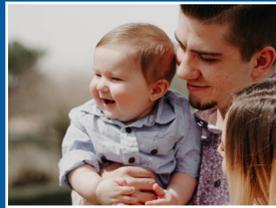




Children's Commission

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



Children's Commission Meeting Notebook September 15, 2023

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

September 15, 2023

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

Thompson Conference Center
Austin, Texas

Friday, September 15, 2023
9:30 a.m. – 2:00 p.m.

Meeting Agenda

- | | |
|-------|---|
| 9:30 | Check-In / Networking |
| 9:45 | Commencement / Opening Remarks
First Order of Business – Adopt Minutes from May 12, 2023 |
| 10:00 | Fiscal Year 2024 Strategies and Budget Report |
| 10:45 | Department of Family and Protective Services Update |
| 11:30 | Special Presentation: Child & Family Services Review |
| 12:15 | Lunch |
| 12:45 | Special Presentation: Kinship Supports |
| 1:15 | Office of Court Administration Update |
| 1:45 | Collaborative Council Member Announcements |
| 2:00 | New Business / Adjourn |

Meeting Schedule:

- November 3, 2023 (virtual)
- February 23, 2024 (in person)
- 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. Isaac Roldan	<i>Advisors:</i>
Hon. Rebeca Huddle, <i>Deputy Chair</i>	Karla Baker	Hon. Susan Brown	Rep. Stephanie Klick	Hon. Randy Shelton	Sheila Sturgis Craig,
Hon. Eva Guzman, <i>Chair Emeritus</i>	Erica Banuelos	Hon. Darlene Byrne	Hon. Selina Mireles	Luanne Southern	<i>Equity Advisor</i>
Hon. Harriet O'Neill, <i>Chair Emeritus</i>	Chantel Bedlington	Hon. Julie Countiss	Katie Olse	Vicki Spriggs	Hon. Michael Massengale,
	Corey Benbow	Hon. Roy Ferguson	Hon. Robbie Partida-Kipness	Terese Stevenson	<i>Sr. Judicial Advisor</i>
	Dr. Gary Blau	Madelyn Fletcher	Sasha Rasco	Hon. Thomas Stuckey	
				Sen. Royce West	

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. Anne Darring	Teal De La Garza	Hon. Delia Gonzales
Hon. Rob Hofmann	Hon. Robin Sage	Lori Duke	Barbara Elias-Perciful	Elizabeth Kromrei
Hon. Piper McCraw	Hon. Ian Spechler	Hon. Angela Ellis	Hon. Denise Fortenberry	Jenn Meier
Hon. Thomas Stuckey	Jordan Watson	Hon. Delia Gonzales	Hon. Angela Graves-Harrington	Hon. Robin Sage
	Sarah Worthington	Monique Gonzalez	Hon. Yahara L. Gutierrez	Hon. Michael Schneider
<i>Staff:</i>	<i>Staff:</i>	Brenda Kinsler	Margaret Halpin	Vicki Spriggs
<i>Jamie Bernstein</i>	<i>Jamie Bernstein</i>	Janet VanderZanden	Tracy Harting	Hon. Carlos Villalon
<i>Aimee Corbin</i>	<i>Aimee Corbin</i>	Charlotte Velasco	Sharibeth Niehaus	<i>Staff:</i>
			Hon. Robbie Partida-Kipness	<i>Dylan Moench</i>
			Kellie Price	<i>OCA Advisory:</i>
			Hon. Tracey Scown	<i>Darrell Childers</i>
			Diane Sumoski	<i>Anissa Johnson</i>
			Hon. Elizabeth Watkins	<i>Casey Kennedy</i>
			<i>Staff:</i>	<i>Alejandra Peña</i>
			<i>Milbrey Raney</i>	<i>Mena Ramon</i>
			<i>Renée Castillo-De La Cruz</i>	<i>Charlotte Velasco</i>
			<i>Andrea Vicencio</i>	

COLLABORATIVE COUNCIL MEMBERS

Milkey Betancourt	Mike Foster	Tina Hosaka	Kate Murphy	Jamie Bernstein, <i>Executive Director</i>
Andrew Brown	Will Francis	Kerrie Judice	Judy Powell	Milbrey Raney, <i>Assistant Director</i>
Dania Carter	Fedora Galasso	Bruce Kendrick	Tanya Rollins	Jessica Arguijo, <i>Communications Manager</i>
Irene Clements	Dr. Linda Garcia	Brian Klas	Danielle Schafer	Renée Castillo-De La Cruz, <i>Staff Attorney</i>
Sarah Crockett	Barbra Grimmer	Norman Ladd	Johana Scot	Aimee Corbin, <i>Staff Attorney</i>
Teal De La Garza	Sandra Hachem	Stephanie Madrigal	Andrea Sparks	Tiffany Edwards, <i>Executive Assistant</i>
De Shaun Ealoms	Julia Hatcher	Gabriella McDonald	Kenneth Thompson	Chelsea Martinez, <i>Executive Assistant</i>
Barbara Elias-Perciful	Félix Herrera	Dr. Jill McLeigh	Ruth Thornton	Dylan Moench, <i>Legal Representation Director</i>
			Sarah Worthington	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, May 12, 2023
11:30 a.m. – 2:00 p.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, Executive Director, Hackett Center, Houston	✓	
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		✓
Hon. Roy Ferguson, Judge, 394 th District Court, Alpine	✓	
Madelyn Fletcher, Budget and Policy Advisor, Office of the Governor, Austin	✓	
Sandra Hachem, State Bar of Texas Child Protection Law Section Chair, Houston		✓
Anne Heiligenstein, Executive Commissioner, Texas Department of Family and Protective Services, 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 (by proxy Christopher Gearing), 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	✓	
Equity Advisor		
Sheila Craig, Director, Civil Rights Office, Health and Human Services Commission, Austin	✓	
Senior Judicial Advisor		
Hon. Michael Massengale, former Justice, First Court of Appeals, Houston		✓

Attending Guests

Hon. Delia Gonzales, Dallas County Child Protection and Permanency Court, Dallas
 Shanti Khanna, Austin Community Law Center, Austin
 Stephanie Muth, Commissioner, Texas Department of Family and Protective Services, Austin

Joey Reed, Director of Strategic Initiatives, Texas Health and Human Services, Austin
Jennifer Sims, Deputy Commissioner, Texas Department of Family and Protective Services, Austin

Office of Court Administration Staff

Jeff Cox, Senior Data Analyst
Jeffrey Tsunekawa, Director of Research and Court Services
Charlotte Velasco, Project 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
Jocelyn Fowler, Staff Attorney
Chelsea Martinez, Executive Assistant
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 11:30 a.m. She welcomed everyone to the virtual meeting. Justice Lehrmann noted that the primary goal for the meeting was to review and receive input about potential areas of focus for the coming fiscal year. Lastly, she thanked everyone for attending the meeting and for their work on behalf of children and families.

Justice Rebeca Huddle expressed her appreciation to everyone participating in the meeting during one of the busiest times of year.

Committee and Collaborative Council Members

Justice Lehrmann announced that Ms. Karla Baker, Parent Liaison and Commissioner, recently joined the Legal Practice and Process Committee which oversees the work of the Legal Representation Committee and Parent Resource Workgroup. Justice Lehrmann also shared that Ms. Jenn Meier, Research and Data Manager at TexProtects, is a new member of the Data Committee.

Adoption of February 10, 2023, Meeting Minutes

Justice Lehrmann directed members to the February 10, 2023 Commission Meeting Minutes behind Tab 2 of the Meeting Notebook, distributed in advance of the meeting.

ACTION: After a motion and a second, Justice Lehrmann asked if there were any edits to the minutes as written. Hearing none, the Commissioners voted to adopt the minutes for the February 10, 2023 Children’s Commission meeting.

CHILDREN'S COMMISSION UPDATE

Ms. Jamie Bernstein announced that Ms. Monica Mahoney left the Children's Commission and accepted a position as the Communications and Operations Support Administrator at Pathways.

Ms. Bernstein informed the Commissioners that Commission staff would present an update on project ideas for FY2024. Ms. Bernstein shared that the Commission will continue to partner with many stakeholders working within the child welfare system. The Commission will also upgrade its website to make it more user-friendly to external partners.

Ms. Jocelyn Fowler and Ms. Aimee Corbin shared the initiatives developed by the Systems Improvement (SI) Committee. To further evolve after the trauma-informed courts projects, the SI Committee suggested reframing the issue to encompass both trauma and mental health. Ms. Fowler relayed an idea to support a judicial learning collaborative focused on implementing trauma-informed practices and policies across the state. The Commission will also continue to partner with the Judicial Commission on Mental Health to follow up on the recommendations from the Children's Mental Health Round Table held in June last year.

Ms. Fowler also reported on an increased demand to support the judicial and legal community as Community Based Care (CBC) continues to roll out across the state. She announced that the Commission will collaborate with the Texas Alliance for Child and Family Services to support CBC readiness efforts. The goal is to host conversations targeted towards judicial and legal stakeholders in regions that transition to CBC.

Ms. Corbin highlighted two prospective new areas of focus, one related to youth voice and normalcy and the other related to specific populations. Regarding youth voice, Ms. Corbin proposed a workgroup to bring together professionals who work with older youth to identify gaps in resources and to help clarify what young adults need and how to best support them. For specific populations, Ms. Corbin discussed the recommendation to form a workgroup in response to the Forensic Assessment Center Network (FACN) Report released in September 2022 to develop clear information for parents and family members who might interact with the FACN during a child welfare case.

Ms. Corbin also shared that the SI Committee proposed a shift from a narrow focus on the Commercial Sexual Exploitation of Children (CSEC) to a broader focus on sexual abuse. Ms. Anne Heiligenstein and Judge Angela Graves-Harrington voiced support for a special focus on youth with lived experience as well as older youth. Ms. Vikki Spriggs added the importance of encouraging normalcy for youth and the collaboration with Texas Workforce Commission for older youth. Judge Graves-Harrington requested that the SI Committee take a closer look at issues with runaways, especially the connection with runaways and CSEC.

