushatta Indian Reservation for a half day judicial round table discussion facilitated by Judge Darlene Byrne on how courts can use ICWA to meet the needs of children and tribes. Senior Peacemaker Battise, Judge Byrne and Kristi Taylor will share some of the highlights of this event later in the agenda.

On May 7th, Dr. Karyn Purvis and Dr. David Cross at the TCU Institute of Child Development partnered with the Travis County Collaborative for Children for a one-day introduction to Trust-Based Relational Intervention® (TBRI). TBRI is a family-based intervention that is designed for children who have experienced relationship-based trauma events such as institutionalization, multiple foster placements, maltreatment, and/or neglect. Judge Darlene Byrne and Mike Foster will talk more today about this model and the partnership with Travis County. The Children's Commission will provide CIP funding to

Texas CASA to help establish TBRI in Texas. CASA will begin a Train the Trainer Program late summer of 2014. The goal is to train ten teams of three, with a CASA staff person leading a local team with two additional community partners. In exchange for these training opportunities, the trainers will agree to share TBRI with their organizations. CIP funding also will support extensive follow-up for the new trainers.

### **Training Committee Report, Honorable Michael Massengale**

Justice Massengale reported that the Child Welfare Judges Conference will be held on June 9-11, 2014 at Hyatt Lost Pines in Bastrop with 75 judges registered to attend, and referred members to tab 3 of the meeting notebook for more detail. There is great agenda, including a number of commissioners who are speaking and/or moderating sessions, such as Justice Murphy, Judge Byrne, Judge Boyd, Judge Specia, Judge Rucker, Judge Sage, Judge Villalon, Lisa Black, and Vicki Spriggs. Topics at the conference will include Vicarious Trauma, Hearing Observation Project, Foster Care Redesign, DFPS Panel, Visitation, Medication, Education, Case Law Update, Law and Policy Affecting Limited English Proficient People in Texas Courts, ICWA Made Easy, Neuroscience of Decision Making, and Mental Health – Why it’s Important and Where Texas is Hearing. There will also be focus groups on CPS mediations, CASA, and judicial checklists as well as a meeting of the specialty Child Protection Courts (CPC) and the Judicial Disproportionality Workgroup.

The next conference will be the NCJFCJ Annual Conference in Chicago on July 13-16. The Commission has offered 11 full scholarships to judges who aren’t commissioners but who serve on committees, workgroups, and initiatives; they have also awarded an additional 5 scholarships to other judges that will cover 80% of the costs of attending the conference. In order to be eligible for a scholarship, the judge must hear CPS cases, attend the Texas Child Welfare Judges Conference, and be a member of the NCJFCJ.

There are a number of Child Protection Webinars available online through the State Bar, including the Trial Skills in the CPS Case webinar filmed in October 2013, archived, and available online. This webinar is free to attorneys that take CPS cases and provides 3.75 hours of CLE credit. There are a total of nine CPS-related webinars archived in the State Bar’s online library, and the Commission staff anticipates coordinating two additional webinars in 2014.

Justice Massengale advised that the Commission would provide up to 90 \$100 registration scholarships to attend the 1-day Child Abuse & Neglect Workshop at Advanced Family Law Conference in San Antonio on August 6. In addition, there will be up to 10, \$1102 scholarships to newly minted Texas Child Welfare Law Specialists (CWLS) to attend the NACC Annual Conference, August 18-20 in Denver, CO. The scholarship will cover cost of registration as well as reimbursement at the state rate of the costs of three nights’ stay at a hotel and meals. These 10 scholarship recipients will act as “training scouts” for the Commission. The six new CWLS who were announced at the last meeting have already accepted the scholarship offer.

Justice Massengale concluded that the Legal Representation Workgroup discussed updating the Attorney Manual and the possibility of converting the Manual to a wiki-type tool, but further research is required to determine the feasibility of this.

### **STATE/TRIBAL ROUND TABLE ON THE INDIAN CHILD WELFARE ACT, Judge Darlene Byrne and Senior Peacemaker Joanne Battise**

Senior Peacemaker Battise reported that the symposium had been very successful, bringing together major expertise in Indian child welfare from all over the country. Today, the Bureau of Indian Affairs is looking for comments to upgrade the Indian child welfare guidelines. Senior Peacemaker Battise explained that all Indian conferences are opened with a prayer and noted that the symposium was opened by the Tribal Administrator, who gave the Lord's Prayer in sign language. Mr. Larry Williams arranged for Native American dancers to entertain the symposium attendees during the lunchtime break and Judge Byrne and Senior Peacemaker Battise were presented with a Pendleton blanket to represent the vision, growth, and commitment of running a court that will protect families and children. Senior Peacemaker Battise stated that we should never forget that there is always a child out there that needs protecting. Senior Peacemaker Battise concluded with a short video clip of the symposium and explained that the Peacemaker Court has made a huge impact on all Indian Nations. For the remainder of the summer, the Alabama Coushatta have been asked to share their expertise as other tribes try to get their Peacemaker Courts started.

Judge Byrne added that in addition to the symposium, the Commission had also supported a roundtable and she thanked Ms. Taylor and Ms. Arguijo for their efforts in making this event a huge success. Judge Byrne explained that attendees included representatives from California, New Mexico, and South Carolina and also Ms. Chrissi Nimmo from the Baby Veronica case. The group met to discuss how they could better follow federal mandates as they relate to ICWA. Judge Byrne referred to the Hearing Observation Study which showed that ICWA was only mentioned in 4% of cases in the court room, and less than half of the cases mentioned anywhere in the file. Texas has the fourth largest Native American population in the U.S. and three nationally recognized tribes; Judge Byrne explained that she has realized how many families living in Austin have Indian heritage since she started asking ICWA questions in her courtroom. Judge Byrne reminded members that families do not always realize that there are added federal and Tribal Nation protections available to them and judges should ask, and ask often, whether ICWA applies in order to avoid another Baby Veronica case. Judge Byrne shared that she has only had 6 cases where the child has confirmed tribal heritage; the first case took 6 months to confirm and the most recent only 10 days. The goal of the roundtable was to develop a plan so that Indian children remain connected with their families and tribes whilst going through a child welfare case with a court and that communities are informed about the important protections made through ICWA. One attendee, Ms. Rose-Margaret Orrantia, an Advisor with the National Resource Center for Tribes, was the last person to speak and said that it absolutely breaks her heart that ICWA has been on the books for 30 plus years and we are still trying to figure out how to ask the question.

Judge Byrne invited Ms. Taylor to report on day two as she was unable to attend. Ms. Taylor explained that Justice Murphy and Judge Sage were also at the symposium and they were all moved by Ms.

Nimmo's presentation. Ms. Taylor advised that in the interest of time she would write a report and today would just share one of Ms. Nimmo's comments with the group. Ms. Nimmo reported that Baby Veronica spent a year and a half with an adoptive family while the Native American father was serving in Iraq. The case went to the U.S. Supreme Court and is only the second case granted certiorari on the applicability of ICWA. Notice to the father was attempted to the Cherokee Nation but his name was misspelled and his birth date was incorrect. Ms. Nimmo explained that in one year the Cherokee Nation received requests for information on 30 Dustin Browns and it was impossible to find which Dustin Brown was the correct person.

#### **TEXAS BLUEPRINT IMPLEMENTATION TASK FORCE, Honorable Rob Hofmann**

Judge Hofmann reported that the Task Force workgroups have all met one or more times since the last commission meeting. He began with a report on Friends of Wednesday's Child, which is a nonprofit in the Dallas/Fort Worth area. This group reported that The May & Stanley Smith Charitable Trust, which has historically supported grants in California, recently underwent major strategic planning regarding supporting funding for grants in other states. The May & Stanley Smith Charitable Trust picked Texas as a state in which to grant funding because of the Texas Blueprint and the work underway in Texas regarding educational outcomes of foster youth. They were also very excited that Friends of Wednesday's Child refocusing their work because of the Blueprint.

Judge Hofmann also reported on the Child Welfare Judges Conference at Lost Pines. At the last Commission meeting, Judge Sage mentioned that the Hearing Observation Project found that judges who attended the Education Summit were far more likely to ask questions about education during hearings than judges who didn't attend. As a result of this, there will be a session regarding education decision making at this year's conference.

Judge Hofmann publicly thanked Judge Specia for the great work that Ms. Jenny Hinson and Ms. Julie Wayman have accomplished within their workgroups. The reports show collaboration is taking place and the amount of changes and updates across the system are heartwarming. DFPS has changed its 2085 form, residential contracts, and CPS and Kinship Care policy to address some of the education issues identified by the implementation team. DFPS is also in the process of creating an education website for staff and public, which will include forms and important links. TEA continues to identify the local school district foster care liaisons and have approximately 750 identified in the over 1,200 school districts and charter schools. TEA is also working with the Region 13 Education Service Center to develop a postsecondary toolkit that will include information related to aging out foster students. The Blueprint Task Force ends at the end of 2014 and the group are working to determine how best to proceed as they wrap up. It is likely that aging out children will be at the top of the list.

Judge Hofmann concluded that the Children's Commission staff are working with Texas CASA to develop an education advocacy toolkit and with partners to produce education related fact sheets.

#### **TRIAL SKILLS TRAINING, Honorable Michael Massengale**

Justice Massengale provided an update on the status of the Trial Skills Training program. Following feedback from the October 2013 Pilot, the curriculum was expanded to 3 days and a new venue was selected which allowed a more courtroom-like setting. The Commission received 74 applications for 21 places, which confirms a demand for this type of training. 19 participants from 14 counties attended, all newer and less experienced attorneys in CPS cases with equal representation between lawyers representing the state and lawyers representing parents and children. The training allowed participants to interact and learn from lawyers on the other side in addition to attending the Trial Skills Training. The training team included three caseworkers and three Pediatric Child Abuse and Neglect Fellows who served as live witnesses; this allows the students to conduct direct and cross examinations and also allows the caseworkers and fellows to practice being witnesses. Justice Massengale added that three new faculty members were also trained and will join the 12 volunteer faculty members already in place. This will give some flexibility when it comes to scheduling training. Justice Massengale mentioned that at the last meeting he had named the 12 volunteer faculty and at this meeting he would like to thank Ms. Raney and Ms. Mitchell who have put in an incredible amount of work and dedication to this project.

One of the major changes made to the materials was the addition of a witness, Kathy Price, in order to facilitate the direct and cross examination exercises and which meant that lawyers were segregated for practice sessions. Feedback has been very positive with 100% of attendees saying that they would recommend this training to colleagues. The next training will take place in October. Ms. Raney added that the training announcement will be sent out within the month to allow the judges to circulate details to the lawyers that they feel would benefit from the training. This training will be available to private, state, and department attorneys. Justice Massengale concluded that there is also a Trial Skills webinar available on the State Bar website and although this does not provide an opportunity to practice the skills, it does include all the lectures. Judge Boyd requested that a list of available training be sent out to judges; Justice Massengale advised that all nine of the CPS web trainings can be accessed on the State Bar website by entering CPS in the search bar.

Judge Byrne reminded Collaborative members to complete a yellow form if they would like to speak at the end of the meeting.

#### **BRIEF UPDATE ON TBRI AND TRAVIS COUNTY COLLABORATIVE, Judge Darlene Byrne and Mike Foster**

Judge Byrne met with Dr. Purvis who had received a grant to develop a system of Trauma Informed Care in a jurisdictional pilot that would train everybody in the system that touches that child. So far there here have been two two-week trainings and Dr. Purvis has wonderful videos available which Judge Byrne will show in her courtroom over a brown bag lunch.

Mr. Foster advised members that TBRI® stands for Trust Based Relationship Intervention. The Travis County Collaborative for Children is an intensive, multi-year, multi-partner, multi-million-dollar initiative aimed at transforming the model of care for foster children and dramatically improving their lives and outcomes, with TCU bringing almost \$4 million to the table. The key objectives of the program is to provide everyone touching these children the TBRI® principles and practices. One of

the challenges is to create a team for these children, a team must have shared philosophies and TBRI® is able to do this. TBRI® is a completely mobile technology that can be used in any environment. The Collaborative would like to establish an effective, ongoing, support system for this network of caregivers, volunteers and professionals. The hope is to recruit new foster families and support existing foster families who implement TBRI® as part of a trauma-informed nurturing approach to foster care, the vision is to invent a new type of foster family that has the skills and knowledge. TBRI® has a great concept called Investment Care where you have to invest in the skillsets before you get involved in the child's life. One of the aims within Travis County is to promote changes in public policy and court practice that support the infusion of TBRI®-informed principles and practices into child placement and related decisions. Mr. Foster explained that Trauma Informed Care is the buzz word in behavioral health and in child welfare and mental health but nobody really knows what Trauma Informed Care means or how to deliver it. The Collaborative will be able to define Trauma Informed Care and answer the surrounding questions.

The Commission was an early supporter of Dr. Purvis and Dr. Cross and their work, and have built strong relationships with key CPS, court, and nonprofit child welfare leaders. There is currently a robust number of children in substitute care, with the average amount of time spent in care being 30.6 months. Children adopted by non-relatives have an average of 3 different placements prior to adoption, and children who stay in foster care until they age out have an average of 7.5 different placements prior to being emancipated. Every disruption and placement is re-traumatizing a child, trauma is cumulative so it is very important that the collaborative get a handle on those disruptions. Mr. Foster would like members to consider changing the nomenclature from aging out, nobody should age out – they should age in.

