

A close-up, high-angle portrait of a young child with dark skin and curly hair. The child is looking slightly to the left of the camera with a thoughtful or curious expression. Their hand is resting under their chin. They are wearing a bright blue collared shirt. The background is softly blurred.

Children's Commission

POLICIES AND PROCEDURES | 2019

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I. COMMISSION RESPONSIBILITIES

In November 2007, the Permanent Judicial Commission for Children, Youth and Families (Children's Commission) was created by the Supreme Court of Texas to improve the child welfare system by increasing public awareness of challenges facing children and families involved in the child welfare system and bringing attention to this issue through strengthening judicial leadership, reforming judicial practice, and informing state policy affecting child welfare.

Per the Supreme Court Order establishing the Children's Commission in 2007, the Children's Commission will:

- develop a strategic plan for strengthening courts and court practices in the child protection system;
- identify and assess current and future needs for the courts to be more effective in achieving child-welfare outcomes of safety, permanency, well-being, fairness and due process;
- promote best practices and programs that are data-driven, evidence-based, and outcome-focused;
- improve collaboration and communication among courts, the Department of Family and Protective Services, attorneys, and partners in the child-protection community;
- endeavor to increase resources and funding needed for improvement, and maximize the wise and efficient use of available resources;
- promote adequate and appropriate training for all participants in the child protection system;
- institutionalize a collaborative model that will continue systemic improvement beyond the tenure of individual Children's Commission members;
- oversee the administration of designated funds, including the Court Improvement Program grants; and
- provide an annual progress report to the Court.

The Children's Commission also administers the federal CIP Grant, which is awarded by the Administration of Children and Families (ACF) of the U.S. Department of Health and Human Services to the highest court of each state in the nation to strengthen courts and improve outcomes of safety, permanency and well-being of abused and neglected children.

The Children's Commission has no authority over state agencies or their operational details and does not discuss or consider non-administrative aspects of specific, active cases. The Children's Commission seeks information about systemic improvement through various methods, including soliciting information from the Commission's Collaborative Council and other interested parties as well as incorporating principles of continuous quality improvement into projects supported and funded by the Children's Commission.

To access the Supreme Court Orders establishing the Children's Commission or appointing members, visit: <http://texaschildrenscommission.gov/media/1313/ordercreatingcommission.pdf>.

2. COMMISSION STRUCTURE

The Supreme Court of Texas Children’s Commission (Commission) is a statewide, multi-disciplinary collaborative body that includes high-level membership from the executive, judicial, and legislative branches of Texas government, along with child welfare partners in the private sector. At the foundation of the Children’s Commission is a longstanding collaboration with the state child welfare agency, the Texas Department of Family and Protective Services (DFPS). The Commission spends its funding primarily on operations, staff-directed court improvement projects, pass-through grants, and education and training events and scholarships.

Membership Size and Duration

By court order, the Children’s Commission consists of no less than fourteen (14) members who are appointed by the Supreme Court, and a Chair, who is a Justice of the Supreme Court. Commission members serve a three-year term and may serve a consecutive three-year term upon expiration of the first. Regardless of the date of the appointment order, Children’s Commission membership expires on the last day of November during the last year of the member’s term unless the term is extended by Supreme Court order. Except for the Chair, the Assistant Commissioner of Child Protective Services, and Texas CASA, who are standing members of the Children’s Commission, a member may not be appointed to serve more than two successive full terms as a commissioner. A member who has served two successive full terms is not eligible for reappointment until the first anniversary of the date that the member’s last full term on the Children’s Commission expired. A vacancy may occur when any member of the Children’s Commission fails to attend three consecutive commission meetings. Senior-level or experienced commissioners may be appointed by the Supreme Court as an adjunct position to ensure continuity and support for the commission’s work.

Membership Composition

Children’s Commission membership includes members of the judiciary and the child protection system and community, representatives of the business and legal communities, representatives of foundations or organizations with a substantial interest in child welfare issues, and other state leaders who have demonstrated a commitment to the children, youth, and families of Texas. The Children’s Commission’s membership also reflects the diverse ethnic, gender, legal, and geographic communities in Texas.

Ex Officio Members

The Governor may designate a person to serve as an ex-officio member of the Children’s Commission. The Lieutenant Governor and the Speaker of the House may each designate a member of that presiding officer’s

chamber to serve as an ex-officio member of the Children's Commission. A member appointed by the Governor, Lieutenant Governor, or Speaker of the House serves at the pleasure of the appointing officer.

