



Children's Commission

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



Children's Commission Meeting Notebook

May 12, 2023

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

May 12, 2023

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

Friday, May 12, 2023
11:30 a.m. – 2:00 p.m.

Virtual Meeting

Meeting Agenda

11:30 Commencement / Opening Remarks

First Order of Business – Adopt Minutes from February 10, 2023

11:45 Children's Commission Committee Discussion

- Systems Improvement
- Legal Practice & Process
- Training
- Data

12:45 Department of Family & Protective Services Update

1:15 Office of Court Administration Update

1:30 Special Presentation on Reinstatement of Parental Rights

1:45 Collaborative Council Member Announcements

2:00 New Business / Adjourn

Meeting Schedule: September 15, 2023 (in person)

November 3, 2023 (virtual)

INSERT - TAB 1

CHILDREN'S COMMISSION MEMBERS

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

COMMITTEE MEMBERS

<u>EXECUTIVE</u>	<u>SYSTEMS IMPROVEMENT</u>	<u>LEGAL PRACTICE & PROCESS</u>	<u>TRAINING</u>	<u>DATA</u>
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>Jocelyn Fowler</i>	Janet VanderZanden	Tracy Harting	Hon. Carlos Villalon
	<i>Aimee Corbin</i>	Charlotte Velasco	Sharibeth Niehaus	<i>Staff:</i>
		<i>Staff:</i>	Hon. Robbie Partida-Kipness	<i>Dylan Moench</i>
		<i>Dylan Moench</i>	Kellie Price	<i>OCA Advisory:</i>
		<i>Renée Castillo-De La Cruz</i>	Hon. Tracey Scown	<i>Darrell Childers</i>
			Diane Sumoski	<i>Jeff Cox</i>
			Hon. Elizabeth Watkins	<i>Anissa Johnson</i>
			<i>Staff:</i>	<i>Casey Kennedy</i>
			<i>Milbrey Raney</i>	<i>Alejandra Peña</i>
			<i>Renée Castillo-De La Cruz</i>	<i>Mena Ramon</i>
			<i>Andrea Vicencio</i>	<i>Charlotte Velasco</i>

COLLABORATIVE COUNCIL MEMBERS

Mikey Betancourt	Mike Foster	Kerrie Judice	Judy Powell
Andrew Brown	Will Francis	Bruce Kendrick	Tanya Rollins
Dania Carter	Fedora Galasso	Brian Klas	Danielle Schafer
Irene Clements	Dr. Linda Garcia	Norman Ladd	Johana Scot
Sarah Crockett	Barbra Grimmer	Stephanie Madrigal	Andrea Sparks
Teal De La Garza	Julia Hatcher	Gabriella McDonald	Kenneth Thompson
De Shaun Ealoms	Félix Herrera	Dr. Jill McLeigh	Ruth Thornton
Barbara Elias-Perciful	Tina Hosaka	Kate Murphy	Sarah Worthington

STAFF

Jamie Bernstein, *Executive Director*
 Milbrey Raney, *Assistant Director*
 Jessica Arguijo, *Communications Manager*
 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*
 Willette Sedwick, *Accountant*
 Andrea Vicencio, *Program Specialist*
 Hon. Rob Hofmann, *Senior Jurist in Residence*
 Hon. Piper McCraw, *Jurist in Residence*

INSERT - TAB 2

Supreme Court of Texas Children's Commission Meeting Minutes

**February 10, 2023
9:30 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 Roland, Tribal Court Judge, Ysleta Del Sur Pueblo Tribe, El Paso	✓	
Hon. Randy Shelton, Judge, 279 th Civil District Court, Beaumont	✓	
Luanne Southern, Executive Director, Texas Child Mental Health Care Consortium, Austin	✓	
Vicki Spriggs, Chief Executive Officer, Texas CASA, Austin	✓	
Terese Stevenson, Vice President, Grants, The Rees-Jones Foundation, Dallas	✓	
Hon. Thomas Stuckey, Associate Judge, Centex Child Protection Court South, Seguin	✓	
Hon. Royce West, Texas Senate, District 23, Dallas		✓
Jurists in Residence		
Hon. Rob Hofmann, Judge, 452 nd District Court, Senior Jurist in Residence, Mason	✓	
Hon. Piper McCraw, Judge, 469 th District Court, Jurist in Residence, McKinney	✓	
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 Committee Members and Guests		
Sarah Abrahams, Deputy Associate Commissioner for Prevention and Early Intervention, Texas Department of Family and Protective Services, Austin		
Dr. Brock Boudreau, Deputy Associate Commissioner for Child Protective Services, Texas Department of Family and Protective Services, Austin		

Cindy Dyar, Attorney and Special Director, Texas RioGrande Legal Aid, Austin
Moriah, Guest Speaker, Gulf Coast
Sierra Fischer, Director of Research and Evaluation, Texas Department of Family and Protective Services, Austin
Hon. Angela Graves-Harrington, Judge, 246th Family Court, Houston
Jerome Green, Director of Policy and Practice for Child Protective Investigations, Texas Department of Family and Protective Services, Austin
Hon. Robin Sage, Judicial Engagement, Casey Family Programs, Longview

Office of Court Administration Staff

Jeff Cox, Senior Data Analyst
Megan LaVoie, Administrative Director

Attending Commission 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
Monica Mahoney, Program Specialist
Dylan Moench, Legal Representation Director
Patrick Passmore, Finance Manager
Milbrey Raney, Assistant Director
Willette Sedwick, Accountant
Andrea Vicencio, Program Specialist

CALL TO ORDER AND OPENING REMARKS

Justice Debra Lehrmann called the meeting to order at 9:41 a.m. She welcomed everyone to the first Children’s Commission meeting of 2023 and expressed her appreciation to the State Bar for hosting the meeting in the Texas Law Center. Justice Lehrmann acknowledged the everchanging nature of the child welfare system and highlighted that the Commission’s purpose is to support the judicial branch. She thanked everyone in attendance for their hard work and dedication.