Mr. Foster explained that the goals of the collaborative are to reduce total time in care for children in the system; reduce total number of placements; raise up more healing foster families, and then support those networks using TBRI®. They would also like to increase advocacy efforts to change policies and procedures based on research data and looking at what is effective. The Collaborative has a great group of stakeholders, TCU Institute of Child Development provides overall project leadership and sponsorship, and Katy Bourgeois from Green lights for Nonprofit Success is the project manager. The Steering Committee has a good cross section of people from the state and county. The Advisory County has another good cross section, with many people supporting this also involved with the Commission. The Collaborative has a group of Core Partners and Supporting Partners from 35 organizations to include representing Ad litem attorneys, foster parents, birth parents, children who have been through the system.

The big challenge is to bring schools into the fold, schools have a tremendous impact on the lives of children in child welfare. If the teachers and school providers are trained in the TBRI® principles there will be much better outcomes for children in education. Mr. Foster explained that the aim is to engage the community and train the people that do this work on a day to day basis, and for the first time he is confident that they may be able to influence the child welfare system and have that paradigm shift. The initial round of training has just been completed and Mr. Foster asked Mr.

Spechler and Ms. Taylor to provide feedback on the TBRI® model. Both agreed that this was a fantastic program.

Mr. Foster added that this model is based on neuroscience with the aim to move away from psychotropic medication if at all possible, instead of asking the child what is wrong with them, ask what has happened. The only hope a child has in the care system is a highly skilled, highly trained primary care giver who has the support of the wrap around services. Bruce Perry says it takes a tribe to raise a child, and he identifies a tribe as being 8 healthy adults, this is a way of envisioning how to put 8 healthy adults around a child. Mr. Foster concluded that the next step had just rolled out, most of the people that went through the original training are choosing to become TBRI trainers, and the final step will to become a TBRI professional.

Ms. Spriggs agreed that as this moves forward and adoptive parents are trained the likelihood of success is raised and added that Texas CASA is very supportive of this program. Ms. Amberboy advised the members that Dr. Purvis is putting on an event in November in Fort Worth, Ms. Amberboy also requested that Ms. Taylor serve on the advisory council so that the commission can learn more about what is happening in Travis County.

Judge Byrne stated that she had ordered TBRI training for a father in her courtroom because an expert witness had stated that the children could not go home until the father had received this training. Judge Hellums asked whether anyone was providing training for foster parents, Mr. Foster advised that they are part of the target audience. Ms. Amberboy asked how to connect the prevention agencies with the families so that the children do not come into care, Mr. Foster explained that the training provided under the TBRI model should help to alleviate this. Judge Specia added the Department has just passed new rules on how foster parents are selected requiring more background checks, more family checks, and speaking with adult children. He noted that this would be beneficial in two places, an alternative response is a very different approach to an investigation, and the Department will implement that in four or five places starting in September. The resources are not available today, they have to develop resources for the workers to use when they interact with families and concluded that training the parent collaboration group on TBRI would be fantastic.

#### **DFPS UPDATE, Commissioner, Judge John Specia**

Judge Specia recognized that Cenpatico was in attendance and noted that substantial progress has been made over the last 10 years in bringing down dramatically the amount of psychotropic medication children are on and added that all the medical consenters have been trained. Judge Specia stated that he is becoming increasingly concerned about the safety of his workers, he has had one worker strangled to unconsciousness, workers threatened with guns, workers attacked by dogs, and last week in San Antonio a gang member told a caseworker “I know where you live, I know where your supervisor lives, and I know her children’s names”. The next morning all her tires were slashed. This is something that Judge Specia is very concerned about and he is in direct communication with Director McGraw of DPS.

The Department has a peripheral role with the large number of unescorted minors coming across the border, this is more of a federal issue and is overloading Department of Homeland Security and creating complexity on the border. The gangs are very involved in bringing children into the county and DPS Director McGraw explained that if they keep the border guards busy then they can bring drugs in down the street. This is a very complicated and scary issue with over 30,000 unescorted minors coming across in the last year.

Judge Specia visited Fort Hood last week and is updating his MOU with the military bases; the military is going through some serious issues and when people leave the military they lose access to tremendous resources. Fort Hood has 5 elementary schools and 5 child development centers, if you are a military member you get free child care. When they separate they no longer get free childcare, there will be a lot separating as the wars wind down so the Department is recruiting more veterans to assist with this.

On May 15, Judge Specia testified to the Joint Committee on Human Trafficking with Director McGraw and he is becoming very sensitized to this issue. The life expectancy of a person involved in human trafficking is 7 years from when they are first trafficked. Children are a commodity to the people that are trafficking them and they transport them from city to city. The Department is collaborating with DPS, Department of State Health Services, and various law enforcement agencies to address this issue. The Department met with stakeholders on May 15, 10 people offered testimony, and the Department will finalize the legislative appropriations request focusing on safety, permanency and well-being.

The Texas House of Representatives announced the formation of an interim committee chaired by Representative Dukes. This will be a comprehensive committee looking at child fatalities, prevention, contract oversight, stabilization of the Department's workforce, and how data is used. Judge Specia is very excited to be working on this.

There is a great prevention campaign in San Antonio, 60% of all Texas child deaths related to abuse and neglect last year were neglect related, safe sleeping, drowning, and medical neglect. Judge Specia showed the members a selection on posters which are being displayed by all over San Antonio for child abuse and awareness month and added that this is a great prevention effort that could easily be replicated.

The Department has negotiated with Children's Rights in regard to the Children's Rights law suit, the trial date has been moved to January 15. Sunset has spent the last five months conducting an in depth analysis of the Department and that report will be published within the next few months and Judge Special anticipates some great recommendations will need to be implemented. The Department also contracted with the Stephens Group to do a comprehensive review of CPS, they will provide their analysis of "as is" and their recommendations on "how to change". The Department will look at Sunset, the Stephens Group, and strategic plans on how to put all these recommendations to make the organization work faster, better, cheaper, etc. The Casey Report from Harris County is already public and the Department will be working towards getting 600 children to permanency before December 31.

This is an ambitious goal, but Judge Specia feels that with the help of Judge Griffiths they will be able to get children to fast permanency. Judge Specia considers it a personal failure that 1300 children a year age out of the system, children should get to safe permanency before the age of 18. Judge Specia added that the Casey report would also be used on the Title IV-E waiver application for Harris County. Judge Specia noted that this is a busy and very exciting time, he wants courts to hold his people accountable when they do not do their job, but please also praise them when they do something right.

Ms. Spriggs agreed with Judge Specia's report but questioned whether he should be trying to make the system cheaper. Judge Specia clarified that he meaning was to use his money more efficiently rather cheaper. Judge Specia concluded that Judge Griffiths loves the CPCMS system and complimented the support received from OCA.

### **OFFICE OF COURT ADMINISTRATION (OCA) UPDATE, Mr. David Slayton, Administrative Director**

Mr. David Slayton was unable to attend today's meeting due to a scheduling conflict, Ms. Mena Ramon provided the update in his absence. OCA received partial funding for Judge Griffith's court in Harris County and they have an inter-agency agreement with Harris County to fund this court with the understanding that they use CPCMS to allow OCA to collect data. OCA also received funding for 3 additional Child Protection Courts in Midland, Lubbock, and Atascosa.

When OCA looked at caseloads to determine what would justify a full court they were stunned at the caseloads that the courts in Harris County carry. OCA had a retreat 4 or 5 weeks ago with the regional presiding judges and it was decided that OCA should request funding for three or four additional courts at the next session. Ms. Ramon concluded that the average caseload for the travelling judges is 225-300 cases and explained that a good caseload study should not only look at current caseloads, it should also determine what the caseload should be.

### **COLLABORATIVE COUNCIL REPORT**

Judge Byrne expressed appreciation to the members of the Collaborative Council for their efforts.

**Ashley Harris, Child Welfare Policy Associate, Texans Care for Children** stated that Texans Care for Children recently released a report on improving child safety in foster care. The report provided a number of recommendations to include training, screening and assessing and monitoring of foster homes. As a state Texas needs to improve the number of required training hours for foster parents, increase the pre-service training hours before verification of licensed foster homes, and standardize the caregivers screening and assessments. The full report can be read on the Texans Care for Children website. <http://txchildren.org/Publications/Safeguarding-Children-in-Texas-Foster-Care-Key-Issues-in-Policy-and-Practice-Recommendations-to-Improve-Child-Safety-in-Foster-Care?&Sort=>

Judge Specia noted that he will look at the recommendations to see whether they could be shared with the Private Public Partnership, the balance has to be that the Department appreciates foster families and that they are doing a good job, but that the Department is concerned about safety.

**Irene Clements, President, Texas Foster Family Consultant, Butterfly Marketing** explained that she has served on the two workgroups that made recommendations to change home assessments. The

staff that led these workgroups were not trying to write more standards, but rather to look at what is in place and improve what we already have. Ms. Clements added that it's not always about who lives within the 4 walls, it's also about the support system that these families have and how they interact in the community. The additional home screenings are being welcomed so that we get a better feel for who the foster families.

Judge Hofmann returned to a previous point, he noted that in his 5 counties he has only had 4 removals and asked whether the investigators are focusing on the larger counties and not giving the appropriate amount of investigation to more rural areas. Judge Specia advised that Tom Green is a county that is having particular issues, but he feels that all counties are getting appropriate attention. Judge Specia's problem areas are those where he finds it difficult to keep staff, on average he loses half the staff he hires each month to schools and oil companies. Judge Specia concluded that the smaller communities tend to be more stable.

**Courtney Jones, Founder and Executive Director, Change 1** has an upcoming event titled Foster Youth Transitioning to Success, there will be a panel which will include Judge Byrne as well as several workshops which will be led by former foster youth. Full details of this event are available on the Change 1 website. <http://change1.org/pages/home/index.html>.

**Judy Powell, Communications Director, Parent Guidance Center** commented that TBRI was an awesome program, but cautioned members to be careful not to make this service become a hurdle to parents in getting their children back. Ms. Powell felt that TBRI should be incorporated into the therapy and training that parents are already receiving.

#### **ADJOURNMENT**

Judge Byrne adjourned the meeting at 2: 21 p.m.

**INSERT - TAB 3**





---

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**

**September 19, 2014**

**201 W. 14<sup>th</sup> Street  
Austin, Texas 78701**

**Supreme Court of Texas  
Permanent Judicial Commission for Children, Youth and Families  
Report for September 19, 2014**

**MINUTES –May 16, 2014(adoption pending), TAB 1**

**COMMISSION MEMBERSHIP CHANGES, TAB 2**

**COLLABORATIVE COUNCIL MEMBERSHIP CHANGES, TAB 2**

**COMMITTEE MEMBERSHIP CHANGES, TAB 2**

**STAFF CHANGES, TAB 2**

**ONGOING AND NEW FY2015 PROJECTS**

- 1. Parent Representation Initiatives**
  - a. Parent Resource Guide**

The workgroup exists to help improve the quality of legal representation for parents in CPS cases. In the last quarter of 2013, Children’s Commission (Children’s Commission or CC) staff organized a workgroup, which began meeting to discuss a Parent Resource Guide and other resources that might be useful to parents navigating the CPS system. The Children’s Commission is also partnering with McLennan County parent representation project that involves the county contracting with private law firms for all legal representation of parents (see item 6).

The Parent Resource Guide project involves producing an on-line and printed version of a guide that does not provide legal advice, but is designed to help parents be educated about the CPS process, their role and responsibilities, and the responsibilities and duties owed to them by others. It is designed to orient parents to the gravity of their situation, validate emotions they may be feeling, and provide tools that may be helpful in organizing and keep track of progress. UT has written the resource guide and it is undergoing a final round of edits by the workgroup. The final draft will be submitted to a designer through House Printing, and once published, will be translated to Spanish. The workgroup will continue to confer and meet in FY2015 to discuss the feasibility of

establishing an online resource center through the Texas Legal Services Corporation, and possibly a video.

## **2. Child Protection Bench Book (BB)**

In October, the BB was connected to LawBox Citation Service. The most recent version of the Bench Book includes legislative changes from the 83rd legislative session, a new chapter on education, and updates to psychotropic medications and medical consent sections. The Bench Book will not be updated again until after the 84th Legislative Session, although new topics may be added in 2014 and/or 2015. Commission staff launched a Bench Book checklist pilot in July 2014 that will run through December 2014. Approximately 25 judges are participating in the pilot, and the goal is to establish whether judges prefer shorter versus multi-page or statutory versus topical checklists, or whether the checklists should be targeted to less experienced versus more experienced judges. This will help the CC determine whether and what type of checklists to include in the bench book going forward. CC staff checked in with pilot participants at the end of August, and will conduct a mid-pilot survey in October 2014 and a final survey in January 2015. The results of the pilot will be reported at the first commission meeting of 2015 and the Bench Book will be updated with the new checklists and all statutory changes prior to the Child Welfare Judges Conference scheduled for August 2015. Link here: <http://benchbook.texaschildrenscommission.gov/>.

