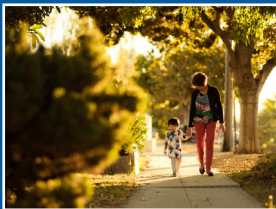




Children's Commission

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



Children's Commission Meeting Notebook

September 30, 2022

Thompson Conference Center
The University of Texas at Austin
2405 Robert Dedman Dr.
Austin, Texas 78712

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

September 30, 2022

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

Thompson Conference Center
Austin, Texas

Friday, September 30, 2022
9:30 a.m. – 2:00 p.m.

Meeting Agenda

9:30 Check-In / Networking

9:45 Commencement / Opening Remarks
First Order of Business – Adopt Minutes from May 13, 2022

10:00 Fiscal Year 2023 Strategies and Budget Report

11:00 Children's Commission Staff Presentation
SB 1578, Children's Mental Health Round Table, and SB 1575 Reports

11:30 Department of Family and Protective Services Update

12:15 Lunch

1:00 Office of Court Administration Update

1:15 Challenges and Successes Discussion

1:45 Collaborative Council Member Updates

2:00 New Business / Adjourn

Meeting Schedule: November 4, 2022 (virtual)
February 10, 2023 (in person)
May 12, 2023 (virtual)
September 15, 2023 (in person)
November 3, 2023 (virtual)

INSERT - TAB 1

INSERT - TAB 2

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

**May 13, 2022
11:30 a.m. – 2:00 p.m.**

ATTENDANCE

Commissioners

	Attended	Did Not Attend
Chair, Hon. Debra Lehrmann, Justice, Supreme Court of Texas, Austin	✓	
Deputy Chair, Hon. Rebeca Huddle, Justice, Supreme Court of Texas, Austin	✓	
Hon. Gary Coley, Vice Chair, Judge, 74 th District Court, Waco	✓	
Hon. Rosie Alvarado, Judge, 438 th District Court, San Antonio	✓	
Karla Baker, Parent Liaison, Region 4, Parent Collaboration Group Representative, Houston	✓	
Corey Benbow, Chief Executive Officer, The Tax Box, Austin	✓	
Paula Bibbs-Samuels, Parent Representative, Slaton	✓	
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	✓	
Deneen Dryden, Associate Commissioner for Child Protective Services, DFPS, Austin		✓
Hon. Roy Ferguson, Judge, 394 th District Court, Alpine	✓	
Heather Fleming, Budget and Policy Advisor, Office of the Governor, Austin	✓	
Anne Heiligenstein, Texas Strategic Consultant, Casey Family Programs, Austin	✓	
Hon. Randall Hufstetler, Judge, 300 th District Court, Angleton	✓	
Hon. Rhonda Hunter, Chair, State Bar of Texas Child Protection Law Section, Dallas	✓	
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, DFPS, Austin	✓	
Hon. Frank Rynd, General Counsel, Archdiocese of Galveston-Houston, Houston		✓
Hon. Randy Shelton, Judge, 279 th Civil District Court, Beaumont	✓	
Luanne Southern, Executive Director, Texas Child Mental Health Care Consortium, Austin	✓	
Vicki Spriggs, Chief Executive Officer, Texas CASA, Austin	✓	
Terese Stevenson, Vice President, Grants, The Rees-Jones Foundation, Dallas		✓
Hon. Thomas Stuckey, Associate Judge, Centex Child Protection Court South, Seguin	✓	
Hon. Royce West (by proxy Vince Leibowitz), Texas Senate, District 23, Dallas	✓	
Jurists in Residence		
Hon. Rob Hofmann, Judge, 452 nd District Court, Senior Jurist in Residence, Mason	✓	
Hon. Piper McCraw, Judge, 469 th District Court, Jurist in Residence, McKinney	✓	
Equity Advisor		
Sheila Craig, Director, Civil Rights Office, Health and Human Services Commission, Austin	✓	
Senior Judicial Advisor		
Hon. Michael Massengale, former Justice, First Court of Appeals, Houston		✓

Attending Guests

Jillian Bonacquisti, Director of Placement, DFPS, Austin
Jaime Masters, Commissioner, DFPS, Austin
Hon. Nancy Saitta, Nevada Children's Commission, Las Vegas, NV

Office of Court Administration

Megan LaVoie, Administrative Director

Attending Staff

Jamie Bernstein, Executive Director
Jessica Arguijo, Communications Manager
Renée Castillo-De La Cruz, Staff Attorney
Aimee Corbin, Staff Attorney
Tiffany Edwards, Executive Assistant
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 11:30 a.m. and expressed her appreciation to members of the Children's Commission for dedicating their time to the very important mission of strengthening courts for children, youth, and families in the child welfare system. Justice Lehrmann underscored a continued commitment on behalf of the Children's Commission to work on the issues discussed at the February 25, 2022 Commission Meeting. This includes a paradigm shift to better support birth and foster parent partnerships and the urgent need for children's mental health to be addressed in child welfare. Justice Rebeca Huddle also welcomed participants and thanked the commission for their commitment and continued partnership on behalf of the children of Texas.

