



Children's Commission

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



Children's Commission Meeting Notebook

February 2, 2024

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

February 2, 2024

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

State Bar of Texas
Austin, Texas

February 2, 2024
9:30 a.m. – 2:00 p.m.

Meeting Agenda

- 9:30 Check-In / Networking
- 9:45 Commencement and Opening Remarks
- 10:00 Department of Family and Protective Services Update
- 11:00 Presentation on Supporting Fatherhood
- 11:30 Presentation from Foster Care Ombudsman
- 12:00 Lunch
- 12:30 Children's Commission Staff Update
- 1:15 Office of Court Administration Update
- 1:45 Collaborative Council Member Announcements
- 2:00 New Business / Adjourn

Meeting Schedule: May 17, 2024 (virtual)
September 13, 2024 (in person)
November 15, 2024 (virtual)

INSERT - TAB 1

CHILDREN'S COMMISSION MEMBERS

Hon. Debra Lehrmann, <i>Chair</i>	Hon. Rosie Alvarado	Mark Briggs	Anne Heiligenstein	Hon. Randy Shelton
Hon. Rebeca Huddle, <i>Deputy Chair</i>	Karla Baker	Hon. Susan Brown	Rep. Stephanie Klick	Luanne Southern
Hon. Eva Guzman, <i>Chair Emeritus</i>	Erica Bañuelos	Hon. Darlene Byrne	Hon. Selina Mireles	Vicki Spriggs
Hon. Harriet O'Neill, <i>Chair Emeritus</i>	Chantel Bedlington	Hon. Julie Countiss	Katie Olse	Terese Stevenson
	Corey Benbow	Sheila Sturgis Craig	Hon. Robbie Partida-Kipness	Hon. Thomas Stuckey
	Dr. Gary Blau	Hon. Roy Ferguson	Sasha Rasco	Sen. Royce West
		Madelyn Fletcher	Hon. Isaac Roldan	

COMMITTEE MEMBERS

EXECUTIVE	SYSTEMS IMPROVEMENT	LEGAL PRACTICE & PROCESS	TRAINING	DATA
Hon. Debra Lehrmann, <i>Chair</i>	Hon. Rob Hofmann, <i>Chair</i>	Hon. Thomas Stuckey, <i>Chair</i>	Hon. Piper McCraw, <i>Chair</i>	Hon. Susan Brown, <i>Chair</i>
Hon. Rebeca Huddle	Hon. Rosie Alvarado	Karla Baker	Hon. Mark Atkinson	Hon. Rosie Alvarado
Hon. Eva Guzman	Dr. Gary Blau	Mark Briggs	Tymothy Belseth	Nathan Ezell
Hon. Harriet O'Neill	Hon. Julie Countiss	Sarah Bryant	Denise Campbell	Dr. Monica Faulkner
Hon. Susan Brown	Sarah Crockett	Hon. Delia Gonzales	Teal De La Garza	Hon. Delia Gonzales
Hon. Rob Hofmann	Gabriella McDonald	Hon. Charles Griffin	Barbara Elias-Perciful	Elizabeth Kromrei
Hon. Piper McCraw	Emily Miller	Brenda Kinsler	Hon. Angela Graves-Harrington	Hon. Robin Sage
Hon. Thomas Stuckey	Hon. Robin Sage	Crystal Leff-Piñon	Margaret Halpin	Hon. Michael Schneider
	Hon. Ian Spechler	Janet VanderZanden	Hon. Robbie Partida-Kipness	Hon. Vicki Spriggs
<i>Staff:</i>	Natalie Taylor	Charlote Velasco	Judy Powell	Hon. Carlos Villalon
Jamie Bernstein	Sarah Worthington		Kellie Price	
		<i>Staff:</i>	Hon. Tracey Scown	<i>Staff:</i>
		Dylan Moench	Diane Sumoski	Dylan Moench
		Renée Castillo-De La Cruz	Hon. Elizabeth Watkins	OCA Advisory:
				Darrell Childers
			<i>Staff:</i>	Casey Kennedy
			Milbrey Raney	Alejandra Peña
			Renée Castillo-De La Cruz	Mena Ramon
			Andrea Vicencio	Charlotte Velasco

COLLABORATIVE COUNCIL MEMBERS

Andrew Brown	Will Francis	Kasey Jackson	Judy Powell	Jamie Bernstein, <i>Executive Director</i>
Dania Carter	Fedora Galasso	Kerrie Judice	Tanya Rollins	Milbrey Raney, <i>Assistant Director</i>
Irene Clements	Dr. Linda Garcia	Bruce Kendrick	Danielle Schafer	Jessica Arguijo, <i>Communications Manager</i>
Sarah Crockett	Barbra Grimmer	Norman Ladd	Johana Scot	Renée Castillo-De La Cruz, <i>Staff Attorney</i>
Teal De La Garza	Sandra Hachem	Stephanie Madrigal	Andrea Sparks	Aimee Corbin, <i>Staff Attorney</i>
DeShaun Ealoms	Julia Hatcher	Gabriella McDonald	Kenneth Thompson	Tiffany Edwards, <i>Executive Assistant</i>
Barbara Elias-Perciful	Félix Herrera	Dr. Jill McLeigh	Ruth Thornton	Chelsea Martinez, <i>Program Specialist</i>
Milke Foster	Tina Hosaka	Kate Murphy	Sarah Worthington	Dylan Moench, <i>Legal Representation Director</i>
				Patrick Passmore, <i>Finance Manager</i>
				Willette Sedwick, <i>Accountant</i>
				Andrea Vicencio, <i>Program Specialist</i>
				Hon. Rob Hofmann, <i>Senior Jurist in Residence</i>
				Hon. Piper McCraw, <i>Jurist in Residence</i>

STAFF

INSERT - TAB 2

**Supreme Court of Texas Children’s Commission
Virtual Meeting
Minutes**

**Friday, November 3, 2023
9:30 a.m. – 11:30 a.m.**

ATTENDANCE

Commissioners	Attended	Did Not Attend
<i>Chair</i> , Hon. Debra Lehrmann, Justice, Supreme Court of Texas, Austin	✓	
<i>Deputy Chair</i> , Hon. Rebeca Huddle, Justice, Supreme Court of Texas, Austin	✓	
Hon. Rosie Alvarado, Judge, 438 th District Court, San Antonio	✓	
Karla Baker, Parent Liaison, Region 4, Parent Collaboration Group Representative, Chandler	✓	
Erica Bañuelos, Associate Commissioner for CPS, Texas Department of Family and Protective Services, Austin	✓	
Chantel Bedlington, Supervisor of the Kinship Navigator Program, ACH Services, Fort Worth	✓	
Corey Benbow, Chief Executive Officer, The Tax Box, Austin	✓	
Dr. Gary Blau, Senior Advisor for Children, Youth and Families; Office of the Assistant Secretary, Substance Abuse and Mental Health Services Administration, Houston	✓	
Mark Briggs, Chair, State Bar of Texas Child Protection Law Section, El Paso	✓	
Hon. Susan Brown, Presiding Judge, 11 th Administrative Judicial Region, Houston	✓	
Hon. Darlene Byrne, Chief Justice, Third Court of Appeals, Austin	✓	
Hon. Julie Countiss, Justice, First Court of Appeals, Houston		✓
Sheila Craig, Director, Civil Rights Office, Health and Human Services Commission, Austin		✓
Hon. Roy Ferguson, Judge, 394 th District Court, Alpine	✓	
Madelyn Fletcher, Budget and Policy Advisor, Office of the Governor, Austin		✓
Anne Heiligenstein, Senior Director Strategic Consultant, Casey Family Programs, Austin		✓
Rep. Stephanie Klick, Texas House of Representatives, District 91, North Richland Hills		✓
Hon. Selina Mireles, Associate Judge, 4 th and 5 th Admin. Judicial Regions Child Protection Court, Laredo	✓	
Katie Olse, Executive Director, Texas Alliance of Child and Family Services, Austin	✓	
Hon. Robbie Partida-Kipness, Justice, Fifth District Court of Appeals, Dallas	✓	
Sasha Rasco, Chief Prevention and Community Well-Being Officer for Prevention, Texas Department of Family and Protective Services, Austin	✓	
Hon. Isaac Roldan, Tribal Court Judge, Ysleta Del Sur Pueblo Tribe, El Paso	✓	
Hon. Randy Shelton, Judge, 279 th Civil District Court, Beaumont	✓	
Luanne Southern, Executive Director, Texas Child Mental Health Care Consortium, Austin	✓	
Vicki Spriggs, Chief Executive Officer, Texas CASA, Austin	✓	
Terese Stevenson, Vice President, Grants, The Rees-Jones Foundation, Dallas	✓	
Hon. Thomas Stuckey, Associate Judge, Centex Child Protection Court South, Seguin	✓	
Hon. Royce West, Texas Senate, District 23, Dallas		✓
Jurists in Residence		
Hon. Rob Hofmann, Judge, 452 nd District Court, Senior Jurist in Residence, Mason		✓
Hon. Piper McCraw, Judge, 469 th District Court, Jurist in Residence, McKinney	✓	
Attending Committee Members & Guests		
Stephanie Battaglia, Public Policy Coordinator, Texas CASA		
Sarah Bryant, Managing Attorney, Family Helpline, Texas Legal Services Center		
Sarah Crockett, Director of Public Policy, Texas CASA		
Hon. Linda Dunson, Judge, 309 th Family Court, Houston		
Barbara Elias-Perciful, Director, Texas Lawyers for Children		
Hon. Angela Graves-Harrington, Judge, 246 th Family Court, Houston		
Hon. Andrea James, Associate Judge, Centex Child Protection Court North, Bryan		

Gabriella McDonald, Deputy Director, Texas Appleseed
Kellie Price, Special Projects Attorney, DFPS
Hon. Yahaira Quezada, Associate Judge, 246th Family Court, Houston
Hon. Robin Sage, Judicial Consultant, Casey Family Programs
Hon. Cheryl Vaughan, Associate Judge, 8th Region North Child Protection Court, Gainesville
Hon. Carlos Villalon, Associate Judge, Child Protection Court of the Rio Grande Valley West, Edinburg
Sarah Worthington, Director, Texas Foster Youth Justice Project

Office of Court Administration Staff

Anissa Johnson, Specialty and Children’s Courts Program Manager

Attending Staff

Jessica Arguijo, Communications Manager
Jamie Bernstein, Executive Director
Renée Castillo-De La Cruz, Staff Attorney
Aimee Corbin, Staff Attorney
Tiffany Edwards, Executive Assistant
Chelsea Martinez, Program Specialist
Dylan Moench, Legal Representation Director
Patrick Passmore, Finance Manager
Milbrey Raney, Assistant Director
Andrea Vicencio, Program Specialist

CALL TO ORDER AND OPENING REMARKS

Justice Debra Lehrmann called the meeting to order at 9:30 a.m. and welcomed everyone to the final meeting of 2023. Justice Lehrmann announced that among other items on the agenda, today’s meeting will serve as a time to thank the outgoing commissioners and committee members for their hard work.

Adoption of September 15, 2023 Meeting Minutes

Justice Lehrmann directed members to the September 15, 2023 Commission Meeting Minutes behind Tab 2 of the Meeting Notebook, distributed in advance of the meeting.

ACTION: Justice Lehrmann asked if there were any questions or edits to the minutes as written. Hearing none, after a motion and a second the Commissioners voted to adopt the minutes for the September 15, 2023 Children’s Commission meeting.

Committee and Collaborative Council Member Changes

Justice Lehrmann announced that Hon. Rosie Alvarado, Judge of the 438th District Court, agreed to serve a second term as Commissioner and was reappointed for another three years. Justice Lehrmann also shared that Ms. Sheila Craig was reappointed to serve as a Commissioner for another three years after serving as the Equity Advisor to the Children’s Commission. Former Justice Michael Massengale will roll off of the Children’s Commission as Senior Judicial Advisor and Commissioners thanked him for his many years of service to the Commission’s training efforts.

Justice Lehrmann announced that Ms. Gabriella McDonald, Deputy Director at Texas Appleseed; Ms. Natalie Taylor, Director of Permanency at the Department of Family and Protective Services (DFPS); and Ms. Emily Miller, Attorney recently joined the Systems Improvement Committee.