## **3. Round Table (RT) Series**

The Commission hosted a Tribal / State Collaboration Round Table on April 23, 2014. The final report was issued in September 2014. For FY 2015, the Children's Commission will work with DFPS to identify at least one Round Table topic and will:

- Form a workgroup to work state purpose and goal of RT, determine format, develop an agenda
- Facilitate and staff workgroup meetings to develop materials, data required, and identify speakers
- Handle meeting location, invitations, attendee lists, travel and match forms
- Produce a written report from the RT within 4 to 6 months

## **4. Legal Representation Workgroup (LRS)**

The Legal Representation Workgroup met on August 1, 2014. The two subcommittees formed earlier this year reported on two broad issues involving several subparts: The Indigence

subcommittee is charged with examining the feasibility of creating a statutory definition of indigence; factors to consider in determining indigence; standardizing indigence affidavits and unsworn declarations; and feasibility of creating a limited duration attorney appointment for parent at time CPS suit is filed. The Standards subcommittee is charged with determining whether the Commission should develop and promote the adoption of standards of representation; the scope of the standards [based on statute, voluntary for the judge/jurisdiction]; inclusion of local practice tips and guidance; whether attorneys should be encouraged (or required?) to sign annual certification acknowledging compliance with standards and education requirements under the Texas Family Code. The LRS Workgroup as a whole will providing comments to the Children's Commission about legislation to statutorily authorize creation of public defender offices; the possibility of using pro-bono attorney services to perform due diligence-limited appointment assignments for alleged fathers, cite by pubs, and indigence determinations; and a pilot project for a small number of urban and rural counties to study early parent appointments (when suit filed, and prior to Adversary Hearing), and include qualitative and quantitative data. Also, Judge Rucker, Judge Redford, and CC Staff met with representatives from the Texas Association of Counties, Conference of Urban Counties, and County Commissioner and Judges Association, and on August 28, Judge Rucker made a presentation about legal representation and our work to approximately 100 county judges, county commissioners, county auditors, and county clerks at the Texas Association of Counties Pre-legislative Conference. The county organizations are receptive to working together to address the structural and fiscal issues related to legal representation in CPS cases. Also, in August, Justice Guzman sent a letter to Senator Ellis in response to his inquiry about legal representation in CPS cases. This summary has also been provided to TAC, CUC, and CCJA to assist their constituents. Some of the suggestions submitted to Senator Ellis include:

- Exploring the development and adoption of Texas Standards of Representation for Attorneys Providing Legal Representation in Child Protective Services Cases (including training standards).
- Examining whether enacting a date certain by which attorneys for parents are appointed would improve the quality of legal representation and the more timely resolution of child protection cases.
- Examining whether counties should develop and publish an appointment of counsel plan similar to that required under the Fair Defense Act.
- Exploring whether an appropriation from the legislature could help offset county expenses associated with appointing counsel in CPS cases or funding pilot projects aimed at developing more cost-effective representation models.
- Examining whether counties should establish compensation standards for rates paid for in court and out of court efforts and travel.

- Examining methods by which attorneys can certify to their appointing judge that they have complied with all mandated training requirements, and to recertify training annually.
- Exploring whether each county should report to the Office of Court Administration annual expenditures for CPS cases broken down between Parent, Child, and State representation.
- Examining whether a tiered compensation system can be established whereby attorneys who obtain board specialization are entitled to compensation at some percentage or rate higher than a standard or non-certified rate.

## **5. Texas Board of Legal Specialization**

An application for legal specialization through the Texas Board of Legal Specialization (TBLS) will be submitted to the TBLS with approval of the Supreme Court of Texas. The Specialization will be defined as follows: Child Welfare Law is the practice of law dealing with judicial and administrative proceedings involving children who are in the conservatorship or legal custody of the State of Texas, primarily pursuant to Texas Family Code, Subtitle E (Protection of the Child). It includes, but is not limited to, proceedings involving a governmental entity, namely the Texas Department of Family and Protective Services (DFPS), and the conservatorship of a child and/or the termination of parental rights, placing children in temporary or permanent foster care, and adoption proceedings involving DFPS in which a court or agency is required to make decisions affecting the parent-child relationship. The required 100+ signatures of attorneys who support establishing a specialization have been collected. The only outstanding item is identifying 20 attorneys who can serve as the advisory committee to the TBLS.

## **6. McLennan County Parent Representation Project**

McLennan County Parent Representation Project involves the county contracting with private law firms for all legal representation of parents. The project goals include: to fully understand the benefits and challenges, including costs, of contracting with private law firms for the representation of parents in CPS proceedings; to evaluate the nature and quality of representation provided by firm attorneys; and to the extent possible, to compare the firm attorneys to the private bar to examine how quality and outcomes may differ. In July, the Children's Commission undertook the following activities:

- Conducted file reviews of cases that had reached statutory hearings in the last 6-12 months to get a snapshot of attorney practice (pre and post project start date).
- Conducted judicial interview to understand court-specific procedures and expectations, judge perspective of the strengths and challenges of the project, and any changes that could be made going forward.

- Conducted surveys (anonymous and online), and interviews of the firm attorneys to understand how the firm attorneys are representing the parents and the challenges and benefits associated with the project from their perspectives, include cost factors.
- Conducted interviews of the agency attorneys and case workers to get information regarding whether the attorneys attend out of court conferences and meetings, advocate for services, and provide informal advocacy in other ways.

A full report should be completed by the end of 2014.

## **7. Jurist in Residence**

The Jurist in Residence (JIR) position was created to foster judicial leadership and promote greater expertise among child protection judges. The JIR acts as a consultant, trainer, and speaker to provide expert and seasoned judicial advice on matters affecting courts and legal system handling of child welfare cases and issues. Additionally, informational letter and “blasts” concerning items of interests, such as training events, are routinely issued. In FY 2014, the Commission published JIR newsletters or news blasts on the following topics: 1) Release of the updated Bench Book; 2) New Medical Consenter Training; 3) Trial Skills Training Opportunity for Attorneys; 4) Education Decision-maker Form 2085-E; 5) Attorney Training Opportunities; 6) Family Visitation/Visitation Plans; 7) Non-Pharmacological/HB 915 Legislative Update; 8) More information about the Indian Child Welfare Act; 9) New Child Protection Courts; 10) Unaccompanied Alien Children; and 11) Foster Youth in Court Video. JIRs that will be issued within the near future include: 1) Addressing Treatment Needs of Juvenile Sex Offenders; 2) the Hearing Observation Project; and 3) and Permanency Round Tables.

Link to JIR letters here: <http://texaschildrenscommission.gov/jir.aspx>

## **8. Hearing Observation Project (HOP)**

In the summer of 2013, the Children’s Commission conducted an observation and data collection study, called the Hearing Quality Observation Project, involving 164 child welfare hearings held across Texas. The primary purpose of the project was to establish a baseline about the quality of court hearings occurring in child welfare cases in Texas, including hearing factors such as timeliness and length, depth of issues discussed, party and judicial compliance with the Texas Family Code, parental due process, party engagement, children’s appearance in court, attorney preparedness, and attorney and parent satisfaction with legal representation. Since that time, the Children’s Commission issued a report (March 2014), which revealed that the majority of Texas

child welfare courts address statutorily required issues at some point in the case and many courts are sufficiently assessing aspects of the child's well-being while in foster care. There are a few indicators, both statutorily required and national best practices, which might result in better outcomes for children and families, if addressed more often in court. While some information does appear in the case file, the presence of the information in the case file does not necessarily mean that the judge, the parties, or the attorneys are fully informed about the issue or that the information is correct and up to date. Therefore, it is advisable that judges and attorneys discuss as much of the information relevant to the case in the court hearings as possible. The following recommendations highlight areas of inquiry that should be discussed more often in the courtroom and efforts courts can take to enhance the depth and breadth of the information presented.

Recommendations from the full report:

- Consider using specialized judges and/or engage in more specialized training.
- Judges should consider the use of the bench book, bench cards and checklists.
- Set Fewer Cases on the Dockets to Allow for More Thorough Hearings.
- Increase Length of Time of Hearings
- Statutory Hearings Should Be Set at Specific Times
- Judges Should Read Court Reports Prior to Hearing
- Make Reasonable Efforts Findings from the Bench
- Greater Emphasis on Determining the Applicability of ICWA
- Frontload Procedural Issues by Addressing Them During Early Hearings
- Continue to Address Service at Every Hearing
- Admonish Parents of Right to an Attorney At Every Statutorily Required Hearing
- Review Permanency Plans and Concurrent Plans More Often
- Give More Emphasis to Child Well-Being in Placement Review Hearings
- Address Sibling Visitation when Siblings are not Placed Together
- Consider Alternative Placements More Often
- Require Children to Attend Court Whenever Possible
- Engage Children and Parents During Hearings
- Encourage Caregivers, Particularly Non-Kinship Foster Parents, to Attend Court and Engage Them in Process
- Communicate the Study Findings with Relevant Stakeholders
- Promote Training and Education of Indicators, Hearing Quality Observation Project, and Recommended Changes
- Repeat the Study every 2-3 Years to Measure Improvement

Since the final report was issued in March, the results have been presented to the Children's Commission (May 2014), the Annual Court Improvement Program Meeting (May 2014) and the Annual Child Welfare Judicial Conference (June 2014). The Children's Commission staff also began discussions regarding implementation of several recommendations primarily related to well-being

with Judge Robin Sage and Casey Family Programs. The Children's Commission intends to form an implementation team in FY2015 that focus primarily on well-being recommendations, including:

- Reviewing Permanency Plans and Concurrent Plans More Often
- More Emphasis on Child Well-Being in Placement Review Hearings
- Address Sibling Visitation when Siblings are not Placed Together
- Consider Alternative Placements More Often
- Require Children to Attend Court Whenever Possible
- Engage Children and Parents During Hearings
- Encourage Caregivers, Particularly Non-Kinship Foster Parents, to Attend Court and Engage Them in Process

The HOP implementation workgroup will conduct regular meetings and conference calls in FY2015 to determine the priority of recommendations for implementation, policy and practice change, training, and legislative changes.

### **8. Judicial Disproportionality Workgroup (JDW)**

The JDW held an in-person meeting during the annual Child Welfare Judges' Conference and agreed to continue to support the work of the Center for the Elimination of Disproportionalities and Disparities (CEDD) as the Interagency Advisory Council transitions to a statewide committee made up of systems and community leaders. The work of the statewide committee will be focused on data-driven evidence, leadership, cross-systems collaboration, community engagement, and training based on anti-racist principles

The CEDD also hosted the 2014 Cross Systems Summit and the Children's Commission provided support for speaker fees for one of the presenters. The summit focused on a cross systems collaborative approach to addressing inequities in multiple systems and how outcomes in health and human services, social services, education, juvenile justice, housing, and other systems impact health and wellbeing. The summit featured feature breakout sessions on both days on topics around social determinants of health, social justice, community engagement, cross systems collaboration, and advancements in addressing disproportionality and disparities in Texas.

The JDW will continue to work on how the Children's Commission and Texas can:

- Develop and promote judicial and attorney training on how to apply tools designed to reduce institutional racism and bias
- Partner with system stakeholders to include disproportionality in cross-systems trainings and in issue-specific workgroups

- Help connect judges and lawyers to their communities to develop disproportionality efforts at the local level.
- Liaise with the Texas Health and Human Services State Advisory Coalition for Addressing Disproportionality and Disparities
- Staff and monitor the JDW meetings, strategies, timelines, and work product for FY2014, including monthly strategy meetings with the JDW Co-Chairs.
- Include information about Disproportionality and bias in its CPS judicial Bench Book.

## **9. Tribal/State Collaboration**

On April 23rd, Commissioner and Senior Peacemaker Jo Ann Battise welcomed national experts, state court judges, tribal judges, and child welfare leaders to the Alabama-Coushatta Indian Reservation for a half day judicial round table discussion about the Indian Child Welfare Act (ICWA) and how courts can use the ICWA to meet the needs of children and tribes. Judge Darlene Byrne facilitated the round table, gathering ideas and best practices in state and tribal collaboration. The next day, the 4th Annual Tribal/State Symposium included nationally-recognized leaders in tribal/state collaboration, including Tricia Tingle of the Bureau of Indian Affairs, and Chrissi Nimmo, who represented the Cherokee Nation in the Baby Veronica case. Ms. Nimmo gave a moving account of Veronica's journey through the courts. The Symposium was an excellent resource for judges, leading to new connections, partnerships and judicial leaders.

A final report from the Round Table was issued in September 2014 and is included in the meeting materials. The report highlights the importance of (i) cultural awareness; (ii) training/education; and (iii) effective court practice. The Round Table participants noted that a lack of cultural awareness often contributes to the failure to identify Indian children and afford them the protections under ICWA. Also discussed at the Round Table was the need for education regarding many misunderstandings about how to apply ICWA. For example, there is a great deal of confusion about who determines tribal membership. Round Table participants further identified many challenges and possible solutions related to court practice. The group discussed issues such as the lack of accurate information, the need for better notice to the tribe, procedural concerns, and the use of expert witnesses.