Commissioner, Committee, and Collaborative Council Membership Changes

Justice Lehrmann announced Commissioner changes. Justice Lehrmann welcomed Ms. Karla Baker, Parent Liaison, Region 4 of the Parent Collaboration Group Representative, and invited Ms. Baker to introduce herself since she was unable to attend the February meeting. Justice Lehrmann then reported that Judge Laura Loera, former Tribal Court Judge of the Ysleta Del Sur Pueblo Tribe, informed the commission that she obtained a new position and can no longer serve on the Children's Commission.

Justice Lehrmann continued with the committee member changes, sharing that Judge Rich Garcia of Bexar County recently retired and rolled off the Training Committee.

Justice Lehrmann announced two new Collaborative Council members: Ms. Dania Carter, the Founder/CEO of Heart of Courage, and Dr. Linda Garcia, the Senior Vice-President at 2INGage, the Single Source Continuum Contractor (SSCC) for Community-Based Care (CBC) in DFPS Region 2. Lastly, Justice Lehrmann reported that Ms. Christine Gendron left her position with TFI and rolled off the Collaborative Council.

Special Guest

Justice Lehrmann welcomed a special guest, the Honorable Nancy Saitta, former Justice of the Nevada Supreme Court. Justice Saitta thanked the Children's Commission for its example to the Nevada Supreme Court's Commission, now in its 5th year. She continued by saying that she and her colleagues continue to gather child welfare leaders to encourage systemic improvements and she expressed gratitude for the model established by the Texas Children's Commission. She also invited commission members to join the upcoming National Council of Juvenile and Family Court Judges Annual Conference in Reno, Nevada in July 2022.

Adoption of February 25, 2022, Meeting Minutes

Justice Lehrmann directed members to the February 25, 2022, Commission Meeting Minutes behind Tab 2 of the May 2022 Meeting Notebook that were distributed prior to the meeting.

ACTION: Justice Lehrmann asked for a motion to adopt the minutes. Hearing no objections, Commissioners voted to adopt the minutes for the February 25, 2022 Children's Commission meeting.

DISCUSSION

As a follow up to the February Children's Commission meeting, Ms. Bernstein announced that the Texas Permanency Outcomes Project (TXPOP) created several resources related to the judiciary including a tool kit for judges and a video featuring Texas judges who are in the implementation sites for TXPOP. Ms. Bernstein also announced a pending collaborative Children's Mental Health Round Table discussion planned in partnership with the Children's Commission and the Judicial Commission on Mental Health (JCMH). It will be the first such collaboration between the two judicial commissions.

Ms. Bernstein directed attendees to a detailed report on the Children's Commission activities since the February meeting behind Tab 3 of the Meeting Notebook. Ms. Bernstein announced that a highlight of the Children's Commission's recent work was hosting a Round Table on the Use of the Forensic Assessment Center Network (FACN) on April 11, 2022. During the 87th Legislative Session, the Children's Commission was charged, in collaboration with DFPS, to study the Department's use of this network, which provides consulting services by medical professionals in child abuse and neglect cases. The Round Table included about 40 subject matter experts, including parents with lived experience, attorneys, advocates, judges, medical professionals, medical specialists, and DFPS. In preparation for the Round Table, the commission hosted a Listening Session with parents who had lived experience with the FACN. Ms. Bernstein announced that an FACN Round Table Report will be issued in September and provided to the Legislature. The report will have joint recommendations by the commission in collaboration with the Department, to complete this legislative charge.

Ms. Bernstein shared that a primary goal of this commission meeting was to share ideas and receive feedback from Commissioners on potential new projects for each of the four committees. Commissioners' feedback will be incorporated into the commission's amended Strategic Plan, which is due to the Children's Bureau in June 2022. Thereafter, Commission staff will present the

full slate of proposed FY 2023 projects at the September commission meeting for Commissioners' approval, along with a related proposed budget.