Ms. Lori Duke, Co-Director and Clinical Professor at the University of Texas Children's Rights Clinic; Hon. Angela Ellis, former Judge, Attorney, and Mediator; and Hon. Anne Darring, Judge of the 306th District Court transitioned off of the Legal Practice and Process (LPP) Committee. Ms. Crystal Leff-Piñon, Director of Family Protection Representation at the Texas Indigent Defense Commission joined the LPP Committee. Lastly, Justice Lehrmann shared that Hon. Denise Fortenberry, Judge of the 130th District Court; Hon. Yahara Gutierrez, Judge of the 65th Judicial District Court; Tracy Harting, Attorney; and Sharibeth Niehaus, Disproportionality Manager at DFPS rolled off the Training Committee. Justice Lehrmann welcomed new members and thanked outgoing members for their many years of service.

OFFICE OF COURT ADMINISTRATION (OCA) UPDATE

Ms. Anissa Johnson shared an update about OCA's continued work on the Early Intervention Court Liaison Pilot project, in partnership with the Children's Commission and DFPS. OCA recently hired a new liaison to fill the open position in Bell County. Ms. Johnson added that she looks forward to getting the new liaison up to date on the project and continuing the work underway in Bell County.

Ms. Johnson announced that a Request for Proposals is under development for the statewide text reminder program, as directed by House Bill (HB) 4293. The text reminder program will notify criminal defendants of scheduled court appearances at no additional cost to the county. Ms. Johnson further reported that pursuant to Senate Bill (SB) 48, OCA will study the effectiveness of protective orders in the state. Ms. Kim Piechowiak, Domestic Violence Training Attorney at OCA, will lead this effort.

Ms. Johnson announced that OCA received a grant from the federal Safer Communities Act of 2022 to help improve Criminal Justice Information Services (CJIS) and National Instant Criminal System (NICS) background check reporting. OCA will use these funds to launch two initiatives, one to partner with the Department of Public Safety to conduct regional trainings on the requirements of NICS and CJIS reporting and one to offer no-consequence audits of clerks' office case files to ensure they are properly reporting this information. Lastly, Ms. Johnson shared that OCA currently only collects aggregate data for court cases at the county level and they are currently discussing amendments to Chapter 171 of the Texas Administrative Code (TAC) to help address the reporting requirements.

TEXAS DEPARTMENT OF FAMILY & PROTECTIVE SERVICES (DFPS) UPDATE

Ms. Erica Bañuelos shared a DFPS presentation related to DFPS' statewide adoption initiatives and highlighted November as National Adoption Month. Relatedly, DFPS is updating their policies and practices to increase kinship adoptions. Some examples include efforts to increasing the use of the Family Inquiry Network/Database Research System (FINDRS) program, updating the home assessment process, and utilizing SB 1896 to give provisional licenses to kinship caregivers. Ms. Bañuelos also shared that the DFPS kinship collaboration group includes kinship caregivers with lived experience and provides a voice for improving kinship practices within DFPS.

Regarding adoption by non-relatives, Ms. Bañuelos announced that the Texas Adoption Resource Exchange (TARE) which features children's photos, profiles, videos, and a unique matching function, is undergoing enhancement and is projected for completion in 2025. Ms. Bañuelos added that DFPS will expand the Heart Galleries initiative to promote adoptions, especially adoption of sibling groups by non-relatives, and highlighted additional foster/adopt community partnerships.

Ms. Bañuelos provided an update on Operation Placing Us in Safe Homes (PUSH) that began in April 2005. This initiative identifies and eliminates barriers to completing adoptions and assists in moving children to permanency. She also shared updates on DFPS' partnership with the Texas Council on Adoptable Children (COAC) whose purpose is to connect, train, engage, and support adoptive families so that these families can be successful. The COAC holds events to provide specialized training for adoptive families and children.

In response to a question about the timeframe for DFPS to create policies regarding provisional licenses or kinship-specific licenses, Ms. Bañuelos shared that DFPS is partnering with HHSC to address these issues. While not yet completed, Ms. Bañuelos indicated that she is encouraged by the potential of this project to increase the number of eligible and qualified kinship caregivers. Ms. Bañuelos offered to share related information with the Commission when it becomes available.

Ms. Sasha Rasco announced that the Prevention and Early Intervention (PEI) division will transition from DFPS to HHSC. Some areas currently in PEI will remain at DFPS. The division staff working on the Family First Prevention Services Act (FFPSA) will report to the Ms. Alyssa Jones, Chief of Staff at DFPS, as of January 1, 2024. The Faith-Based and Community Engagement Division will operate under Mr. Jason Steele, Director of Government Relations at DFPS, whose role will expand to include External Relations. The Office for Addressing Disproportionality and Disparities will now be part of the Faith-Based and Community Engagement Division. The Office of Child Safety, which reads the child abuse and neglect fatalities and generates the Child Maltreatment Fatalities and Near Fatalities Annual Report, will report to Ms. Jennifer Sims, Deputy Commissioner at DFPS.

Ms. Rasco reported that PEI planned to award the 38 million dollars they received to existing grantees to expand services and efforts as well as to new communities through competitive grants. These funds can be accessed by anyone needing help as a parent, including foster parents, kinship providers, parents in the broader community, and parents engaged in an investigation.

Lastly, Ms. Rasco also shared information about PEI's website, *GetParentingTips.com* which is aimed at providing helpful information for parents. The website includes specific parenting tips per age group, as well as local PEI support and resources. Ms. Rasco further explained how the *GetParentingTips.com* website is publicized to parents and how the website is accessed and used as a resource, as well as how to access family resource centers.

SPECIAL PRESENTATION ON TRAUMA-INFORMED COURT PILOT

Justice Rebeca Huddle welcomed special guests and speakers Hon. Linda Dunson, Judge of the Harris County 309th Family Court; Hon. Angela Graves-Harrington, Judge of the Harris County

246th Family Court; Hon. Andrea James, Judge of the 2nd Region Child Protection Court No. 2; Hon. Cheryl Vaughan, Judge of the 8th Region North Child Protection Court; as well as moderator Hon. Carlos Villalon Jr., Judge of the Child Protection Court Rio Grande Valley West. Facilitated by Judge Villalon, the four Trauma Informed Court Pilot judges gave a presentation on the Trauma-Informed Courts pilot and how each of their courts developed and implemented related resources and projects.

The Trauma-Informed Courts pilot was developed as a partnership between the Children's Commission and the Texas Alliance of Child Family Services. Judge Villalon gave a brief overview of the genesis of the pilot which resulted in identification of courts in both rural and urban areas that implemented the trauma-informed approach in their jurisdictions. The four judges received individualized support in the form of trainings and the creation of court teams. The pilot emphasized changing the court environment to become a trauma-informed and collaborative workspace. Each of the judges spoke about how the pilot evolved in their particular court and community, and discussed how they met challenges which arose along the way. Hon. Yahaira Quezada, Associate Judge of the 246th Family District Court spoke on behalf of Judge Angela Graves-Harrington.

The judges who participated in the Trauma-Informed Courts pilot shared how a focus on families, family voice, building trust, understanding trauma, accountability, and a common goal of reunification facilitated a collaborative approach. The judges also shared how they facilitated participation and collaboration from attorneys in the pilot. Finally, the presenters shared how data will be collected on the pilots and their effectiveness, including new ways to collect these data in the Child Protection Case Management System (CPCMS), and reviewed anticipated next steps in each of their courts. Chief Justice Darlene Byrne commended the four participating judges, thanked them for their leadership, and requested that the judges return to give an update on their progress. Ms. Luanne Southern also commended the judges and their work.

CHILDREN'S COMMISSION UPDATE

Ms. Jamie Bernstein announced that the 2023 Bench Book is available in pdf form on the Children's Commission website, and that it will soon be available on the Law Box application. Printed copies are available for judges upon request. Ms. Milbrey Raney gave a brief update on the annual 2023 Child Welfare Judges Conference that was held on October 23-25, 2024.

COLLABORATIVE COUNCIL MEMBER UPDATES

Tab 4 in the meeting materials contains written updates submitted by Collaborative Council members. Ms. Barbara Elias-Perciful, Director at Texas Lawyers for Children, shared that their organization developed a fifteen-hour legal professional trauma training program for judges and attorneys which contains fifteen hours of Family Violence Continuing Judicial Education and fifteen hours of Continuing Legal Education credit. Ms. Elias-Perciful shared that the State Bar of Texas Child Protection Law Section will host a webinar on trauma featuring Dr. Bruce Perry in February 2024.

NEW BUSINESS

Justice Lehrmann thanked Commissioners, guests, and attendees for participating in the meeting. She announced that the 2024 Children's Commission Meetings will be held on the following dates:

- Friday, February 2, 2024 (in person)
- Friday, May 17, 2024 (virtual)
- Friday, September 13, 2024 (in person)
- Friday, November 15, 2024 (virtual)

ADJOURNMENT

The meeting was adjourned at 11:30 a.m.

INSERT - TAB 3

REPORT TO THE COMMISSION

February 2, 2024

GOAL I (COLLABORATION)

Administer the Court Improvement Program (CIP) funds to assess current and future needs of the courts, provide a forum for meaningful collaboration, encourage continuous quality improvement, and promote best child welfare and court practices to improve the child welfare system.

Objective: Utilize the CIP funds to execute the strategies of the Supreme Court of Texas Children's Commission.

1. Strategy: Provide regular updates to the Children's Commission and the Systems Improvement, Legal Practice & Process, Training, and Data Committees about Commission initiatives.

Background: The Children's Commission is a statewide, multidisciplinary collaborative body that includes high-level membership from the executive, judicial, and legislative branches of Texas government, along with child welfare partners in the non-profit and private sectors. The Children's Commission holds Commission meetings four times throughout each year. The Children's Commission receives federal grant funds which are used to operate the Commission as well as fund meeting facilitation and travel reimbursement, training expenses and scholarships, and pass-through grants to sub-grantees. The Children's Commission also confers regularly with national organizations and other CIPs and submits annual reports and CIP strategic plans to the Administration for Children and Families (ACF) and to the Supreme Court of Texas. Leadership from the Department of Family and Protective Services (DFPS), Texas Court Appointed Special Advocates, and the State Bar of Texas Child Protection Law Section have standing positions on the Children's Commission and at least one state-level DFPS staff member serves as a member in each of the Systems Improvement, Legal Practice & Process, Training, and Data Committees.

The Children's Commission helps institutionalize collaboration by maintaining a statewide judicially-led commission, holding regular meetings that include child welfare stakeholders, partnering with the state child welfare agency, and partnering with other state and national level executives, partners, and organizations. The Children's Commission creates an environment and maintains the space for stakeholders to collaborate, communicate, and share information on an ongoing basis. The Systems Improvement, Legal Practice & Process, Training, and Data Committees are standing committees that meet before every Children's Commission meeting and monitor related Commission projects and initiatives.

02/02/24 Update: The November 3, 2023 Commission meeting was held via Zoom and archived on the Commission's YouTube channel and website.

The Systems Improvement, Legal Practice & Process, Training, and Data Committees recently met on January 29, January 19, January 16, and January 23, 2024 respectively to discuss progress on FY2024 projects.

The Children's Commission continues to collaborate with various partners, including, but not limited to,

the Office of the Governor, the Office of the Attorney General, the Judicial Commission on Mental Health, the Texas Juvenile Justice Department, the Texas Alliance of Child and Family Services (TACFS), the University of Texas School of Social Work, the Meadows Mental Health Policy Institute, and the Child Protection Round Table.

Objective: Collaborate with high-level state and judicial leaders, as well as with multidisciplinary child welfare stakeholders, to maintain productive dialogue aimed at strengthening the child welfare system.

2. Strategy: Engage with the Collaborative Council and participate in and provide forums and opportunities for child welfare stakeholders to partner and to share information about child welfare practices, policies, needs, and strengths.