The work of the Round Table will also be discussed at the upcoming Tribal/State Symposium on September 18<sup>th</sup>, hosted by the Ysleta del Sur Pueblo. All of Texas' federally-recognized tribes will be represented at this gathering. The intent of the Symposium is to build on this work while also traveling to the homes of the tribal nations and developing mutually respectful relationships.

For 2015, the Children's Commission will continue to collaborate with tribal nations and system stakeholders to promote ongoing knowledge and understanding of the ICWA and its importance. Specifically, the Children's Commission will endeavor to:

- Work with stakeholders to develop an ICWA Strategic Plan for Texas.
- Continue to collaborate with the Children's Bureau and the participants of the CIP Peer to Peer Exchange to tailor the Model ICWA Judicial Curriculum and other best practices for Texas.
- Update the ICWA Section of the CPS Judicial Bench Book.
- Continue to work on developing and maintaining mutually respectful and ongoing relationships with Texas' three federally-recognized tribal nations.
- Support Senior Peacemaker Battise in her role as a new Commissioner.
- Staff and monitor the Tribal/State Workgroup meetings, strategies, timelines, and work product for FY2015, including monthly strategy meetings with Senior Peacemaker Battise and DFPS.
- Partner with the Alabama-Coushatta to support the 5th Annual Alabama-Coushatta Judicial Symposium with content and finances.
- Assist with any CIP grant application, as requested and appropriate.
- Further connections with Ysleta del Sur Pueblo and Kickapoo tribes through the DFPS tribal/state meetings, Annual Conference of the Native American Section of the State Bar and other networking opportunities.

#### **10. Trauma Informed Care Project**

Children's Commission will continue to support DFPS's shift to a trauma-informed care system on the many levels of the organization, with its partners and its staff, therapists, foster/kinship parents, residential contractors, judges, attorneys, CASA volunteers, youth and foster alumni, and STAR Health (the managed care HMO that provides physical and behavioral health to all foster youth in the state's conservatorship). Specifically, the Children's Commission will devote efforts to:

- Develop and promote judicial and attorney training about trauma-informed care, informed by the work of Dr. Karyn Purvis's Trust-Based Relational Intervention and Dr. Bruce Perry's Trauma Academy and other leading trauma experts.
- Include information about trauma informed care in the CPS Judicial Bench Book.
- Liaise with and participate as a collaborate partner in the various trauma-informed workgroups such as the DFPS Trauma-Informed Care Workgroup, the CASA Mental Health Task Force, the Texas Disability Rights' Workgroup, and those that may be created.
- Monitor the trauma-informed care trainings, workgroups, meetings, and strategies hosted, sponsored or initiated by various groups and provide reports to the Children's Commission and other stakeholders as appropriate.

#### **11. Mediation Project**

In April 2013, the NCJFCJ endorsed the national Child Protection Mediation Guidelines, which were developed by a national group of experts. The next step for this national group is putting together

training standards for child protection mediation. Over the course of FY 2014, commission staff worked with Cynthia Bryant of the University of Texas School of Law Mediation Clinic and others as they examined data related to CPS cases mediated in Travis County. In September 2015, UT applied for a grant to help determine the best practices and cost-effectiveness of mediation for Travis County, Texas. Additionally the project will develop a cost formula that can be applied to other counties in the state and that will provide a research framework and questions that can be used by other counties. The project aims to answer four broad research questions:

1. What types of child protection cases are best suited for resolution through mediation?
2. When in the life-cycle of a case is the optimal time for mediation to occur?
3. How are outcomes affected by mediation, including the legal resolution of the case, child wellbeing, and time to permanency?
4. Is mediation a cost-effective strategy for resolving child protection cases?

Another goal of the project is to determine the costs of mediation, which will be measured by the full costs associated with cases that are resolved prior to mediation, at mediation, and at trial and include all real costs paid by the courts and departments to prepare and service the case, in addition to the cost of mediation, foster care placement, and any other relevant costs.

The desired result is an evidence-based analysis best practices in mediation and whether mediation in child protection cases is a more cost effective strategy than going to trial without mediation, and whether mediation can be associated with a shorter time to permanency and case resolution.

## **12. Child & Family Services Review (CFSR)**

The federal CFSR is scheduled for June 2016. Part of the process includes a statewide assessment conducted by staff of the child welfare agency, representatives selected by DFPS who are also involved in the development of the Child and Family Services Plan (CFSP) and other child welfare stakeholders. Information gathered as part of the statewide assessment is used by the federal government to determine whether the state is in substantial conformity with the seven outcomes and seven systemic factors used to measure conformity with title IV-B and IV-E of the Social Security Act. The seven child and family outcomes are:

- Children are first and foremost, protected from abuse and neglect;
- Children are safely maintained in their own homes whenever possible and appropriate
- Children have permanency and stability in their living situations
- The continuity of family relationships is preserved for children
- Families have enhanced capacity to provide for their children's needs

- Children receive appropriate services to meet their educational needs
- Children receive adequate services to meet their physical and mental health needs

The seven systemic factors include:

- The statewide information system (SACWIS or IMPACT, for Texas)
- Case Review System: written case plan, periodic court reviews, quality of permanency hearings, termination of parental rights; notice of hearings to caregivers,
- Quality Assurance System
- Staff and Provider Training: initial staff training, ongoing staff training, foster and adoptive parent training
- Service Array and Resource Development: array of services, individualized services
- Agency Responsiveness to the Community: state engagement and consultation with stakeholders pursuant to the state CFSP and APSR, coordination of CFSP Services with other federal programs
- Foster and Adoptive Parent Licensing, Recruitment and Retention: standards applied equally, requirements for criminal background checks , diligent recruitment of foster and adoptive homes, state use of cross-jurisdictional resources for permanent placements

The Children’s Commission will facilitate stakeholder input by hosting stakeholder meetings for three groups: CFSR Stakeholder Group 1 - Case Review System (Section IV of Statewide Assessment Instrument, Systemic Factor B, CFSR Instrument Items 20, 21, 22, 23, 24, 25); CFSR Stakeholder Group 2 - the Service Array and Agency Response to Community (Section IV of Statewide Assessment Instrument, Systemic Factor E, CFSR Instrument Items 29, 30; Systemic Factor F, CFSR Instrument 31, 32); and CFSR Stakeholder Group – the Foster/Adoption Licensing, Recruitment and Retention, to include Foster and Adoptive Family Training (Section IV of Statewide Assessment Instrument, Systemic Factor G, Items 33, 34, 35, 36; Systemic Factor D, Item 28).

### **13. Protect Our Kids Commission Support**

The Protect Out Kids Commission was established by Senate Bill 66 during the 83<sup>rd</sup> Legislative Session and is charged with studying the relationship between child welfare and child fatalities and must submit a report to the Legislature no later than December 1, 2015. The Children’s Commission will provide administrative and meeting support to the POK commission. Judge Robin Sage (Children’s Commission JIR) is the POK Commission chair.

### **14. Texas Blueprint: Implementation Task Force, formerly Education Committee**

The Texas Blueprint Implementation Task Force and its three workgroups (Data, School Stability, and Training) continued to meet since the last Commission meeting and work on steps identified in

their action plans. The Task Force and workgroup meetings will continue through the end of 2014, when phase I of implementation will come to a close. The Task Force and three workgroups have already started to assess progress thus far and make recommendations for the next phase of implementation. In January 2015, the Task Force and workgroups will present their final recommendations to the Children's Commission.

Some things of note which have occurred since the last commission meeting:

- The Texas team continued its work on the Georgetown Capstone Project to determine how to measure school mobility;
- The School Stability Workgroup closely examined the issues of school attendance and credits, including partial credits;
- The Data Workgroup supported work within TEA and DFPS to promote the exchange of more robust data and better analysis and use of the data;
- The Training Workgroup reviewed the Texas CASA Education Advocacy toolkit and topical education fact sheets, in an attempt to provide better resources for a diverse audience; and
- Collaborative work between the courts, education, and child welfare stakeholders continues to expand on the state and local levels.

Between now and the next Children's Commission meeting, Commission staff will continue to support the Task Force and its workgroups as they complete several deliverables before the end of 2014 and as they formulate recommendations regarding the next phase of implementation, which will likely broaden to include working on the Texas Blueprint recommendations regarding postsecondary education.

## **Training Projects**

The Training Committee met by conference call on September 4, 2014.

### **1. Attorney Education**

#### **Attorney Ad Litem Appointment Eligibility and Online Training Webinars on CPS issues**

In partnership with the Children's Commission, the State Bar offers the following online courses to court-appointed attorneys and state and DFPS attorneys:

- Advocating for Youth Aging Out of Foster Care

- Resources and Processes for Representing Crossover Youth with Disabilities
- Special Education Advocacy for Kids in the Foster Care System
- Representing Teen Parents in CPS Cases
- Practice Tips on Representing Children
- Representing Parents in CPS Cases
- Preserving Error and Appeals Issues in CPS cases
- Representing Children in CPS Cases, Updated July 2013
- Trial Skills in the CPS Case

The webinars entitled *Representing Parents in CPS Cases* and *Representing Children in CPS Cases* meet the statutorily required minimum 3 hours of CLE for attorneys seeking to be qualified to take CPS appointments.

To increase the availability of CPS-related CLE online, Staff will ask the SBOT about the possibility of adding the video of this year's Child Abuse and Neglect One-Day Workshop CLE to the library as soon as the Workshop video replays are completed (late October 2014). Additionally, Staff will be creating a new webinar before the end of the year called "Life of a CPS Case/CPS 101" to provide basic training to all attorneys on the CPS docket. Additionally, updates to the basic child and parent webinars are planned for 2015, along with a new CLE on medical issues in CPS Cases (in collaboration with Dr. Sandeep Narang). Staff will partner with the SBOT to produce these webinars. Finally, the SBOT has offered to set aside one day of studio time every year for the Commission to use to tape webinars, without charge to the Commission.

The SBOT's online library of CPS-related webinars is currently free, but the Bar would like to start charging \$25.00 per webinar. There will be scholarships available through the Commission and through the Bar for attorneys who need financial assistance to access this online training. Staff is working with SBOT to amend the webinar registration process and will continue to update the Training Committee.

### **Attorney Scholarships**

The 2014 summer scholarship award process went well, having been streamlined based on lessons learned last scholarship cycle. The Children's Commission coordinated scholarships for two annual CLEs:

1. The State Bar of Texas (SBOT) Child Abuse and Neglect 1-Day Workshop in San Antonio, Texas, on August 6<sup>th</sup>: 98 scholarships were awarded, the highest number ever to this annual CLE. After some attrition, the final numbers are as follows:
  - 69 attorneys saw the live CLE in San Antonio on August 6<sup>th</sup>; 10 will watch video replay in Dallas; and 9 will see video replay in South Padre.
  - 37 prosecutors (included ADAs, one CA, and Regional or Managing Attorneys with DFPS) received scholarships to this event;
  - 51 private, court-appointed attorneys received scholarships to this event.
  - Post-event survey results will be shared following the final video replay in late October.
    - Highlights from the survey results collected so far are: 76% of those responding would not have attended without a scholarship; 90% of the respondents reported a better understanding of a child welfare law, policy, or practice as a result of the training; and 65% of respondents reported being familiar with ICWA (a much greater percentage than last year's survey results).
2. NACC Annual Conference in Denver, Colorado, from August 18-20<sup>th</sup>:
  - 6 newly minted Texas Child Welfare Law Specialists received \$1102 apiece to cover conference registration, plus reimbursement at the state rate for 3 nights at the conference hotel and 3 days' worth of meals.
  - Designated as "training scouts," Staff worked with these scholarship recipients to divide up the conference schedule to cover as many lectures as possible. The Scouts brought back ideas for topics/speakers relevant to Texas.
  - They completed a pre-conference survey and a post-conference survey to help us track any practice changes that were a result of the conference. Survey results will be shared when compiled.
  - These 6 may also be called on to be speakers or trainers in the future.
  - Staff Attorney Jamie Bernstein also attended the conference.

On the horizon: In addition to funding scholarships to next year's Child Abuse and Neglect 1-Day Workshop and the NACC's Annual Conference, the Commission will also provide scholarships to the ABA's semi-annual Parent Attorney and Child Attorney conferences in July 2015 in Washington, DC.

### **NACC Fee Waivers for Child Welfare Specialist Exam**

The NACC Grant is for reimbursement of the \$350 certification exam fee for Texas attorneys and judges who have qualified to sit for the NACC's Child Welfare Specialist Exam. Of those who qualified to take the exam since late 2013, six from Texas passed the exam successfully and have taken advantage of this grant. The total cost to the Commission has been \$1,950.00.

Since our last meeting, 16 Texas attorneys have been approved to take the CWLS exam; 2 are up for review to determine their eligibility to take the exam, and 19 Texas applicants have incomplete applications. Staff is recommending that this grant be reduced from \$10,000 to \$5,000 for FY2015.