Ms. Aimee Corbin began an overview of the proposed work of the Systems Improvement Committee in the next fiscal year. One ongoing priority includes furthering prevention efforts by supporting the DFPS pilot program established through House Bill 3041 (87th Legislative Session) along with projects in partnership with DFPS' Prevention and Early Intervention (PEI) and the Office of Court Administration (OCA). Ms. Corbin then spoke about further exploring parent support and mentorship models to determine how the commission can best support this work. Additionally, Ms. Corbin shared that either the Systems Improvement or another commission committee such as Legal Practice and Process (LPP) will incorporate projects that come out of the FACN Round Table Report into their plans for FY 2023.

Ms. Jocelyn Fowler noted that DFPS, Tribes, and other partners that participated in the January 2021 Indian Child Welfare Act Summit are very interested in continuing this training in FY 2023. Ms. Fowler also shared that in the fall the United States Supreme Court is expected to hear oral arguments in *Brackeen v. Haaland*, the case which may determine the constitutionality and application of ICWA. Accordingly, she reported that any future content for the summit would need to be adapted to the Supreme Court's ruling and that following the ruling, the commission's partnerships with the Tribes and the importance of information sharing on child welfare issues across communities will remain.

Ms. Fowler referred to Ms. Bernstein's announcement about the joint Round Table with JCMH on June 24 to discuss the crisis in children's mental health. She expressed her excitement about bringing stakeholders together on this important issue to create a report with recommendations. Ms. Fowler added that she anticipated possible new project ideas for the future to emanate from the Round Table.

In response, Ms. Luanne Southern gave her full support to the proposed Systems Improvement Committee projects, especially the focus on children's mental health. Dr. Gary Blau and Ms. Sheila Craig also provided positive feedback about these projects and specifically the possibility of using a peer support model in appropriate projects. Ms. Paula Bibbs-Samuels further suggested that it is critical to include those with lived experience to inform those projects.

Ms. Renée Castillo-De La Cruz announced that the Legal Practice and Process Committee convened on April 28 to review projects proposed for FY 2023. Ms. Castillo-De La Cruz reported that the LPP workgroups plan to create and/or update various guides and project deliverables including a mediation tool kit, a resource targeted to older youth to help them understand the attorney-client relationship, and the Parent Resource Guide. LPP workgroups will also create video and webinar content to address topics such as the advantages of pre-adversary mediation or the use of trauma-informed practices to enhance parent representation, and videos explaining the attorney-client relationship for parents. Lastly, the DFPS Representation Subcommittee will assist with identifying speakers and topics for the anticipated child welfare track of the upcoming Texas District and County Attorney Association (TDCAA) Crimes Against Children Training.

Commissioners provided feedback on the proposed LPP projects. Judge Hufstetler expressed support for education on mediation as a way to resolve child welfare cases. The related topic of

Family Group Conferences was also discussed by several Commissioners as a statewide, regular practice which, in conjunction with mediation, can provide positive results in child welfare cases. While mediation is sometimes required, it remains at the discretion of the judge, whereas Family Group Conferences are standard practice. Funding for mediation is provided by the county and there is great variance across the state in terms of funding and as well as the quality and training of mediators. Commissioners observed that the opportunity to access mediation virtually has made a positive impact in rural areas in particular. There can be a genuine opportunity for settlement if a trained mediator is involved in the case and it was recommended that mediation-related projects be supported at the commission and that the commission provide training on mediation. The State Bar of Texas Child Protection Law Section (CPL) may also provide training on mediation and the possibility of collaborating with the commission was mentioned.

Continuing with the LPP update, Mr. Dylan Moench announced that the Legal Representation Committee (LRC) identified two areas to help with improving the quality of representation, one of which is appellate attorney practice in child welfare cases, and the other is the concern for attorney retention. Mr. Moench reported that several judges have raised the challenging issue of keeping enough attorneys on their court appointment list. The LRC has discussed possible ideas that may be appropriate to help address these challenges such as creating surveys of judges and attorneys to identify the breath of the issue and collaborating with the CPL Section to increase the awareness of child welfare law as a career option at law school recruiting events.

Appellate attorney practice and attorney retention issues received support as project areas from Commissioners. Chief Justice Darlene Byrne mentioned a very high volume of appeals of termination of parental rights cases as a reason to support a new focus on appellate attorney support by commission staff. Justice Julie Countiss agreed with the need for training at the trial court level to prevent errors in preserving the record, etc., indicating that tailored trainings would encourage better results for families.