Justice Rebeca Huddle acknowledged that the 88th Legislative Session is ongoing and also that there is a new leadership team at the Texas Department of Family and Protective Services (DFPS). She also shared that there are new rules regarding remote proceedings which could influence how judges preside over child welfare cases.

Justice Lehrmann added that the new rules Justice Huddle referred to are the Texas Rules of Civil Procedure 21(d) and 500.10, as well as amendments to rules 500.2, 501.4, and 505.1. These are paired with the Supreme Court of Texas’ final Emergency Order. She also reported that these new rules are designed to assist courts, judges, and attorneys participating virtually when appropriate, with the only restriction to allowable virtual proceedings being jury trials which are not permitted under the new rules.

Adoption of November 4, 2022, Meeting Minutes

Justice Huddle directed members to the November 4, 2022 Commission Meeting Minutes behind Tab 2 of the February 2022 Meeting Notebook that were distributed prior to the meeting.

ACTION: Justice Huddle asked for a motion to adopt the minutes. Hearing no objection, Commissioners voted to adopt the minutes for the November 4, 2022 Children’s Commission meeting.

Membership Changes

Justice Lehrmann announced that Judge Thomas Stuckey has replaced Judge Randall Hufstetler as the new chair of the Legal Practice and Process Committee and that Judge Stuckey will now also be a part of the Executive Committee. Justice Lehrmann reported that Mary Christine Reed left her position as director of the Foster Youth Justice Project and that she will no longer serve on the Systems Improvement Committee or the Collaborative Council. Justice Lehrmann expressed her gratitude to Ms. Reed for all of her hard work and dedication over the years. Justice Lehrmann announced that Ms. Sarah Worthington is now serving as the director of the Foster Youth Justice Project and that Ms. Worthington will serve on the Systems Improvement Committee and Collaborative Council. Lastly, Justice Lehrmann shared that Ms. Trisha Thomas is no longer with the Office of Community-Based Care (CBC) and so will no longer serve on the Collaborative Council.

Presentation on Family Preservation & Early Legal Representation

Ms. Cindy Dyar, the Director of the Family Defense Project at Texas RioGrande Legal Aid (TRLA) and Ms. Moriah, a former client and parent with lived experience in the child welfare system, discussed Moriah’s experience with pre-petition legal representation. Ms. Dyar explained that TRLA is one of three legal aid providers in Texas, and that TRLA provides parent representation to prevent removals and ensure no future intervention by the Department is needed.

Ms. Dyar shared that the Foster Care Advocacy Center reported that it has helped to keep 106 children out of the child welfare system; that the McLennan County Parent Advocacy Project reported that it has represented over 90 families and kept children in those families out of the child welfare system; and that the Family Defense Project has represented 141 families. Moriah then shared her and her family’s experience with the Department, along with her observations of how Ms. Dyar’s representation and advocacy benefitted her family and facilitated the closure of her case. In particular, understanding the language used in the child welfare system and receiving legal advice and information about what was happening and what to expect was very supportive to her family.

Presentation on Data Trends in Child Welfare Cases

Ms. Sierra Fischer with DFPS, Mr. Jeff Cox with OCA, and Judge Thomas Stuckey gave a joint presentation on Data and Trends in Child Welfare Cases. The information in this presentation can be found on the DFPS website and in the materials from this Commission Meeting.

CHILDREN’S COMMISSION UPDATE

Ms. Jamie Bernstein referred members to the Commission Report behind Tab 3 of the Meeting Notebook for detailed updates. Ms. Bernstein highlighted the recently completed 2022 Children’s Commission Annual Report. Mr. Dylan Moench shared the Incarcerated Parents Poster created

by the Legal Representation Committee and commented that the poster is designed to help incarcerated parents know their rights when their children are involved with the child welfare system.

Ms. Bernstein and Judge Rob Hofmann announced that the NCJFCJ Juvenile Justice Conference would be held in Dallas from March 19 - 22, 2023 and expressed their enthusiasm for the anticipated Texas attendees and the Texas and national presenters.

Finally, Ms. Bernstein shared that with the use of a grant with Texas CASA, two five-part videos in both English and Spanish were created to help parents understand the roles of all the professionals in a child welfare case. The videos feature Senior Jurist in Residence Judge Rob Hofmann of the 452nd District Court and Associate Judge Selina Mireles of the 4th and 5th Administrative Judicial Regions Child Protection Court.

TEXAS DEPARTMENT OF FAMILY & PROTECTIVE SERVICES (DFPS) UPDATE

Reporting on behalf of Ms. Sasha Rasco, Ms. Sarah Abrahams shared information about several different prevention and early intervention programs. She reported that in partnership with the Children's Commission and OCA, an Early Intervention Court Liaison program has been implemented in Bell, Galveston, and Lubbock Counties. The intention for this program is to increase the connectivity between the court and local resources. Another goal of the program is to build capacity around Family First Prevention Services Act (FFPSA) resources and bring a judicial and legal voice to local community collaborations to benefit local partners' understanding of what families involved with the child welfare system need and for the courts to become aware of local resources. She reported that they've received positive feedback from these communities, and that Prevention and Early Intervention (PEI) will have results from program evaluations by the summer.