### **Trial Skills Training**

The next Trial Skills Training will be Oct. 1-3 in Austin. It will be the second Training following the Pilot Trial Skills Training, one year ago. Eighty-six applications were received for a total of 21 spots. Staff is in the process of tweaking the schedule, some of the lectures, and some of the group exercises based on feedback from April's TST. Based on additional debrief information from faculty and students, Staff is in the process of locating a therapist for parents who will participate in trial skills exercises as an additional witness. The three newer faculty will participate after having observed the training in April, and additional prospective faculty will be invited to attend. A report on the effectiveness of these improvements will be made at the next Commission Meeting. In 2015, two additional Trial Skills Trainings will be hosted. Staff anticipates that one will be in the Spring and the other in the Fall. Exact times and locations will be announced shortly.

### **State Bar Of Texas Child Abuse and Neglect Committee**

The CAN Committee hosted the 1-Day Child Abuse and Neglect Workshop mentioned above, and used \$10,000 of training funds from the Children's Commission to support their Child Welfare Law Conference in June, which was held in connection with the annual Keeping Infants and Toddlers Safe (KITS) conference.

### **DFPS Attorney Training**

Based on their successful initial attorney training, the Department has requested \$2,500 in funds to train their regional attorneys in November of this year. The funding would go to cover speakers' fees.

## **Texas CASA Training**

CASA's FY2015 training projects are intended to increase the understanding of the impact of trauma and understanding and awareness of proven strategies and interventions provided in the TBRI (Trust Based Relational Intervention) model of treatment to help CASA volunteers, CPS caseworkers, attorneys, judges, placement providers, therapeutic providers, kinship and families implement strategies that positively impact well-being and permanency outcomes. Texas CASA also will seek to learn how TBRI fits into the broader goal of creating a statewide trauma-informed system. Working closely with the Travis County Collaborative and the TCU Institute for Child Development, continuing the work of the Texas CASA Mental Health Task Force, utilizing the training efforts and outcomes TBRI "educators", and engaging with other state and nationally recognized trauma experts Texas CASA will develop a report of recommendations and information regarding trauma informed practice and the intersections with TBRI that offer greatest opportunity to improve child outcomes.

CASA will undertake several activities and events in FY2015:

1. Quarterly set coaching sessions with TBRI "educator" teams.
2. At least one in-person meeting during FY2015 with TBRI teams.
3. Quarterly "cluster" phone conferences with TBRI teams.
4. One workshop at the 2015 CASA Conference for the TBRI teams.
5. Document ongoing collaboration with Dr. Karyn Purvis and the TCU Institute of Child Development, including the use of current and development of new materials dvd's and training aides.
6. Written documentation of each TBRI team's training plan, including progress on the plan.
7. Development of evaluation tools for TBRI educator training, team coaching and use of TBRI information and training in local areas.
8. In collaboration with the Children's Commission, identify and compile a list of trauma informed programs/projects/services currently implemented around the state.
9. Conduct site visits of programs and projects (as identified in #7 above) that are implementing trauma informed service models to learn directly how different models function day to day.



- Caselaw Update Trevor Woodruff
- Minor Sex Trafficking Geoff Barr
- Laws and Policies Affecting Limited English Proficient People in Texas Courts Marco Hanson
- CASA Focus Group Vicki Spriggs
- Judicial Checklist Focus Group Judge Dean Rucker
- Education Decision Making Ian Spechler
- Neuroscience of Decision Making Kimberly Papillon
- Mental Health in Texas Andrew Keller, Peter Selby, Cheryl Fisher, and Sarai Leeb

2015 annual conference is tentatively scheduled for August in Austin and funding related to the conference is included in the Texas Center for the Judiciary grant application for FY 2015.

**Judicial Scholarships to Attend the NCJFCJ Annual Conference**– In July 2014, a number of Texas judges attended the annual NCJFCJ conference in Chicago. Full scholarships were initially offered to judges who serve on one of the commission’s committees, workgroups, or other initiatives. Eleven judges accepted the full scholarship. An additional five scholarships, which covered 80% of expenses related to attending the conference, were offered to judges who hear CPS cases. Additional requirements included attendance at the Texas Child Welfare Judges Conference, hearing a significant number of CPS cases, and membership in the NCJFCJ. In 2015, the annual NCJFCJ conference will be held July 26-29 in Austin. Funding for scholarships to the conference is included in the FY 2015 TCJ grant application.

**Judicial Technical Assistance** – Part of the TCJ FY 2015 grant application includes funding for judicial technical assistance that TCJ provides the Children’s Commission throughout the year, including facilitation of meetings, developing additional judicial trainings, and speaker and other fees related to conferences not specifically funded.

**Child Welfare Track at Family Violence Judicial Conference** -- The Family Violence Judicial Conference targets district and county court at law judges throughout the state. The 80<sup>th</sup> Legislative Session in Texas mandated additional judicial training in child abuse and neglect (CAN) requiring that judges receive 12 hours of FV/CAN during their first term of office and 5 hours every term thereafter. To satisfy this statutory requirement, the Texas Center offers a yearly conference providing judicial education related to family violence, sexual assault and child abuse and neglect. This conference typically reaches between 110-120 judges. This year

the Texas Center will work the Commission to develop sessions at the Family Violence Conference specifically for general jurisdiction judges who hear cases involving child welfare. This will be an excellent opportunity to reach judges who might not have attended a Commission sponsored conference in the past. This conference will be held in January 28-29, 2015 at the Westin Riverwalk in San Antonio. Funding for a child welfare track at this conference is included in the TCJ FY 2015 grant application.

## **Technology Projects**

### **Notice & Engagement Web Application**

The project involves using non-confidential case data to provide notice to parties and interested persons about upcoming hearings, and is distributed via email. The Children's Commission sent an announcement to one CPC court and three child placing agency partners advising of the Child Protective Services Hearing Notification tool. The notice advised that the service is only available for cases covered by CPC courts, and that each participant must set up a user account within the Child Protection Case Management System (CPCMS) in use by those courts.

Once a profile or user account has been created, the user can search for cases to which they are assigned or interested. The case search page requires at least part of the parent, adoptive parent or guardian's last name, and the exact spelling of the child's first and last name as well as the county where the suit is filed. The search will look for open cases and display a Summary of Upcoming Hearing Dates. The results will also display a Summary of All Open Cases regardless of whether a hearing has been scheduled or not. The summary can be printed out or can be sent to the user via email. A user can remove a case from their notification profile by simply clicking the "remove" link next to the case information. The user has the option to receive notices 1, 3, 7, 14, and / or 30 days in advance of any hearing scheduled. A user guide was developed by OCA: [CPS Hearings User Guide](#) and users can set up an account by linking to <https://cpshearings.txcourts.gov>

As of August 25, 2014 there were 55 users – primarily from Judge Villalon's court. All reports are even though users are few in number the system is easy to use and works correctly.

For FY2015, OCA will maintain this project and assist the Children's Commission with tracking usage, distributing information to users, and collecting survey results from users.

### **Video Conferencing**

The video conferencing project enables children involved in child abuse and neglect cases to participate in permanency and placement review hearings without them being physically present in the courtroom. OCA hosts and supports the hardware and software required to facilitate video conferencing between courts and residential placements. OCA has drafted a “how to” for use by Courts and other stakeholders who wish to use video conferencing for a particular hearing. OCA also maintains a list of Residential Treatment Centers with video conferencing capability as well as a list of courts.

OCA developed a user guide, and also maintains a log of all hearings conducted, including the date, time, participating court, type of hearing, participating placement, length of hearing, any problems with the transmission quality or technical difficulties. There are currently 57 RTC’s and 19 courts in the system, over 280 hearings have been hosted by OCA this year. OCA also reports that they are picking up General Residential Operations and Emergency Shelters.

For FY2015, OCA will continue scheduling, coordinating, and tracking remote hearings for existing remote users including test calls. OCA will also increase the number of participating courts by six (6), and increase the number participating DFPS service provider sites by 10 during the fiscal year.

### **Child Protection Case Management System (CPCMS)**

CPCMS is a case management system that is unique to Child Protection Courts. It has been in use since 2009. OCA provides project management, programming and testing services for CPCMS. OCA staffs a CPCMS Advisory Council of CPC judges, OCA staff and Children’s Commission staff to evaluate bug fixes or enhancements. The CPCMS Advisory Group has been meeting monthly since the summer of 2013 and provides governance in order to prioritize enhancements and bug fixes. This group regularly identifies changes to the system that will further increase the courts’ productivity.

For FY2015, OCA will continue to staff the Advisory Council, maintain and enhance CPCMS according to Advisory Council directives and deliver certain court-specific and performance-specific reports to OCA and Children’s Commission.

### **Personal Document Storage Project**

New project for FY2015 that involves a way to store documents securely in the cloud and make them accessible to registrants – in this case, foster youth who have aged out of the foster care system. Although DFPS is required to deliver documents to youth leaving foster care, once they are

out, circumstances may be such that these documents are lost or misplaced. The lack of these documents and the inability to replace them can contribute to further difficulties and trials for former foster youth. OCA will provide limited project management that will include identifying resources to properly scope the project so that it can be submitted to IT vendors on the Department of Information Resources database for pricing. OCA will evaluate responses. Based on the responses, OCA will complete the statement of work for the project including the scope, architecture and deliverables and price the development costs of the project.

INSERT - TAB 4





former Texas appellate, district and county court at law judges, as well as associate judges and court personnel. The Texas Center is designated by the Court of Criminal Appeals as the official registrar of continuing judicial education.

The mission of the Texas Center, *Judicial Excellence Through Education*, is exemplified by providing strong leadership in education and training so that a qualified and knowledgeable judiciary and staff may administer justice with fairness, efficiency and integrity.

**1. Program Issue:**

The Texas court system has been described as one of the most complex in the United States. There is no uniform jurisdiction among the courts at each level but rather one must refer to the individual statute that established each court in order to determine jurisdiction. In some areas, district courts have jurisdiction over child welfare cases, in other areas, statute has given the county court at law jurisdiction over child welfare cases and in many areas there is concurrent jurisdiction between the county court at law and the district court. In urban areas, district courts have been created that have specialized family law dockets. Texas also has specialized Child Protection Courts covering rural counties with judges who have sole focus on these cases. This system creates a gap in knowledge and experience amongst judges hearing child welfare cases. Judges with specialized child welfare dockets have vastly difference experiences than general jurisdiction judges. Also, because of Texas' geographic diversity, the issues dealt with by a child welfare judge in South Texas may have little in common with those experienced by a child welfare judge in the Texas Panhandle.

Because of the range of judicial experience, expertise, and understanding of the various issues involved in child welfare cases and because of the vital role judges play in determining positive outcomes for children, youth and families, the Texas Center for the Judiciary will continue to ensure that judges across the state receive the necessary information to appropriately manage their child welfare dockets. The Texas Center will work with the Supreme Court Commission for Children, Youth and Families to identify the basic information that less experienced judges need as well as specialized information to help more veteran judges hone particular skills. The Texas Center will also work with the Commission to ensure that issues specific to geographic regions are addressed. Additionally, the Texas Center will work with the Commission to promote collaboration between the judiciary and other stakeholders involved in child welfare to ensure engagement, dialogue and shared practices between groups.

- 2. Program Objective:** An increase in judicial training will lead to greater awareness among the judiciary and to better judicial decisions and practices. Due process and sense of fairness will be achieved due to better quality court hearings. Judicial decision-making will be informed in all CPS hearings. Due process will be observed in all CPS hearings. Court function will improve and children and families in the child welfare system will have better permanency and well-being outcomes.

3. **Outcome(s):** What goal or goals do you seek to accomplish? Project goals should be aimed at improving child and family safety, permanency, and well-being (including medical, mental, behavioral, health and education needs), or due process, and timeliness to case resolution and permanency for the child and family. How will you measure whether these goals are met?

The Texas Center's proposed program is designed to achieve the following general outcomes:

- Train judges who hear child protection cases in order to improve the timeliness and quality of court hearings;
- Assist judges who attend the training to satisfy continuing education requirements;
- Provide judges with information about best practices to improve permanency in their jurisdictions;
- Provide judges about best practices to improve well-being for children and families involved in child welfare cases;
- Provide judges and multidisciplinary stakeholders with information on trauma and trauma-informed services and how to incorporate these services into court practices;
- Assist with the implementation of new practices based on learning at a training event.

The grant deliverables will lead to the following outcome:

Increase in knowledge on relevant issues following participation in Child Welfare Judicial Conference. Participants will also be able to discuss behavior change and adoption and implementation of practice change based on training.

4. **Activity:** Please list all activities that you will undertake or perform in an attempt to fulfill the identified goal(s), including a timeframe for completing the activities. Also, please link the activity to child safety, permanency, wellbeing, due process or timeliness and describe how you will measure the link between the activity and one of these outcomes. Please describe any collaborative efforts you will make to involve applicable stakeholders in your activities. The Texas Center's proposed activities include the following:

**Child Welfare Judicial Conference** – This conference will target judges throughout the state who hear cases involving child welfare. In addition to general sessions, the conference will include an additional half-day specialized session for Child Protection Court Judges and their court coordinators. Past sessions at the Child Welfare Conference have covered topics such as implicit in judicial decision-making, vicarious trauma, ICWA, and domestic minor sex trafficking. This conference will train roughly 75-80 judges.