Background: The Children’s Commission convenes an annual Collaborative Council meeting to elicit feedback about member areas of interest and priorities. The Children’s Commission also conducts a bi-weekly collaborative call with DFPS, the Office of Court Administration (OCA), and Collaborative Council members as well as numerous other calls and meetings related to Children’s Commission workgroups to provide consistent opportunities to collaborate, share timely information, and assess engagement and areas in need of improvement.

02/02/24 Update: Bi-weekly stakeholder calls, including updates and participation from agency staff and Collaborative Council members, continue to take place every other week.

Objective: Communicate Children’s Commission areas of focus through easily accessible, user-friendly resources for judges, attorneys, and child welfare stakeholders.

3. Strategy: Develop, maintain, and enhance usability and function of the Children’s Commission website, social media, print and online materials, and other communication mediums.

Background: The Children’s Commission maintains a website that features published reports, guides, announcements, scholarships, and training opportunities. CIP grant applications and grant recipient information are also included on the website. Announcements such as the Resource Letter are also distributed through the Commission’s X (formerly Twitter) account - TXChildrensComm.

02/02/24 Update: The Commission website is routinely updated for content and to highlight newly released reports and resources. While the website audience is specific to judges and attorneys, materials are often accessed by additional stakeholders in the child welfare system. In 2023, OCA upgraded the content management system (CMS) Umbraco. The Children’s Commission continues to explore design functionality and work with OCA to schedule further testing and improvements.

Objective: Confer regularly with the Department of Family and Protective Services on federal plans, audits, and requirements as mandated by federal program instructions.

4. Strategy: Confer with DFPS on the Child and Family Service Reviews, Program Improvement Plans, Child and Family State Plans, and the Court Improvement Program Strategic Plans.

Background: At the foundation of the Children’s Commission is a longstanding collaboration with the state child welfare agency, DFPS. The Children’s Commission engages in ongoing participation with ACF and DFPS regarding the Child and Family Services Plan (CFSP), Annual Progress and Services Report (APSR), Child and Family Services Review (CFSR) and Program Improvement Plan (PIP), and CIP Strategic Plan. The Children’s Commission also maintains an Attorney Advisory Group comprised of experienced child welfare attorneys from across the state who have agreed to offer input and perspective

on an ad hoc basis via email or conference call on matters of DFPS policy changes when requested by DFPS, gauging the impact of a legislative proposal, or providing feedback on trends or practice issues and concerns.

02/02/24 Update: Children’s Commission staff continue to participate in many Department initiatives including participation by the Executive Director and Senior Jurist in Residence on the Public-Private Partnership (PPP), the advisory body for the rollout of Community-Based Care in Texas. The most recent PPP meeting took place on February 1, 2024.

As of January 2023, the Children’s Commission participates in monthly calls with DFPS and ACF to prepare for the federal CFSR. Texas will participate in CFSR Round 4 in 2024. The Children’s Commission provided input on the statewide assessment. Preparation of legal and judicial stakeholder interviews is also underway. The annual Child Welfare Judges Conference featured a panel entitled “CFSR Discussion with DFPS and the Judiciary” on October 24, 2023; the Director of Services at DFPS, the CPS Federal and Program Improvement Review Division Administrator, and Children’s Commission Executive Director described the CFSR, shared national and state data, explained what judges can expect from the process, and emphasized the critical importance of the judicial voice to the CFSR’s outcomes. The Children’s Commission will continue to actively participate in the CFSR process when Texas is reviewed. This includes providing a forum for collaboration with legal stakeholders and encouraging judges and attorneys throughout the state to participate in the review process.

Objective: Support county, state, and national child welfare leaders and organizations to enhance knowledge and competency and share experience and expertise with and throughout Texas.

5. Strategy: Provide assistance to and collaborate with local jurisdictions, DFPS, and state and national partners and organizations.

Background: The Children’s Commission provides various types of support for child welfare partners and stakeholders including meeting facilitation and support, travel reimbursement for meeting and training event attendees, presentations by Children’s Commission staff as requested, and assistance with securing speakers for local, regional, or national events, as appropriate. Children’s Commission staff also serve on many other stakeholder workgroups and subcommittees formed under the leadership of its child welfare partners.

In response to the growing numbers of children without placement (often referred to as CWOP or “child watch”), the Children’s Commission initiated a judicial workgroup to focus on this issue. Beginning in June 2021, the workgroup meets on a regular basis to provide a forum for judges from jurisdictions throughout the state to brainstorm effective approaches to identifying options for children without a licensed placement. In the long term, this group may provide a forum to discuss how judges can appropriately participate in developing foster care capacity in their communities. The group is now referred to as the Judicial Child Welfare Forum to reflect the broad array of issues discussed and the meetings now occur on a bi-monthly basis.

02/02/24 Update: On November 20, 2023, the Children’s Commission hosted a 9-person delegation from Central America through the US Department of State’s International Visitor Leadership Program. Participants included judges and other leaders from Guatemala, Honduras, and the Dominican Republic. Children’s Commission staff discussed and answered questions about how the Commission supports best judicial and legal practices through training, education, and informing policy and practice affecting child welfare in Texas.

The Judicial Child Welfare Forum last convened on January 11, 2024. A major topic of discussion was obtaining identification documents for youth in foster care, clarifying who pays for driver's education, and addressing issues related to car insurance for new drivers.

On January 12, 2024, the Commission partnered with Hon. Brandy Hallford, Judge of Williamson County Court at Law One to provide a free, one-day training entitled "Legal Essentials and Beyond for Representing Parents and Children in Child Welfare Cases" at the Williamson County Courthouse. The training was designed to meet the education requirements in Tex. Fam Code §§ 107.004 and 107.0131 for attorneys to qualify for court appointments on or to qualify to remain on the Williamson County child welfare docket court appointment list. The six-hour curriculum included a statutory overview of a child welfare case, statutory duties and responsibilities for attorneys representing parents and children, preventing attorney burnout, evidentiary matters, preserving the record for appeal, and a child welfare legislative and case law update. Six participatory hours of CLE were provided, along with two hours of ethics.

GOAL II (SYSTEMS IMPROVEMENT)

Execute innovative projects aimed at ensuring equity, fairness, and justice for children, youth, and families; promoting judicial leadership in courts and communities; and expanding court and child welfare system capacity to support continuous, systemic improvement.

Objective: Encourage judicial leadership through Jurist in Residence (JIR) support to ensure that judges are equipped to make well-informed decisions and conduct hearings that will contribute to better outcomes for children, youth, and families.

6. Strategy: Utilize Jurists in Residence to promote best practices to the judiciary and support the legal and child welfare systems through judicial leadership and expertise.

Background: The Jurist in Residence position was created to foster judicial leadership and promote greater expertise among judges hearing child welfare matters. The JIR develops relationships with retired and sitting judges, and 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. JIR activities include continued emphasis on elevating judicial leaders with expertise and interests related to prevention of removal to foster care, child and family well-being, and improving child and family voice in child welfare system reform.

The Children’s Commission has two Jurists in Residence: Hon. Rob Hofmann, Judge of the 452nd District Court in Mason County and Hon. Piper McCraw, Judge of the 469th District Court in Collin County. Both JIRs participate in bi-weekly stakeholder calls as well as multiple Children’s Commission meetings regarding Emergency Orders, proposed legislation and rules, Community-Based Care, prevention and early intervention, placement capacity, and other issues.

02/02/24 Update: Between September 15, 2023 and February 2, 2024, a few examples of JIR activities include:

- Attended meetings of the Far West Texas Regional Public Defender Oversight Board, September 18, October 16, and November 15, Virtual
- Attended National Council of Juvenile and Family Court Judges Webinar “Collaboration, Communications & Cooperation, The 3Cs for Improving the Relationship Between the Court, Agency, and Other Partners,” September 22, Virtual
- Attended the Interstate Commission for Juveniles Annual Meeting and Presided over Election of Officers, September 25-27, Salt Lake City
- Attended the Indigent Defense Commission-Indigent Defense Plans Meeting, October 3, Virtual
- Chaired the Children’s Commission Training Committee Meeting, October 17 and January 16, Virtual
- Attended and presented at the Children’s Commission Child Welfare Judges Conference, October 23-35
- Chaired the Children’s Commission Systems Improvement Committee Meeting, October 30 and January 29, Virtual

- Attended the National Council of Juvenile and Family Court Judges Executive and Board Meetings, November 2-3, Reno, NV
- Chaired the Trial Skills Training Faculty Planning Meeting on November 2, Virtual
- Attended the NCJJ Board of Fellows Board Meetings, November 14 and January 9, Virtual
- Spoke to the University of Montana Pre-Law Seminar, November 17, Missoula
- Hosted and presented at the Community-Based Care Legal Convening, December 7, McKinney
- Hosted the National Center for State Courts Rural Justice Collaborative Meeting, January 23-25, Fredericksburg
- Attended and Presented at Champions for Children Event, February 1, Dallas
- Attended the HHSC Public Private Partnership Meeting, February 1, Austin
- Participated in calls with Executive Director, leadership, and staff regarding various issues

Objective: Support efforts to build capacity to address complex mental health needs and embed a culture of trauma-informed care in the Texas child welfare system.

7. Strategy: Engage stakeholders in the child welfare, juvenile justice, and mental health systems to apply principles of trauma-informed care and address gaps in services for children, youth, and families with complex mental health needs.

Background: The Children’s Commission initiated a Statewide Collaborative on Trauma-Informed Care (SCTIC) in 2017 to elevate trauma-informed policy and practices in the Texas child welfare system by creating a statewide strategy to support system reform, organizational leadership, cross-systems collaboration, and community-led efforts with data-informed initiatives. Based on the work of the SCTIC, the Children’s Commission published a final report in February 2019 entitled Building a Trauma-Informed Child Welfare System: A Blueprint. Efforts to implement the recommendations and priorities included in the report continue through training and a recent trauma informed courts initiative.

On June 24, 2022, the Children’s Commission and the Texas Judicial Commission on Mental Health (JCMH) held the first joint commission Round Table Discussion on Current Issues in Children’s Mental Health. Leadership from both commissions participated in the discussion, including Supreme Court of Texas Justice Debra Lehrmann, Chair of the Children’s Commission; Texas Court of Criminal Appeals Judge Barbara Hervey, Co-Chair of the Judicial Commission on Mental Health; and Supreme Court of Texas Justice Rebeca Huddle, Deputy Chair of the Children’s Commission and Deputy Liaison to the Judicial Commission on Mental Health. A report from the Round Table Discussion was released on September 30, 2022 which outlined recommendations set forth in the June 2022 Round Table.

02/02/24 Update: In FY2024, the Children’s Commission plans to begin the next phase of the work related to trauma informed care and children’s mental health. This will likely include the development of a statewide network for judges and other professionals to have a forum for discussion on these issues. The Children’s Commission also participates in the HHSC Children’s Mental Health Strategic Plan Subcommittee.

Objective: Support efforts to address equity in the Texas child welfare system so that children, youth, and families receive services and supports that meet their individual needs.

8. Strategy: Identify and promote data-driven, cross-disciplinary opportunities to address disproportionality and disparities among children, youth, and families involved in child welfare cases.

Background: The Children’s Commission is committed to the goal of reducing racial and ethnic disproportionality and disparities in the child welfare system through development and deployment of judicial and attorney resources aimed at increasing awareness, sharing data and information, as well as disseminating best practices for dealing with disproportionality and disparities systemically and locally.

02/02/24 Update: The Equity Workgroup last met on October 5, 2023 to review data and trends regarding the investigations stage of a child welfare case. The primary focus at the meeting was on the use of Alternative Response across racial and ethnic groups. The workgroup also reviewed data on statewide intake and other investigations outcomes. The workgroup supported a presentation on equity at the annual Child Welfare Judges Conference entitled “Understanding Social Determinants of Health as a Matter of Equity” which was well-received by participants. The workgroup will meet again on February 15 and continue with a decision point analysis to examine removal trends.

Objective: Improve and expand engagement of youth in court hearings and related decision-making so that children and youth are involved in decisions being made about their lives.

9. Strategy: Emphasize the importance of engaging children and youth in the case planning and court process as well as promote normalcy and the inclusion of young adults with lived experience in statewide system improvement efforts.