Ms. Renée Castillo-De La Cruz reported that the Legal Practice and Process (LPP) Committee convened on April 28th. The LPP Committee agreed to focus on three areas: increasing resource accessibility for children and parents; training for attorneys and resources for parents related to pre-litigation issues and support and information about reinstatement of parental rights; and the continued creation and maintenance of the Commission's various guides and project deliverables (including, but not limited to, the Bench Book, the Tool Kit for Attorneys Representing Parents

and Children and the Tool Kit for Attorneys Representing DFPS in Child Welfare Cases, a mediation tool kit, the Pre-Litigation Guide, and the Parent Resource Guide).

Ms. Castillo De-La Cruz shared that to increase resource accessibility and to reach the target audience, the LPP Committee will continue to work with partners such as the Family Helpline, and the Texas RioGrande Legal Aid Texas Foster Youth Justice Project and Family Defense Project. In addition to providing resources for children, youth, and families, the LPP Committee will also focus on training attorneys for parents and children on pre-litigation issues, and on providing various related resources. A video addressing the parent-attorney relationship is also a project under consideration, and this will be developed by the Parent Resource Workgroup.

Mr. Dylan Moench announced that the Standards of Representation Committee continues its work on developing a framework for Texas Standards of Representation. The committee conducted a detailed review of the American Bar Association standards, the National Association of Council for Children standards, as well as state standards for the twenty states which have adopted child welfare standards of representation. The committee settled on a framework by dividing representation into six phases: establishing the attorney-client relationship, the investigatory phase, the preparatory phase, the conciliatory phase, the adversarial phase, and the appellate and post-judgement phase. The committee will now begin the process of drafting language for each of the six phases.

Mr. Moench shared that the Appellate Representation Workgroup continues to develop projects to enhance the quality of appellate representation in child welfare cases. The workgroup has identified speakers for a webinar to address the transition from the trial attorney to the appellate attorney and for a presentation at the 2023 Child Welfare Judges Conference about what trial judges need to know about the appellate process. Lastly, the workgroup is collaborating with the Appellate Law Section to help recruit qualified attorneys to take appeals in child welfare cases.

Judge Rosie Alvarado expressed her appreciation for the Legal Representation Committee's focus on attracting new attorneys to the child welfare field. Judge Alvarado added that she is working with local institutions of higher education to support class offerings and clinic development and increase education and collaboration in Bexar County on child welfare issues. Ms. Bernstein provided an update on the Commission's current outreach to create new law school child welfare clinical programs. Mr. Gearing commented that virtual outreach to children and families is a great way to encourage engagement and connect that population with services. Judge Graves-Harrington requested support for reinvigorating a children's law clinic at Thurgood Marshall School of Law; additionally, she requested that the LPP Committee consider creating a resource guide for adoptive families.

Ms. Milbrey Raney and Ms. Castillo-De La Cruz highlighted the Training Committee's areas of focus for FY2024, starting with the judicial and attorney reasonable efforts academies. Ms. Raney reported that the Commission modified the Capacity Building Center for Courts' national training to fit the Texas statutory scheme and that the Commission may adapt the online trainings for both judges and attorneys into an in-person format. Ms. Raney will attend the Minnesota Court Improvement Program's (CIP) Reasonable Efforts Judicial Academy and Ms. Castillo-De La Cruz

attended the Colorado CIP's Reasonable Efforts Attorney Academy in March; this experience will support the Commission's development of future academies in Texas.

Ms. Castillo-De La Cruz reported that data collected from the last three rounds of Trial Skills Training (TST) applications indicate a need for both basic and advanced-level trainings. Based on feedback from the Training Committee, TST faculty members, and prior TST participants, the more pressing need is for a 101 training. Input from the Training Committee on how best to design the 101 curricula included preparing a case from the removal through either a contested Adversary or Court Ordered Services Hearing; providing a rotating one to two-day training on various topics such as laying the evidentiary foundation, pre-trial motions, and objections practice; and training on how to prepare a client and witnesses for hearings.

Ms. Castillo-De La Cruz shared that the Commission will also focus on growing online content and present webcasts and webinars on a monthly to bi-monthly basis. Ms. Raney announced a new focus on providing shorter trainings on relevant child welfare related information that could be easily accessible to judges and attorneys. Some potential topics are information on resolving Bureau of Vital Statistics issues and a DFPS overview.

Chief Justice Darlene Byrne requested that the Commission consider legal education for attorneys on *Anders* Briefs (how and when to write them, perhaps as a writing seminar with discussion based on a fictional record which could be analyzed). Justice Lehrmann expressed support for this idea.

Mr. Moench announced that the Data Committee met on May 5th to discuss future projects. One of the projects that has been on hold is the study regarding the PMC Courts in the Dallas and Houston areas. The committee determined that to obtain causal evidence regarding the effectiveness of these courts, an evaluation would have to compare children whose cases were placed in PMC courts upon entry versus children whose cases were placed in non-specialized PMC Courts, and measure both sets of permanency outcomes. A formal request to access data was submitted to DFPS through their new research and data request portal and a response is pending.

Mr. Moench shared that the other project that has been on hold is determining whether the Child Protection Case Management System (CPCMS) and DFPS IMPACT data systems can successfully be integrated to share data. In an initial meeting with OCA and DFPS to develop a data-sharing agreement, it was determined that the project could not proceed at that time due to significant security and technical issues. However, the workgroup will re-examine the barriers and resume work on this project in FY2024.

Mr. Moench reported that the Data Committee will partner with DFPS to explain CFSR data to judges and the community and help determine how judges can use the data to improve their court practices. Also, the Committee plans to work with DFPS to better understand how to use their online portal with the goal of judges maximizing their understanding and use of the data that can be obtained via the online data portal.

COLLABORATIVE COUNCIL MEMBER UPDATES

Ms. Barbara Elias-Perciful with Texas Lawyers for Children (TLC) announced that TLC will hold a webinar on September 20, 2023, from 2:30 p.m. to 5:00 p.m. The training will cover a trauma treatment known as Eye Movement Desensitization Reprocessing (EMDR) that is sometimes used with children and adults who experience trauma.

TEXAS DEPARTMENT OF FAMILY & PROTECTIVE SERVICES (DFPS) UPDATE

Ms. Erica Bañuelos began with an update on Family-Based Safety Services (FBSS). Starting in October 2022, DFPS took steps to further engage families which were not initially interested in FBSS and to follow up with families that were referred to community services to ensure they received the resources that they needed. As a result, DFPS has increased participation in this stage by 44 percent. Ms. Bañuelos shared that the average FBSS caseload continues to increase from 4.8 to 7.5. DFPS will continue to evaluate whether further adjustments are needed. Regarding conservatorship, Ms. Bañuelos reported that DFPS has seen the largest increase in removals in almost 2 years because of an uptick in investigations. Despite the increase in removals, DFPS has maintained a high positive permanency rate and exits still outpace entries into care. This has resulted in an overall reduction of the number of children in foster care.

Ms. Bañuelos shared that conservatorship caseworker turnover in legacy areas continues to increase, with current numbers at about 35 percent. Ms. Bañuelos reported that DFPS continues to focus on kinship care and that as of March 2023 approximately 6,573 children were placed with a kinship caregiver. She also announced that DFPS is launching a Family Group Conference (FGC) initiative that is fully focused on kinship caregivers. Lastly, Ms. Bañuelos highlighted that DFPS has seen an increase in their time to permanency rising over 22 months and that they are working on ways to decrease that time.

Chief Justice Byrne asked if the Department has been able to identify the reason for the rise in turnover of conservatorship workers, adding that caseworker turnover tends to make the case take longer. Chief Justice Byrne as well as Judge Graves-Harrington made several suggestions to support workers. Ms. Bañuelos shared that Commissioner Stephanie Muth hired staff to help identify the issues contributing to turnover and DFPS continues to try to get to the bottom of the issue as well as elevate their hiring process. Commissioner Muth announced that preventing worker turnover is a priority and that DFPS is trying to address trauma experienced by workers, focus on workplace wellness, and provide better support to conservatorship workers.

Judge Graves-Harrington reported that in her court she has seen an uptick in positive permanency and also an increase in nonsuits. She asked if these trends were connected and whether there were any data that the Department could provide about the number of nonsuits being filed. Ms. Bañuelos advised that she did not have the data on nonsuits but would investigate and try to report back soon.

Ms. Sasha Rasco announced that Senate Bill 24 would rename and move the Prevention and Early Intervention (PEI) division from DFPS to HHSC and they are awaiting the outcome of the 88th Regular Legislative Session. Also, Child Abuse and Prevention Month recently ended, and this was a major focus for the PEI staff.

Ms. Rasco proceeded to give an update about the Texas Family First pilots. She reported that they are expecting to continue funding the pilots and are awaiting guidance from the legislature to give them any potential changes or new directions. The University of Texas Medical Branch is doing required third party evaluations and is interviewing those involved with the pilots.

Ms. Rasco reported that PEI, in partnership with Child Protective Services (CPS), is using some CAPTA funds to fund some kinship navigation pilots in a few communities around the state. They are evaluating those navigation pilots and in partnership with the University of Texas Medical Branch are feeling confident that they will be able to submit the navigation curriculum to the FFPSA Clearinghouse to potentially draw down funds in the future. Kinship families report benefitting from prevention efforts and that navigation has been helpful with matching kinship families with support, especially legal support. Ms. Chantel Bedlington noted that she manages a navigator pilot program in the DFW area and provided additional details about the work that her program is doing. She shared that Texas is unique in supporting informal kinship arrangements as well as formal kinship arrangements. Ms. Rasco continued that families without a CPS case are able to identify and receive services through various referral sources, including the PEI website and kinship navigator programs.

OFFICE OF COURT ADMINISTRATION (OCA) UPDATE

Mr. Jeffrey Tsunekawa announced that Judge James Belton in Brownsville's Child Protection Court of Rio Grande Valley East retired and that Judge Marie Cortez will take the bench starting June 1, 2023. Mr. Tsunekawa also shared that one of OCA's Early Intervention Court Liaisons, Ms. Marnita Davis, stepped down on May 3, 2023. He also reported that OCA Senior Data Analyst Mr. Jeffrey Cox will leave the agency on May 31, 2023.