**Family Violence Conference** – The Texas Center for the Judiciary holds an annual conference that focuses on issues related to family violence. This conference is intended to ensure that general jurisdiction judges are able to obtain their required judicial education hours in family violence, sexual assault, and child abuse and neglect. The conference typically attracts roughly 120 judges from across the state. TCJ will work with the

Commission to develop a track of child welfare specific sessions for the attendees at this conference.

**National Conferences** - The Texas Center will process and facilitate Texas judges' attendance at conferences sponsored by national training organizations, particular the National Council on Juvenile and Family Court Judges. These conferences will give Texas judges a broader perspective on the current issues faced in their own court rooms as well as give them a chance for collaboration with a different set of peers. Concurrently, the positive practices being applied in Texas can be brought to a national setting.

**Judicial Technical and Administrative Assistance** – The Texas Center will work with the Commission throughout the year to discuss and develop trainings and provide additional support, as needed.

5. **Output(s):** What changes do you expect to occur as a result of the activity/activities?

The Texas Center will deliver the following:

- a. Plan and host one Child Welfare Judicial Conference that targets judges throughout the state who hear cases involving child welfare.
- b. Develop sessions for the Texas Center's Family Violence Conference on issues relevant for general jurisdiction judges who hear cases involving child welfare ;
- c. Provide scholarships to allow judge to attend the National Juvenile and Family Court Judges' Annual Conference to be held in Austin, Texas.
- d. Work with the Commission to provide additional trainings, project support and meeting facilitation, as needed.

**Child Welfare Judicial Conference**

The Child Welfare Judicial Conference will target judges throughout the state who are involved in hearing cases that directly affect the lives of children and their families. In Texas, more than 350 judges have jurisdiction to hear child protection cases across 254 counties that have incredible diversity – from geography to resources to language. With Texas' highly fragmented court system, it is particularly important to bring together the judges who hear child welfare cases to discuss best practices and share common solutions.

The conference will include a separate, half day training for Child Protection Court (CPC) judges and their court coordinators. The Texas Center will work with the Office of Court Administration and the Commission to facilitate the planning for this training.

The Texas Center will work the Commission to develop planning committees for the conference sessions in order to get specific input from judges on curriculum that will best suit their needs. Planning committees will include other relevant stakeholders as needed. This conference will not only provide necessary education but also foster candid discussion to allow participants to share their experiences with other judges who hear similar cases and

promote the generation of common solutions. This conference will be held in August of 2014 and we anticipate roughly 90 participants, including CPC court coordinators. The Texas Center will continue to work with the Commission to develop appropriate measures to evaluate the effectiveness of the training, including administering pre-conference and post-conference surveys as needed.

### **Family Violence Judicial Conference**

The Family Violence Judicial Conference will target district and county court at law judges throughout the state. The 80th Legislative Session in Texas mandated additional judicial training in child abuse and neglect (CAN) requiring that judges receive 12 hours of FV/CAN during their first term of office and 5 hours every term thereafter. To satisfy this statutory requirement, the Texas Center offers a yearly conference providing judicial education related to family violence, sexual assault and child abuse and neglect. This conference typically reaches between 110-120 judges and will be held in January 28th-29th at the Westin Riverwalk in San Antonio.

This year the Texas Center will work the Commission to develop sessions at the Family Violence Conference specifically for general jurisdiction judges who hear cases involving child welfare. This will be an excellent opportunity to reach judges who might not have attended a Commission sponsored conference in the past.

### **National Council of Juvenile and Family Court Judges Annual Conference**

By attending conferences sponsored by national organizations or other states, Texas judges and other stakeholders have opportunities to take advantage of both learning about ideas and innovations from colleagues from around the country as well as sharing Texas' successes in handling cases involving child abuse and neglect.

The National Council of Juvenile and Family Court Judges (NCJFCJ) Annual Conference, which will occur in July 2014 in Austin, has always been a particular beneficial event for members of the Texas judiciary and we intend to send 20 to 25 judges to participate in this event. The Texas Center will work with the Commission to identify the best candidates for these scholarships.

The Texas Center will manage conference announcements, scholarship applications, reimbursements and conference evaluation and follow-up.

### **Judicial Technical Assistance and Speaker/Trainer Development**

The Texas Center will work with the Commission throughout the year to develop trainings as needed and provide meeting facilitation as needed.

- 6. Data Collection:** Will you be able to collect any data as part of the project? If so, please describe what data will be collected, by whom, how it will be used or analyzed and what you expect to learn from your analysis.

The Texas Center will build into its training programs an ongoing evaluative and improvement process to ensure quality instruction, training effectiveness, and hold itself accountable to stakeholders. The Texas Center will strengthen its method of evaluation by developing specific, measurable learning objectives; using learning objectives to identify critical course content; and measuring the effectiveness of the training through participants' satisfaction, learning acquisition, behavioral changes, as well as longer term impacts to the safety, permanency, and well-being of children and families.

In general, survey instruments will also collect information to measure participants' reactions, including participants' perceptions of the training content, trainer/instructor performance, satisfaction with course materials, etc., and intended behavior changes. Each session will have its own unique evaluation instrument tailored according to the session learning objectives and reflective of the specific content of the course material. TCJ will also work with the Commission to collect pre- and post- conference data as needed.

The Texas Center will continue to collect and report on the following outputs measures:

- Number of Continuing Judicial Education hours offered;
- Number of Family Violence hours offered; and
- Number of judges trained.

**7. Budget Narrative** (Include information on match):

**Salaries:**

The Executive Director (5%) directs the efforts of the Texas Center for the Judiciary to ensure fulfillment of its mission statement and achievement of all CIP grant funded objectives. The Executive Director is responsible for overall operations, general staff supervision, budget management, planning and organization of judicial education.

Program Director (13%) manages the programmatic activities related to the grant. The job duties will include: (1) Working with appropriate committees and partners to plan program curriculum; (2) facilitating collaboration as necessary to steer the program; (3) facilitating all aspects of conference planning including identifying, corresponding and confirming faculty; collecting and assimilating course materials; drafting course descriptions and designing program schedules; developing marketing materials; (4) developing and implementing appropriate evaluation instruments and learning objectives; and (5) completing other assignments as needed to ensure the effectiveness and sustainability of the program

The Registrar (9%) maintains the database of all Continuing Judicial Education and Family Violence records for judges as well as continuing legal education for court support personnel. This position further supports CIP grant funded programs and activities by registering and confirming all conference participants as well as working

with all participants to ensure that they receive appropriate continuing education credit for conference attendance.

The Financial Officer (4%) handles most daily financial duties of TCJ in compliance with current grant rules and conditions. This includes setting up and maintaining controls and records of materials, human resources, and financial transactions. Further supporting all CIP grant funded activities, this position also uses QuickBooks Accounting, Excel, and Access database programs for accounting and record keeping.

The Conference Coordinator (9%) will work with the Children's Commission to plan and organize Texas Center judicial conferences. She works closely with hotel and conference staff to ensure all aspects of conference logistics including rooms for participants, meeting space, audio visual needs, and catering.

The Executive Assistant (5%) supports the overall office operations and assists with conference preparations including organizing and shipping materials.

The Accounting Assistant (7%) assists in the organization of documents and recording of transactions which enables the preparation of a monthly request for reimbursement.

**Total Salary = \$35,560**

**Fringe Benefits:**

The fringe benefits are set at a rate of 28% of total salaries. These include health, life, and disability insurance. Fringe benefits also include FICA, retirement benefits, and worker's compensation insurance.

**Total Fringe = \$9,957**

**Travel:**

Travel expenses have been budgeted in accordance with the current per diem rates approved by the Texas Comptroller of Public Accounts. The expenses outlined in the budget are necessary to provide for participants, faculty and staff to attend the Child Welfare Judges Conference (80 participants) and for participants, faculty and staff to attend the Family Violence Conference (20% of the travel costs for 120 participants). Travel has also been budgeted for Child Protection Court judges and their court coordinators to attend their annual meeting one day prior to the Child Welfare Judges Conference. Estimated attendance at this meeting is 40 participants. Participants will be reimbursed for hotel, meals, and mileage costs, or in some cases flights, as appropriate. Travel

In addition, travel costs have been budgeted to permit 20 judges to attend the annual NCJFCJ conference in Chicago. 10 judges will be fully reimbursed for their travel expenses and registration cost (estimated to be \$2185) and 10 judges will receive partial scholarships reimbursing registration and travel costs up to \$1700 per person.

Budgeted travel is based on costs from previous years including estimated number of attendees. Lodging costs are based on the estimated number of nights participants will be required to stay in order to fully participate in a program as well as the predicted number of participants. Meals are based on the per diem rate (adjusted to take travel days and conference provided meals into consideration), the estimated numbers of days of training and the predicted number of participants. Flights, mileage, parking and taxi costs are based on estimates considering current reimbursement rates and past conference expenditures.

The travel line item also includes the cost of conference provided breakfasts and lunches. This estimated total has been taken into account when calculating the amount to be reimbursed to participants for their meal per diem.

**Total Travel = \$139,198**

**Supplies:**

Supplies include both basic office supplies for the Texas Center as well as conference specific supplies including pens, notebook paper, binders/folders, name badges, labels, etc. Other expenses include brochure design and conference related printing expenses, mailing and shipping expenses, and conference A/V expenses. Conference booklets, faculty packets, registration table supplies, name badges, etc. are all shipped to the site in advance of the conference.

Conference shipping, printing = \$3,000

Conference AV - \$6,000

Office/Conference Supplies - \$2,800

**Total Supplies = \$11,800**

**Contractual:**

For some of the training events, the Texas Center will pay negotiated speakers' fees to engage particular nationally known experts and professionals to instruct in their areas of knowledge.

**Total Contractual = \$8,000**

**Other:**

This category includes those all of those conference/event expenses and operating/administrative items that cannot be specifically categorized as office or

conference supplies. This includes any costs for judicial technical and administrative assistance that might be required for additional trainings and support.

Rent: \$10,915  
 IT Expenses: \$5,700  
 Telephone/Internet \$1,440  
 Insurance: \$360  
 Audit: \$1,500  
 Judicial Technical and Administrative Assistance: \$15,000

**Total Other = \$37,715**

**Non-federal Match**

The Texas Center will use the participants contributed time as match. Judicial salary calculation is based an average annual salary of \$125,000.00. Based on a standard 2080 hours per year, a judge makes approximately 60.10 per hour.

Salary information for non-judicial participants will be self-reported and certified at the time of the program.

Texas Center accounting staff will collect match forms from program participants throughout the year and track all match in a database.

**Total Match: \$89,625**

**Budget**

Texas CIP Grant		Requested			
		Total Program	Amount of CIP Funds Requested	Cash Match	In-Kind Match
a	Personnel	\$35,560	\$35,560		
b	Fringe Benefits	\$9,957	\$9,957		
c	Travel	\$139,199	\$139,199		
d	Equipment				
e	Supplies	\$11,800	\$11,800		
f.	Contractual	\$8,000	\$8,000		
g	Construction				
h	Other	\$37,715	\$37,715		
i	<b>Total Direct Charges (sum a-h)</b>	\$242,231	\$242,231		\$89,625
j	Indirect Charges				
k	<b>Totals</b>	\$242,231	\$242,231		\$89,625

**Requested Grant Period:** The Grant becomes effective \_\_\_\_\_, and ends \_\_\_\_\_ unless terminated or otherwise modified.

**Amount Requested:** \$ \_\_\_\_\_

**Applicant must initial each of the following:**

\_\_\_\_\_ Applicant understands that CIP grants awarded to a governmental entity are governed by OMB Circular A-87 and that CIP grants awarded to a nonprofit organization are governed by OMB Circular A-110.

\_\_\_\_\_ Applicant understands that CIP funds expended must be reasonable and necessary to carry out the objectives of the program for which funding is sought.

\_\_\_\_\_ Applicant understands that CIP funds are paid on a reimbursement basis and must be supported by appropriate documentation.

\_\_\_\_\_ Applicant understands that funding is subject to approval by the Supreme Court Permanent Judicial Commission for Children, Youth and Families.

\_\_\_\_\_ Applicant understands that funding must involve meaningful and on-going collaboration of local or statewide stakeholders.