Background: Inclusion of youth and family voice is critical to the goal of the Children’s Commission to improve the child welfare system by increasing awareness, encouraging judicial leadership, promoting best judicial and attorney practices, and informing policy and practice affecting child welfare in Texas. The Children’s Commission aspires to expand systems-level engagement of youth and family members with lived experience in child welfare and seeks to prioritize and encourage participation by compensating them for contributing their time and expertise to Children’s Commission efforts. In furtherance of this goal, the Children’s Commission created a “Lived Experience Participation Policy” so that participants are compensated based upon their time and preparation.

The Children’s Commission underscores the importance of educating judicial leaders and child welfare professionals on age-appropriate activities for children and youth in foster care through an emphasis on normalcy. The Children’s Commission continues to support and promote awareness of the Texas CASA [guide](#) entitled *Normalcy Matters: A Guide to Supporting Children & Youth in Texas Foster Care*, as well as a companion [video](#). The guide and video are hosted as resources on the Commission website and are referenced in the Texas Child Welfare Law Bench Book.

02/02/24 Update: On September 21, 2023, young adults with experience in foster care presented to an audience of approximately 200 educators and child welfare professionals on their experiences with education during their time in foster care at a Foster Care Summit.

The Commission worked with the Texas Network of Youth Services (TNOYS) to create a collaborative training between youth with lived experience and the Judicial Workgroup on Commercial Sexual Exploitation of Children (CSEC) on the topic of CSEC and child welfare. The panel “Youth-Centered Approaches to Meeting the Needs of Commercially Sexually Exploited Children and Youth” was presented on October 24, 2023 at the annual Child Welfare Judges Conference in a question-and-answer panel format with three young adults with lived experience alongside Hon. Delia Gonzales, Judge of the

Dallas County Child Protection & Permanency Court, and TNOYS staff. The panel provided the judicial audience with practical strategies to engage and support survivors as well as resources available for youth at risk.

Commission staff continue to participate in a Supervised Independent Living (SIL) Workgroup led by DFPS. The purpose of the group is to review the current SIL policy and review the functionality and benefits for young adults aging out of care. Input from young adults with lived experience will be incorporated into the workgroup.

Objective: Support statewide efforts to transition from a reactive child welfare system to a prevention-oriented system that aims to maintain child safety and keep families together.

10. Strategy: Engage judges and lawyers in systemic efforts to prevent child abuse and neglect and address occurrences of child abuse and neglect while maintaining family preservation.

Background: The Children’s Commission collaborates closely with DFPS on the implementation of the Family First Prevention Services Act (FFPSA), as required by the federal Administration for Children and Families. FFPSA restructures federal child welfare funding, particularly Title IV-E and Title IV-B of the Social Security Act, which Texas uses to pay for services for children in foster care and their families. FFPSA seeks to reduce entry in foster care, to limit the use of congregate care, and to increase access to substance abuse and mental health services. The Children’s Commission collaborates with Casey Family Programs, DFPS, and other state and national workgroups on best practices for implementation of all FFPSA provisions, including the development of IV-E prevention programs and court involvement in encouraging a prevention approach.

During 2021, DFPS’ Prevention Early Intervention (PEI) division proposed creating a new position of an Early Intervention Court Liaison in three jurisdictions. PEI partnered with the Children’s Commission and OCA to identify Texas communities that would benefit from the Court Liaison position. This position acts as a special assistant to the court, serves to identify and connect family support programs to the local Child Protection Courts and community, and offers a judicial perspective within community stakeholder meetings. The pilot site for the court liaison positions are Galveston, Bell, and Lubbock Counties.

During the 87th Texas Legislative Session, House Bill (HB) 3041 created a Family Preservation Services pilot program, referred to as the Texas Family First (TFF) pilot. Pursuant to Texas Family Code §§ 262.401 - 262.417, DFPS must provide family focused preservation services to children and families who are at imminent risk of having a child removed from the child’s home and placed in conservatorship due to a continuing danger. The TFF pilot operates under direct court supervision and DFPS is directed to utilize federal Title IV-E funds for services. Pilots are located in the following Community-Based Care Regions: 1, 2, 3B, and 8B, with plans for expansions into two larger urban counties.

02/02/24 Update: The Children’s Commission staff participate in PEI’s Prevention Framework Workgroup which has a goal of developing a prevention framework to guide communities throughout Texas.

For the Early Intervention Court Liaison pilot, the Commission contracted with Texas A&M University to conduct a formal evaluation of the pilot program. As of July 2023, Texas A&M completed the first round of stakeholder interviews and initiated a second round of interviews. OCA and PEI agreed to renew the early intervention pilot grant for 2024-2026.

On November 16, 2023, Hon. Jamie Rawlinson, Judge of the Coastal Bend Children’s Court, Liaisons

Barbara Bischoff and Rachel Faz, and Commission staff, presented at the Annual Partners in Prevention Conference. The presentation “Prevention and Strengthening the Community from the Bench: Texas’ Early Intervention Court Liaison” provided details on the current successes and challenges of the pilot program. The audience received an overview of prevention work from the bench which enables families to reunify sooner or avoid removals altogether.

Children’s Commission staff meet on a monthly basis with DFPS staff from Investigations, Family-Based Safety Services, Prevention and Early Intervention, Data and Evaluation, Legal, and Finance departments on the Texas Family First Pilot Implementation Steering Committee. During meetings, DFPS provides updates on steps taken to identify the target population served and implement the pilot.

On December 11, 2023, the Commission in partnership with DFPS, Belong, and Casey Family Programs offered a free four-hour training event to over 50 participants from the legal and child welfare community in DFPS Region 8B. The training discussed the TFF pilot including defining the eligible population, details on the current progress, and clarified many questions related to referrals, referral sources, and time limitations.

Objective: Encourage the improvement of education outcomes for children and youth in foster care, leading to a more productive and stable adult life.

11. Strategy: Identify opportunities to develop sustainable partnerships between legal, child welfare, and education stakeholders in an effort to identify and address the educational needs and goals of children and youth who experience foster care.

Background: Since the inception of the Education Committee in 2010 and the release of the Texas Blueprint in 2012, the Children’s Commission has convened a multidisciplinary, statewide effort aimed at improving education outcomes for children and youth in foster care. The Foster Care and Education (FC&Ed) Committee was established in 2015 to continue the implementation of the Texas Blueprint recommendations. The FC&Ed Committee utilizes a project-centered model. The FC&Ed Committee will continue to develop priorities and provide oversight for the statewide effort. As projects are identified, small groups will each meet periodically with a defined scope, deliverables, and a timeline. The core principles of strengthening collaboration between the education, courts, and child welfare systems, developing cross-training opportunities, and encouraging data-driven decision making remain fundamental to the FC&Ed Committee model.

02/02/24 Update: On September 21, 2023, the Texas Education Agency (TEA), DFPS, and the Commission provided a day-long Foster Care & Education Summit to ESC Region 3/DFPS Region 6 in Tomball, Texas. Approximately 200 educators and child welfare professionals came together to hear information on the Every Student Succeeds Act (ESSA), including points of contact, dispute resolution, and transportation. During a working lunch, Hon. Katrina Griffith, Judge of the Harris County CPS Project Court, moderated a discussion by three young adults with experience in foster care, who provided insight into the impact of school stability, lack of communication, and their general educational experience while in foster care. A new ESSA toolkit was distributed which included resources on Education Best Interest Decision Making and Coordination, Dispute Resolution, and Designated Points of Contact.

On November 11, 2023 the FC&Ed Committee discussed the ongoing projects for the workgroups in the following priority areas: caregiver supports; data and information sharing; and the Every Student Succeeds Act (ESSA).

The Caregiver Supports Workgroup is focused on expanding educational knowledge, involvement, and supports to caregivers. The workgroup is developing two deliverables for caregivers. The first deliverable focuses on children and youth in grades K-12 who experience specific challenges, such as admission in a psychiatric hospital, transitioning in and out of juvenile detention facilities, and multiple residential placements within a short time period. The second deliverable is for caregivers who have youth in their care who are preparing for higher education, workforce, or other independent living. Deliverables are awaiting design. This workgroup will continue electronic communication to finalize the deliverables.

The Data and Information Sharing Workgroup will focus on the momentum and recommendations created through the Foster Care & Student Success Texas Data and Trends Report of 2018. The workgroup plans to review current data shared between DFPS and TEA and work towards an annual report. DFPS, TEA, and the Commission staff met virtually on November 8, 2023, to continue discussions on a data exchange process. TEA has completed their data exchange and DFPS is currently reviewing the process. The next meeting will occur this spring.

The Every Student Succeeds Act Workgroup completed and published its School of Origin one-pager. The workgroup will continue drafting charts and one-pagers on records transfer, best interest decisions, transportation, and cross-system collaboration in order to provide additional guidance to professionals in the child welfare and education systems. This workgroup is planning a Spring 2024 meeting with a focus on an ESSA Transportation Guide.

Objective: Promote awareness of and provide training, resources, and support so that judges and lawyers can assist in preventing and responding to the specialized needs of children and youth in foster care.

12. Strategy: Partner with national, state, and local leaders to better support children, youth, and families with specialized needs such as addressing sexual abuse, physical abuse, or runaway issues.

Background: The Children’s Commission partners with many key stakeholders with a goal of raising awareness on specialized needs that children and youth in foster care may experience such as sexual abuse, physical abuse, and running away. The Children’s Commission works with the Office of the Texas Governor’s Child Sex Trafficking Team, the DFPS Human Trafficking and Child Exploitation Team, TEA, OCA, and various other statewide stakeholders to develop strategies to improve judicial handling of child welfare cases where children and youth are at high risk of being subjected to sexual abuse or running away, which increases their vulnerability to commercial sexual exploitation. The Children’s Commission is focused on providing information to judges and attorneys responsible for child welfare cases to raise awareness about these specialized needs that impact children and youth involved with the child welfare system.

02/02/24 Update: In February 2021, Commission staff joined a monthly School-Aged Human Trafficking Prevention and Awareness Statewide Implementation Workgroup which focuses on prevention and awareness of human trafficking within Texas schools. This workgroup last met on January 17, 2024.

In August of 2023, Commission staff attended Light the Way, DFPS’ three-day statewide training on human trafficking.

On September 26 and November 11, 2023, the Commission along with the Officer of the Governor, DFPS, and other stakeholders, had their first and second meetings to develop a resource aimed at the rights of children who are sexual abuse survivors. The workgroup is led by Hon. Selina Mireles, Judge of the 4th & 5th Administrative Judicial Regions Cluster Court, and the goal is to provide an easy-to-use guide that child survivors and their caregivers can use to identify and understand their legal rights.

Objective: Create opportunities to bring together subject matter experts, judicial and executive branch leaders, and key policy makers to examine important and urgent issues, and to identify recommendations and solutions.

13. Strategy: Work with DFPS and other child welfare stakeholders to identify critical and urgent topics for Round Table discussions and hold Round Table events as needed.

Background: Round Table discussions are designed to address key, urgent issues affecting the Texas child welfare system through a half-day program that is facilitated by a subject-matter and legal expert. The topics vary year to year and the number of Round Tables hosted each year also varies according to the interest of stakeholders and issues demanding attention. The Children Commission’s role usually consists of forming a small workgroup to discuss the overall purpose, creating an invitation and distribution list, securing a venue, handling all invitations, RSVPs, travel reimbursements, and producing a written report or paper within about 4 to 6 months following the Round Table event.

02/02/24 Update: There were no updates during this reporting period.

14. Strategy: Engage stakeholders in the legal system in statewide efforts to develop and expand placement capacity, including the rollout of Community Based Care, kinship care, and the Qualified Residential Treatment Program model.

Background: Placement capacity is an issue across the state of Texas, both in urban and rural areas. Judges and attorneys are key partners in identifying gaps and encouraging community supports to provide safe and stable placements for children who experience foster care. Several initiatives at the Children’s Commission aim to engage the legal and judicial communities in efforts to develop placement capacity statewide.

Community-Based Care (CBC) is the new foster care model in Texas. In this model, most Child Protective Services duties will transfer to a local service network led by a Single Source Continuum Contractor (SSCC).