Additionally, Ms. Abrahams shared that kinship caregiving and kinship family support have been a high priority for PEI, resulting in the creation of the Kinship Navigator Pilot Program. This effort emanates from FFPSA, and the four programs are primarily intended to support "upstream," informal kinship care. These programs are community-based and will also be formally evaluated. The Department will submit the program to the federal FFPSA clearinghouse.

Ms. Abrahams continued by announcing that home visiting is being expanded to support two populations: pregnant and parenting youth in foster care, and families in Family Based Safety Services (FBSS). Through the Family First Transition Act funding, PEI was able to fund eight Nurse-Family Partnership sites across the state which provide services to pregnant and parenting youth experiencing foster care. PEI used DFPS data to identify which counties had the highest population of pregnant youth and were able to add capacity to serve 135 additional families through this expanded initiative. Another 12 counties were identified where grantees across Texas received funding for evidence-based support services for an additional 165 families with children aged 0-5 years in FBSS.

Finally, Ms. Abrahams shared that DFPS' Faith Based and Community Engagement Division has been working to develop a Clergy in the Court program. This program is intended to increase the awareness of clergy and faith communities of the needs of families in court and to help clergy and

faith communities provide support to those families in all stages of service. This support for families will build on existing supports provided by clergy and faith communities due to the more formal liaison with DFPS. A discussion ensued about the interaction between these DFPS liaisons and the judiciary in courts which have had a liaison attend child welfare hearings; generally, these judges had very positive experiences. Ms. Abrahams offered to provide more information to interested judges.

Mr. Jerome Green provided an update on the Texas Family First Pilot that emanated from HB 3041 (87th Leg. Session). The pilot is designed to divert families from the child welfare system by preventing imminent removal, and has launched in Regions 1, 2, 3, and 8b. The pilot allows for the child to stay in the home while the parent is working on any safety issues which were determined in the investigation. Mr. Green shared that these families receive evidence-based services in their home as well as any additional services that are needed. Mr. Green reported that positive results for families have emerged from the pilot and children are able to stay with their families. Participating cases must be court-ordered into the pilot and DFPS is trying to identify additional families which might participate since there is capacity to serve more families. Mr. Green announced that the pilot is scheduled to end in September, but DFPS is hopeful that it will be extended and possibly expanded based on the results thus far. Several commissioners with experience with the pilot expressed support for the pilot.

Dr. Brock Boudreau expressed his concern for the capacity issues, children without placement, and the difficulty placing children with mental health issues. He announced the number of children without placement is down from July of 2021 and attributed this lower number to the increased resources which have been devoted to finding more placements.

OFFICE OF COURT ADMINISTRATION (OCA) UPDATE

Ms. Megan LaVoie announced that OCA received funding for a case-level data system, which will support the ability to view and collect more granular data. OCA will partner with the Commission to determine what data is of interest in child welfare cases. Ms. LaVoie gave an update on the statewide Local Rules website which is now available on OCA's home page in response to the related Supreme Court of Texas order. She reported that there are now over 1100 local rules and standing orders which have been posted on the website and that she has used this information herself several times already in order to provide a model order or model form in response to judicial requests. Attorneys and judges can avail themselves of this searchable function as well. Finally, Ms. LaVoie provided an update on the case backlog and statewide clearance rate.

COLLABORATIVE COUNCIL MEMBER UPDATES

Ms. Tiffany Crouch Bartlett with Texas Lawyers for Children announced that they have been working on HB 1502 that would require trauma training for any attorney who represents the Department in a child welfare case, as well as for child welfare judges. Ms. Crouch Bartlett also highlighted the 15-hour trauma training offered on the Texas Lawyers for Children website.

Ms. Sarah Worthington with Texas RioGrande Legal Aid announced the Foster Youth Justice Project is taking new cases and is now engaging in the data collection project in collaboration with the Children's Commission.

Ms. Sandra Hachem announced the State Bar of Texas Child Protection Law Section's upcoming Annual Advanced Child Protection Law Course will be held in Houston on March 24, 2023.

NEW BUSINESS

Justice Lehrmann announced that the additional 2023 Children's Commission meetings will be held on the following dates:

- May 12, 2023 (virtual)
- September 15, 2023 (in person)
- November 3, 2023 (virtual)

ADJOURNMENT

The meeting was adjourned at 1:35 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.

05/12/23 Update: The February 10, 2023 Commission meeting was held in person in Austin and streamed live and archived on the Commission's YouTube channel and website.

The Systems Improvement, Legal Practice & Process, Training, and Data Committees met on May 1, April 28, April 25, and May 5, 2023 respectively.

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, including individuals with lived experience, 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.

05/12/23 Update: Bi-weekly stakeholder calls, including updates and participation from agency staff and Collaborative Council members, continue to take place every other week.

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

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

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

05/12/23 Update: The Commission website is routinely updated for content and newly released reports and resources. While the website audience is specific to judges and attorneys, the materials featured are often accessed by additional stakeholders in the child welfare system. The Children’s Commission continues to work with OCA to schedule further testing and implementation in order to complete renovation of the website.

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.

05/12/23 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.

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.