Regarding possible Training Committee projects for the next fiscal year, Ms. Milbrey Raney noted that beginning in 2021, the commission's training team set a goal to provide training for judges and attorneys in child welfare at the beginner, intermediate, and advanced levels. The training team has identified three new areas of training to address training gaps and to add to the ongoing training already provided. Ms. Raney announced that the three new areas of focus are hosting Judicial and Attorney Reasonable Efforts Academies, designing an advanced Trial Skills Training, and filling training gaps by providing additional webcasts. Ms. Raney highlighted that the goal of Judicial and Attorney Reasonable Efforts Academies would be to train another cohort of Texas judges and that it would include modifying the national Capacity Building Center for Courts' case scenarios to fit the Texas statutory framework. Also, this would allow the commission to gain proficiency in order to offer a Reasonable Efforts Attorney Academy.

Ms. Castillo-De La Cruz shared feedback from Trial Skills Training faculty members regarding the need to create an advanced Trial Skills Training. This could include training on more challenging skills such contested adversary hearings, voir dire, and the use of medical experts. She also emphasized that the training team will continue to expand production of in-house webinars for judges and attorneys to focus on pressing child welfare law issues and on filling any gaps in

training needs. Ongoing efforts to partner with the State Bar of Texas to produce 101-level training for attorneys is also part of the Training Committee's focus.

In response, Judge Hufstetler inquired about the advanced training and encouraged more opportunities for attorneys to increase their trial skills in this way. Judge Ferguson pointed out that providing scholarships for rural attorneys to attend Trial Skills Training is important to make the training accessible and affordable. Commissioners discussed how to provide support for affordable trainings including recording the lecture components of the trainings for remote, "evergreen," and easily available virtual access. Other options are to offer this training at as low of a cost as possible, where participating attorneys pay for their travel, but the commission covers the cost of the lodgings, the MCLE, and the meals provided during the training.

Regarding the Data Committee, Mr. Dylan Moench announced that the committee met on May 3, 2022. The committee examined some preliminary data on trends in removals, referrals, and investigations, and concluded that they would like to examine more detailed data and information on the kinds of cases that result in removals including priority of the intake, details re: allegations, and risk and safety assessments. The committee also expressed interest in analyzing data across different types of courts (i.e., child support courts) to study the impact of virtual and hybrid hearings on the attendance of parties.

Removal trends and virtual hearing participation received support from Judge Ferguson, who mentioned his involvement in a national judicial group which is looking at the benefits of hybrid hearings. He will pass on any information gleaned from this effort by the National Center for State Courts. Justice Lehrmann inquired if the commission is involved with the Texas Supreme Court Advisory Committee (SCAC) about what can be learned from virtual hearings. Judge Ferguson responded that the Remote Proceedings Subcommittee submitted their reports to the SCAC.

Ms. Bernstein thanked Commissioners and the Chairs for their feedback and shared that commission staff will continue to accept additional feedback regarding all the projects presented in the meeting. Lastly, Ms. Bernstein asked everyone to review the updated financial report in the Meeting Notebook behind Tab 4 and to please send in any questions.

TEXAS DEPARTMENT OF FAMILY & PROTECTIVE SERVICES (DFPS) UPDATE

Ms. Jillian Bonacquisti shared several updates on behalf of Deneen Dryden regarding children without placement. DFPS has been tracking these data and struggling with a capacity crisis since the beginning of COVID-19 and continues to try to improve outcomes for children without placement. DFPS is seeing more financial strain and staffing issues among providers, including placement shortages and the need for facilities to support children upon discharge from psychiatric hospitals. On a related note, the juvenile justice system in particular has seen increased mental health needs among youth placed in their facilities. The "perfect storm" of challenges related to capacity issues, staffing and financial issues for providers, and mental health issues among children with trauma histories show through in the data. In the summer of 2021, at its peak, there were approximately 195 children without placement on one night. Ms. Bonacquisti reported that so far in 2022, the numbers in January and February decreased to approximately 50 to 60 children without placement per night. These numbers increased to about 75 children a night in April 2022 and generally speaking, the trend is for numbers to increase in the summer

months. Ms. Bonacquisti explained that DFPS completes over 3,000 placements a month and that the population of children without placement is relatively small and in flux on a daily basis. Current trends show that that most of the children without placement have the highest level of need and the majority of them are teenagers. Often, children without placement have been recently discharged from psychiatric hospitals. Most of these children are without placement for less than ten days. The children who are most challenging to place are the ones who need simultaneous assistance from three systems: child welfare, mental health, and juvenile justice.