3. COMMISSION MEETINGS

Children’s Commission meetings are conducted in person three times per year. A progress report, a meeting agenda, and other relevant materials are made available to the Children’s Commission Members, Committee Members, Collaborative Council, and other interested parties in advance of each Children’s Commission meeting. Meeting dates are posted on the Children’s Commission website at www.texaschildrenscommission.gov. The Chair of the Children’s Commission conducts the meetings. The Vice Chair or the Jurist in Residence conducts Children’s Commission meetings in the Chair’s absence. The Executive Director of the Children’s Commission also makes a report at each Children’s Commission meeting as do other Commission staff members, as needed.

Commission Reports

The Children’s Commission staff produces a report summarizing the background and/or need for each project and progress on each project to-date prior to each Commission meeting. Each Commission Report is provided in advance of each commission meeting to all commission members, committee members, collaborative council members, and interested parties, and posted on the Commission website at www.texaschildrenscommission.gov.

Public Comment

The Children’s Commission is a Judicial Commission as defined by the Judicial Rules of Administration and is not subject to the Texas Open Meetings Act, Gov’t Code, Section 552. As such, it is not required to post meeting notices in accordance with the Act. However, Children’s Commission and Committee Meeting notices usually are posted on the Children’s Commission website, which can be linked to at www.texaschildrenscommission.gov. Children’s Commission meetings are open to the public. Any interested person or member of the public may attend in person without advance notice. Participation by phone is not available. When available, Children’s Commission meetings are typically webcast by the State Bar of Texas and can be accessed here: <http://www.texasbarcle.com/CLE/TSCSearch2.asp>. Any interested party or member of the public may submit written comments about any Children’s Commission matter to the Children’s Commission inbox at children@txcourts.gov or may contact the Executive Director.

Travel Reimbursement

Travel reimbursement using federal CIP or General Revenue is governed by the reimbursement policies of the CIP, State of Texas travel guidelines, the Children’s Commission, and the Supreme Court of Texas. Most

Children’s Commission workgroup, subcommittee, and task force meetings are held in Austin. Commissioners, committee members, workgroup and subcommittee members, and Collaborative Council members who travel to Austin for Children’s Commission meetings or related workgroup meetings may submit certain travel expenses to the Children’s Commission for reimbursement. Any person with work headquarters in Austin, Texas is not eligible to claim travel reimbursement or expenses related to meetings held in Austin under the State of Texas Travel Guidelines, which are outlined at the link below: <http://texaschildrenscommission.gov/media/83435/travel-reimbursement-guidelines-and-reimbursement-form-for-website-07-17-17.pdf>

Voting Matters

Commissioner each have one vote on matters requiring input. No proxy votes are accepted, and *ex officio* members are not part of the voting process and are not counted in the quorum.

4. COMMITTEES AND WORKGROUPS

The Children’s Commission has an Executive Committee and four standing committees: Systems Improvement, Legal Policy and Practice, Training, and Data. The Children’s Commission also hosts several ad hoc committees and workgroups. Each committee, subcommittee, and workgroup is staffed by an employee of the Children’s Commission and is chaired by at least one member of the Texas judiciary handling child abuse and neglect cases, a member of the Children’s Commission or one of its committees, or another person with expertise in the subject matter area. Workgroups and subcommittees are formed based on the need, the outcome expected as a result of the work, whether there are measurable objectives or anticipated outputs from the effort, and whether there are any data that can be collected to provide evidence of the project or workgroup’s usefulness. The same process is used periodically to assess the impact and productivity of workgroups and subcommittees.

Executive Committee

The Executive Committee is composed of the Children’s Commission Chair, the Vice Chair, the Chairs of the Systems Improvement, Legal Policy and Practice, Training, and Data Committees, and the CPS Assistant Commissioner. The Executive Committee has the authority to consider issues that occur in the interim between the Children’s Commission’s quarterly meetings. The Executive Committee does not have regularly scheduled meetings, but rather meets on an “as needed” basis.

Committee Responsibilities

Each formal committee participates in the execution of strategies adopted in accordance with the federal CIP requirements and the Children’s Commission’s Strategic Plan.

Committee Membership

Attendance by committee members at Children’s Commission meetings is not required but is greatly encouraged. Committee Chairs may add or remove committee members at their discretion. Any Collaborative Council member may submit a request to the committee chair or to the Children’s Commission Executive Director to be added to any Children’s Commission committee, subcommittee, workgroup, or task force. The Children’s Commission has discretion to invite the Collaborative Council member to a different or additional project depending on current membership and area of interest.