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

Justice Eva Guzman, Chair

Tina Amberboy, Executive Director

## Grant Application COURT IMPROVEMENT PROGRAM

Grant Fund Category Requested:  New  Continued

<b>Applicant: Office of Court Administration</b>			
<b>Authorized Official Name:</b>	David Slayton		
<b>Title:</b>	Administrative Director		
<b>Organization:</b>	Texas Office of Court Administration		
<b>Address:</b>	205 W. 14 <sup>th</sup> Street, Suite 600		
	Austin, Texas 78701 – 1625		
<b>Phone:</b>	(512) 463-1625		
<b>Fax:</b>	(512) 463-1648		
<b>E-mail:</b>	<a href="mailto:David.Slayton@txcourts.gov">David.Slayton@txcourts.gov</a>		
<b>Financial Officer Name</b>	Glenna Rhea Bowman	<b>Financial Officer Title</b>	Chief Financial Officer
<b>Program Director Name</b>	Marilyn Galloway Tim Kennedy	<b>Program Director Title</b>	Legal Programs Manager CIP Technology Project Manager

Requestor is designated as a(n):

- State Agency
  Non-Profit Organization  
 Unit of Local Government
  Educational Institution  
 Other (describe): \_\_\_\_\_

Program Type Requested:  Basic Program  Data  Training

**Program Title:** Office of Court Administration (OCA) / Court Improvement Program (CIP) Partnership Grant

## **1. Program Issue:**

a. **Child Protection Case Management System Maintenance / Advisory Group**  
OCA staff continuously maintains and improves the Child Protection Court case management system. The Advisory Group provides governance in order to prioritize enhancements and bug fixes. This group regularly identifies changes to the system that will further increase the courts' productivity. As identified by a recent report by Judge Sage, OCA Child Protection courts typically function in a much more efficient and effective manner than local district courts that handle child protection cases.

b. **Increased Child participation in hearings**

Bringing a child into the court room in order for them to participate in hearings is an extremely valuable experience for both the child and the court. Judges can hear directly from the child about conditions and what the child thinks should happen. Unfortunately, some children are placed in residential treatment centers (RTC) that are often in remote locations or hundreds of miles from their home communities. This makes it difficult for the RTC to transport the child to court. Part of this grant is to continue funding for state of the art video conferencing systems to allow children and courts to connect.

c. **Once a child ages out of the system, they tend to lose vital documents, making it difficult to find a job or housing.**

Part of adulthood is moving out, finding a job and a place to live. In order to do that, everyone needs to make sure they have proper vital documents (such as a driver's license, social security card, birth certificate, etc). Although DFPS is required to deliver documents to youth leaving foster care, once they are out, circumstances may be such that these documents are lost or misplaced. The lack of these documents and the inability to replace them can contribute to further difficulties and worse outcomes. Part of this grant would be to develop pricing and project management of a personal document storage project presented by Texas Appleseed as a way to store documents securely in the cloud and accessible to the registrant.

d. **Notice and Engagement**

The project involves using non-confidential case data to provide notice to parties and interested persons about upcoming hearings, and is distributed via email. This notice tool is available only for cases that are heard by a Child Protection Specialty Court (formerly known as cluster court) in primarily rural counties. Once a profile or user account has been created, the user can search for cases to which they are assigned or interested. The case search page requires at least part of the parent, adoptive parent or guardian's last name, and the exact spelling of the child's first and last name as well as the county where the suit is filed. The search will look for open cases and display a Summary of Upcoming Hearing Dates. The results will also display a Summary of All Open Cases regardless of whether a hearing has been scheduled or not. The summary can be printed out or can be sent to the user via email. A user can remove a case from their notification profile by simply clicking the "remove" link

next to the case information. The user has the option to receive notices 1, 3, 7, 14, and / or 30 days in advance of any hearing scheduled.

## 2. Program Objective:

- a. **Continue enhancing the Child Protection Case Management System** – this includes the continuance of the established governance structure and work to continue enhancing the system as needed by the governance committee.
- b. **Continue the expansion of video conferencing end-points** – this allows for additional children and other interested parties in participating remotely in court hearings, and perhaps family visitation and therapy.
- c. **Provide project management to finalize scope and cost for the personal document storage project** – Provide project management to finalize scope and cost for project. Once scoped, it will be reviewed by IT vendors on the Department of Information Resources deliverables based contracts for pricing. There is no obligation for the prices received.
- d. **Continue maintenance of the notice and engagement tool** - this includes maintenance of the project and assistance with tracking usage, distributing information to users, and collecting survey results from users.

## 3. Outcome: What goal or goals do you seek to accomplish? Project goals should be aimed at improving child and family safety, permanency, and well-being (including medical, mental, behavioral, health and education needs), or due process, and timeliness to case resolution and permanency for the child and family. How will you measure whether these goals are met?

- a. **Provide an efficient and effective case management system in order to decrease the time to permanency in OCA child protection courts.** This outcome will be measured by the clearance rate of tickets for CPCMS (ratio of new tickets to tickets resolved). Processing enhancements and bug-fixes identified through the CPCMS ticket process ensures CPCMS functions in a manner that allows the court to handle all statutory hearings, parties, practices, appearances, engagement, and event documentation in a manner that ensures due process of parties, timely case resolution and optimal permanency outcomes for children and families.
- b. **Increase the number of residential treatment facilities, courts, and children attending hearings remotely.** This outcome will be measured by the number of RTCs, courts, and children involved with video conferencing. Adding new end-points broadens the network of outlets that can communicate securely and safely via video. Court engagement with parties helps enhance due process for parties and helps bring cases to a more timely closure. Child, youth and family engagement with the court and with others involved in the case enhances child and family well-being.
- c. **Finalize the architecture, scope and pricing for the personal document storage project.** This outcome will be measured by the deliverables needed to complete the scoping phase of the project.

d. **Enhance and improve party engagement in CPC hearings.** This outcome will be measured, in part, by the number of system users.

4. **Activity:** Please list all activities that you will undertake or perform in an attempt to fulfill the identified goal(s), including a timeframe for completing the activities. Also, please link the activity to child safety, permanency, wellbeing, due process or timeliness and describe how you will measure the link between the activity and one of these outcomes. Please describe any collaborative efforts you will make to involve applicable stakeholders in your activities

Outcome A (CPCMS Enhancements) Activities:

- Conduct bi-monthly governance meetings to establish priorities for CPCMS enhancements and to report status of governance activities; track the need and completion of the enhancements.
- Provide at least six (6) software releases during the fiscal year. This includes providing notice and communicating with CPCMS users about the software releases

Outcome B (Video Conferencing) Activities:

- Continue scheduling, coordinating, and tracking remote hearings for existing remote users including test calls.
- Increase the number of participating courts by six (6), increase the number participating DFPS service provider sites by 10 during the fiscal year.

Outcome C (Personal Document Storage) Activities:

- Complete the statement of work for the personal document storage project including the scope, architecture and deliverables.
- Price the development costs of the project using DIR's deliverable based contracting vehicle.

Outcome D (Notice/Alert) Activities:

- Maintain the resource and assist Children's Commission by tracking usage, distribute information, as needed and assist with collecting survey results from users, as requested.

5. **Output(s):** What changes do you expect to occur as a result of the activity/activities?
- a. Increased judicial satisfaction and efficiency with CPCMS.
  - b. Increased participation in court hearings by children involved, increasing participant satisfaction (judges, children and attorneys).
  - c. A completed project statement of work, ready for development by an appropriate vendor with costs and deliverables identified.
  - d. More families and other interested parties will participate in statutory hearings.

6. **Data Collection:** Will you be able to collect any data as part of the project? If so, please describe what data will be collected, by whom, how it will be used or analyzed and what you expect to learn from your analysis.

CPCMS – The purpose of CPCMS is to collect data. OCA will continue to develop outcome measure reports to provide judges with meaningful feedback based on this data. The reports will also be shared with the Children’s Commission.

Video Conferencing – OCA will maintain a log of all hearings conducted, including the date, time participating court, type of hearing, participating placement, length of hearing, any problems with the transmission quality or technological barriers.

Notice / Engagement – OCA will maintain a log of users, including account activation and frequency of use.

## **7. Budget Narrative (Include information on match):**

**Personnel** – CIP Technology Project manager’s annual salary (\$83,708) – Programmer’s annual salary (\$76,356).

**Fringe Benefits** – Insurance, retirement, and state share of OASI and Medicare benefits expense for the CIP Technology Project Manager and Programmer (calculated at 29.96% of annual salary).

**Travel** - Project Manager to conduct 5 field site visits (in-state) to provide technical support to courts participating in the video conferencing project (\$2,860). Project and Programmer to attend 1 day of the Annual Judges Conference for Child Protection Courts (\$30 – mileage only).

**Equipment** – Purchase of one new blade server to replace 2 physical blade servers (CPCMS development and CPCMS production) that have exceeded their 5 year life cycle. The cost to purchase the new blade server is estimated at (\$12,328).

Purchase of two All-in-One desktop computers (23” screen) to pilot enhanced video conference sessions (hearings) for two child protection courts (\$2,890).

### **Supplies –**

- Programmer software tools (\$624)
- Web subscription services (\$2,700)
- Maintenance for the LifeSize ClearSea video server (\$4800).
- Purchase of 40 web cameras (\$80/unit = \$3,200).
- Annual use fee – (51) USB data modem / aircard @40:00 per month x 12 months (\$24,480).
- Shipping and Postage (\$720).
- Phones, long distance and conference call service (\$1,456).
- Miscellaneous supplies (\$300).
- Staff training (\$1,200).

**Contractual –**

- Workers Assistance Program (\$48).

**In-Kind** match will be accrued by OCA and stakeholder staff as they participate (i.e., plan, design, develop test, supervise, account, and report) on the project. Timesheets documenting the In-Kind effort will be collected during the course of the project.

**Budget**

Texas CIP Grant		Requested			
		Total Program	Amount of CIP Funds Requested	Cash Match	In-Kind Match
a	Personnel	\$171,294	\$160,064		\$11,230
b	Fringe Benefits	\$51,320	\$47,955		\$3,365
c	Travel	\$2,890	\$2,890		
d	Equipment	\$15,218	\$15,218		
e	Supplies	\$39,480	\$39,480		
f.	Contractual	\$48	\$48		
g	Construction				
h	Other	\$73,957			\$73,957
i	<b>Total Direct Charges (sum a-h)</b>	\$354,207	\$265,655		\$88,552
j	Indirect Charges				
k	<b>Totals</b>		\$265,655		

**Requested Grant Period:** The Grant becomes effective October 1, 2014, and ends September 30, 2015 unless terminated or otherwise modified.

**Amount Requested:** \$265,655

**Applicant must initial each of the following:**

\_\_\_\_\_ Applicant understands that CIP grants awarded to a governmental entity are governed by OMB Circular A-87 and that CIP grants awarded to a nonprofit organization are governed by OMB Circular A-110.

\_\_\_\_\_ Applicant understands that CIP funds expended must be reasonable and necessary to carry out the objectives of the program for which funding is sought.

\_\_\_\_\_ Applicant understands that CIP funds are paid on a reimbursement basis and must be supported by appropriate documentation.

\_\_\_\_\_ Applicant understands that funding is subject to approval by the Supreme Court Permanent Judicial Commission for Children, Youth and Families.

\_\_\_\_\_ Applicant understands that funding must involve meaningful and on-going collaboration of local or statewide stakeholders.







## **1. Program Issue:**

Children in the legal custody of the state have experienced significant trauma that if not adequately understood and appropriately addressed is very likely to result in children experiencing additional system induced trauma. Children suffering from trauma are more likely to become stuck in care; more likely to demonstrate difficult behaviors and have escalating restrictions and placements; more likely to lose connections with siblings, and friends and cultural norms; more likely to be prescribed psychotropic medications; more likely to struggle in school settings; more likely to have longer stays in the state's care; and most importantly more likely to not achieve a safe, permanent home in a timely manner. If not properly treated and cared for, children who experience repeat trauma not only face child welfare, legal, and educational systems ill-prepared to effectively care for them, but also a lifetime of mental and physical health and social issues.

The negative impacts of childhood trauma are vast and can continue through adulthood, costing the state a fortune in social services, health care and human capital. These impacts include:

- Neurobiological impacts (disrupted development, depression, impaired memory, disassociation, etc.);
- Health risks (smoking, obesity, suicide, violent behavior, etc.);
- Disease and disability (autoimmune diseases, lung cancer, asthma, liver disease, etc.); and
- Social problems (homelessness, delinquency, less ability to parent, intergenerational abuse, etc.).

In order for children to heal from trauma they not only need individualized trauma informed care and services but also trauma informed systems working in tandem to prevent re-traumatization and to promote healing. Children whose trauma is not understood can lose hope under the burden of their symptoms, leading them to poor and unhealthy outcomes. A broader understanding of trauma's impact on children's lives and the varying individual, community, and system level interventions that prove beneficial are first steps toward a trauma informed system of child welfare. With that understanding, efforts must move forward in a strategic, child-focused, collaborative, and integrated manner. Only through this shift in the way our state systems function and care for children can we move in a positive direction toward truly healing children in state custody who have been traumatized.

## **2. Program Objectives (overall objective):**

To increase understanding of the impact of trauma and understanding and awareness of proven strategies and interventions provided in TBRI (Trust Based Relational Intervention) model of treatment to help CASA volunteers, CPS caseworkers, attorneys, judges, placement providers, therapeutic providers, kinship and families implement strategies that positively impact well-being and permanency outcomes.

To develop a collaborative understanding of the impact of trauma, proven interventions and treatment strategies and implications for practice for all child welfare stakeholders – CASA volunteers, CPS caseworkers, judges, attorneys, service providers, educators, parents, adoption and kin placements. Texas CASA will seek to learn how TBRI – Trust Based Relational Intervention - fits into the broad goal of creating a statewide trauma-informed system. Working closely with the Travis County Collaborative and the TCU Institute for Child Development, continuing the work of the Texas CASA Mental Health Task Force, utilizing the training efforts and outcomes TBRI “educators”, and engaging with other state and nationally recognized trauma experts Texas CASA will develop a report of recommendations and information regarding trauma informed practice and the intersections with TBRI that offer greatest opportunity to improve child outcomes.