In order to continue to make progress on the issue of children without placement, Ms. Bonacquisti shared that DFPS has quarterly meetings with HHSC and Superior HealthPlan to examine issues and identify solutions. She announced that the department is expanding its treatment foster family care (TFFC) program, which is designed to help children avoid going into a residential treatment setting; currently TFFC is offered in North Texas, Central Texas, and the Rio Grande Valley. Ms. Bonacquisti continued that DFPS is working closely with the Children's Commission to roll out the Qualified Residential Treatment Program (QRTP) pilot and that there will be a joint judicial training offered through the commission in May. She reported that DFPS has requested applications for capacity grants from the Legislature to award to contracted providers such as residential treatment centers or child placing agencies to help with the capacity crisis. The grants are specifically designed to support providers who can offer placements for children with the highest needs. Ms. Bonacquisti concluded that since many of the contributing factors to the capacity crisis are outside of the department's scope, they are increasing their collaborative initiatives with other agency partners to address the issue.

In response to an inquiry from Dr. Blau, Ms. Bonacquisti addressed how the department is exploring ways to prevent the situation where parents feel as if they do not have any other option aside from relinquishing their parental rights in order to get their children's mental health needs met. This is being done by cross-agency collaboration and specialized staff. HHSC is increasing their services to meet this need. Ms. Anne Heiligenstein commented that the department has been very dedicated in their efforts to address this very complex issue. Ms. Bonacquisti responded that the department is also trying to increase capacity, especially in residential treatment centers. Ms. Bonacquisti also mentioned that children without placement are no longer sleeping in CPS offices and that they are placed in the most family-like settings possible. Ms. Southern mentioned Travis County initiatives to address and prevent the capacity crisis and requested more information. Travis County District Judge Aurora Martinez Jones' success in addressing children without placement in a pilot program was noted by several Commissioners.

Ms. Sasha Rasco provided a brief update on the HB 3041 pilots and shared that DFPS is in the process of initiating negotiations with the SSCCs to establish evidence-based services in the four CBC catchment areas. DFPS will create a state-level steering group with smaller committees in the catchment areas to include Investigations staff, Family-Based Safety Services (FBSS) staff, the judiciary, and commission staff to determine which families are being referred to court-ordered services in the pilot programs and make any necessary adjustments as the pilots evolve to build family preservation services. She welcomed judicial input on the pilot programs. Ms. Rasco also shared that disproportionality is a new area under PEI and that there are plans in place to collect more data on disproportionality. Ms. Rasco shared that there have been decreases in both the number of removals and in referrals to FBSS, whether these are court ordered services cases or

not, but there hasn't been enough time to collect data on the combined effects of these trends on families. An increase in FBSS cases was anticipated due to the repeal of non-emergency removals, but this has not been borne out. There are many factors which might have contributed to this decrease in cases, and it is difficult to determine which of the many changes which were implemented at the same time (legislative, policy, and practice) may have led to this result. This highlights the need to look at the information that may come forward from the pilots' implementation. Ms. Rasco mentioned that they are still using Family First Prevention Services Act Transition funds to support the pilot.

OFFICE OF COURT ADMINISTRATION (OCA) UPDATE

Ms. Megan LaVoie shared that Judge Delia Gonzales in Dallas and Judge Andrea James in Bryan continue to use their hybrid hearing equipment and they are working with the Children's Commission to identify the next set of courts to use hybrid hearing equipment. Ms. LaVoie reported that OCA continues to work with Jeff Cox, Senior Data Analyst, to look at the data in CPCMS and provide analysis about the efficiency of virtual child welfare hearings. She also announced that they continue to work with the commission and DFPS on the early intervention court liaison project in Lubbock, Belton, and Galveston and shared that OCA hired the liaisons for Galveston and Belton. She shared that OCA has an upcoming CPC judges meeting in October in the form of a pre-conference for the child protection court associate judges and their court coordinators before the beginning of the Child Welfare Judicial Conference.

Ms. LaVoie then reported on data that OCA has gathered about child welfare cases and family law cases in their annual report and encouraged everyone to view OCA's website to read further details. Ms. LaVoie addressed the backlog of cases, noting that the backlog of family cases is up by 10% on the county level and 17% at the district level. OCA is focusing on the top 20 counties experiencing backlog by using the 7 million dollars received in COVID ARPA funding through SB 8 to disburse for the use of visiting judges and for court staff to help identify what additional resources are needed. OCA is also working with the National Center for State Courts to train judges and court staff on how to decrease case backlogs. Case backlogs are an issue across the nation, and it will take a joint effort by all involved in these cases to resolve the backlog. Lastly, Ms. Lavoie shared that the Judicial Council would hold its next meeting on Friday, May 20, 2022.

COLLABORATIVE COUNCIL INPUT

Justice Huddle directed members to Tab 5 for the written submissions that were received in advance from Collaborative Council members and introduced the members who requested verbal updates.