Mr. Tsunekawa gave an update on a few relevant legislative bills (OCA tracked over 1700 bills total), starting with HB 1 and SB 1 which will include funding to OCA for case-level data. Obtaining case-level data would allow OCA to collect data about every single case from the ground level, which would be a change from OCA's current ability to collect aggregate data from the county level. This would provide great insight for the judiciary and for policymakers reviewing the work of the courts. Mr. Tsunekawa highlighted HB 3186 which would allow judges to divert youth facing Class C Misdemeanors to different programs or interventions, so the youth do not have a guilty finding on their record. He also spoke about SB 728 that requires clerks to report dispositions related to mental health findings for youth to DPS for NICS background checks.

Mr. Tsunekawa also highlighted SB 2120 which provides the Texas Indigent Defense Commission (TIDC) the ability to provide services, oversight, and improvements in court-appointed legal counsel for children and indigent parents in child protection cases. He also announced that the current Director of TIDC, Geoff Burkhart, will be leaving TIDC imminently to join the Texas Fair Defense Project and the board has appointed Scott Ehlers as the Interim Director until a new Executive Director is chosen for TIDC. Finally, Mr. Tsunekawa reported on the status of HB 2037, which addresses the process in juvenile court for children with mental illness and intellectual disabilities.

SPECIAL PRESENTATION ON REINSTATEMENT OF PARENTAL RIGHTS CASES

Ms. Shanti Khanna, Fellow with Austin Community Law Center, gave a presentation about her work with the law on reinstatement of parental rights, pursuant to the 87th Legislative Session. Ms. Khanna gave a brief overview about the law, how it has been implemented, and her experience working with parents to navigate the legal requirements for reinstatement of parental rights. The PowerPoint provided by Ms. Khanna contains further detail and information.

Ms. Khanna announced that she will be moving her project to Texas RioGrande Legal Aid imminently. A discussion about statutory ambiguities followed, with Ms. Khanna providing some details about how she is identifying these ambiguities and how she might collect data on the same.

NEW BUSINESS

Justice Lehrmann announced that the next Commission meeting will be held in person on September 15, 2023. She also reminded everyone that the final 2023 Children's Commission meeting date will be convened virtually on November 3, 2023.

ADJOURNMENT

The meeting was adjourned at 2:00 p.m.

INSERT - TAB 3

REPORT TO THE COMMISSION

May 12, 2023

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.

09/15/23 Update: The May 12, 2023 Commission meeting was held via Zoom and archived on the Commission's YouTube channel and website.

The Legal Practice & Process, Training, and Data Committees met on August 25, August 28, and August 31, 2023 respectively. The Executive Committee met on August 23 to review the grant applications submitted to the Children's Commission for funding. The Children's Commission convened an All-Committee Webinar on August 30, 2023 to share the proposed Fiscal Year 2024 Strategies and Budget with committee members.

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.

09/15/23 Update: Bi-weekly stakeholder calls, including updates and participation from agency staff and Collaborative Council members, continue to take place every other week. The annual Collaborative Council meeting will take place on the morning of September 15, 2023.

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 relayed through the Commission’s Twitter account, @TXChildrensComm.

09/15/23 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. The Children’s Commission is conducting research to evaluate website “traffic” to determine the types of resources most accessed by these additional users and to explore design functionality. OCA recently upgraded the content management system (CMS) Umbraco and the Children’s Commission continues to 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.

09/15/23 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, the advisory body for the rollout of Community-Based Care in Texas.

As of January 2023, the Children’s Commission participates in monthly calls with DFPS and ACF to prepare for the federal CFSR. Texas is expected to participate in CFSR Round 4 in 2024. 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. At the meeting on August 31, 2023, DFPS presented information regarding the CFSR process to the Commission’s Data Committee.

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 on Capacity. 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 placement options for children without 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.

09/15/23 Update: On August 16, 2023, the Children’s Commission partnered with the Texas Alliance of Child and Family Services to present information about Community-Based Care to the judges with child welfare jurisdiction in Harris County.

The Judicial Workgroup on Capacity met on a monthly basis during the 88th Legislative Session. 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.

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: Judge Rob Hofmann of the 452nd District Court in Mason County and Judge Piper McCraw 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.

09/15/23 Update: Between May 12 and September 15, 2023, a few examples of JIR activities include:

- Advised on FY2024 plans at annual Staff Retreat, June 1-2, College Station;
- Attended National Council of Juvenile and Family Court Judges Annual Conference, July 16-19, Baltimore, MD;
- Attended Child Protection Court Convening and facilitated Judicial Discussion Breakout Session, July 27-28, Bastrop;
- Attended the Children's Commission Judicial Child Welfare Forum, August 10, Virtual;
- Participated in Executive Committee Meeting, August 23, Virtual;
- Chaired the Training Committee Meeting, August 28, Virtual;
- Featured on Texas CASA Distinguished Speaker Series, September 6, Virtual;
- Presented two CIP Breakout Sessions at the Texas Center for the Judiciary's Annual Judicial Conference, September 7, Houston;
- Chaired Trial Skills Training faculty meetings, July 20 and September 12, virtual;
- Hosted the Fall 2023 Trial Skills Training virtual Pretrial Day on September 13, virtual;

- Continued work as Treasurer for the National Council of Juvenile and Family Court Judges and attended Executive Committee Meetings, multiple dates; and
- Participated in calls with Executive Director, leadership, and staff regarding multiple topics.

Objective: Promote awareness of and embed a culture and practice among the judiciary and legal community around Trauma-Informed Care.

7. Strategy: Partner with trauma and mental health advocates and agencies to implement and apply principles of Trauma-Informed Care in the respective disciplines.

Background: In July 2017, the Children’s Commission launched the Statewide Collaborative on Trauma-Informed Care (SCTIC) 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. The SCTIC endeavors to raise awareness about Trauma-Informed Care through training and educational opportunities; create a trauma-informed and trauma-responsive child welfare system that better meets the needs of children and families who experience trauma; and partner with other state and national trauma-informed workgroups and collaboratives. The SCTIC continues under the guidance of an Implementation Task Force and utilizes the Blueprint to direct the SCTIC’s work.

09/15/23 Update: The Trauma-Informed Court Project continues to see progress in implementation from all four court sites. Court teams continue to meet with the oversight team regularly and separately as teams.

The Trauma-Informed Court Project held its final cohort convening on August 31, 2023. The in-person convening allowed for cross-team information sharing and exchanging lessons learned from the project. The agenda for the convening included updates from court teams on their project implementation, a presentation on protective factors by Tameka Caldwell, and breakouts by role (i.e., judges, attorneys, CASA, DFPS, and community partners). Judge Carlos Villalon Jr. served as emcee of the convening and encouraged the courts to sustain the effort to cultivate a trauma-informed court environment.

Objective: Support efforts to build capacity to address mental health needs for children and youth in the Texas child welfare system.

8. Strategy: Engage stakeholders in the child welfare, juvenile justice, and mental health systems to address gaps in services for children and youth with complex mental health needs.

Background: At the February 25, 2022 commission meeting, members of the Children’s Commission identified the urgent need to strengthen the systems supporting children with complex mental health needs. Children’s Commission members then discussed the idea of convening various stakeholders to have a more in-depth discussion about children’s mental health to gather more information on the challenges faced by children with complex mental health needs. After the meeting, leadership of the Children’s Commission and the Judicial Commission on Mental Health prioritized a joint initiative where in the commissions would partner to adequately address these topics and challenges as well as opportunities for systemic improvement.

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.

09/15/23 Update: The Children’s Commission participated in State Agency Collaborative Listening Sessions on July 8, 10, and 12 alongside DFPS, HHSC, TEA, the Judicial Commission on Mental Health and other state agency representatives. The listening sessions centered around what is working well, what is not working, experiences with learning about and getting behavioral health services for youth, and ideas on how to improve behavioral health services for youth in Texas. 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.

9. 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.

09/15/23 Update: The Equity Workgroup is currently assisting with a session for the upcoming annual Child Welfare Judges Conference. At the last meeting, workgroup members agreed to explore a data project evaluating whether disproportionality exists in the population of kinship families who qualify for Permanency Care Assistance (PCA) and those who do not qualify or receive PCA payments. Several members of the workgroup also attended the Travis County Child Welfare Race Equity Collaborative Convening on August 3-4, 2023. The next workgroup meeting is scheduled for October 5, 2023.

Objective: Improve and expand engagement of youth in court hearings and related decision-making so that children and youth feel more involved and assured that their voice is heard and is important to the decisions being made about their lives.

10. Strategy: Elevate the importance of engaging children and youth in the case planning and court process as well as promote 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 in the Children’s Commission’s work. The Children’s Commission also seeks to prioritize and encourage participation of persons with lived experiences 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” which outlines the

reimbursement process. Participants are compensated based upon their time and preparation for Commission trainings and meetings.

09/15/23 Update: The Commission continues to work 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 training will be presented at the October Child Welfare Judges Conference.

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: Emphasize the need for normalcy for children and youth who experience foster care by providing clear guidance on age-appropriate activities and real-world application of normalcy principles.

11. Strategy: Promote role-based information about how different stakeholders can support normalcy for children and youth in foster care.

Background: The Children’s Commission held a Round Table on Normalcy in February 2019. Subsequently, the Commission provided grant funding in FY2020 for Texas CASA to create a role-based guide regarding normalcy for children and youth in foster care. On February 2, 2022, Texas CASA released a [guide](#) entitled Normalcy Matters: A Guide to Supporting Children & Youth in Texas Foster Care, as well as a companion [video](#) to provide education about normalcy, including the importance of normalcy and how judges, attorneys, stakeholders, and others can support normalcy for children and youth who experience the Texas child welfare system.

09/15/23 Update: The Children’s Commission continues to support and promote awareness of the role-based normalcy guide and companion video developed by Texas CASA. The guide and video are hosted as resources on the Commission website and are referenced in the October 2022 update of the Texas Child Welfare Law Bench Book.

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.