05/12/23 Update: There were no requests for assistance to local jurisdictions during this reporting period. The Judicial Workgroup on Capacity meets on a monthly basis during the 88th Legislative Session.

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.

05/12/23 Update: Between February 10 and May 12, 2023, a few examples of JIR activities include:

- Continued work as Treasurer for the National Council of Juvenile and Family Court Judges and attended Executive Committee Meetings, February 14, April 11, and May 9, Virtual
- Attended the Hill Country CASA Ad Litem Training, February 23-24, Kerrville
- Attended the National Center for State Courts Rural Justice Collaborative Advisory Council Meetings, March 10 and May 5, Virtual
- Attended the National Council of Juvenile and Family Court Judges Juvenile Justice Conference and corresponding Executive Committee and Board Meetings, March 17-22, Dallas
- Attended Leadership Luncheon with Office of Juvenile Justice and Delinquency Prevention Administrator Liz Ryan, March 20, Dallas
- Attended and Presented at the Texas State Council Luncheon, March 21, Dallas
- Attended planning calls (February 22 and March 16) and served as feature presenter at the American Bar Association/National Council of Juvenile and Family Court Judges Webinar Judicial Leadership to Ensure Educational Success for Children Who Experience the Child Welfare System, March 24, Virtual

- Hosted the National Center for State Courts Rural Justice Collaborative Site Visit to Rocksprings and Austin, April 24-25
- Chaired the Training Committee Meeting, April 25, Virtual
- Participated in a Texas Families First Pilot Meeting (February 23) and follow-up interview, April 27, Virtual
- Chaired the Children’s Commission System Improvement Committee Meeting, May 1, Virtual
- Chaired the Trial Skills Faculty Planning Meeting, May 1, Virtual
- Attended Children’s Commission Commercial Sexual Exploitation of Children Judicial Workgroup meeting, May 4, Virtual
- Attended the Children’s Commission Judicial Workgroup on Capacity Meeting, May 11, Virtual
- Attended weekly Children’s Commission Legislative Check-In Meetings, Virtual
- 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.

05/12/23 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. Judge Carlos Villalon, Santiago Cirnigliaro with the Texas Center for Child and Family Studies, and Staff Attorney Jocelyn Fowler were invited to present updates on this project at the 2023 National Council of Juvenile and Family Court Judges National Conference on Juvenile Justice held on March 19-22, 2023 in Dallas, Texas. The presentation provided video spotlights from the leading judges of each project site along with discussion about the project’s challenges and successes. This presentation resulted in a connection with North Carolina court professionals working on trauma-informed court efforts. Project oversight team members will be meeting with the North Carolina team to share information and learn about efforts in that state.

The Trauma-Informed Court Project convened its third cohort convening on April 28, 2023. The half-day virtual convening allowed for cross-team information sharing and learning from people with experience

in running or participating in trauma-informed court projects. The agenda for the convening included updates from project sites on their project implementation, a presentation from Chief Justice Darlene Byrne of the Third Court of Appeals on planning for long-term implementation success, a panel discussion on sustaining momentum which included panelists from the main roles serving on court teams, and role-specific breakout sessions.

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 wherein 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.

5/12/23 Update: Children’s Commission staff are actively monitoring legislation focused on children’s mental health during the 88th Legislative Session. Children’s Commission and JCMH staff continue to focus on forming a joint workgroup focused on children’s mental health and will wait until the 88th Legislative Session has concluded to determine next best steps. The workgroup will include representation from young adults and caregivers with lived experience; judges; attorneys; service providers; medical professionals; DFPS; Health and Human Services Commission; and the Texas Juvenile Justice Department.

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.

05/12/23 Update: The Equity Workgroup is chaired by the Children’s Commission’s Equity Advisor Sheila Craig and last met on April 6, 2023. The workgroup adjusted the meeting schedule to convene every other month to support shared learning and advance workgroup projects. The Equity Workgroup is currently designing course descriptions for judicial education on equity principles. The workgroup is also 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.

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.

05/12/23 Update: On October 20, 2022, the Children’s Commission highlighted the importance of youth voice by partnering with young adults to develop and create a webinar entitled “Enhancing the Experience of Children & Youth in Court: How Judges and Attorneys Can Prepare and Support Youth Attending Court.” Please see Strategy #34 for additional information.

The Commission continues to work with the Texas Network of Youth Services (TNOYS) to create a training which would be a collaboration 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 April 28, 2023 Trauma-Informed Court Project Cohort Convening included a panelist who has experience as a youth in care and currently works for a backbone organization supporting a trauma-informed court collaborative in Region 11.

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.

05/12/23 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.

On April 26, 2023, Commission staff participated in a Supervised Independent Living (SIL) Workgroup. The purpose of the group is to review the current SIL policy and review the functionality and benefits for young adults aging out of care. Input from young adults with lived experience will be incorporated into the workgroup.

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

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.

05/12/23 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. The workgroup last met on January 24, 2023 to address goals for the next fiscal year. The Children’s Commission staff attended the Proclamation of Child Abuse Prevention Month at the Texas Capitol on April 25, 2023.

The Children’s Commission staff also participate in monthly FFPSA meetings where DFPS, child advocates, and providers discuss future planning and development of a Prevention Plan and the continued implementation of FFPSA.

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 April 2023, Texas A&M had completed the first round of stakeholder interviews and plans to start a secondary set of interviews in May. The Commission is working closely with the OCA and PEI to renew the early intervention pilot grant for 2024-2026.