Ms. Barbara Elias-Perciful of Texas Lawyers for Children expressed her excitement for the passing of SB 904 that requires attorneys representing children to have training on the impact of trauma. She shared that Dr. Bruce Perry will offer a webinar for the Child Protection Law Section on the topic of how understanding trauma can improve children's lives and help with the capacity crisis. Ms. Elias-Perciful announced that Texas Lawyers for Children will launch a digital form of their 15-hour trauma training program in a couple of weeks. She directed everyone to information on the training and other trauma-related resources for judges and attorneys.

Ms. Mary Christine Reed of the Texas Foster Youth Justice Project provided a reminder about important financial relief funds that are available through August 2022 for current and aged-out foster youth between the ages of 14 and 20. These funds can be used to help support youth transitioning to independence, including for their transportation-related expenses. Ms. Reed emphasized the importance of foster youth having their identification documents by the time they turn 16 years old to help with the aging out transition and announced that the Texas Foster Youth Justice Project has relevant documents on their website.

NEW BUSINESS

Justice Lehrmann expressed her gratitude to all attendees for their contributions and asked them to share any feedback or concerns. Justice Lehrmann announced that the next commission meeting will be held in-person on September 16, 2022, followed by the final meeting of 2022 which will be held virtually on November 4, 2022.

ADJOURNMENT

The meeting was adjourned at 1:58 p.m.

INSERT - TAB 3

REPORT TO THE COMMISSION

September 30, 2022

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

09/30/22 Update: The May 13, 2022 Commission meeting was held online via Zoom 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 September 13, 2022 for an All-Committee Zoom webinar. During the webinar, Children's Commission staff shared the proposed FY2023 Strategies and Budget. After the webinar, committee members provided feedback via survey. The Training Committee also convened in person in San Marcos and online on August 30, 2022. Additionally, the Data Committee met on September 2, 2022 to discuss current and future projects.

The Children’s Commission continues to collaborate with various partners, including, but not limited to, the Office of the Governor, the Office of the Attorney General, the Judicial Commission on Mental Health, the Texas Juvenile Justice Department, the Texas Alliance of Child and Family Services (TACFS), the University of Texas School of Social Work, the Meadows Mental Health Policy Institute, and the Child Protection Round Table.

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

2. Strategy: Engage with the Collaborative Council and participate in and provide forums and opportunities for child welfare stakeholders, 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-monthly collaborative call with DFPS, the Office of Court Administration (OCA), and Collaborative Council members as well as numerous other calls and meetings related to Children’s Commission workgroups to provide consistent opportunities to collaborate, share timely information, and assess engagement and areas in need of improvement.

09/30/22 Update: The annual Collaborative Council meeting is scheduled to be held in-person on Monday, October 24, 2022, in conjunction with the 15th Annual Child Welfare Judges Conference. In addition to the meeting, Collaborative Council members are invited to join the conference luncheon and keynote address from Dr. Peter Pecora of Casey Family Programs before the meeting, as well as a judicial reception hosted by Texas CASA following the council meeting. Bi-monthly collaborative calls for 2022 commenced on January 12 and 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.

09/30/22 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. In FY2022, the Children’s Commission initiated research and development to expand website accessibility and navigation. For FY2023, the Children’s Commission will continue working with OCA to schedule further testing and implementation 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 (AAG) comprised of experienced child welfare attorneys from across the state who have agreed to offer input and perspective on an ad hoc basis via email or conference call on matters of DFPS policy changes when requested by DFPS, gauging the impact of a legislative proposal, or providing feedback on trends or practice issues and concerns.

09/30/22 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 Committee, the advisory body for the rollout of Community Based Care in Texas.

The Children’s Commission staff participate in a Kinship Steering Committee as well as the two related workgroups: Kin as First and Best Out of Home Placement and Supporting Kinship Placements. The most recent Kinship Steering Committee meetings were held on September 15 and 29, 2022.

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 serve on the Public Private Partnership, Education Reach for Texans, and many other stakeholder workgroups and subcommittees formed under the leadership of its child welfare partners.

09/30/22 Update: In response to the growing numbers of children without placement (often referred to as CWOP), 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. Although the workgroup did not meet between July and August, bi-monthly meetings resumed in September 2022.

There were no requests for assistance to local jurisdictions during this reporting period.

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 CIP-OCA-DFPS stakeholder collaborative calls as well as multiple Children's Commission meetings regarding Emergency Orders, proposed legislation and rules, Community-Based Care, prevention and early intervention, placement capacity, and other issues.