12. Strategy: Engage judges and lawyers, in collaboration with DFPS’ Prevention and Early Intervention (PEI) division and other partners, 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. There are certain training provisions directly impacting the courts and Court Improvement Programs, but beyond that, FFPSA mandates that states seeking Title IV-E funding create and provide more robust prevention services for families in the state’s child welfare system. The Children’s Commission collaborates with Casey Family Programs 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, PEI proposed creating a new position of an Early Intervention Court Liaison in identified Child Protection Courts. 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 early childhood and 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.

09/15/23 Update: The Children’s Commission staff participate in PEI’s Prevention Framework Workgroup which is comprised of statewide stakeholders, and 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 had completed the first round of stakeholder interviews and is starting a second set of interviews. OCA and PEI agreed to renew the early intervention pilot grant for 2024-2026.

At the July 2023 Child Protection Court Convening, the Early Intervention Court Liaison and participating judge from Galveston presented on a panel entitled “Moving Upstream: Early Intervention Court Liaisons and Texas Family First Pilots.” The session focused on the benefits of court and community involvement in prevention efforts, the continuum of prevention, ways to adapt and implement practical changes to prevent removal of children, and the importance of identifying local resources and uniting community partners to support families.

13. Strategy: Support the development of court processes relating to implementation of the Family Preservation Services Pilot program.

Background: House Bill (HB) 3041 passed during the 87th Texas Legislature, creating a Family Preservation Services pilot program, now named 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 Family Preservation Services pilots will operate under direct court supervision and DFPS is directed to utilize federal Title IV-E funds for services. Pilots will be located in some or all counties in the following Community-Based Care Regions: 1, 2, 3B, and 8B.

At the request of DFPS, the Children’s Commission convened the judges presiding in the pilot areas who regularly hear child welfare cases. An initial meeting took place on June 30, 2022 via Zoom. DFPS prepared a series of questions regarding the pilot and judges provided feedback in response to these questions. As a follow up, the Children’s Commission hosted a meeting on August 2, 2022 with the judges and the attorneys practicing in their courts as well as local CASA programs, DFPS, and Single Source Continuum Contractor representatives (SSCCs). After the August meeting, the Children’s Commission shared a visual timeline of the required court elements set forth in HB 3041.

09/15/23 Update: 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.

At the July 2023 Child Protection Court Convening, a judge participating in the TFF Pilot presented on a panel entitled “Moving Upstream: Early Intervention Court Liaisons and Texas Family First Pilots.”

As of August 2023, DFPS expanded the eligibility criteria for families who can receive services under the Family First Pilot program. At present, there are approximately 100 families actively engaged in the pilot within four DFPS regions.

On August 4, 2023, the Commission facilitated a meeting between DFPS staff and attorneys practicing in the TFF pilot areas. The SSCC representatives provided insight into their evidence-based programs and attorneys had the opportunity to ask questions about the pilot.

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

14. 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. In FY2019, the structure of the FC&Ed collaboration shifted from a workgroup model to 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.

On August 4, 2022, 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).

09/15/23 Update: 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 finalized and are awaiting design.

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 the Texas Education Agency (TEA) and work towards an annual report. DFPS, TEA, and the Commission staff met in person on May 30, 2023 to continue discussions on a data exchange process.

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 last met on May 30, 2023 and is planning a Fall 2023 meeting.

TEA, DFPS, and the Children's Commission are planning a Foster Care and Education Summit in the Houston area in September 2023. Members from these agencies meet weekly to plan the one-day summit which will train on ESSA-related issues such as dispute resolution, transportation, and designated points of contact.

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.

15. 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.

09/15/23 Update: The Supreme Court of the United States handed down a decision in the [Haaland v. Brackeen](#) case, No 21-376, slip op. (U.S. June 15, 2023). In a 7-2 decision, the Court affirmed the constitutionality of the Indian Child Welfare Act (ICWA). The Court reversed the lower court's ruling on the anti-commandeering challenge, finding ICWA did not violate the 10th Amendment by unconstitutionally commandeering the State of the provisions of active efforts, placement preferences, and record keeping. The Court declined to reach the merits of the equal protection and non-delegation challenges, finding none of the petitioners had standing. On these two challenges, the case was remanded with instructions to dismiss for lack of jurisdiction.

Commission staff meet with DFPS and Tribal ICWA liaisons on a monthly basis to discuss emerging issues regarding application of ICWA and related issues. The Commission participates in the ICWA Constituency Group monthly calls organized by the Capacity Building Center for Courts.

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

16. Strategy: Partner with national, state, and local leaders to understand the scope of the issue and engage judges and lawyers on the need to prevent and address commercial sexual exploitation of children and youth in foster care.

Background: The Children's Commission partners with many key stakeholders with a goal of preventing and addressing commercial sexual exploitation of children and youth in foster care. In addition to serving on the Texas Human Trafficking Prevention Task Force, the Children's Commission also works with the Office of the Texas Governor's Child Sex Trafficking Team, the DFPS Human Trafficking and Child Exploitation Team, and the Office of Court Administration to develop strategies to improve judicial handling of child welfare cases where children and youth are at high risk of becoming trafficking victims.

The Children's Commission is focused primarily on providing information to judges and attorneys responsible for child welfare cases to raise awareness about human trafficking as it impacts children and youth involved with the child welfare system. The Children's Commission also participates in state and national trainings on human trafficking to stay informed about successful strategies to combat trafficking and develop expertise to relay information to Texas judges and attorneys as needed.

On January 7, 2021, the Commission convened its first Human Trafficking Judicial Workgroup meeting comprised of fourteen judges from across the state. The workgroup's purpose is to explore ways judicial leaders can be involved in discussions about prevention and identification of commercial sexual exploitation of children, particularly children within the child welfare system. Since that time, the workgroup changed its terminology to address the commercial sexual exploitation of children in order to reflect the more commonly used verbiage used by others in the field. The workgroup is now known as The Commercial Sexual Exploitation of Children Judicial Workgroup.

09/15/23 Update:

Commission staff participate in the ACF Region VI Human Trafficking Workgroup to share best practices and better coordinate with other states on combatting human trafficking. A regional meeting is set for September 20-21, 2023.

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 August 30, 2023.

The Children's Commission participated in recent meetings of the Texas Human Trafficking Prevention Task Force. The Task Force met on June 7, 2023, to discuss continued development of projects designed to expand trauma-informed education and training to members of law enforcement and the legal community.

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

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.

17. 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.

09/15/23 Update: There were no updates during this reporting period.

18. Strategy: Assess the impact of Qualified Residential Treatment Programs on placements for children and youth, including the use of other congregate care facilities.

Background: Texas elected to delay implementation of certain provisions of FFPSA related to the use of congregate care, which mandate that Court Improvement Programs provide training and education to judges and other legal system stakeholders on the limitations on funding for use of non-foster family home placements. However, provisions related to Qualified Residential Treatment Programs (QRTPs) went into effect in October 2021. Under Senate Bill 1575 (87th Regular Legislative Session), the Children’s Commission partnered with DFPS to examine the oversight of, and best practices related to, residential treatment center placements, including placements in QRTPs.

09/15/23 Update: SB 1930 by Senator Kolkhorst passed during the 88th Regular Legislative Session and contains the recommendations from the SB 1575 Workgroup created by the 87th Legislature regarding procedures for placing a child in an RTC or QRTP. The bill is effective September 1, 2023. In 2023, the Children’s Commission Child Welfare Law Bench Book will contain 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.

19. Strategy: Prioritize and implement the agency coordination, data, definitions, judicial practices, legal representation and advocacy, and training 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.

The Child Protection Court dual status pilot is underway in the Child Protection Court of the Rio Grande Valley West, the Child Protection Court of Taylor County, and the Child Protection Court of the Hill Country.

09/15/23 Update: In July 2023, the three Dual Status Pilot Court judges gave a panel presentation and provided an update on the pilot at the biennial Child Protection Court Convening. The panelists discussed some of the challenges and benefits of the pilot and offered practical tips for judges considering a dual status approach to improve outcomes for these youth.

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.

20. 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.

09/15/23 Update: The LRC last met on July 14, 2023, to discuss the status of several committee projects. The LRC continues to work on several projects to enhance parents’ and children’s understanding of the attorney-client relationship.

The Parent’s Materials Workgroup finalized the Incarcerated Parents Rights Poster. The Commission collaborated with the Texas Department of Criminal Justice (TDCJ) to have the poster regularly published in The Echo, the monthly Windham School District newspaper that is available in TDCJ facilities. Commission staff is also working with county and municipal organizations to ensure the poster is available in other correctional facilities.

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 been focused on attorney outreach and recruitment. In collaboration with TIDC and OCA, spotlight interviews of child welfare practitioners and judges have been completed, reviewed, and five spotlight videos will be created from the content. Topics will include: “Where do I Start?,” “Entering the Child Welfare Field;” “What Makes Child Welfare Law Unique;” “What Keeps You in Child Welfare Law;” and “The Importance of High Quality Legal Representation.” Once completed, the videos will be made available to law schools and other organizations to raise awareness of child welfare law as a career path.

The Appellate Representation Workgroup has identified speakers for a webinar to address the transition from the trial attorney to the appellate attorney in child welfare cases. The webinar is scheduled for presentation in November 2023. Workgroup members also identified speakers for a presentation at the

2023 Child Welfare Judges Conference about what trial judges need to know about the appellate process. Workgroup members joined the Tool Kit Committee to ensure that the Tool Kit for Attorneys Representing Parents and Children contains essential appellate material and proposed a one-page bench/attorney card on post-judgment representation. The workgroup is collaborating with the Appellate Law Section to help recruit quality attorneys to take CPS appeals and is exploring scholarships to help child welfare attorneys attend the section's appellate law boot camp. The next meeting of the Appellate Workgroup will be held on October 27, 2023.

The next meeting of the LRC will be in January 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.

21. 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. Judge Roy Ferguson 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.

09/15/23 Update: The Committee has settled on a framework for standards by dividing representation into six phases: establishing the attorney-client relationship, the investigatory phase, the preparatory phase, the conciliatory phase, the adversarial phase, and the appellate and post-judgment phase. Following initial in-person meetings, the Committee held a virtual meeting on June 29, 2023. The committee reviewed draft language for standards covering the formation of the attorney-client relationship, serving in the dual role of attorney and guardian litem, and substituted judgment. The next meeting of the Standards of Representation Committee will be on September 13, 2023.