Committee Meetings

Each standing committee conducts at least one meeting either in person, conference call, or by webcast in the interim between Children's Commission meetings, approximately two to three weeks before each Children's Commission meeting. Ad hoc committee meetings will be scheduled by the committee Chair, as needed. Any committee, subcommittee, or workgroup meeting may be conducted in person, via webcast, or by conference call. Committee members will receive notice of meeting dates via email invitation to the most current contact information provided to the Commission; members will receive meeting materials in advance.

5. COLLABORATIVE COUNCIL

The Collaborative Council assists the Children’s Commission by informing commission members of local and statewide activities, events and issues that affect judicial and court practices in CPS cases, and to help facilitate participation in Children’s Commission activities and grant-funded projects.

Composition

The Collaborative Council is composed of child welfare stakeholders and advocates, as well as child and parent advocates who seek participation and formal input into the activities, projects, and strategies undertaken by the Children’s Commission.

Membership

In general, Collaborative Council members serve at the discretion of the Children’s Commission for no set term. Vacancies on the Collaborative Council may occur at any time during the year as a result of resignation or removal due to inactivity. Three consecutive absences from Children’s Commission meetings or non-participation by the Collaborative Council member on assigned committees may result in removal from the Collaborative Council.

Collaborative Council Input

Collaborative Council members who attend Children’s Commission meetings are provided the opportunity during each meeting to provide comments, ask questions, or provide information of interest to commissioners and others. Collaborative Council members can also contact the Children’s Commission directly to submit comments, information, and announcements.

Interested Parties

Any interested party or member of the public wishing to be apprised of Children’s Commission activities and meetings must notify Children’s Commission staff at children@txcourts.gov. Interested persons may provide input to the Children’s Commission by submitting the issue in writing to children@txcourts.gov. The Children’s Commission does not discuss or consider specific, active cases or provide legal advice to any person or party.

6. COURT IMPROVEMENT GRANTS

The Children's Commission administers the federal Court Improvement Program which is intended to improve court processes that will result in improved outcomes of safety, permanency and well-being for children involved in the child welfare system. The Children's Commission is guided in its use of CIP funds by the Children's Commission's Strategic Plan, which incorporates strategic objectives relevant to each CIP grant received. The Children's Commission also administers a small amount of General Revenue funds appropriated to the Supreme Court by the Texas Legislature.

Grant Applications

Decisions to fund grant requests are within the discretion of the Children's Commission and all funding from the commission is subject to the availability of funds. The Children's Commission or its designees will render decisions on applications for funding through grant review conducted at the staff level and then at the committee or commission level to determine how well the proposal meets the Children's Commission's Strategic Plan. The receipt of an application for grant funding does not obligate the Children's Commission to fund the grant. The Children's Commission makes no commitment that a grant, once funded, will receive subsequent funding.

Conflict of Interest Policy

Children's Commissioners and Committee members who serve in an official advisory capacity or on the board of directors for any organization applying for a grant from the Children's Commission shall abstain from voting on any matter concerning the organization that is presented to the Children's Commission or one of its committees for approval.

How to Apply

The Children's Commission does not make grants to individuals. Organizations may apply for grants by contacting the Grant Administrator at 512-463-4924 or via email at children@txcourts.gov. The CIP grant year runs from October 1st to September 30th of the following year, but applications are accepted year-round. Please see the Grants page on the Children's Commission website for the most up-to-date Guidelines and Instructions found here: <http://texaschildrenscommission.gov/grants.aspx>.

Grant Review Process

Once received, an evaluation of the grant application is conducted by the Children's Commission staff. The Children's Commission provides feedback and suggested edits to the grant applicant prior to forwarding the

application to the appropriate committee. Grant applications are evaluated on their potential to meet or implement a strategy of the Children's Commission strategic plan, as well as whether they are replicable on a small or large scale, in addition to the potential to bring about or inform systemic changes to local or statewide judicial and child welfare practice. The Children's Commission staff may include subject matter experts, the Office of Court Administration (OCA) staff, or Collaborative Council members as deemed appropriate to assist in the review process.

Approval Process

Once staff review is completed, the application is submitted to the appropriate committee for consideration at the next committee meeting. If the application is approved by the committee, the application is placed on the Children's Commission's agenda for funding approval. Generally, grants are approved at the fall Commission meeting in September of each year. If a grant is received outside of the ordinary grant cycle, the Children's Commission staff and/or a committee chair may call for an interim meeting via conference call if time is of the essence for a project requesting funding. The Executive Director also may submit funding requests and recommendations to the Children's Commission or Executive Committee as necessary.