SB 1930 by Senator Kolkhorst passed during the 88th Regular Legislative Session and contains the recommendations from the Children’s Commission SB 1575 Workgroup created by the 87th Legislature regarding procedures for placing a child in a Residential Treatment Center or Qualified Residential Treatment Program (QRTP). The bill is effective September 1, 2023.

02/02/24 Update: EMPOWER was awarded the SSCC contract in Region 3 East/Metroplex East. Stage 1 of CBC in this region started in September 2023 with a full transition estimated in the Spring of 2024. The Children’s Commission and the North Texas Foster Care Consortium partnered to bring the legal community together to learn more about Community-Based Care and what to expect in the region as this change occurs. Ultimately, the goal of the convening was to bring legal stakeholders together to encourage a smooth transition for the families and children who are involved with child welfare system.

Due to the size of this community, there are two events: the first took place in McKinney in December 2023 and included Collin, Grayson, Fannin, Hunt, and Rockwall counties; the second convening is planned for February 9 in Dallas to include Dallas, Ellis, Navarro, and Kaufman counties. Speakers included judges and attorneys from a region of the state that is currently operating under the CBC model.

In 2023, the Children’s Commission Child Welfare Law Bench Book added a checklist on court findings for QRTP placements as these facilities are now available for placement.

Objective: Address the needs of children and youth who experience both the child welfare and juvenile justice systems and encourage cross-system partnerships through judicial leadership.

15. Strategy: Prioritize areas in need of improvement in the handling of juvenile justice cases as well as recommendations developed by the Dual Status Task Force.

Background: The Dual Status Task Force (DSTF) was formed to establish a common, statewide definition(s) for the population, identify resources needed to meet the needs of dual status youth, and make other recommendations as may be necessary to improve outcomes for dual status youth. The [Dual Status Task Force Report](#) was released in December 2021 and captured recommendations that were formulated over an eighteen-month period, beginning in July 2019. The report contains various recommendations for agency coordination, data, definitions, legal representation and advocacy, judicial practices, and training that highlight the unique needs of this population of youth.

In FY2024, the Children’s Commission will create a juvenile justice committee to study broader issues related to children and youth involved with the Texas juvenile justice system.

02/02/24 Update: The Children’s Commission Juvenile Justice Committee held its inaugural meeting on November 27, 2023 via Zoom. Members include judges from small, mid-size, and large jurisdictions as well as county courts of law, district court judges, and associate judges. The initial discussion centered on what training, tools, and resources already exist to support judges handling juvenile justice cases and whether there are any gaps. The next meeting is scheduled for February 22, 2024 and will include a data discussion led by the Texas Juvenile Justice Department.

GOAL III (LEGAL PRACTICE & PROCESS)

Assist trial and appellate courts, judges, and legal advocates to ensure that children, youth, and families involved with child welfare experience a legal system in which they have access to justice and their rights are protected.

Objective: Improve legal representation so that parents, children, and DFPS experience high-quality court proceedings.

16. Strategy: Convene and support a Legal Representation Committee to sustain efforts to ensure high-quality legal representation for parents, children, and DFPS.

Background: When a family is involved in a child welfare proceeding, quality legal counsel is essential for all parties to ensure that the court strikes the appropriate balance between the rights and duties of all parties involved. The Children’s Commission has maintained a Legal Representation Committee (LRC) since its inception. The Committee exists to identify training needs, advise child welfare system stakeholders on best legal and judicial system practices, evaluate proposed statutory amendments, assess the quality of legal representation throughout the state, and to help ensure that court proceedings safeguard due process, promote child and family engagement, and produce quality legal representation outcomes for the children and families involved.

02/02/24 Update: The LRC last met on January 26, 2024, to discuss the status of several committee projects.

The Parent’s Materials Workgroup plans to develop videos designed for parents where attorneys and parents with lived experience explain the attorney-client relationship. The project has been re-organized under the Children’s Commission Parent Resource Workgroup and the Children’s Commission will collaborate with the Texas Indigent Defense Commission (TIDC) to produce the videos. The workgroup is currently developing scripts similar to the existing youth voice videos that will include the basics of the attorney-client relationship and opportunities for parents to share their experiences.

The LRC has also focused on attorney outreach and recruitment. In collaboration with TIDC and OCA, spotlight interviews of child welfare practitioners and judges are now live on the Texas Indigent Defense Commission’s YouTube webpage. Videos include:

- “What led you to practice in this area of the law?;”
- “How do I enter child welfare field?;”
- “What makes child welfare law unique?;”
- “What inspires you in child welfare law?;” and
- “The importance of high quality legal representation.”

The videos will also be made available to law schools and other organizations to raise awareness of child welfare law as a career path. Commission staff partnered with TIDC to develop attorney recruit days at law schools across Texas including Baylor University School of Law, South Texas College of Law, Texas Tech University School of Law, and University of Houston Law Center and scheduled a panel of speakers for Texas Tech University School of Law on March 26, 2024.

The Appellate Representation Workgroup provided speakers Alana Pearsall, Attorney, and Hon. Aurora

Martinez Jones, Judge of the 126th District Court, for a presentation at the 2023 Child Welfare Judges Conference about what trial judges need to know about the appellate process. The session was well received and rated highly by participating judges in the Commission’s post-event survey. The workgroup identified a need to expand the Tool Kit for Attorneys Representing Parents and Children updates to include a new appellate transition section. The workgroup is also collaborating with the Appellate Law Section to help recruit quality attorneys to take child welfare appeals and the Children’s Commission allocated scholarship funds to help child welfare attorneys attend the section’s appellate law boot camp in September of 2024. The next meeting of the Appellate Workgroup will be held on February 23, 2023.

The Appellate Representation Workgroup’s webinar entitled “Navigating the Transition from Trial to Appellate Counsel” was scheduled for January 16, 2024. However, due to weather events and related technical difficulties, the webinar was cancelled. It will be rescheduled to the month of February, and the new webinar date will be announced in a Resource Letter and on the Commission On-Demand MCLE Webpage. A webinar focused on mandamus is planned for later this spring.

The next meeting of the LRC will be in summer of 2024.

Objective: Encourage standards of practice for attorneys representing parties in child welfare cases so that attorneys throughout the state provide high-quality legal representation.

17. Strategy: Support development and adoption of Standards of Representation for attorneys representing parents, children, and DFPS in child welfare cases.

Background: Though attorneys for parents and children are required by the Texas Family Code to become familiar with the American Bar Association (ABA) standards of practice for attorneys who represent parents and children in abuse and neglect cases, Texas does not require compliance with the ABA standards as a condition of appointment, nor has Texas adopted its own standards of practice for court-appointed attorneys. The Children’s Commission 2018 Legal Representation Study surveyed stakeholders regarding the effect that the lack of enforceable standards of practice has on the legal representation of parents and children. Across stakeholder groups, participants demonstrated a high level of confidence that the creation and enforcement of standards would improve the quality of representation, including 70% of responding court-appointed attorneys indicating that standards would have a positive effect.

The Children’s Commission Child Welfare Law Standards of Representation Committee is charged with drafting proposed standards to submit to the State Bar of Texas. The Honorable Roy Ferguson, Judge of the 394th District Court is the Committee Chair, Justice Debra Lehrmann of the Supreme Court of Texas is the Executive Chair, and Professor Stephanie Tang of the Baylor University School of Law serves as the Reporter. Committee members were selected for their expertise in child welfare law and represent the diversity of jurisdictions across Texas.

02/02/24 Update: The Committee held its most recent in-person meeting on December 18-19, 2023, to review the conflict of interest section of Phase 1, which covers the attorney-client relationship. The Committee then reviewed the draft of Phase 1 in its entirety and made several important content and organizational decisions. The next meeting of the Standards of Representation Committee will be an in-person meeting on February 29-March 1, 2024, and the next virtual meeting will be held on June 7, 2024.

Objective: Raise the level of understanding and expertise for attorneys by highlighting opportunities for specialization in child welfare law.

18. Strategy: Assist the Texas Board of Legal Specialization (TBLS) Advisory and Exam Committees in efforts to certify Texas attorneys as specialists in child welfare law.

Background: On February 14, 2017, the Supreme Court of Texas officially recognized Child Welfare Law as the 20th area of certified legal specialization. Children’s Commission staff serve as the chair of the Exam Commission, which is responsible for drafting and grading the certification exam. The Children’s Commission partners with TBLS to provide reimbursement scholarships to cover application and exam fees for TBLS Child Welfare Law exam applicants who successfully pass the exam.

02/02/24 Update: The 2023 Child Welfare Board Certification Exam was held on October 3-4, 2023. Seventeen attorneys sat for the 2023 child welfare certification exam, and seven attorneys have been newly certified as child welfare law experts. The Children’s Commission will continue to reimburse exam fees for attorneys who pass the exam and become certified, as detailed on the Commission’s website.

Objective: Develop resources to help parents involved in the child welfare system to navigate the process, encourage authentic parent engagement, and ensure parental rights are protected.

19. Strategy: Convene and support a Parent Resource Workgroup and maintain the parent resource guides to sustain efforts to increase parental understanding and engagement in the child welfare system.

Background: The Children’s Commission supports a Parent Resource Group which is made up of parent mentors, parent advocates, parent attorneys, DFPS staff, and other interested stakeholders. Prior to establishing the Texas Legal Services Center Family Helpline (see Strategy #20 for additional information), the Children’s Commission partnered with the University of Texas and other stakeholders to produce the Parent Resource Guide, which is available in print and online on the Children’s Commission website as well as on many other stakeholder websites, in both English and Spanish.

02/02/24 Update: The Parent Resource Workgroup has two subgroups that have been meeting regularly on priority projects identified by the larger workgroup. The Pre-Litigation Guide Subgroup last met on January 9, 2024. The subgroup is diligently working on completing updates to the guide and editing for reading comprehension level, with the goal of having a finalized guide ready for online distribution by late spring or early summer. The Parent Materials Subgroup will host one to two focus group meetings with parents with lived experience aimed at identifying the most relevant topics to include in their parent voice video project. The focus group meetings are planned for the month of February, and the subgroup plans to select four to five topics to begin recording on by April 2024. The next Parent Resource Workgroup meeting will occur later this month.

20. Strategy: Support efforts to provide early and reliable access to information and resources for Texas families through programs such as the Texas Legal Services Center Family Helpline.

Background: Since 2017, the Children’s Commission has partnered with Access to Justice and the Children’s Justice Act to fund the Texas Legal Services Center (TLSC) to establish the Family Helpline for Strong Families and Safe Children (Family Helpline), which provides easy, statewide access for parents and family members to basic information, education, and resources addressing parental rights as they relate to CPS Investigations, the provision of Family-Based Safety Services (FBSS), Parental Child Safety Placements, Chapter 34 non-parent agreements, termination of parental rights, custody, access, visitation, service plans, the court’s role in conducting hearings and oversight, right to legal counsel, non-offending parents, minor parents, incarcerated parents, survivors of family violence, intergenerational issues, and other similar situations.

02/02/24 Update: The Family Helpline call volume has been consistently high through the Summer and Fall of 2023, with the majority of staff attorney time spent on answering and returning calls. In addition to answering questions related to the child welfare system, calls to the Helpline continue to involve complex legal situations and overlapping issues of child abuse and neglect, poverty, domestic violence, substance use and abuse, and a general lack of understanding of the child welfare system and legal system.

In addition to responding to hotline calls, Family Helpline staff continue to provide information in a variety of ways including writing articles and creating video content for the TexasLawHelp.org website and presenting at conferences. Most recently, Managing Attorney Sarah Bryant co-presented on two topics, “Family Law 101” and “Legal Prevention Resources in Texas: How Legal Services Can Promote Family Stability and Child Safety” at DFPS’ Partners in Prevention Conference which was held in November 2023.

Objective: Strengthen the legal and judicial response in child welfare cases so that Native American children, youth, and families stay connected to their community, culture, customs, and beliefs.

21. Strategy: Establish and support meaningful relationships with federally recognized Tribes and promote awareness, education, and application of the Indian Child Welfare Act (ICWA).