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

22. 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. Also, for several years the Children’s Commission had offered reimbursement of either the application fee or the certification exam fee for Texas attorneys and judges who successfully qualify for and pass the National Association of Counsel for Children’s (NACC) Child Welfare Law Specialist (CWLS) Exam. The Children’s Commission has not received a reimbursement request for the CWLS exam since FY2017 and phased out reimbursement in FY2022.

09/15/23 Update: Applications for the 2023 certification closed on April 7, 2023, and 27 applicants have been notified of their eligibility to take the Fall exam. The exam will be held over a two-day period on October 2-3, 2023. 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.

23. 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 #22 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.

09/15/23 Update: The Parent Resource Workgroup last met on June 29, 2023, to discuss projects for FY2024. The workgroup identified the following as priority projects for the upcoming fiscal year: a webcast focused on attorney-client communication entitled “Enhancing the Experience of Parents in the Child Welfare System” scheduled for October 2023; a parent voice video to complement the youth voice videos completed by the LRC Children’s Materials Workgroup; and the Pre-Litigation and Parent Resource Guides. The Pre-Litigation Resource Guide is currently under review and will incorporate changes from the 88th Regular Legislative Session. The workgroup subgroup on parent materials will meet this fall to discuss and plan its parent voice video project.

24. 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.

09/15/23 Update: The Family Helpline call volume has been consistently high through the Spring and Summer 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.

Family Helpline staff are currently working on two new articles for TexasLawHelp.org: one on the Forensic Assessment Center Network (FACN) and parents' rights in complex and medical cases, and one on kinship resources and understanding the home study process. Additionally, Managing Attorney Sarah Bryant was a guest on the CASA on the Go podcast in June, discussing how CASAs can effectively partner with families and work toward procedural justice. Ms. Bryant was also invited to co-present on two topics, "Family Law 101" and "Legal Prevention Resources in Texas: How Legal Services Can Promote Family Stability and Child Safety" at DFPS' Parents in Prevention Conference which will be held in November 2023.

The Family Helpline recently submitted a grant application for a new funding source and is awaiting that decision as they move into planning for FY2024. The Helpline will have their final call numbers available at the end of their fiscal year in October 2023 and look forward to sharing their data at the November 2023 Commission meeting.

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

25. 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.

09/15/23 Update: The Texas Child Welfare Law Bench Book was updated in October 2022. The Bench Book is available on the [Texas Child Welfare Law Bench Book webpage](#) as a free, downloadable PDF for print and also as an interactive resource through LawBox. Pending revisions will include updates from the 88th Regular Legislative Session and will be available in October 2023.

26. 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.

09/15/23 Update: The first meeting of the 2024 Tool Kit for Attorneys Representing Parents and Children in Child Welfare Cases Workgroup was held on August 4, 2023, to begin updating the tool kit to incorporate changes made by the 88th Texas Legislature. Additionally, the workgroup identified representation of children in PMC and transitioning from trial to appellate counsel as new topics for the tool kit to address. The 2024 Tool Kit will be published in March 2024.

The DFPS Representation Subcommittee met on June 16, 2023 to begin updating the Tool Kit for Attorneys Representing DFPS to incorporate changes made by the 88th Texas Legislature. The subcommittee has subsequently held monthly check-ins to discuss progress on their Tool Kit edits. The target publish date for the Tool Kit is March 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.

27. Strategy: Support increased child and family engagement through the use of technology.

Background: The Children’s Commission continues to support a video conferencing project which enables children involved in child abuse and neglect cases to participate in permanency and placement review hearings without being physically present in the courtroom. The Children’s Commission provides funding to OCA via a grant to host and support the hardware and software required to facilitate video conferencing between courts and residential placements (primarily Residential Treatment Centers).

The outbreak of COVID-19 forced a monumental change in youth participation in court. In March 2020, OCA provided licenses for the Zoom video conferencing tool to all Texas courts to allow courts to conduct virtual hearings. The necessity of virtual hearings and universal court access to the video conferencing technology has allowed more courts and youth to attend hearings virtually and for courts and youth to engage together and determine how to make best use of the virtual environment. For nearly three years, Zoom has been used for video conferencing hearings and the Child Protection Courts (CPCs) have provided feedback to support Zoom as the preferred video conferencing application. The Children’s Commission is committed to finding ways to maintain the benefits of virtual hearings as courts transition back to in-person and/or hybrid hearings.

The following courts received new video conferencing equipment: Judge Delia Gonzales of the Dallas County Child Protection and Permanency Court; Judge Andrea James of the 2nd Region Child Protection Court #2; Judge Carlos Villalon Jr. of the Child Protection Court of the Rio Grande Valley West; Judge Chris Cornish of Centex Child Protection Court #1; Judge Cheryl Vaughan of the 8th Region North Child Protection Court; and Judge David Barkley of the 8th Region South Child Protection Court.

09/15/23 Update: There were no updates during this reporting period.

28. Strategy: Encourage the availability and use of the Office of Court Administration Notice and Engagement tool.

Background: All parties involved in CPS 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 will be produced by OCA and provided to the Children's Commission.

09/15/23 Update: The number of Notice and Engagement system users continues to increase. One hundred and twenty-seven new users signed up in FY2023 (from October 1, 2022 to present) through the Notification and Engagement system to receive hearing notifications, bringing the total number of users to 2,203. Hearing notifications were sent for 7,441 hearings with a total of 20,845 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 is working 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.

29. Strategy: Convene and support a Mediation Workgroup to 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 CPS 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 CPS cases prior to trial has become widely accepted, the Children's Commission is interested in exploring whether mediation is being underutilized in CPS cases because it often occurs too late in the case timeline for the benefits of increased compliance to be realized.

09/15/23 Update: The Mediation Workgroup last met on July 24, 2023, to review and discuss progress on the Mediation Tool Kit. This will be the primary deliverable for the workgroup in FY2024. The workgroup's next meeting will occur in October 2023.

Objective: Support innovative court practices for Texas courts hearing child welfare cases.

30. 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.

09/15/23 Update: This strategy is developed on an ad hoc basis and there were no updates during this reporting period.

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.

31. 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 will also provide partial funding for two breakout sessions on child welfare issues at TCJ’s Annual Judicial Education 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):

- 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

09/15/23 Update: Planning is well underway for the 16th annual CWJC, which will be held in Georgetown on October 23- 25, 2023 in partnership with the Texas Center for the Judiciary. Based on feedback from the CWJC Curriculum Committee earlier this Spring, this year’s training will feature a three-hour preconference called “Assessing and Addressing Children’s Well-being, From Infants to Young Adults,” followed by a full conference with a keynote speaker and panel presentations. Speakers will include members of the judiciary, DFPS, OCA, and youth and parents with lived experience. Regional Breakouts will be convened where judges and their local DFPS and Single Source Continuum Contractor (SSCC) staff can review and discuss regional data following a DFPS panel on policy, practice, and statewide data.

This year for the first time, Regional Directors from Child Protective Investigations will join the Regional Breakouts per request of the 2022 conference attendees and the CPS Director of Field.

Additionally, 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 is providing two speakers to present complementary content at two breakout sessions at TCJ's Annual Judicial Education Conference, in order to reach the highest number of visiting and general jurisdiction judges. These sessions will be presented by the Commission's Jurists in Residence. The first presentation will cover the nuts and bolts of a child welfare case from investigations through various final outcomes, and will include a review of statutory requirements, recent legislative changes, the law on reasonable efforts, and required court findings. The second presentation will share 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 will also share information about Commission resources at the conference. TCJ's Annual Judicial Education Conference will be held on September 6-8, 2023 with these back-to-back CIP breakouts scheduled for the afternoon of September 7.

32. Strategy: Support specialized training for the Child Protection Court program, judges, and support staff including topics such as Reasonable Efforts.

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.

09/15/23 Update: The Commission hosted the biennial Child Protection Court Convening on July 27-28, 2023, in partnership with OCA. All 31 Child Protection Court judges and their court coordinators were invited to this training and the vast majority of them participated. This training is specifically tailored for the Child Protection Courts' needs and provided legislative and caselaw updates, child welfare hearing-related data, relevant topical presentations on immigration and prevention, as well as updates on the two ongoing CPC Pilot projects (Early Intervention and Texas Family First Pilots as well as the Dual Status Pilot courts). The conference also featured a Presiding Judge panel moderated by OCA and separate moderated breakout discussions for CPC judges and for their court coordinators. Additionally, participants benefitted from a Casey Family Programs presentation that featured an interview of Judge Ernestine Gray of New Orleans by Judge Robin Sage that focused on Judge Gray's success in reducing the number of children in care in New Orleans, judicial ethics, and the role of the court coordinator. Commission staff are incorporating the post-event feedback from the attendees and will incorporate that into plans for the next CPC Convening in July 2025.

Commission staff plan to host a Reasonable Efforts Judicial Academy in FY2024. This highly interactive training will include training on prevention as well as updates on the legislation regarding reasonable efforts that passed during the 88th Regular Legislative Session.

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.

33. 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.

09/15/23 Update: The Children’s Commission will host the 15th iteration of TST in September 2023. The 3-day course will include a one-day Zoom “Pretrial” on September 13, 2023, followed by two days of in-person “Trial” on September 20-21, 2023, at the Embassy Suites by Hilton San Antonio Airport. Nineteen attorneys are confirmed to participate in the Commission’s offering of this three-day intensive and interactive training. Commission staff and Trial Skills Training faculty will create a “101” TST curriculum to present in Fall 2024.

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

Background: In response to the need for virtual 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.

09/15/23 Update: In collaboration with DFPS, the Commission presented a webinar entitled “Overview of Treatment Foster Family Care” on May 17, 2023. The webcast provided judges, attorneys, and child advocates with an overview of the Treatment Foster Family Care (TFFC) model, goals, and benefits, and explained the difference between a TFFC home and a traditional foster home, the placement process, eligibility criteria, and how it relates to the judicial system.