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. 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.

05/12/23 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 HB 3041 Pilot Implementation Steering Committee. During meetings, DFPS provides updates on steps taken to identify the target population served and implement the pilot.

As of April 24, 2023, DFPS expanded the eligibility criteria for families who can receive services under the Family First Pilot program. At present, there are approximately 30 families actively engaged in the Family First Pilot within four DFPS regions.

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).

05/12/23 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 very short period. The second deliverable is for caregivers with youth in high school and youth aging out. This deliverable will provide a timetable for a caregivers who have youth in their care who are preparing for higher education, workforce, or other independent living. This workgroup last met on March 2, 2023 and is close to finalizing the deliverables.

The Data and Information Sharing Workgroup will focus on the momentum and recommendations created through the Foster Care & Student Success Texas Data and Trends Report of 2018. The workgroup plans to review current data shared between DFPS and the Texas Education Agency (TEA) and work towards an annual report. DFPS, TEA, and the Commission met in person on February 21, 2023 and May 3, 2023 to continue discussions on 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 February 22, 2023 and is planning a late May 2023 meeting.

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 continue to monitor the lawsuit challenging the constitutionality of ICWA, *Brackeen v. Haaland* (formerly *Brackeen v. Bernhardt*). Commission staff also maintain contact with the three federally recognized Tribes in Texas and continue to communicate any resources that may be helpful.

05/12/23 Update: The Children’s Commission continues to monitor the *Brackeen* case. The Supreme Court of the United States heard oral arguments in the *Brackeen* case on November 9, 2022. Commission staff continue to watch for release of the Court’s opinion and will provide correspondence to judges and attorneys and update materials as needed.

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.

05/12/23 Update: The Commercial Sexual Exploitation of Children Judicial Workgroup continues to collaborate with the Texas Network of Youth Services to produce an in-person training with a judicial focus at the Child Welfare Judges Conference which will highlight the voices of those with lived experience. The workgroup last met May 4, 2023.

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, including taking part in a subgroup discussion on human trafficking law analysis on March 28-29, 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 May 3, 2023.

The Children’s Commission participated in recent meetings of the Texas Human Trafficking Prevention Task Force. The Task Force last met on at the end of 2022 to discuss continued development of projects designed to expand trauma-informed education and training to members of law enforcement and the legal community. Meetings are currently on hold during the 2023 Legislative Session.

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.

05/12/23 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.

05/12/23 Update: On October 1, 2022, the Children's Commission submitted a report to the Legislature pursuant to Senate Bill 1575 regarding best practices related to Residential Treatment Center (RTC) placements, including placements in QRTPs. The report included a recommendation for the DFPS Committee on Advancing Residential Practices to be charged with implementing the recommendations in the report. The Children's Commission will continue to partner with DFPS if this recommendation is adopted in the future. Several recommendations in the report were submitted as part of pending legislative proposals.

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.

05/12/23 Update: There were no updates during this reporting period. The Children’s Commission plans to resume dual status-related meetings after the conclusion of the 88th Legislative Session.

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.

05/12/23 Update: The LRC last met on January 27, 2023, to discuss the status of several committee projects.

LRC members identified attorney recruitment and retention for court-appointed counsel lists and raising the quality of appellate representation as areas of focus for FY2023. In response, the Children's Commission, in collaboration with the Texas Indigent Defense Commission and OCA, conducted spotlight interviews of child welfare practitioners and judges to address attorney recruitment. The individual interviews are being reviewed, and one or more spotlight videos will be created from the content. Once completed, the videos will be made available to law schools and other organizations to raise awareness of child welfare law as a potential career path.

Additionally, the Children's Commission identified experts in appellate representation to be included in an Appellate Representation Workgroup. The workgroup is chaired by Justice Julie Countiss of the First Court of Appeals and is charged with identifying the needs of appellate attorneys and developing projects to enhance the quality of appellate representation. The workgroup held its most recent meeting on April 21, 2023 and identified speakers for a webinar to address the transition from the trial attorney to the appellate attorney and for a presentation at the Child Welfare Judges Conference about what trial judges should know about the appellate process. Workgroup members have joined the Tool Kit Committee to ensure that the Tool Kit for Attorneys Representing Parents and Children contains essential appellate material and have 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 Representation Workgroup will be held on July 21, 2023 and the next meeting of the Legal Representation Committee will be on July 14, 2023.

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 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 will serve as the Reporter. Committee members were selected for their expertise in child welfare law and represent the diversity of jurisdictions across Texas.

05/12/23 Update: The Committee held its third meeting on April 13-14, 2023, to continue 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 has 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 members will now begin the process of drafting language for each of the six phases and the next meeting of the Standards of Representation Committee will be held on June 30, 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.

05/12/23 Update: Applications for the 2023 certification closed on April 7, 2023 and applicants will be notified in the summer of their eligibility to take the fall exam. 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.

05/12/23 Update: The Parent Resource Workgroup met on April 6, 2023. The workgroup reviewed the draft agenda for the attorney-client webcast planned for June 22, 2023 and began to identify potential projects for FY2024. The group also discussed an editing timeline for drafting updates to the Parent Resource Guide following the conclusion of the 88th Legislative Session.

The Pre-Litigation Resource Guide will also be released after the conclusion of the 88th Legislative Session to ensure that the guide reflects any legislative changes and provides the most current information available to parents and caregivers.

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.