Electronic Voting

Any action required or permitted to be taken at any meeting of the Children's Commission may be taken without a meeting if consent to do so is in writing (including in electronic form), sets forth the action to be so taken, and is signed or evidenced by email consent or other electronic means such as voting via an electronic voting instrument.

Grant Awards

Grant award statements ordinarily cover a funding period of October 1st through September 30th of the federal fiscal year. All grants, regardless of the starting month, end on September 30th of the federal fiscal year in which the grant is issued. Any un-expended balance of the sum granted will revert to the Children's Commission. Extensions of time to complete a grant project may be requested. The extension of time must be approved by the Commission. All sub-grantees are required to provide the Children's Commission a report after the conclusion of the grant period by no later than November 15th. All reports must be written in accordance with report requirements provided by the Children's Commission to sub-grantees.

Award Notice

Notice of the Commission's decision to fund a project will be sent to the authorized official identified on the grant application. The Award Statement will outline the project detailed in the grant application, any data collection requirements, and the approved budget by category and award amount.

Reimbursement Process

The Requests for Reimbursement (RFR) spreadsheet and instructions are attached to the Award Statement. The grantee should complete each applicable tab in the RFR spreadsheet and submit it to the Grant Administrator via email at patrick.passmore@txcourts.gov within 30 days of the calendar month in which the grant-related expenses are incurred. The Grant Administrator will review the expenses for compliance with 2 Code of Federal Regulations 200, and the grant terms outlined in the Award Statement. The grantee will be required to provide additional expense supporting documentation and/or explanation for the expense upon request by the Grant Administrator. The final RFR is due no later than November 15 of the grant period. Reimbursements will be processed within 30 days of the date the RFR is received unless further review of expenses is warranted. Payments will be made utilizing ACH/Direct Deposit unless otherwise specified.

Contract Terms

The Children's Commission's staff has the authority to negotiate specific terms and conditions for all sub-grantees so that the activities funded best reflect the strategic initiatives of the Children's Commission and meet all state and federal fiscal and program reporting requirements.

Discontinuance of Grant Projects

The Children's Commission staff will monitor all grant activities and fiscally audit sub-grantee activities and expenditures. The Children's Commission reserves the right to cancel, modify, or rescind any grant award that is deemed not in compliance with CIP regulations. Children's Commission staff may, but is not required to, seek approval from the full Commission to rescind or discontinue a grant project. Each sub-grantee must expend funds in a reasonable manner and expenditures must be necessary to carry out the objectives of the program. All expenditures must be supported by appropriate documentation. All sub-grantees must maintain records related to the funded activity for at least three years after the end of the grant period.

Required Federal Grant Reporting

The Children's Commission is required to submit financial reports to the ACF detailing both the cash transactions made using CIP funds and separate reports detailing the expenditures made with the same funds. All CIP fiscal and cash transaction reports are kept on file by the Children's Commission for at least three years from the date of submission to ACF.

7. STAFF DIRECTED PROJECTS

CIP Projects Performed by Children's Commission Staff

The Children's Commission staff may also perform tasks to support various projects and programs using CIP or state appropriated funds. The tasks and support may include funding for salaries, fringe, travel, equipment, and supplies. Projects may include conference planning, research projects, training sessions, data collection and analysis, judicial and child welfare practice surveys, facilitation of meetings, production of reports or analysis of projects, and miscellaneous tasks aimed at improving courts and court outcomes for children and families. Staff may develop and implement these projects through interagency agreements with other agencies or quasi-judicial entities, through contracts, or using only Children's Commission staff.

Supreme Court Support and Services

The Supreme Court of Texas provides support for the CIP such as office space, furniture, renovation, major office equipment, human resources, personnel support services, legal counsel, payment of salaries, fringe, staff travel reimbursements, office supplies, cell phones and service, copying, and fax service. To reduce the amount of time and resources spent generating invoices, payments, and reimbursements, and to offset the cost of certain indirect services, the Children's Commission transfers an annual payment at the beginning of the new fiscal year to cover all indirect services to include accounting, human resources, personnel, legal counsel, and other expenses associated with operating and maintaining the Children's Commission staff and staff functions such as office supplies, cell phones and service, and copies.

8. STAFF CONTACT INFORMATION

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