On July 18th, the Commission hosted a webinar entitled “88th Regular Legislative Session Update.” Children’s Commission staff provided an update on bills affecting child welfare law that passed during the 88th Regular Legislative Session, the statutes affected, and their effective dates.

The Commission hosted a webinar entitled “Reevaluating Reasonable Efforts Findings” on August 17, 2023. The webinar covered federal and state law on reasonable efforts, including bills passed during the Texas 88th Regular Legislative Session which affect reasonable efforts findings in child welfare cases. A

live fictional demonstration on reasonable efforts findings was included in the webinar.

The final webinar of FY2023 entitled “Trauma History and Psychotropic Medication: What Judges and Attorneys Need to Know” was hosted by the Commission on September 7, 2023. The Hon. Delia Gonzales, Associate Judge of the Dallas County Child Protection and Permanency Court, moderated a discussion with panelists Dr. Anu Partap, Medical Director of Health Equity at Cook Children’s Healthcare System in Fort Worth, and parent and child attorneys Tiffany Crouch-Bartlett and Michelle Latray. The webinar will focus on relaying the importance of providing trauma history to medical providers in order to receive an accurate medical diagnosis and proper treatment plan, which may lead to increased well-being and permanency outcomes for children.

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

35. 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.

09/15/23 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 Houston and the annual Advanced Family Law Conference Child Abuse and Neglect Workshop held each August in San Antonio.

The 2023 Advanced Family Law Conference Child Abuse and Neglect Workshop was held on August 9, 2023, at the Marriot Rivercenter. Commission Legal Representation Director Dylan Moench co-presented a legislative update at the Workshop with CPL CLE Committee Chair Kellie Price. The Child Protection Law Section’s curriculum provided 6.25 hours of MCLE, including 0.75 hours of ethics.

Online Classroom: Through TexasBarCLE, the State Bar of Texas currently offers a number of online CLE courses in the Child Welfare Practice Area related to representation of all parties on the child welfare docket. A total of 19 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 plans to collaborate with TDCAA in the upcoming year to update the Fundamentals of Child Welfare Law online training content affected by the most recent legislative session. The Children's Commission will also continue to provide reimbursement scholarships for attorneys representing DFPS to access the online training.

DFPS Regional Attorney Training: The DFPS annual Attorney Training will take place in San Antonio on October 24-25, 2023. The Children's Commission provided funding in the form of a grant to support this 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.

36. 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: Since May 2016, the Children's Commission has maintained an electronic distribution list to help inform judges, legal practitioners, and child welfare stakeholders of training and scholarship opportunities and to relay pertinent child welfare-related information. The Children's Commission regularly publishes resource letters for judges and/or attorneys about emerging, relevant, and changing policy, laws, practice, and training opportunities that are of interest to judges, attorneys, and stakeholders handling child welfare cases. All resource letters are posted on the Children's Commission's website. The Children's Commission's distribution list has grown to more than 4,000 Texas attorneys, judges, court staff, and stakeholders.

09/15/23 Update: Jurist in Residence (JIR) Letters and Judicial and Attorney Resource Letters (JARLs) issued between May and September 2023 include:

- 9/1/2023: [New Legislation Effective Today](#)
- 8/29/2023: [Now Available: Reevaluating Reasonable Efforts Findings Replay and Materials](#)
- 8/22/2023: [Educational Resources for the 2023-2024 School Year](#)
- 8/16/2023: [Register Now: Trauma History and Psychotropic Medication: What Judges and Attorneys Need to Know](#)
- 8/9/2023: [New Online Training Course on Reporting Child Abuse](#)
- 7/31/2023: [Upcoming Webinars: Reasonable Efforts, Psychotropic Medication](#)
- 7/21/2023: [Now Available: 88th Legislative Session Update Replay, Materials, and Report](#)
- 7/11/2023: [Reminder: Upcoming Legislative Update; Job Opening at the Children's Commission](#)

- 7/10/2023: [NCJFCJ Implementation Sites](#)
- 7/7/2023: [ICYMI: Recorded MCLE Webinars Now Available Online](#)
- 7/6/2023: [DFPS Listening Session on Behavioral Health Services](#)
- 6/30/2023: [U.S. Supreme Court Upholds the Indian Child Welfare Act](#)
- 6/22/2023: [Webinar: 88th Regular Legislative Session Update](#)
- 6/14/2023: [June is Reunification Month](#)
- 5/31/2023: [Jurist in Residence Letter: Trial Skills Training Participant Opportunity](#)
- 5/22/2023: [Reminder, Scholarship Applications Due Friday, May 26](#)
- 5/18/2023: [May is National Foster Care Month](#)
- 5/11/2023: [Judicial and Attorney Scholarships for the NACC 46th National Child Welfare Law Conference](#)
- 5/4/2023: [Attorney Scholarships for TexasBarCLE's Child Abuse and Neglect Workshop](#)
- 5/1/2023: [Announcement: TNOYS 40th Annual Conference](#)

37. 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.

09/15/23 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 plans to include 3 hours of “101” content to the course for the second year in a row on the morning of April 4, 2024. The Commission will provide registration scholarships for qualified attorneys to attend the live “101” and Advanced courses or to watch any scheduled webcast replays. Commission staff are actively participating in CPL’s planning sessions for this training.

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 plan to work with TDCAA to make any necessary updates to lecture content as a result of changes made in the 88th Legislative Session and will continue to offer scholarships to attorneys representing DFPS to complete the online course.

Advanced Family Law One-Day Child Abuse and Neglect Workshop: The Child Abuse and Neglect One-Day Workshop took place on August 9, 2023 in San Antonio, Texas. The Commission awarded registration scholarships for 21 qualified attorneys to attend the live one-day workshop and 29 scholarships for subsequent replays.

National Council of Juvenile and Family Court Judges Training: The NCJFCJ 86th Annual Conference was held on July 16-19, 2023, in Baltimore, Maryland. The conference featured plenary sessions on family law, juvenile justice, child welfare, and family violence. The Commission awarded 29 judicial scholarships to this event.

National Association of Counsel for Children Annual Conference: The Commission awarded 8 scholarships to qualified Texas judges and attorneys to attend the 46th Annual NACC Conference in Minneapolis, MN on August 10-12, 2023.

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.

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.

09/15/23 Update: The pending October 2023 Child Welfare Judges Conference will incorporate 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 will be 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. This year for the first time, Regional Directors from Child Protective Investigations will join the Regional Breakouts per request of the 2022 conference attendees and the CPS Director of Field. Judicial and agency feedback following these sessions in 2022 was largely positive and focused on the helpful aspects of convening in person to examine the data and increase and strengthen communication across judges, agency staff, and SSCC staff in their respective jurisdictions.

39. Strategy: Design and support a study to evaluate the efficacy of the Permanent Managing Conservatorship Court model.

Background: The Data Committee continues to facilitate meetings between TACFS, Casey Family Programs, and other stakeholders regarding the evaluation of Permanent Managing Conservatorship (PMC) Courts. A retrospective study on the work of the Houston PMC court has made significant progress since the last meeting. The appropriate data set has been identified and can be evaluated under pre-existing MOUs between DFPS and TACFS. The evaluation team is also working on initial steps toward the prospective study of both the Dallas and Houston PMC courts and is focusing on identifying sources for necessary qualitative data and the permissions and agreements necessary to acquire those data.

09/15/23 Update: The results of the preliminary studies on the PMC courts were promising, but the workgroup determined that to evaluate the causal evidence of effectiveness of the PMC court model, the evaluation must compare children whose cases were placed on the PMC court dockets upon entering PMC and children whose cases stayed in a non-PMC court and it must be able to measure both permanency outcome indicators and well-being indicators.

To accomplish these goals, the evaluation will need collaboration with DFPS in order to allow access to children and youth in PMC in Dallas and Harris Counties to facilitate collection of well-being data and track outcomes in both groups. The workgroup submitted a formal request for access and data through the new DFPS research and data request portal and DFPS responded with follow up questions about the proposal, to which the workgroup will submit additional information in response. Next steps will begin once DFPS makes a decision on the workgroup's request.

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

Background: In response to the substantial changes to the Texas Family Code that occurred in the 87th Texas Legislative Session and the changes which judges reported seeing in their jurisdictions, the Data Committee decided to pursue an analysis of the available data that could enhance courts' understanding of statewide trends in relevant benchmarks and whether the trends correlate with the changes made to the Family Code or to DFPS policy.

09/15/23 Update: The Data Committee hosted a presentation from DFPS regarding the federal Child and Family Service Review data during its recent meeting on August 31, 2023. Judges were able to ask questions and offer perspective to gain a better understanding of the data and prepare for the onsite review and stakeholder interview phases of the CFSR scheduled for Spring 2024.

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.

41. Strategy: Identify best practices in conducting virtual or hybrid hearings and utilize this information to support improved legal and judicial practice.

Background: Texas will develop a virtual hearings study to identify best practices for virtual or hybrid hearings in child welfare cases. The study will include data collection and analysis to better understand the impact of remote proceedings in child welfare cases in Texas in response to COVID-19.

09/15/23 Update: In September 2021, OCA and the Children's Commission executed a contract to support the hiring of a Senior Data Analyst. The Senior Data Analyst conducted research and analysis about the benefits and drawbacks of virtual or hybrid hearings. The Senior Data Analyst developed a court observation tool to collect data on court practices in virtual and hybrid court hearings. Court observations began in June 2022 and were completed in September 2022. Findings from the study were presented at the biennial Child Protection Court Convening on July 27, 2023.

42. Strategy: Partner with OCA to support the maintenance, enhancements, impact, and usability of the Child Protection Case Management System.

Background: CPCMS is a case management system which is unique to Child Protection Courts and has been in use since 2009. CPCMS is currently in maintenance mode. 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.

09/15/23 Update: Updates to the CPCMS system were last released on June 8, 2023 and the CPCMS Advisory Council met on June 23, 2023 to discuss planned updates and enhancements for CPCMS. The Council approved development of phased service plan functionality, new internal docket entries, child visit as a hearing type, PMC without TPR search functionality, and new categories of non-parent respondents. The next CPCMS update is planned for release on September 21, 2023, and the next meeting of the Advisory Council will be on September 29, 2023.