05/12/23 Update: During the first six months of FY2023, the Family Helpline completed a total of 980 calls and assisted 982 adults and 1,668 children across the state of Texas. The calls originated from 132 counties across the state. The top five counties with the highest call volume were Harris, Dallas, Bexar, Travis, and Tarrant counties. Approximately 71% of callers identified themselves as a parent seeking information and 23% of callers identified themselves as a grandparent or extended family member.

The top five topics which callers requested information about were child protection investigations, closed CPS and/or Child Protective Investigation (CPI) cases, TMC cases, preventing and/or reporting child abuse and neglect, and FBSS cases. Calls to the Family 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. While the Family Helpline does not provide representation services to its callers, Family Helpline staff can make referrals specifically tailored to a caller's legal needs, location, and financial resources. So far this year, the Family Helpline has made 71 referrals to the Family Defense Project at Texas RioGrande Legal Aid, 3 referrals to the McLennan County Parent Advocacy Program, and 16 referrals to the Austin Community Law Center's Reinstatement Project.

In addition to providing thorough and accurate information about child welfare related issues to their callers, the Family Helpline staff presented at the Hill Country CASA Ad Litem Seminar in February 2023, provided training to kinship navigators at DePelchin Children's Center on Family Law 101 topics, and recorded a session on the Texas CASA "CASA on the Go" podcast in April.

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.

05/12/23 Update: The Texas Child Welfare Law Bench Book was updated in October 2022. The revised version includes updates throughout, as well as new chapters regarding dual status youth and required participation, also referred to as court ordered services. 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 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.

05/12/23 Update: The 2022 Tool Kit for Attorneys Representing Parents and Children in Child Welfare is available for free on the Children's Commission website and via the LawBox app. Work on the 2024 Tool Kit for Attorneys Representing Parents and Children in Child Welfare Cases will begin at the conclusion of the 88th Legislative Session.

Three hundred copies of the 2022 Tool Kit for Attorneys Representing DFPS were printed in March 2023 and 280 copies were distributed at the TDCAA Prosecuting Crimes Against Children Conference in April. The DFPS Representation Subcommittee will meet on June 16, 2023 to review the Tool Kit for edits

following the conclusion of the 88th Legislative Session.

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.

05/12/23 Update: The courts which received new video conferencing equipment were: 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.

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.

05/12/23 Update: The number of Notice and Engagement system users continues to increase. Eighty-five 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 2,161. Hearing notifications were sent for 4,475 hearings with a total of 12,252 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 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.

05/12/23 Update: The Mediation Workgroup met in April to discuss progress on the creation of a Mediation Tool Kit. Workgroup members were assigned sections of the Tool Kit to author and their goal is to submit initial drafts for review and editing in June. This will be the primary deliverable that the workgroup will focus on creating during the current and the next fiscal year.

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.

05/12/23 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. Each year, TCJ plans two annual Child Welfare Judges Conferences 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:

- 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

05/12/23 Update: The 16th annual CWJC will be held in Georgetown on October 23- 25, 2023 in partnership with the Texas Center for the Judiciary. Based on feedback from the Child Welfare Judges Conference Curriculum Committee earlier this spring, this year’s training will feature a 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.

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 will provide 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 and will cover basic information related to statutory hearings and deadlines in child welfare cases as well as topical issues such as trauma and the importance of child and youth voice. 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 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; together these courts hear child welfare cases in 148 Texas counties.

05/12/23 Update: The Commission will host the biennial Child Protection Court Convening on July 27-28 2023. This training is specifically tailored for the Child Protection Courts' needs and will provide legislative and caselaw updates, hearing-related data, relevant topical presentations on immigration and prevention, as well as updates on the two ongoing CPC Pilot projects. The conference will also feature a Presiding Judge panel and separate moderated breakout discussions for judges and for court coordinators. All 31 Child Protection Court judges and their court coordinators were invited to this training, which is planned and hosted in collaboration with OCA.

Commission staff will host an in-person Reasonable Efforts Judicial Academy in FY2024. This highly interactive judicial training will include updates on any legislation regarding reasonable efforts that emerges from the 88th 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.

05/12/23 Update: The Children’s Commission will host the 15th iteration of TST in Fall 2023. The 3-day course will include a one-day Zoom “Pretrial” on September 13, 2023 and two days of in-person “Trial” on September 20-21, 2023 in San Antonio, TX.

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.

05/12/23 Update: In collaboration with DFPS, the Commission is preparing to present a 90-minute webinar entitled “Overview of Treatment Foster Family Care” on May 17, 2023. The webcast will provide judges, attorneys, and child advocates with an overview of the Treatment Foster Family Care (TFFC) program and how it relates to the judicial system.

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 fall Child Abuse and Neglect Workshop. Additionally, the Children’s Commission partners with DFPS and TDCAA to provide high-quality training for attorneys representing DFPS.

05/12/23 Update:

State Bar of Texas Child Protection Law Section: The State Bar’s Child Protection Law (CPL) Section provides high-quality training to judges and attorneys practicing child welfare law by providing MCLE and training opportunities to their membership, hosting an Annual Advanced Child Protection Law CLE, and planning the Child Abuse and Neglect Workshop curriculum for the Annual Advanced Family Law CLE held each August. The Commission collaborates with the CPL Section to connect on potential trainings and ways to partner together. As a part of this collaboration, a Commission staff member participates in

the CPL CLE Committee and provides feedback on the Section's training efforts, including the 5th Annual Advanced Child Protection Law Course on March 23-24, 2023 in Houston and the 2023 Advanced Family Law Conference Child Abuse and Neglect Workshop on August 9, 2023 in San Antonio.