Background: The Children’s Commission supports partnering with system stakeholders to promote ongoing knowledge and understanding of ICWA and its importance. The Commission also works with national ICWA and leading organizations on understanding and implementation of the Federal Rule and Bureau of Indian Affairs (BIA) Guidelines. The Children’s Commission also partners with DFPS in supporting tribal/state collaborative meetings and collaborates with the Capacity Building Center for Courts and the participants of the CIP ICWA Constituency Group. Commission staff also maintain contact with the three federally recognized Tribes in Texas and continue to communicate any resources that may be helpful.

02/02/24 Update: Commission staff participated in the tribal/state collaborative call hosted by DFPS held on January 17, 2024. Changes to tribal contacts and preliminary planning for an ICWA Summit in 2025 were discussed.

Objective: Ensure availability of high-quality judicial and attorney resources and tools that provide clear, relevant information about law, policy, and best practices.

22. Strategy: Maintain a comprehensive Bench Book for judges hearing child welfare cases.

Background: The Children’s Commission maintains a Bench Book that outlines the state and federal statutory requirements for judges handling child welfare cases, including topical sections and checklists. The Bench Book also highlights special issues and includes best and promising practices. It is updated annually with new information, as needed, and is disseminated to judges at training events and upon request. The Bench Book is also hosted on the Children’s Commission website and through LawBox, both versions of which can be accessed at no cost through the Commission website.

02/02/24 Update: The 2023 edition of the [Texas Child Welfare Law Bench Book](#) (Bench Book) is now available online and includes updates from the 88th Regular Legislative Session. The 2023 edition is organized by the following sections: Statutory, Legal Essentials, Federal, Health, Well-being, Safety, System Issues, and Family Connections. A new Bench Card on Reasonable Efforts is included.

24. Strategy: Maintain tool kits for attorneys representing parents, children, and the Department of Family and Protective Services in child welfare cases.

Background: The Children’s Commission’s Tool Kit Committee is responsible for updating the Tool Kit for Attorneys Representing Parents and Children in Child Welfare Cases, and the DFPS Representation Subcommittee is responsible for updating the Tool Kit for Attorneys Representing DFPS in Child Welfare Cases. At the conclusion of each legislative session, the committees meet and develop a plan to review, edit, and update the tool kits to ensure they reflect current case law, statutory law, and best practices. The committees also develop and review plans for publicizing and distributing the tool kits to ensure they are accessible to practitioners.

02/02/24 Update: The latest meeting for the 2024 Tool Kit for Attorneys Representing Parents and Children in Child Welfare Cases Workgroup was held on October 13, 2023. In addition to legislative updates, the workgroup has drafted new sections covering the transition from trial to appellate counsel and the representation of children in permanent managing conservatorship of DFPS. Workgroup assignments have been completed and the tool kit is now under internal review by Commission staff. The Tool Kit for Attorneys Representing Parents and Children in Child Welfare Cases will be published in April of 2024, and printed copies will be distributed at the Advanced Child Protection Course in Dallas on April 4-5, 2024.

Commission staff began making final edits to the 2024 Tool Kit for Attorneys Representing DFPS. The target release date for the Tool Kit for Attorneys Representing DFPS is April 2024.

Objective: Improve and expand engagement of families and caregivers in court hearings so that court hearings are higher quality and more meaningful for the families and children involved.

25. Strategy: Support increased child and family engagement through the use of technology, including the use of the Office of Court Administration (OCA) Notice and Engagement tool.

Background: All parties involved in child welfare cases continue to struggle with securing consistent and timely notice of scheduled hearings from DFPS. This issue includes foster placements and DFPS service provider facilities where the children/youth are in placement and results in many parties not being able to attend scheduled court hearings. The Notice and Engagement tool involves using non-confidential case data to provide email notice to users about upcoming hearings. OCA will market the Notice and Engagement tool and periodically re-issue announcements, survey users on the usefulness and effectiveness of the system and monitor the system login and search information. Notices will be monitored to evaluate whether the correct hearing data are populating according to search criteria. Reports/data are produced by OCA and provided to the Children’s Commission.

02/02/24 Update: The number of Notice and Engagement system users continues to increase. Seventy new users signed up in FY2024 (from October 1, 2023 to present) through the Notification and Engagement system to receive hearing notifications, bringing the total number of users to 2,298. Hearing notifications were sent for 2,477 hearings with a total of 7,121 notifications sent this fiscal year.

OCA created an Application Programming Interface (API) that will allow courts other than those using the Child Protection Court Case Management System (CPCMS) to upload their hearing data into the system. The goal of the API is to expand the hearing notification tool to all courts hearing child welfare cases in order to provide parties with up-to-date hearing information and to provide courts with an alternate means of notification free of charge. OCA aims to identify jurisdictions interested in adopting the API in the future.

Objective: Promote the value of mediation in child welfare cases, including opportunities to achieve timely permanency and increase efficiency in child welfare cases.

26. Strategy: Establish an understanding and framework regarding availability and cost of mediation services and promote the training and support necessary to raise the quality and usefulness of mediation in child welfare cases.

Background: Mediation is used in child welfare cases throughout Texas and can be an effective and financially prudent method of resolving cases. One benefit of mediation is that it can enhance participants' sense that they were treated fairly. Studies show that an enhanced sense of fair treatment increases both acceptance and compliance with court decisions. Though the use of mediation to resolve child welfare cases prior to trial has become widely accepted, the Children's Commission is interested in exploring whether mediation is being underutilized in child welfare cases because it often occurs too late in the case timeline for the benefits of increased compliance to be realized.

02/02/24 Update: The Mediation Workgroup last met on October 30, 2023. The workgroup discussed a new timeline for their planned Mediation Tool Kit and identified an introductory webinar on mediation for child welfare attorneys as an additional project to complete this fiscal year. The workgroup's next meeting will occur in February 2024 to plan the webinar content.

Objective: Support innovation and encourage best practices for Texas courts hearing child welfare cases.

27. Strategy: Collaborate with and provide support for specialty courts, dockets, and programs.

Background: The Children's Commission partners with or supports individual court efforts seeking to adopt specialized practices or programs.

02/02/24 Update: This strategy is developed on an ad hoc basis and there were no updates during this reporting period.

28. Strategy: Track and assess the impact of changes in law, policy, and rule affecting the legal process in child welfare cases.

Background: The Children's Commission created a new committee focused on legislative and policy matters in FY2024. Changes to the Texas Family Code and other areas of law and policy have a significant impact on the child welfare legal process and the entire child welfare system. The purpose of the committee is to create a formal structure to identify judicial considerations on changes to child welfare law, policy, and rule. Possible committee activities could include meeting regularly, drafting proposals for the Texas Judicial Council, and contributing to related written materials.

02/02/24 Update: The Legislative Committee will hold its first meeting on February 22, 2024. The Children's Commission's role is to serve as a resource for all three branches of government. Neither the committee nor members acting on its behalf can advocate either for or against proposed law or policy and must remain neutral.

GOAL IV (TRAINING)

Oversee and develop judicial and legal training efforts at all levels of practice that identify and promote best practices to improve outcomes and establish and maintain a well-informed judiciary and bar.

Objective: Provide high-quality and easily accessible training and resources that encourage judicial leadership both within the courtroom and in the broader child welfare community.

29. Strategy: Plan, fund, conduct, and evaluate judicial training through conferences, online content, and events.

Background: The Children’s Commission collaborates with the Texas Center for the Judiciary (TCJ) to design specialized judicial education and training opportunities for active, retired, and former Texas appellate, district, and county court at law judges, as well as associate judges and court personnel through its grant with TCJ. During each fiscal year, TCJ plans two annual Child Welfare Judges Conferences (CWJC) in partnership with the Children’s Commission and hosts one. The Child Welfare Judges Conference is the Commission’s largest annual judicial training. In FY2023, the Children’s Commission provided partial funding for two breakout sessions on child welfare issues at TCJ’s Annual Judicial Education Conference. In FY2024, the Children’s Commission provided partial funding for three breakout sessions on child welfare issues at TCJ’s Annual Family Justice Conference. Planning and funding activities include designing curricula and conference agendas, determining the budget and number of attendees, participating in planning meetings, vetting judicial scholarship applicants, surveying participants, and evaluating the process and event both internally and externally for future planning.

In addition to providing training events and conferences, the Commission has the following online judicial training content available for judges to access at their convenience, many of which offer Family Violence Credit Hours and/or TBLS hours in addition to Minimum Continuing Legal Education (MCLE):

- Enhancing the Experience of Parents Involved in Child Welfare Cases
- Trauma History and Psychotropic Medications: What Judges and Attorneys Need to Know
- Reevaluating Reasonable Efforts Findings
- 88th Regular Legislative Session Update
- Overview of Treatment Family Foster Care
- Enhancing the Experience of Children & Youth in Court: How Judges and Attorneys Can Prepare and Support Youth Attending Court
- Overview of Qualified Residential Treatment Program Legal Requirements
- Child Welfare Case Primer: Statutory Hearings and Current Issues
- The Texas Response to the Commercial Sexual Exploitation of Children
- 2021 Judicial Trauma Institute
- 2021 Texas Indian Child Welfare Act Summit
- Judicial Webcast on Benefits of Utilizing Technology in Child Welfare Cases

02/02/24 Update: Commission staff has been focused on preparing and providing judicial education at the three following conferences, in partnership with the Texas Center for the Judiciary (TCJ).

Annual Judicial Education Conference: Based on an articulated need for basic-level training for judges who sit as visiting judges on child welfare cases or hear child welfare cases on occasion, the Commission

provided two speakers to present complementary content at two breakout sessions at TCJ's Annual Judicial Education Conference in Houston on September 7, 2023, in order to reach the highest number of visiting and general jurisdiction judges. These sessions were presented by the Commission's Jurists in Residence (JIRs). The first presentation covered the statutory framework of a child welfare case from investigations through various final outcomes, and included a review of statutory requirements and deadlines, recent legislative changes, the law on reasonable efforts, and required court findings. The second presentation shared best practices and practical tips on topical issues in child welfare cases such as including engaging families in the court process, assessing child and youth medical care and mental health, making education and educational decisions, and discerning issues around placement and positive permanency. The JIRs and Commission staff also shared information about Commission resources at the conference.

Child Welfare Judges Conference: The 16th Annual Child Welfare Judges Conference was convened in Georgetown on October 23-25, 2023. This year's training featured a three-hour pre-conference on "Assessing and Addressing Children's Well-being, From Infants to Young Adults," followed by a full conference. The pre-conference provided judicial education on well-being issues for children in three age groups: infants and toddlers; middle-school aged children; and teens and older youth. Topics addressed in the pre-conference included child development, the importance of early intervention, the impact of removal and placement changes, education and educational issues, mental health and medication, building protective factors against sexual abuse and trafficking, developing life skills through work and educational opportunities, and using effective communication. The full conference featured a keynote speaker on fundamentals of the neuroscience of interpersonal neurobiology and attachment theory, and how judges can use evidence-based practices to connect with and support children, youth, and families experiencing the child welfare system. Panel presentations that followed addressed topics such as What Trial Court Judges Need to Know about the Appellate Process, Best Practices from an ICWA Docket, Options for Older Youth, Supporting Kinship Placements, Supporting Parents in the Texas Child Welfare System from Prevention to Reinstatement, Meeting the Needs of Commercially Sexually Exploited Youth, and Understanding Social Determinants of Health as a Matter of Equity. Speakers included members of the judiciary, DFPS leadership, OCA leadership, and youth and parents with lived experience.

Additionally, DFPS leadership presented a panel entitled DFPS Leadership and Statewide Data Updates which covered key topics such as prevention, investigations, removals, capacity, and family preservation, along with accompanying data on safety, permanency, and well-being outcomes at the statewide level. The subsequent panel entitled "CFSR Discussion with DFPS and the Judiciary" was presented by the Director of Services at DFPS and the CPS Federal and Program Improvement Review Division Administrator and was moderated by the Commission's Executive Director. Panelists described the CFSR, shared national and state data, explained what judges can expect from the process, and emphasized the critical importance of the judicial voice to the CFSR's outcomes. Immediately thereafter, Regional Breakouts were convened where judges met by DFPS Region with CPS Regional Directors, Child Protective Investigations (CPI) Regional Directors, Regional Systems Improvement Specialists, and Single Source Continuum Contractor representatives as applicable, to examine and discuss regional data with an eye towards improving outcomes for children and families. This year for the first time, Regional Directors from Child Protective Investigations joined the Regional Breakouts per request of the 2022 conference attendees and the CPS Director of Field.