43. Strategy: Encourage efficiency in data collection and information sharing, including integrating the DFPS IMPACT system and CPCMS, expanding CPCMS to non-Child Protection Courts, and working with other jurisdictions that do not utilize CPCMS.

Background: 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.

09/15/23 Update: 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.

INSERT - TAB 4

**Children's Commission
Financial Report**

FISCAL YEAR 2024 PROJECTED REVENUE

Estimated FY 2023 Carry Forward	\$ 1,005,411
(+) Projected FY 2024 Federal Distribution	\$ 1,844,242
(+) FY 2024 COLA Payment	\$ 55,200
Projected Funds Available for FY 2024	\$ 2,904,853

FISCAL YEAR 2024 PROPOSED BUDGET

	<u>Budget</u>
Operating	\$ 1,395,085
Commission Projects	\$ 166,000
<i>Systems Improvement</i>	56,000
<i>Legal Practice and Process</i>	58,800
<i>Training</i>	51,200
<i>Data</i>	-
Scholarships	\$ 97,500
<i>ABA Parent Representation Conference</i>	15,000
<i>Appellate Law Section Boot Camp</i>	7,500
<i>Child Protection Law Section</i>	15,000
<i>NACC -Annual Conference</i>	10,000
<i>NCJFCJ - Judicial Scholarship</i>	35,000
<i>State Bar CAN CLE</i>	7,500
<i>TBLS - CWL Specialization Exam Fee Waiver</i>	5,000
<i>TDCAA - Conference</i>	2,500
Grants	\$ 607,148
<i>DFPS Regional Attorney Training Support</i>	12,000
<i>OCA - CIP Technology Project</i>	201,007
<i>OCA - CPC Visiting Judge</i>	22,000
<i>Texas Center for the Judiciary (TCJ)</i>	259,641
<i>TLSC Family Helpline</i>	112,500
Total Proposed Expenditures	\$ 2,265,733

Projected Funds Available for FY 2024	\$ 2,904,853
(-) FY 2024 Proposed Expenditures	\$ (2,265,733)
Estimated FY 2024 Carry Forward	\$ 639,120

Children's Commission Draft Budget Fiscal Year 2024

Organization:	Office of Court Administration (OCA)
Project:	Technology and Visiting Judge Support
Strategic Category:	Data, Legal Practice & Process
Grant Amount:	\$223,007.00
Project Description:	<p>Enhance, maintain, and support the Child Protection Case Management System (CPCMS) and the hearings Notice and Engagement system. This includes continuance of the established governance structure and work to enhance technology solutions in accordance with governance committee assessment and decisions. Facilitate communication between youth and their judge, and youth participation in their Review and Permanency Hearings, through case management system functionality and availability of video conferencing.</p> <p>The visiting judge grant would allow OCA to continue the established mechanism of payment for the appointment of former/Retired Child Protection Court associate judges and former/retired district and county court at-law judges experienced in hearing Child Protective Services (CPS) cases to cover Child Protection Court dockets in absence of the active associate judge.</p>
Project Activities:	<ul style="list-style-type: none"> - Conduct a minimum of two CPCMS governance meetings in FY2024 to establish priorities for CPCMS enhancements and report status of governance activities. - Conduct maintenance and support activities for technology solutions provided by OCA for child welfare court judges and staff. This includes version upgrades of software, security updates, database administration, and adherence to OCA-IS operating procedures and policies. - Engagement) requested and vetted through the Advisory Council. - Provide annual CPCMS user training and timely training for new Child Protection Court staff. - Provide annual data reporting to identify trends in the child welfare system and make quality improvement recommendations. - Facilitate communication between youth and their child welfare court judge through case management system features/functionality and through supporting use of video conferencing. - Provide webcams and microphones as needed and conduct refresh of MiFi hotspot devices used by Child Protection Court staff. - Contract with former and retired Child Protection Court associate judges at a daily rate of \$494.00 for a full day of service or \$247.00 for a half day of service, and former and retired district court and county court at-law judges, experienced in CPS matters, at a daily rate of \$620.00 for a full day of service or \$310 for a half day of service. Travel expenses incurred in performance of these services are reimbursable in accordance with the State of Texas guidelines for state employees.

Children's Commission Draft Budget Fiscal Year 2024

Organization:	Texas Center for the Judiciary (TCJ)
Project:	Judicial Training
Strategic Category:	Training
Grant Amount:	\$259,641.00
Project Description:	<p>TCJ will conduct the 2023 Child Welfare Judges Conference (CWJC). This is a 2.5-day conference, which will include an optional half-day pre-conference training on topical issues relevant based on children's age group. The conference will be held October 23-25, 2023, at the Sheraton Austin Georgetown Hotel and Conference Center. The conference typically trains between 85-100 judges from most regions throughout the State.</p> <p>TCJ will include three hours of continuing education, developed by the Children's Commission, at the 2024 Family Justice Conference. This conference typically reaches about 150 judges and specifically targets general jurisdiction judges. The conference will be held January 18-19, 2024 at the Sheraton Austin Georgetown Hotel and Conference Center.</p> <p>TCJ will also begin the planning process for the 2024 Child Welfare Judges Conference.</p>
Project Activities:	<p>TCJ will participate in periodic planning calls with the Children's Commission and OCA. They will communicate with attendees about reservations, reimbursements, work directly with speakers to facilitate travel, develop program descriptions, prepare materials including conference programs, signage, and conference app, and apply for, track, and reconcile MCLE and family violence hours for conference participants.</p> <p>At the conclusion of the conference, TCJ will prepare and distributing conference evaluations, tabulating and providing results to the Children's Commission.</p>

Children's Commission Draft Budget Fiscal Year 2024

Organization:	Texas Department of Family & Protective Services
Project:	2024 DFPS Annual Attorney and Legal Support Staff Conference
Strategic Category:	Training
Grant Amount:	\$12,000.00
Project Description:	<p>The attorney and legal assistant training will take place in October 2024 and provide substantive training on DFPS litigation, policy, Texas law, best practices, and resources as well as give participants an opportunity to network with colleagues throughout Texas. The project will also provide hands-on trial skills practice for new attorneys who have joined the agency since October 2022. The project will provide approximately 9 hours of accredited MCLE to DFPS attorneys, the majority of which will be recorded and shared with assistant district and county attorneys who represent the agency. New DFPS attorneys will receive an additional 7 hours of MCLE (3 hours virtual, and 4 in-person).</p> <p>The 2023 conference will include speakers from Casey Family Programs, Family Violence Prevention Services, Harris County Attorney's Office, Tarrant County Attorney's Office, the Bexar County Constable, and other stakeholder groups still to be confirmed. DFPS will endeavor to make similar collaborative efforts for the 2024 conference. Additionally, DFPS will provide recordings of most of the MCLE accredited sessions to assistant district and county attorney offices.</p>
Project Activities:	<ul style="list-style-type: none"> - Identify trends, issues and needs identified for training based on post-event surveys from 2023 program; - Identify topics and possible speakers; - Contact and confirm speakers; - Prepare agenda and materials for distribution; - Present program in October 2024, likely at the Marriott NW San Antonio; and - Tabulate and assess evaluations to use in planning future training.

Children’s Commission Draft Budget Fiscal Year 2024

Organization:	Texas Legal Services Center (TLSC)
Project:	Family Helpline
Strategic Category:	Systems Improvement, Data
Grant Amount:	\$112,500.00
Project Description:	<p>TLSC’s Family Helpline was established in 2017. The Family Helpline assists Texans who have legal questions regarding the child welfare system and child safety. Family Helpline attorneys are available Monday – Friday from 9 a.m. – 6 p.m. CST. When a caller dials the phone number, their call is answered by a child welfare attorney. Since its inception, staff attorneys have completed more than 12,000 calls, affecting more than 18,000 children across Texas. The goal of the helpline is to improve safety and stability for children, and to empower families through education about their legal rights and court processes. The Family Helpline serves all 254 counties in Texas.</p>
Project Activities:	<ul style="list-style-type: none"> - Provide one-on-one legal education, information, and referrals to approx. 1,500 individuals in Texas regarding CPS involvement or child safety (Monday - Friday from 9am - 6pm CST). This will be tracked and measured using Legal Server case management software. - Present legal trainings on a topic related to child welfare law a minimum of twice per fiscal year with a goal of reaching at least 10 attorneys or professionals per presentation. - Provide child welfare content for TexasLawHelp.org with a minimum of 2 self-help kits or articles per year. - Collect data regarding the child welfare system – including the caller’s role, type of case, issues discussed, trends, and areas for improvement; this data will be reported on to the Commission twice per year. - Distribute at least 600 outreach materials to entities across the state (such as local courts and clerk’s offices, local public libraries and law libraries, CPS offices, CASA offices, local parenting class providers, drug treatment and rehabilitation centers, child advocacy centers, medical provider offices, and law enforcement offices). - Observe court in 50 counties and track observations; a summary of these observations will be included in a report to the Commission 2x/yr. - Draft articles and self-help kits for pro se litigants and the general public throughout the grant period.

INSERT - TAB 5

Children's Commission Meeting
Collaborative Council Announcements
September 15, 2023

- Texas Lawyers for Children
- Texas RioGrande Legal Aid Foster Youth Justice Project



**Texas Lawyers
for Children**
Championing Children's Rights

FREE WEBINAR

EMDR: A Game Changer for Traumatized Children

This webinar will explore EMDR (Eye Movement Desensitization and Reprocessing) – an evidence-based trauma therapy – and the incredible impact it can have in the healing of children in foster care.

Deborah Korn, Psy.D.

is a clinical psychologist in private practice and a faculty member at the EMDR Institute and Trauma Research Foundation. She is also a co-author of *Every Memory Deserves Respect* about trauma, recovery, and EMDR therapy.

**September 28
1:30 - 4:30 p.m.**

Michael Baldwin

is an accomplished leader in the communications industry, with more than 40 years of experience. As a trauma survivor, his successful efforts to reclaim his life through EMDR therapy prepared him to co-author the book, *Every Memory Deserves Respect*.