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): TDCAA hosted its biennial Prosecuting Crimes Against Children Conference on April 11-14, 2023, in San Antonio. In partnership with the Children's Commission, TDCAA provided 12 hours of child welfare law related CLE as part of the conference breakout sessions held on April 12-13. The Children's Commission also provided registration scholarships for 28 attorneys representing DFPS to attend the conference.

DFPS Regional Attorney Training: This year's DFPS Attorney Training will take place in San Antonio on October 24-25, 2023. The Children's Commission provided funding in the form of a \$12,000 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.

05/12/23 Update: Jurist in Residence (JIR) Letters and Judicial and Attorney Resource Letters (JARLs) issued between February and May 2023 include:

- 4/28/2023: [Jurist in Residence Letter: Judicial Scholarship Opportunity to NCJFCJ 86th Annual Conference in Baltimore, MD](#)
- 4/24/2023: [Upcoming Webinar: Overview of Treatment Foster Family Care](#)
- 4/12/2023: [April is National Child Abuse Prevention Month](#)

- 3/28/2023: [Jurist in Residence Letter: Save the Date: Child Welfare Judges Conference October 23-25, 2023](#)
- 3/14/2023: [Identification Documents for Youth in Foster Care](#)
- 3/9/2023: [Jurist in Residence Letter: Resources for Developing or Enhancing Family Treatment Courts](#)
- 3/8/2023: [TBLS Now Accepting Applications for Board Certification in Child Welfare Law for 2023](#)
- 3/7/2023: [Trial Skills Training Opportunity](#)
- 2/23/2023: [New Resources! School of Origin, Incarcerated Parents Poster](#)
- 2/21/23: [New Videos for Families Involved in the Child Welfare System](#)

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.

05/12/23 Update:

The Advanced Child Protection Law Conference: The Commission provided 29 registration scholarships for qualified attorneys to attend the 5th Annual Advanced Child Protection Law Course, hosted by TexasBarCLE and the Child Protection Law Section of the State Bar of Texas on March 23-24, 2023, in Houston, Texas and 24 registration scholarships for the webcast replay on May 2-3, 2023. Additionally, the Commission offered 11 registration scholarships for the separate Child Protection Law 101 Course, which was featured as a pre-conference event this year at the 5th Annual Advanced Child Protection Law Course on the morning of March 23 in Houston and on May 1 via webcast replay.

Texas District and County Attorney Association Trainings: For FY2023, the Commission has offered scholarships to two TDCAA trainings: the “Fundamentals of Child Welfare Law” online course and the in-person 2023 Prosecuting Crimes Against Children Conference.

For the “Fundamentals of Child Welfare Law” online course, the Commission is offering up to 14 reimbursement scholarships for new attorneys currently representing DFPS. The six-part online course was designed for less-experienced child welfare prosecutors and covers the fundamental skills needed for prosecutors assigned to represent DFPS, from pretrial to final outcomes of a child welfare case.

Scholarships were announced on November 30, 2022, and 4 out of the 14 available awards have been distributed thus far. The scholarship application for the online course will remain open until August 31, 2023, or until all scholarships have been awarded, whichever comes first. TDCAA continues to advertise the available reimbursement scholarship on their course registration webpage.

The 2023 Prosecuting Crimes Against Children Conference was held on April 11-14, 2023 in San Antonio, Texas. The Commission provided 28 registration scholarships to attorneys currently representing DFPS to attend the full conference. This included 3 DFPS Regional Attorneys and 25 attorneys employed within County and District Attorneys' Offices.

Advanced Family Law One-Day Child Abuse and Neglect Workshop: This year's Child Abuse and Neglect One-Day Workshop is scheduled for August 9, 2023 in San Antonio, Texas. The Commission allocated \$10,000 to cover registration scholarships for 100 qualified attorneys at \$100 each for the live one-day workshop or for any of the subsequent replays. The Commission will announce this scholarship application process in early May.

National Association of Counsel for Children Annual Conference: The NACC's 46th National Child Welfare Law Conference will be held in-person on August 10-12, 2023 in Minneapolis, Minnesota and a second conference with a different agenda will be held virtually on September 20-22, 2023. The Commission allocated \$10,000 to provide scholarships to qualified Texas judges and attorneys to attend the in-person conference or the virtual conference and hopes to announce this scholarship application process this month.

National Council of Juvenile and Family Court Judges Trainings: For FY2023, the Commission will offer judicial scholarships to two NCJFCJ trainings: the 2023 National Conference on Juvenile Justice and the 86th Annual Conference.

The 2023 National Conference on Juvenile Justice was held on March 19-22, 2023 in Dallas, Texas. The Conference featured plenary and breakout sessions on juvenile justice, trafficking, child welfare, highlighting court best practices, innovative solutions, and self-care. The scholarships are reimbursement-based and two application types were available for judges: 1) registration and travel scholarships up to \$1,200; or 2) registration-only scholarships for judges in the Dallas area or those who did not need travel assistance in order to attend. The Commission awarded 29 judicial scholarships to qualified judges to support their attendance.

The NCJFCJ's 86th Annual Conference will take place on July 16-19, 2023 in Baltimore, Maryland. The Commission is currently offering 11 reimbursement scholarships to Texas judges hearing civil child welfare cases for registration costs and eligible travel-related expenses to attend the Annual Conference. The scholarship application period opened on April 28, 2023 and will close on May 11, 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 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.