09/30/22 Update: Between May and September 2022, a few examples of JIR activities include:

- Attended Children's Commission Annual Staff Retreat, June 6-7, Boerne
- Attended the National Center for State Courts Rural Justice Collaborative Advisory Council Meeting, June 7-10, Aspen, CO
- Attended the Far West Texas Rural Public Defenders Office Oversight Committee Meeting, June 22, Virtual
- Led the Children's Commission Trial Skills Training Faculty Planning Meeting, June 30, Virtual
- Led the Children's Commission Senate Bill 1575 Workgroup Meeting, July 12, Austin
- Attended the Children's Commission Meeting regarding Legislative Issues for the 88th Legislature, July 13, Virtual
- Continued work as board member for National Council of Juvenile and Family Court Judges and attended the Planning Retreat and Board Meetings, July 15-16, Reno, NV
- Attended the National Council of Juvenile and Family Court Judges 85th Annual Conference and was elected as Treasurer for the Board of Directors, July 17-20, Reno, NV
- Attended the NCJFCJ Leadership meeting with Office of Juvenile Justice and Delinquency

Prevention Director Liz Ryan and staff, July 18, Reno, NV

- Participated in the National Center for State Courts Family Centered Justice Focus Group Meeting, August 3, Virtual
- Chaired the 452nd Judicial District Juvenile Board Meeting, August 3, Menard
- Led the Children's Commission Trial Skills Training Pretrial Day, August 24, Virtual
- Attended the National Center for State Courts Rural Justice Collaborative Advisory Council Meeting, August 26, Virtual
- Led the Children's Commission Training Committee Meeting, August 30, in person, San Marcos
- Convened and led the Children's Commission Trial Skills Training, August 31-September 1, in person, San Marcos
- Attended the Texas Center for the Judiciary Annual Judicial Education Conference, September 7-9, Grapevine
- Attended the Children's Commission Executive Committee Meeting, September 12, Virtual
- Attended the NCJFCJ Executive Committee Meeting, August 9 and September 13, Virtual
- Attended the Bluebonnet CASA, Inc. 20 Year Anniversary Celebration, September 17, London
- Appeared as English-speaking Judge for filming of the Texas CASA/CIP informational video, September 26, Austin; and
- Participated in calls with Executive Director, leadership, and staff regarding multiple topics.

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

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

Background: In July 2017, the Children's Commission launched the Statewide Collaborative on Trauma-Informed Care (SCTIC) to elevate trauma-informed policy and practices in the Texas child welfare system by creating a statewide strategy to support system reform, organizational leadership, cross-systems collaboration, and community-led efforts with data-informed initiatives. Based on the work of the SCTIC, the Children's Commission published a final report in February 2019 entitled Building a Trauma-Informed Child Welfare System: A Blueprint. The SCTIC endeavors to raise awareness about Trauma-Informed Care through training and educational opportunities; create a trauma-informed and trauma-responsive child welfare system that better meets the needs of children and families who experience trauma; and partner with other state and national trauma-informed workgroups and collaboratives. The SCTIC continues under the guidance of an Implementation Task Force and utilizes the Blueprint to direct the SCTIC's work.

09/30/22 Update: The Trauma-Informed Court Project continues its work with the six court sites that are led by: Judge Carol Chaney (Waller County Court at Law); Judge Linda Dunson (309th Family District Court); Judge Angela Graves-Harrington (246th Family District Court); Judge Rhonda Hunter (303rd Family District Court); Judge Andrea James (2nd Region Child Protection Court No. 2); and Judge Cheryl Vaughan (Child Protection Court Eighth Region North). On May 20, a second offering of the initial court

team convening was held to allow teams who were unable to attend on April 22 an opportunity to receive the training and begin team networking. After the initial convening, the court teams met each month with the Children's Commission and the Texas Center for Child and Family Studies (The Center) project staff to discuss the court team's project and determine action items for moving the project forward. Projects selected by the teams include implementing phased services plans, building collaboration and shared learning through community trainings, addressing courthouse environment through signage, and creating improved guidance for parents and children about the court and child welfare case processes.

The Trauma-Informed Court Project planning team hosted a second cohort convening on September 23, 2022. The convening provided the opportunity for each court team to share their selected projects. The cohort members heard a presentation from experienced court teams on balancing trauma-informed court practices with the naturally adversarial nature of child welfare cases. Participants had affinity group breakout sessions to discuss the challenges and opportunities of their particular role on the court team. Representatives from the Texas Permanency Outcomes Project (TXPOP) provided an overview of some practical tools developed by the project and court teams ended the day in team breakout sessions to discuss next steps for their particular project.

Commission staff continue to participate in the HHSC Cross-System Trauma-Informed Care Workgroup which holds regular meetings and includes members from various state agencies working to implement trauma-informed care in their respective areas.