### **3. Outcomes or changes in knowledge, actions, or conditions**

- a. TBRI Teams will receive coaching, will produce an implementation plan and identify within the plan, specific coaching supports needed, training goals for each team, a method to identify and track the constituents trained, and a list or log of training and coaching events.
- b. A report that outlines current trauma treatments, interventions and trauma informed models being utilized in the Texas child welfare system and other systems that serve children in state custody and how TBRI specific interventions work with, compliment, or are contrary to current work and practice. Begin to formulate a strategy for establishing a trauma informed system of care based on current and needed TIC infrastructure in Texas.
- a. **Activities, events, services or products** Monthly coaching sessions with TBRI “educator” teams.
- b. At least one in-person meeting during FY2015 with TBRI teams.
- c. Quarterly “cluster” phone conferences with TBRI teams.
- d. One workshop at the 2015 CASA Conference for the TBRI teams.
- e. Document ongoing collaboration with Dr. Karyn Purvis and the TCU Institute of Child Development, including the use of current and development of new materials DVD’s and training aides.
- f. Written documentation of each TBRI team’s training plan, including progress on the plan.
- g. Development of evaluation tools for TBRI educator training, team coaching and use of TBRI information and training in local areas.
- h. In collaboration with the Children’s Commission, identify and compile a list of trauma informed programs/projects/services currently implemented around the state.
- i. Conduct site visits of programs and projects (as identified in #7 above) that are implementing trauma informed service models to learn directly how different models function day to day.

- j. In collaboration with the Children’s Commission conduct collaborative meetings with state level stakeholders to understand and assist in building capacity for a statewide structure of trauma informed care.
- k. Develop tools to assist stakeholders in understanding trauma informed care and the potential structure of a trauma informed system. Varying tools may include flowcharts, diagrams and informational one-pagers that display and explain with a TIC system is and how it would ideally function.
- l. Convene a small (up to 10 person) informal advisory committee of motivated stakeholders and trauma informed experts to guide efforts. This advisory committee would function to assist the project lead by sharing expert knowledge, insight and resources, offering potential strategies, and guaranteeing the integrity of project efforts.

**4. Output(s): What changes do you expect to occur as a result of the activity/activities?**

- a. Increased awareness among child welfare stakeholders, and CASA volunteers specifically, about trauma informed care and Trust Based Relational Intervention as a trauma-informed intervention.

**5. Data that will be collected and a description of how it will be used and analyzed**

- a. CASA will gather information through evaluation tools developed pursuant to this award statement as well as through the TBRI team training plans, progress against the plans and information gathered from site visits.

**6. Budget Narrative – a narrative description of how funds will be used**

**Salary:**

For Liaison for Program Development at 5%;

For Public Policy Coordinator at 50%

For part time assistance staff (paid intern or contracted professional) 20 hours per week for 4 months (16 weeks)

**Travel:**

For site visits (10 trips and 6 overnights (hotel costs)

**Contractual:**

Meeting rooms space for 1 onsite meeting with TBRI educators and 2 Advisory Committee in person meetings

**Budget**

Texas CIP Grant		Requested			
		Total Program	Amount of CIP Funds Requested	Cash Match	In-Kind Match
a	Personnel	\$33,606	\$28,006	\$ 5,600	

b	Fringe Benefits	\$ 8,402	\$ 7,002	\$ 1,400	
c	Travel	\$ 3,660	\$ 3,050	\$ 610	
d	Equipment				
e	Supplies				
f.	Contractual	\$ 7,560	\$ 6,300	\$ 1,260	
g	Construction				
h	Other				
i	<b>Total Direct Charges (sum a-h)</b>	\$53,228	\$44,358	\$ 8,870	
j	Indirect Charges				
k	<b>Totals</b>	\$53,228	\$44,358	\$ 8,870	

**Requested Grant Period:** The Grant becomes effective October 1, 2014, and ends September 30, 2015 unless terminated or otherwise modified.

**Amount Requested:** \$\$44,358.00

**Applicant must initial each of the following:**

Applicant understands that CIP grants awarded to a governmental entity are governed by OMB Circular A-87 and that CIP grants awarded to a nonprofit organization are governed by OMB Circular A-110.

Applicant understands that CIP funds expended must be reasonable and necessary to carry out the objectives of the program for which funding is sought.

Applicant understands that CIP funds are paid on a reimbursement basis and must be supported by appropriate documentation.

Applicant understands that funding is subject to approval by the Supreme Court Permanent Judicial Commission for Children, Youth and Families.

Applicant understands that funding must involve meaningful and on-going collaboration of local or statewide stakeholders.







## **1. Program Issue:**

The use of formal mediation in child protection cases has become an increasingly common court practice. A report to the Commission in 2010 indicated that mediation in child protection enjoyed widespread support, with 85 percent of responding judges indicating they were very satisfied or satisfied that mediation in child protection cases serves the best interest of children. However, the report also noted that “to determine best practices and to assess the effectiveness of mediation to resolve child protection cases, courts need consistent and comparable data.” In one Texas county in particular, the Model Court in Travis County presided over by The Honorable Darlene Byrne, this practice has been used regularly to resolve complex child protection cases for more than a decade, and thorough data have been kept for more than six years. Although this practice is now in widespread use, funding for child protection mediation remains a challenge for courts generally, and for the Model Court in particular. Little research has been conducted to determine whether mediation to resolve child protection cases is cost-effective and whether it leads to better child and family outcomes, such as permanency and timely resolution of the case.

## **2. Program Objective:**

The aim of this project is to determine the best practices and cost-effectiveness of mediation for Travis County, Texas. Additionally we will develop a cost formula that can be applied to other counties in the state; and we plan to later use the same research framework and questions developed in this project with other Texas counties. In particular, the project aims to answer four broad research questions:

- a. What types of child protection cases are best suited for resolution through mediation?
- b. When in the life-cycle of a case is the optimal time for mediation to occur?
- c. How are outcomes affected by mediation, including the legal resolution of the case, child wellbeing, and time to permanency?
- d. Is mediation a cost-effective strategy for resolving child protection cases?

One of the goals of the project is to inform the budget needs for mediation. Therefore, ideally, preliminary analyses on the cost-effectiveness of mediation will be available in fall 2014. Data from DFPS and the Model Court will be collected, cleaned, and merged in summer and early fall of 2014. In addition, interviews with mediators and analyses of focus group results occurred in early summer 2014, and the results were presented at the Judges conference on June 10, 2014. Preliminary data analysis will occur in late summer 2014, with preliminary results available in fall. Additional data analysis will occur in fall 2014 and spring 2015, and final report writing will occur in summer 2015.

## **3. Outcome:**

Three primary outcomes will be investigated in this project:

- a. The legal resolution of the case
- b. Time to permanency, and
- c. Cost of the case.

Legal resolution of the case will be measured by determining whether all of the legal issues of the case were resolved by mediation, as compared to being partially resolved or not resolved (which typically requires moving to trial).

The timing and type of outcome of the case will also be measured in three ways: time to legal resolution or final order (whatever the outcome), the type of final order (reunification, adoption, PMC to the Department or relative), and time to exit from foster care. Comparisons between cases that are resolved prior to mediation, at mediation, and at trial will be made.

Cost of the case will be measured by the full costs associated with cases that are resolved prior to mediation, at mediation, and at trial. Costs include all real costs paid by the courts and departments to prepare and service the case, in addition to the cost of mediation, foster care placement, and any other relevant costs. To our knowledge, the full cost of a case has not been calculated; therefore one of the aims of this project will be to develop a metric that captures the full cost of a case that is resolved through mediation versus through trial. We will work with the departments and courts to fully understand and calculate the relevant costs. The DFPS data book will provide one source of aggregate cost data.

To the extent possible, we also aim to measure child wellbeing by determining whether new cases are opened for any family included in the project analysis? DFPS tracks re-entry in the IMPACT system, which will be used in this analysis.

#### **4. Activity:**

- a. To achieve these aims, stakeholders from the Travis County Model Court, DFPS, and researchers at UT Austin will work collaboratively to gather and analyze data associated with child protection cases, and hold focus groups and interviews with mediators, attorneys, CPS workers, and CASA advocates.
- b. Merge data from the Travis County IDA fee database and Petition Tracking System, and the state's Impact System, along with court records as necessary to determine the effectiveness of mediation in child protection cases. These data provide rich information on the characteristics of the case (the cause, the primary and secondary permanency goals, the number of parents involved, the time between each legal process, the resolution of the mediation, the legal and permanent resolution of the case, and the general cost of the case) that we will use to statistically determine if cases that are mediated are resolved more effectively and efficiently as compared to cases that proceed to trial.
- c. Researchers at UT (led primarily by Cynthia Osborne, Ph.D.) will conduct the statistical data analysis, and work continuously with the other stakeholders (including Cynthia Bryant, former Director of the UT Law School Mediation Clinic) to analyze and discuss the results to enhance their interpretation.
- d. Additionally, UT researchers will conduct additional interviews and focus groups with various stakeholders. Two focus groups were conducted in April 2014 that provided ample information that helps to clarify the mediation process and direct the analysis.

## 5. Output(s):

Ideally, the research conducted on Travis County will serve as a model or template that can be applied to other Texas counties. Mediation is used somewhat differently by various Texas counties, and therefore the state potentially provides a wealth of information on how mediation is used to resolve child protection cases. Beginning in Travis County will allow the researchers and DFPS an opportunity to identify data needs and to develop statistical methods that can be applied to the data collected by other Texas counties.

As a result of this statistical and qualitative analysis, we will be able to inform the courts on evidenced-based best practices to using mediation, and as to the degree to which mediation in child protection cases is a more cost effective strategy than going to trial without mediation. We will also be able to inform the courts as to whether mediation is associated with a shorter time to permanency and case resolution. The hope is that this information will assist all Texas counties to use mediation effectively.

## 6. Data Collection:

This project is largely a data collection and analysis project (as described above) to determine whether mediation is an effective strategy for child protection cases. The model court in Travis County has agreed to share its records (IDA, PTS, and court records as needed) and we are currently working closely with DFPS to gain access to the DFPS/CPS data (Impact). These data will be securely stored and analyzed by researchers at UT Austin, namely Cynthia Osborne, an Associate Professor at the LBJ School of Public Affairs who has extensive program evaluation and statistical analysis experience.

## 7. Deliverables / Budget Narrative

<b>Deliverable</b>	<b>Estimated Delivery Date</b>	<b>Billable Amount</b>
Preliminary Cost Effectiveness Report	November 30, 2014	21,350.00
Interim Report	March 31, 2015	32,700.00
Final Report	June 30, 2015	10,000.00

- a. A preliminary analysis and report on the cost-effectiveness of mediation to be completed on or about November 30, 2014. The preliminary analysis will include information gathered and analyzed as a result of UT's collaboration, meetings, and interviews with stakeholders from the Travis County Model Court, DFPS, child welfare focus groups, child welfare mediators, attorneys, CPS workers, and CASA advocates.
- b. Additional data from DFPS and the Model Court will be collected, cleaned, merged and analyzed to determine the types of child protection cases are best suited for resolution through mediation; when in the life-cycle of a case is the optimal time for mediation to

occur; how outcomes are affected by mediation, including the legal resolution of the case, child wellbeing, and time to permanency; and whether mediation a cost-effective strategy for resolving child protection cases. The estimated completion date is March 31, 2015.

- c. A final report that recommends evidence-based practices in using mediation, the degree to which mediation is a more cost effective strategy that trial, as well as a clear position as to whether mediation is related to shorter time to permanency and case resolution. The final report will also articulate how this information can be used by other Texas counties to use mediation in an effective manner. The final report will be issued by June 30, 2015.

	Texas CIP Grant	Requested			
		Total Program	Amount of CIP Funds Requested	Cash Match	In-Kind Match
a	Personnel				20,000
b	Fringe Benefits				
c	Travel				\$750
d	Equipment				\$500
e	Supplies				\$1250
f.	Contractual		\$64,050.00		
g	Construction				
h	Other				
i	<b>Total Direct Charges (sum a-h)</b>				
j	Indirect Charges				
k	<b>Totals</b>	\$86,050.00	\$64,050.00		\$22,000

**Requested Grant Period:** The Grant becomes effective September 1, 2014, and ends September 30, 2015 unless terminated or otherwise modified.

**Amount Requested:** \$64,050.00

**Applicant must initial each of the following:**

MH  Applicant understands that CIP grants awarded to a governmental entity are governed by OMB Circular A-87 and that CIP grants awarded to a nonprofit organization are governed by OMB Circular A-110.

MH  Applicant understands that CIP funds expended must be reasonable and necessary to carry out the objectives of the program for which funding is sought.

MH  Applicant understands that CIP funds are paid on a reimbursement basis and must be supported by appropriate documentation.

MH Applicant understands that funding is subject to approval by the Supreme Court Permanent Judicial Commission for Children, Youth and Families.

MH Applicant understands that funding must involve meaningful and on-going collaboration of local or statewide stakeholders.

**BACK PAGE CARDSTOCK**