05/12/23 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 combined effort, entitled DFPS Leadership and Statewide Data Updates, will be followed immediately by Regional Breakouts. The presentation will incorporate data and trends and will focus on safety, permanency, and well-being outcomes at the statewide level and how these topics intersect and impact each other. The ensuing Regional Breakouts will provide the opportunity for judges and their local DFPS staff and SSCC representatives to review and discuss their regional and county-level data together with the goal of improving outcomes for children, youth, and families. 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.

05/12/23 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.

05/12/23 Update: Children's Commission and OCA staff, including Senior Data Analyst Jeff Cox, began to analyze trends in referrals, investigations, and removals prior to and after the recent changes to the Texas Family Code. The Data Committee reviewed available data from DFPS, OCA, and judicial survey results from the 2022 Child Welfare Judges Conference and made a request to DFPS for additional data to clarify and add specificity. Jeff Cox, Judge Thomas Stuckey, Sierra Fisher of DFPS presented a report on these data at the February 10, 2023 Commission Meeting. The data committee will continue to identify trends and issues in child welfare law that would benefit from data analysis.

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.

05/12/23 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 conducts research and analysis about the benefits and drawbacks of virtual or hybrid hearings. The Senior Data Analyst also participates in the Children's Commission Data Committee and supports court-related child welfare data projects. The 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 will be presented at the 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.

05/12/23 Update: The CPCMS Advisory Council met on January 6, 2023 to discuss planned updates and enhancements for CPCMS. Updates to the CPCMS system were last released on November 10, 2022 and the Advisory Council also received updates on software security and server environment changes. The migration of CPCMS to the new server environment is complete and only a few minor issues have been reported. The next release of CPCMS updates will occur in May and will include the ability to run new reports and searches, a case consolidation feature, calendaring updates, new appellate fields, and security updates. The next meeting of the Advisory Council will be on May 26, 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.

05/12/23 Update: On November 10, 2022 OCA and DFPS staff met to discuss the proposed Data Use Agreement (DUA) between OCA and DFPS that would authorize sharing of a sample data set to test the data matching criteria that will determine whether the systems can be integrated. Security and technical issues were identified that required further amendments to the proposed DUA and OCA is working on proposed language for the amendments. Once both parties have signed the DUA, the data sample can be shared, and the matching criteria can be tested. OCA also set up a panel of presiding judges to discuss the implications of the agreement. OCA and the Children’s Commission are working on setting up a meeting between the panel and the workgroup to discuss any relevant concerns regarding information sharing.

INSERT - TAB 4

**Children's Commission
Financial Report**

FISCAL YEAR 2023 BUDGET

FY 2022 Carry Forward	\$	1,762,827
(+) FY 2023 Federal Distribution	\$	1,830,513
FY 2023 Available Funds	\$	3,593,340

FISCAL YEAR 2023 EXPENDITURES

	Budget	Expenses To-date	Anticipated Expenditures
Operating	\$ 1,486,160	\$ 641,044	\$ 845,116
Commission Projects	\$ 186,300	\$ 49,515	\$ 136,785
<i>Systems Improvement</i>	\$ 41,000	\$ -	\$ 41,000
<i>Legal Practice and Process</i>	\$ 42,300	\$ 24,291	\$ 18,009
<i>Training</i>	\$ 86,000	\$ 25,224	\$ 60,776
Scholarships	\$ 108,600	\$ 33,528	\$ 75,072
<i>Child Protection Law Section</i>	\$ 15,000	\$ -	\$ 15,000
<i>NACC -Annual Conference</i>	\$ 10,000	\$ 175	\$ 9,825
<i>NCJFCJ - Judicial Scholarship</i>	\$ 58,600	\$ 29,353	\$ 29,247
<i>State Bar CAN CLE</i>	\$ 10,000	\$ -	\$ 10,000
<i>TBLS - CWL Specialization Exam Fee Waiver</i>	\$ 2,500	\$ 3,300	\$ (800)
<i>TDCAA - Conference</i>	\$ 12,500	\$ 700	\$ 11,800
Grants	\$ 790,211	\$ 352,887	\$ 437,324
<i>DFPS - Regional Attorney Training</i>	\$ 12,000	\$ -	\$ 12,000
<i>Houston PEARLS Foundation</i>	\$ 25,000	\$ 5,116	\$ 19,884
<i>OCA - Data Analyst, Technology, Visiting Judge</i>	\$ 250,000	\$ 104,463	\$ 145,537
<i>TACFS - Data & Trauma Informed Court Practices</i>	\$ 71,732	\$ 25,667	\$ 46,065
<i>TCJ - Judicial Training</i>	\$ 254,571	\$ 160,003	\$ 94,568
<i>TNOYS - Commercial Sexual Exploitation of Children Care</i>	\$ 25,580	\$ 4,148	\$ 21,432
<i>TFYJP - Hotline Data Collection</i>	\$ 26,328	\$ -	\$ 26,328
<i>TLSC - Family Helpline</i>	\$ 125,000	\$ 53,491	\$ 71,509
	\$ 2,571,271	\$ 1,076,975	\$ 1,494,296

CURRENT FINANCIAL STATUS

Federal Fund Balance	\$	2,516,365
(-) FY2022 NCE Payable	\$	130,265
(-) FY2023 Expenditures	\$	1,494,296
Estimated Carry Forward FY2024	\$	891,804