Post-event survey responses indicated that the Regional Breakouts were especially valuable, and that information shared in the Options for Older Youth, Meeting the Needs of Commercially Sexually Exploited Youth, and Understanding Social Determinants of Health as a Matter of Equity presentations was both educational and impactful. Attendees particularly appreciated learning from speakers who had lived experience.

Family Justice Conference: This annual conference hosted by TCJ included a CIP Track on Thursday, January 18, 2024. The Commission provided speakers for three breakout sessions on child welfare to an audience of general jurisdiction judges. CIP Breakout Session topics were: Managing the Courtroom While Maintaining the Best Interest of Youth When Caregivers Appear with Untreated Mental Health Needs; Impact of New Reasonable Efforts Legislation: What Judges Need to Know; and Staying in the Game: Strategies for Managing Compassion Fatigue, Secondary Trauma, and Self-Care.

30. Strategy: Support specialized training for the Child Protection Court (CPC) program, judges, and support staff.

Background: Child Protection Courts, also known as CPCs, were created to specialize in managing child abuse and neglect dockets. Like the child support court associate judges, these associate judges are appointed by their regional presiding judges and are OCA employees. CPC judges hear child welfare cases exclusively. The goal for CPC dockets is to help children and families achieve safety, permanency, and well-being in a timely manner. The Children’s Commission partners with OCA to provide training and other support for CPC judges and court coordinators to conduct hearings and manage cases. There are currently 30 CPCs and one Harris County CPS Impact Court; combined, these courts hear child welfare cases in 148 Texas counties.

02/02/24 Update: Commission staff will begin the planning process for the summer 2025 biennial Child Protection Court Convening in summer 2024. There are no other updates at this time.

Objective: Provide high-quality and easily accessible training and resources, along with information for attorneys representing parents, children, and DFPS, as well as other advocates and stakeholders.

31. Strategy: Expand knowledge of and encourage high-quality hearings regarding Reasonable Efforts determinations.

Background: Reasonable Efforts findings are required by federal and state law in child welfare hearings. Neither federal nor Texas law defines reasonable efforts and explain that to do so would be a direct contradiction of the intent of the law which requires determinations be made on a case-by-case basis. In Texas, the child welfare agency must make reasonable efforts to maintain the family unit, to prevent or eliminate the need for removal, to return the child home, to safely reunify the child and parent, and to finalize permanency. Additionally, the child welfare agency must document all reasonable efforts made. During the 88th Regular Legislative Session, new reasonable efforts legislation was passed which effects all child welfare statutory hearings and adds a third prong to findings in termination of parental rights final hearings (with just a few statutorily-defined exceptions). Providing training which will expand knowledge of and encourage high-quality hearings regarding Reasonable Efforts determinations is critical for judges, attorneys, DFPS, other child welfare advocates, and stakeholders in order to implement the new laws and facilitate best outcomes.

02/02/24 Update: The Children’s Commission continues to provide education and training on recent Reasonable Efforts legislation and its impact on child welfare cases and hearings.

The 2023 edition of the Texas Child Welfare Law Bench Book (Bench Book) is now available online and includes a new Bench Card on Reasonable Efforts.

On December 11, 2023, the Commission in partnership with DFPS, Belong, and Casey Family Programs offered a free four-hour training event to over 50 participants from the legal and child welfare community in DFPS Region 8B. The training discussed the TFF pilot including defining the eligible population, details on the current progress, and clarified many questions related to referrals, referral sources and time limitations. Two fictional scenarios were offered to facilitate hand-on practice with making legal arguments related to reasonable efforts and engaging discussions were facilitated across all attendees. Region 8B judges attended, participated in the practice sessions, and facilitated the ensuing discussions.

On January 18, 2024 at Texas Center for the Judiciary's Family Justice Conference, the Commission hosted a CIP Breakout Session entitled "Impact of New Reasonable Efforts Legislation: What Judges Need to Know" to review recent changes in the state laws on reasonable efforts in child welfare cases which create new duties for judges and a third prong in termination of parental rights cases. Two judicial speakers with rural and urban perspectives reviewed the new reasonable efforts legal requirements across all statutory hearings in a child welfare case and discuss best practices throughout the stages of a case.

32. Strategy: Provide practical, experiential trial skills training that offers attorneys an opportunity to develop their skills in a small-group, low-stakes environment.

Background: Trial Skills Training (TST) is a hands-on training designed to improve the litigation skills of child welfare law attorneys in order to raise the caliber of legal services to children and families in child protection cases. Developed and initially spearheaded by Justice Michael Massengale (ret.), the TST is now directed by JIR Judge Piper McCraw. Trial Skills Training is held once or twice a year and offers up to 20 MCLE (Minimum Continuing Legal Education) hours, including ethics hours. Eleven in-person and three virtual TSTs have been hosted by the Children's Commission since its inception in October 2013. Each TST program has a competitive application process and is limited to 21 less-experienced attorneys. It includes a fictional CPS fact pattern with a complete case file covering all Texas-specific statutory hearings building up to final trial. TST provides parent, child, and state attorneys numerous litigation exercises in the CPS context and includes lectures and demonstrations from trained faculty comprised of seasoned attorneys and judges, followed by personal critiques and coaching. Caseworkers, Pediatric Fellows and/or Pediatric Nurse Practitioners, and Parent Therapists serve as live witnesses. Materials are updated and new faculty is recruited and trained with each event. Extensive internal and external CQI process and outcome evaluation is involved with each event.

02/02/24 Update: The Children's Commission will host the 16th iteration of TST in September 2024. Commission staff, along with Trial Skills Training faculty, are creating a pilot training that will focus on practice skills required to represent clients in contested hearings, such as the Adversary Hearing. This pilot will include pre-work, a half day of virtual training, and two days of in-person training. The Commission is currently in the early stages of procuring a hotel venue for the event. The target timeline for TST applications to go live is March 2024.

33. Strategy: Create and maintain online content that offers information and guidance on relevant child welfare law issues.

Background: In response to the need for online training, Commission staff are developing more regular webcasts to help educate child welfare stakeholders across the state. The Commission hosts regular

webcasts to address current and emerging issues, as well as gaps in training, to help educate child welfare attorneys, judges, and stakeholders across the state. These webcasts focus on topics relevant to the legal and judicial communities and may be relevant to child welfare stakeholders as well.

02/02/24 Update: The Commission presented a webinar entitled “Enhancing the Experience of Parents Involved in Child Welfare Cases” on October 19, 2023. The webcast focused on attorney-client communication with parents involved with the child welfare system, before, during, and after their court hearings and how enhanced attorney-client communication can increase the effectiveness of attorney advocacy.

On November 17, 2023 the Commission hosted a webinar entitled “Trial Skills for Child Welfare Cases: Laying Your Evidentiary Foundation.” This webinar reviewed the foundations necessary to introduce exhibits commonly used in child welfare cases such as business records, certified copies, photo video clips, outcry statements, and drug test results and also how to include potential objections and foundational issues that may be encountered by attorneys while attempting to lay their evidentiary foundation.

All of the Commission’s web-based content is archived and is available on the judicial and attorney on-demand MCLE webpages.

34. Strategy: Partner with the State Bar of Texas, DFPS, and other organizations to offer training to attorneys and advocates who serve children and families in child welfare cases throughout Texas.

Background: In partnership with the CLE branch of the State Bar of Texas, TexasBarCLE, the Children’s Commission produces MCLE courses on child welfare and related issues to provide training for court-appointed attorneys and attorneys representing DFPS. From 2012 through 2019, the Children’s Commission partnered with TexasBarCLE to broadcast day-long, 6 MCLE hours’ worth of training for attorneys who represented children, parents, and the Texas Department of Family and Protective Services in child welfare proceedings. These live broadcasts are archived in the TexasBarCLE’s Child Welfare [Practice Area](#) in their Online Classroom. Both the live and archived recordings of these child welfare-related webinars are available at a reduced rate to attorneys representing children and parents, and there are scholarships available through the Bar for attorneys who represent DFPS and need financial assistance to access this training. The Commission also worked with TexasBarCLE in 2022 to produce “Building Better Youth Outcomes: The Importance of Being Trauma Informed,” for 1 hour of CMLE credit, including 1 hour of ethics. At this time, the Commission’s partnership with TexasBarCLE is focused on participating in the Child Protection Law Section’s Curriculum Committee and supporting that Section through a grant for scholarships to their annual spring Advanced Training and their annual summer Child Abuse and Neglect Workshop. Additionally, the Children’s Commission partners with DFPS and TDCAA to provide high-quality training for attorneys representing DFPS.

02/02/24 Update:

State Bar of Texas Child Protection Law Section: As a part of the Commission’s collaboration with the State Bar’s Child Protection Law (CPL) Section, a Commission staff member participates in the CPL CLE Committee and provides feedback on the Section’s training efforts, including the upcoming 6th Annual Advanced Child Protection Law Course on April 4-5, 2024 in Dallas and the annual Advanced Family Law Conference Child Abuse and Neglect Workshop held each August in San Antonio.

Curriculum planning for the Advanced Child Protection Law course concluded and planning for the 2024 Advanced Family Law Conference Child Abuse and Neglect Workshop which will be held in August began on January 16, 2024.

Special Education, Child Welfare, and Juvenile Justice System Course: In collaboration with the State Bar's Child Protection Law Section, Juvenile Law Section, and Disability Issues Section, the Children's Commission Executive Director is serving as Course Director and assisting with identifying content and speakers for the 2024 Special Education, Child Welfare, and the Juvenile Justice System Course. The course is scheduled for Friday, June 14, 2024 in Austin. A planning meeting occurred on January 8, 2024.

Online Classroom: Through TexasBarCLE, the State Bar of Texas currently offers online CLE courses in the Child Welfare Practice Area related to representation of all parties on the child welfare docket. A number of webcasts have been archived in the Child Welfare Practice Area of the TexasBarCLE's Online Classroom, many of which were produced by the Children's Commission in partnership with TexasBarCLE. The topics cover issues of interest to attorneys who work in the area of child welfare, including legal representation, statutory duties, and best practices. Some or all of the content of these webcasts and archived webinars may be considered in some jurisdictions to satisfy the educational requirements for court-appointed attorneys under Texas Family Code §§ 107.004 and 107.0131. All of the courses can be found in TexasBarCLE's Child Welfare Practice Area in their Online Classroom. For these courses, TexasBarCLE provides discounts to court-appointed attorneys and a scholarship opportunity to other attorneys.

Texas District and County Attorneys Association (TDCAA): The Children's Commission will collaborate with TDCAA to update the Fundamentals of Child Welfare Law online training content created in 2021 that has been affected by the most recent legislative session. Suggested updates to the video content have been sent to TDCAA, and review of supplemental materials is currently underway. Until updates have been completed, the online course will be temporarily removed from the TDCAA online course offerings. Once the updated content is live, the Children's Commission will continue to provide reimbursement scholarships for attorneys representing DFPS to access the online training.

Objective: Ensure that judges and attorneys are knowledgeable and aware of educational opportunities in order to employ best practices in conducting hearings and in providing legal representation.

35. Strategy: Develop and distribute information to judges and attorneys that communicates best practices or changes in law, policy, or practice and informs judges and attorneys of trainings and other relevant events.

Background: The Children's Commission maintains an electronic distribution list and regularly publishes Resource Letters about emerging, relevant, and changing policy, laws, practice, and training opportunities. While Jurist in Residence (JIR) Letters are specific to Texas judges, the Resource Letter reaches nearly 4,000 attorneys, judges, court staff, and stakeholders to relay pertinent child welfare related information. All Letters are available on the Children's Commission website.