**RESERVE YOUR
SPOT TODAY!**
(See link below)

Ana Gomez

is an accomplished psychotherapist, author, and lecturer internationally known for her innovative work with children and families, which includes the intersection between complex trauma and EMDR as an approach for healing.

Limited
Seats

CJE/CLE/CEU
Credit Available

[CLICK HERE TO REGISTER](#)

Questions?
Molly@TexasLawyersforChildren.org

the 1990s, the number of people in the world who are under 15 years of age is expected to increase from 1.1 billion to 1.5 billion.

There are a number of reasons why the world's population is growing so rapidly. One of the main reasons is that the number of children born to each woman has increased. This is due to a number of factors, including improved medical care, better nutrition, and a higher birth rate.

Another reason why the world's population is growing so rapidly is that the number of people who are surviving to old age has increased. This is due to a number of factors, including improved medical care, better nutrition, and a higher life expectancy.

There are a number of other factors that are contributing to the world's population growth, including a higher birth rate, better nutrition, and a higher life expectancy. These factors are all contributing to a rapid increase in the world's population.

The world's population is growing so rapidly that it is expected to reach 8 billion by the year 2025. This is a significant increase from the 5 billion people who lived in the world in 1987.

The rapid growth of the world's population is a cause for concern. It is expected that the world's population will reach 8 billion by the year 2025. This is a significant increase from the 5 billion people who lived in the world in 1987.

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Aging Out of Foster Care in Texas

What you need to know



If you think you were in foster care when you turned 18 and are unable to access transition benefits and services, contact your PAL worker. You can find your PAL worker at bit.ly/31IsD4k or call the PAL state office at (512) 460-7394.



If you need help to advocate for your transitional benefits and services, contact the **Texas Foster Youth Justice Project**. The Project can provide you with free legal help from attorneys. Call (877) 313-3688 or email info@texasfosteryouth.org.



**Texas Foster Youth
Justice Project**



The information in this flyer is not legal advice; updated 04/05/2023.



What does “aging out of foster care” mean?

A person ages out of foster care if they are in foster care on their 18th birthday.

How do I know if I am in foster care?

You are in foster care if the Texas Department of Family and Protective Services (DFPS) has temporary or permanent managing conservatorship (or custody) of you. CPS is a part of DFPS.

Can I still be in foster care if I...

- am staying in a foster home? **Yes.**
- am staying in a residential treatment center? **Yes.**
- am staying in a hospital? **Yes.**
- am a CWOP (Child Without a Placement)? **Yes.**
- am staying in an unlicensed or unpaid placement? **Yes.**
- am staying in another state? **Yes.**
- am staying on the street or on a couch? **Yes.**
- ran away from my placement? **Yes.**
- am in a juvenile or adult jail or prison? **Yes.**
- am staying with family or friends? **Yes.**

It doesn't matter where your placement is or where you sleep! If DFPS has temporary or permanent custody of you until your 18th birthday, you will age out of foster care.

Why does it matter if I age out of foster care?

Only youth who age out of foster care are eligible for certain benefits that can help you transition to living on your own.

What happens if I don't sign an extended foster care agreement before I turn 18?

You need to sign an extended foster care agreement if you plan to remain in extended foster care. If you don't sign one before you turn 18, you can always sign one later if you want to return to extended foster care (which you can do until your 21st birthday, if a placement is available). **Anyone who ages out of foster care is eligible to sign an extended foster care agreement!**

What benefits can I get if I age out of foster care?



Extended foster care (including SIL – supervised independent living): if a licensed placement is available or if an SIL program accepts your application, you can stay in extended foster care until your 21st birthday



Transition and financial support services: you have access to ongoing case management from a local service provider to help you find a place to live, apply for jobs, apply to college, and plan for your future



Transitional living allowance: if you completed your PAL class and are living independently, you can ask your PAL worker to help you request up to \$1,000 (max \$500/month). You must be working or going to school to qualify.



Aftercare room and board: if you are having trouble paying rent, bills, or buying groceries, you can ask for help to pay those expenses (up to \$3,000 max, \$500/month)



Former Foster Care Child (FFCC) Medicaid: if you were in foster care and were receiving foster care Medicaid when you turned 18, you are entitled to Medicaid benefits until your 26th birthday

- *If you were in jail or prison and therefore not receiving foster care Medicaid when you turned 18, you can apply for Medicaid for Transitioning Foster Care Youth (MTFCY), which you can receive until your 21st birthday*



College Tuition and Fee Waiver: the State of Texas will waive all your tuition and fees for any public Texas college, university, or training program (some youth who did not age out and those adopted from foster care are also eligible!)



Education and Training Voucher: young adults who age out of foster care, as well as youth who were adopted or subject to a Permanency Care Assistance (PCA) agreement at age 16 or older, can apply for up to \$5,000/year to help pay for expenses related to your education, including housing

- Si estuvo en la cárcel o prisión y, por lo tanto, no recibió Medicaid de crianza temporal cuando cumplió 18 años, puede solicitar Medicaid para jóvenes en transición de crianza temporal (MTFCY), que puede recibir hasta que cumpla 21 años.



Exención de matrícula y cuotas universitarias: el estado de Texas exonerará todas sus matrículas y cuotas para cualquier colegio, universidad o programa de capacitación público de Texas (¡algunos jóvenes que no alcanzaron la edad límite y los adoptados de crianza temporal también son elegibles!)



Cupón de educación y capacitación: los adultos jóvenes que superan la edad del hogar temporal o cuidado de crianza, así como los jóvenes que fueron adoptados o sujetos a un acuerdo de Asistencia de atención permanente (PCA) a los 16 años o más, pueden solicitar hasta \$5,000 / año para ayudar a pagar para gastos relacionados con su educación, incluida la vivienda

Superando la edad del hogar de cuidado temporal en Texas

Lo que necesita saber



Si cree que estaba en hogar temporal o cuidado de crianza cuando cumplió 18 años y no puede acceder a los beneficios y servicios de transición, comuníquese con su trabajador de PAL. Puede encontrar a su trabajador de PAL en bit.ly/31IsD4k o llamar a la oficina estatal de PAL al (512) 460-7394.



Si necesita ayuda para abogar por sus beneficios y servicios de transición, comuníquese con **Texas Foster Youth Justice Project**. El Proyecto puede proporcionarle ayuda legal gratuita de abogados. Llame al (877) 313-3688 o envíe un correo electrónico a info@texasfosteryouth.org.



Texas Foster Youth Justice Project



La información en este folleto no es un consejo legal; actualizado 04/05/2023.



¿Qué significa “superar la edad del hogar de cuidado temporal”?

Una persona supera la edad del cuidado de hogar temporal o cuidado de crianza si está en el cuidado temporal cuando cumple la edad de 18 años.

¿Cómo sé si estoy en un hogar de cuidado temporal?

Usted está en hogar de cuidado temporal si el Departamento de Servicios para la Familia y de Protección de Texas (DFPS, por sus siglas en inglés) tiene una tutela (o custodia) temporal o permanente sobre usted. CPS es parte de DFPS.

¿Todavía puedo estar en un hogar de cuidado temporal si...

- ¿me quedo en un hogar de albergue? **Sí.**
- ¿me quedo en un centro de tratamiento residencial? **Sí.**
- ¿me quedo en un hospital? **Sí.**
- ¿soy un menor CWOP (Niño sin Colocación)? **Sí.**
- ¿me quedo en una colocación sin licencia o sin pago? **Sí.**
- ¿me quedo en otro estado? **Sí.**
- ¿me quedo en la calle o en un sofá? **Sí.**
- ¿me escapé de mi colocación? **Sí.**
- ¿estoy en una cárcel o prisión de menores o adultos? **Sí.**
- ¿me quedo con familiares o amigos? **Sí.**

¡No importa dónde esté su ubicación o dónde duerma! Si el DFPS tiene su custodia temporal o permanente hasta que cumpla los 18 años, es entonces cuando dejará de estar bajo un hogar de cuidado temporal o de crianza.

¿Por qué importa si salgo del hogar de cuidados temporales o de crianza?

Solo los jóvenes que superan la edad del cuidado temporal o de crianza son elegibles para ciertos beneficios que pueden ayudarlo a hacer la transición a vivir por su cuenta.

¿Qué sucede si no firmo un acuerdo de hogar o crianza temporal prolongado antes de cumplir los 18 años?

Debe firmar un acuerdo de cuidado de hogar temporal o de crianza prolongado si planea permanecer en el cuidado de hogar temporal o de crianza prolongado. Si no firma uno antes de cumplir 18 años, siempre puede firmar uno más tarde si desea regresar al cuidado de hogar temporal o de crianza prolongado (lo que puede hacer hasta que cumpla 21 años, si hay una ubicación disponible). ¡Cualquiera que supere la edad para el cuidado de hogar temporal o de crianza es elegible para firmar un acuerdo de cuidado de hogar temporal o de crianza extendido!

¿Qué beneficios puedo obtener si supero la edad de crianza temporal?



Hogar temporal o cuidado de crianza prolongado (incluido SIL, vida independiente supervisada): si hay una colocación con licencia disponible o si un programa SIL acepta su solicitud, puede permanecer en hogar temporal o cuidado de crianza prolongado hasta que cumpla 21 años.



Servicios de apoyo financiero y de transición: tiene acceso a la administración continua de casos de un proveedor de servicios local para ayudarlo a encontrar un lugar para vivir, solicitar empleo, postularse a la universidad y planificar su futuro



Subsidio de vivienda de transición: si completó su clase PAL y vive de forma independiente, puede pedirle a su trabajador PAL que lo ayude a solicitar hasta \$1,000 (máximo \$ 500 / mes). Debe estar trabajando o yendo a la escuela para calificar.



Alojamiento y comida para el cuidado posterior: si tiene problemas para pagar el alquiler, las facturas o comprar alimentos, puede solicitar ayuda para pagar esos gastos (hasta \$3,000 como máximo, \$500 / mes)



Medicaid para niños en hogar temporal o cuidado de crianza anterior (FFCC): si estaba en hogar temporal o cuidado de crianza y recibía Medicaid de hogar temporal o cuidado de crianza cuando cumplió 18 años, tiene derecho a los beneficios de Medicaid hasta que cumpla 26 años.