02/02/24 Update: Several examples of Jurist in Residence (JIR) Letters and Judicial and Attorney Resource Letters (JARLs) issued between September 2023 and January 2024 include:

- 9/21/2023: The Importance of Kinship Care
- 10/4/2023: New Rules from the Administration for Children and Families Focus on Support and Resources for Children and Families
- 10/11/2023: New Court-Attorney Requirement

- 10/26/2023: October is Domestic Violence Awareness Month
- 10/27/2023: Now Available and Upcoming Webinars
- 11/9/2023: November Celebrates Adoptions and Pathways to Permanency
- 11/13/23: Jurist in Residence Letter: Scholarships to Upcoming NCJFCJ Conferences
- 12/8/23: Upcoming Webinar: Navigating the Transition from Trial to Appellate Counsel; Trial Skills Replay and Materials Now Available
- 12/19/2023: Announcing Scholarships to ABA Center on Children and the Law's National Conferences
- 12/20/2023, Jurist in Residence Letter: Save the Date: 17th Annual 2024 Child Welfare Judges Conference October 21-23, 2024
- 1/5/2024: January is Human Trafficking Prevention Month

36. Strategy: Support attendance at state and national judicial and legal conferences and training events.

Background: The Children’s Commission administers various judicial and attorney scholarship opportunities throughout the fiscal year, including but not limited to: (1) the biennial ABA Parent Attorney Conference and Children and the Law Conference; (2) the TexasBarCLE Annual Advanced Child Protection Law Course; (3) the TexasBarCLE Advanced Family Law Child Abuse and Neglect One-Day Workshop; (4) the National Association of Counsel for Children Annual Conference; and (5) the National Council of Juvenile and Family Court Judges Annual Conference. For all scholarships, the Children’s Commission determines scholarship criteria and deploys an application process that includes pre- and post-conference evaluations to identify or confirm the knowledge gained and new practices that scholarship recipients plan to implement and/or change. The surveys also inquire about additional topics of interest to help inform planning for future conferences. All attorney applicants for Commission scholarships must currently represent DFPS or take appointments on a child welfare docket, be in good standing with the State Bar of Texas and with their primary judge, and commit to completing a post-event survey from the Commission. Judges with applicants from their jurisdiction are notified by the Children’s Commission and asked to confirm that the applicant currently represents DFPS or takes appointments on their child welfare docket.

02/02/24 Update:

The Advanced Child Protection Law Conference: The State Bar of Texas Child Protection Law (CPL) Section will host its 6th Annual Advanced Child Protection Law Course on April 4-5, 2024. The CPL Section will include 3 hours of “101” content, which includes one hour of ethics credit, for the second year in a row on the morning of April 4, 2024. This will be followed by the Advanced Course, which will provide an additional 10.5 hours of MCLE, with 1.25 hours of ethics. There are separate registrations for the two courses.

The Commission will provide registration scholarships for qualified attorneys to attend the live “101” and Advanced courses or to watch any scheduled webcast replays.

Texas District and County Attorney Association Trainings: The Children’s Commission developed an online course in partnership with TDCAA in 2021 entitled “Fundamentals of Child Welfare Law,” which was designed to be an “evergreen” course for less experienced attorneys representing DFPS. Commission staff are working with TDCAA to make any necessary updates to lecture content as a result

of changes made in the 88th Legislative Session. The Commission will continue to offer scholarships to attorneys representing DFPS to complete the online course once the updated material is live on the TDCAA website.

American Bar Association (ABA) Parent Attorney Conference and Children and the Law Conference: The ABA Access to Justice for Children and Families Conference and National Parent Representation Conference will be held April 9-12, 2024, in Tyson's Corner, Virginia. The application period recently closed and the Commission will award up to 15 reimbursement scholarships to qualified attorneys.

Advanced Family Law One-Day Child Abuse and Neglect Workshop: The Child Abuse and Neglect One-Day Workshop will be held on August 7, 2024 in San Antonio, Texas. The Commission plans to award registration scholarships to qualified attorneys.

National Conference on Juvenile Justice: The NCJFCJ 2024 National Conference on Juvenile Justice will be held on March 17-20, 2024 in Cleveland, Ohio. The commission awarded two scholarships to qualified judges.

National Council of Juvenile and Family Court Judges Training: The NCJFCJ 87th Annual Conference will be held on July 21-24, 2024, in Phoenix Arizona. The Commission awarded 15 reimbursement scholarships to qualified judges.

National Association of Counsel for Children Annual Conference: The 47th Annual NACC Conference will be held on August 12-14, 2024 in Salt Lake City, Utah. The Commission plans to award reimbursement scholarships to qualified judges and attorneys.

GOAL V (DATA)

Operationalize data-driven decision-making through continuous quality improvement and an analysis of publicly available child welfare and court data to identify legal processes and practices that produce desired outcomes, as well as which practices need improvement.

Objective: Use child welfare, court, and other data to improve safety, permanency, and well-being outcomes for children and youth in foster care.

37. Strategy: Utilizing all available data sources, analyze trends in child welfare data such as referrals, investigations, removals, and exits.

Background: the Data Committee is committed to identifying and analyzing available data that could enhance courts' understanding of statewide trends in relevant benchmarks and whether the trends corollate with the changes made to the Family Code or to DFPS policy.

02/02/24 Update: The Data Committee held its most recent meeting on January 22, 2024. Committee members discussed ideas for new data projects including those focused on understanding multi-generational recidivism.

38. Strategy: At the annual judicial conference, partner with DFPS to provide a statewide data presentation as well as tailored data presentations on state, regional, and local challenges and opportunities and encourage data-driven systemic improvements and collaborative efforts.

Background: On an annual basis, DFPS and the Children's Commission partner to offer a statewide data plenary presentation as well as Regional Breakouts to members of the judiciary at the Child Welfare Judges Conference, which is hosted by the Commission in partnership with TCJ. This strategy is achieved at the annual judicial conference through collaboration between the CIP and DFPS during the portion of the conference which focuses on educating the judiciary with statewide data and updates from the Department. The Regional Breakout sessions provide the opportunity for judges and their DFPS regional directors and regional systems improvement specialists to discuss region-specific data elements and permanency outcomes in the context of state data. Due to the expansion of Community-Based Care (CBC), Single Source Continuum Contractors responsible for case management and placement are also included in the regional breakout presentations with judges serving CBC catchment areas, beginning in 2020. Beginning in 2023, Regional Directors from Child Protective Investigations joined the Regional Breakouts.

02/02/24 Update: The October 2023 Child Welfare Judges Conference incorporated feedback from the 2022 Statewide Data Presentation in order to increase gains in knowledge and facilitate higher-level discussion and problem-solving. This year, the Statewide Data Presentation was combined with the traditional DFPS Leadership Panel presentation so that the processes which lead to data outcomes can be presented by both the DFPS Leadership and Data Team staff as an ensemble to promote greater understanding of the intersection of law, policy, practice, and data. DFPS leadership presented a panel entitled DFPS Leadership and Statewide Data Updates which covered key topics such as prevention, investigations, removals, capacity, and family preservation, along with accompanying data on safety, permanency, and well-being outcomes at the statewide level. The subsequent panel addressed the CFSR wherein the Director of Services at DFPS, the CPS Federal and Program Improvement Review Division

Administrator, and the Children’s Commission Executive Director described the CFSR, shared national and state data, explained what judges can expect from the process, and emphasized the critical importance of the judicial voice to the CFSR’s outcomes. Immediately thereafter, Regional Breakouts were convened where judges met by DFPS Region with CPS Regional Directors, CPI Regional Directors, Regional Systems Improvement Specialists, and Single Source Continuum Contractor representatives as applicable, to examine and discuss regional data with an eye towards improving outcomes for children and families. Judicial and agency feedback following these sessions was very positive and focused on the helpful aspects of examining and discussing regional data within the statewide data context. Participants reported that communication across judges, agency staff, and SSCC staff was increased and strengthened in their respective jurisdictions.

Objective: Study the efficacy of virtual or hybrid court hearings in child welfare cases and develop training, tools, and resources designed to maintain the benefits of technology.

39. Strategy: Partner with OCA to support the maintenance, enhancements, data collection, impact, and usability of the Child Protection Case Management System (CPCMS), including integrating CPCMS with other data systems.

Background: CPCMS is a case management system which is unique to Child Protection Courts and has been in use since 2009. OCA staffs a CPCMS Advisory Council of CPC judges, OCA staff, and Children’s Commission staff to identify and discuss various enhancements and issues. User-generated problems and enhancements are routed through the Advisory Council, which also advises on data collection and reporting features of CPCMS. The Children’s Commission regularly collaborates with OCA on the status of CPCMS’ functioning, problems, and enhancements.

The Data Committee facilitates meetings between OCA, DFPS, and Data Committee members to discuss data sharing and integration between OCA’s CPCMS system and DFPS’ IMPACT system. The goal of integration is reducing errors and increasing data accuracy while reducing court staff workloads. OCA has also created an API that will allow Courts other than Child Protection Courts to upload their hearing data into the system and utilize the data collection and case management features of CPCMS.

02/02/24 Update: Updates to the CPCMS system were last released on September 28, 2023 and the CPCMS Advisory Council met on September 29, 2023 to discuss planned updates and enhancements for CPCMS. The Council approved a tickler report for “Other” Order Type rendered but not signed, a text field associated with “Immigration Status,” to input the country from which the individual is immigrating, a quick access link from the Child’s page to the Medications and Placement tabs, added a flag to the Independent Living section for SSI, inclusion of a “Disability” section, and authorization reselection of a previously withdrawn attorney. The next meeting of the Advisory Council will be on January 26, 2023.

OCA and DFPS staff identified security and technical issues that are significant obstacles to finalizing the proposed Data Use Agreement (DUA) between OCA and DFPS. The DUA would authorize sharing of a sample data set to test the data matching criteria that will determine whether the systems can be integrated. Commission staff is working with NCJFCJ staff to study how similar data sharing agreements have been implemented in other jurisdictions and how they overcame similar obstacles and will report back to OCA on their findings.

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Children's Commission Financial Report

FISCAL YEAR 2024 BUDGET

Fiscal Year 2023 CIP Carry Forward	\$	1,178,688
(+) Fiscal Year 2024 CIP Distribution	\$	1,833,528
(+) Fiscal Year 2024 COLA Payment	\$	55,200
(+) Grant: Casey Family Programs	\$	25,000
Fiscal Year 2024 Funds Available	\$	3,092,416

FISCAL YEAR 2024 EXPENDITURES

		Budget		Expenses To-date		Anticipated Expenditures
Operating	\$	1,381,933	\$	250,137	\$	1,131,797
Commission Projects	\$	196,000	\$	12,881	\$	183,119
<i>Systems Improvement</i>	\$	65,000	\$	1,921	\$	63,079
<i>Legal Practice and Process</i>	\$	74,800	\$	10,959	\$	63,841
<i>Training</i>	\$	56,200	\$	-	\$	56,200
Scholarships	\$	97,500	\$	-	\$	97,500
<i>ABA Parent Representation Conference</i>	\$	15,000	\$	-	\$	15,000
<i>Appellate Law Section Boot Camp</i>	\$	7,500	\$	-	\$	7,500
<i>Child Protection Law Section</i>	\$	15,000	\$	-	\$	15,000
<i>NACC -Annual Conference</i>	\$	10,000	\$	-	\$	10,000
<i>NCJFCJ - Judicial Scholarship</i>	\$	35,000	\$	-	\$	35,000
<i>State Bar CAN CLE</i>	\$	7,500	\$	-	\$	7,500
<i>TBLS - CWL Specialization Exam Fee Waiver</i>	\$	5,000	\$	-	\$	5,000
<i>TDCAA - Conference</i>	\$	2,500	\$	-	\$	2,500
Grants	\$	607,148	\$	-	\$	607,148
<i>DFPS - Regional Attorney Training</i>	\$	12,000	\$	-	\$	12,000
<i>OCA - Data Analyst, Technology, Visiting Judge</i>	\$	223,007	\$	-	\$	223,007
<i>TCJ - Judicial Training</i>	\$	259,641	\$	-	\$	259,641
<i>TLSC - Family Helpline</i>	\$	112,500	\$	-	\$	112,500
	\$	2,282,581	\$	263,017	\$	2,019,564

CURRENT FINANCIAL STATUS

Fund Balance	\$	2,829,399
(-) FY2024 Expenditures	\$	2,019,564
Estimated Carry Forward FY 2025	\$	809,835