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.

9/30/22 Update: 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 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. Invited guests included young adults and parents with lived experience; judges hearing both juvenile and child welfare cases; leaders from state agencies (the Texas DFPS, Health and Human Services Commission (HHSC), and the Texas Juvenile Justice Department (TJJD); as well as attorneys, service providers, and advocates. A report from the Round Table Discussion will be available by September 30, 2022 and next steps will be developed to address the recommendations from the Round Table.

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

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

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

09/30/22 Update: The Equity Workgroup is chaired by the Children’s Commission’s Equity Advisor Sheila Craig. Due to scheduling conflicts, the Equity Workgroup had to reschedule several meetings, but next steps are underway. The next meeting is currently scheduled for December 2, 2022.

Commission staff continue to meet regularly with DFPS’ Disproportionality Managers, Mosley Hobson and Sharibeth Niehaus, and will continue building connections with the newly expanded Office of Addressing Disproportionality and Disparity. Commission staff attend the Capacity Building Center for Courts (CBCC) Race Equity Collaborative meetings and maintain engagement with the Casey Family Programs bi-annual Race Equity Convenings.

At the National Association for Counsel for Children Annual Conference in August, Commission staff attended many sessions on addressing disproportionality and disparity in child welfare. Additionally, Disproportionality Manager Sharibeth Niehaus became a member of the commission’s Training Committee in August.

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: In FY2018, the Children’s Commission helped the Texas Network of Youth Services (TNOYS) to establish a Statewide Young Adult Leadership Council (YALC) designed to elevate and incorporate youth voice in statewide policy and administrative procedure discussions, particularly in the child welfare system. The YALC is a 10-month long leadership development program for young people with lived experiences of system involvement. The Commission also provides funding each year to print the Foster Youth “Aging Out” Guide published by Texas RioGrande Legal Aid.

09/30/22 Update:

Young Adult Leadership Council: With FY2022 Commission grant funding, TNOYS onboarded a new YALC cohort of 12 young people. Since February 2022, the YALC members attended two trainings where they learned how to facilitate and plan listening session activities. They conducted three planning sessions where they contributed to the creation of listening session questions that are comprised of five themes to discuss the changes that can be made in the court system. These sessions provided the YALC members with the knowledge and confidence necessary to carry out the CIP Listening Sessions in preparation for the CIP Video Project (please see Strategy #18 for additional information). Additionally, YALC members provided feedback to the Commission’s Tool Kit Committee for Attorneys Representing

Parents and Children in Child Welfare Cases to revamp sections of the tool kit to make them more youth-informed and specific to the needs of youth and young adults in the foster care system. This input is expected to have measurable impacts on the youth in Texas who are in care and the attorneys who serve them.

Through this grant, YALC members also had the opportunity to partner with several organizations through external speaking engagements, including the University of Texas Law School Children's Rights Clinic and the State Bar of Texas Child Protection Law Section.

Foster Youth Aging Out Guide: The Children's Commission provided funding to Texas RioGrande Legal Aid to update the design and content of the online and print versions of the 8th Edition of *A Guide for Those "Aging Out" of Foster Care in Texas*. The updated version was completed in November 2021.

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

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

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

09/30/22 Update: The Children's Commission continues to support and promote awareness of the role-based normalcy guide and video developed by Texas CASA. The guide and companion video are hosted as resources on the Commission website and are referenced in the October 2022 update of the Texas Child Welfare Law Bench Book.

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

12. Strategy: Engage judges and lawyers, in collaboration with DFPS' Prevention and Early Intervention (PEI) division and other partners, in systemic efforts to prevent child abuse and neglect and address occurrences of child abuse and neglect while maintaining family preservation.

Background: The Children's Commission collaborates closely with DFPS on the implementation of the Family First Prevention Services Act (FFPSA), as required by the federal Administration for Children and Families. FFPSA restructures federal child welfare funding, particularly Title IV-E and Title IV-B of the Social Security Act, which Texas uses to pay for services for children in foster care and their families. FFPSA seeks to reduce entry in foster care, to limit the use of congregate care, and to increase access to substance abuse and mental health services. There are certain training provisions directly impacting the courts and Court Improvement Programs, but beyond that, FFPSA mandates that states seeking Title IV-E funding create and provide more robust prevention services for families in the state's child welfare system. The Children's Commission collaborates with Casey Family Programs and other state and national workgroups on best practices for implementation of all FFPSA provisions, including the development of IV-E prevention programs and court involvement in encouraging a prevention approach.

09/30/22 Update: The Children’s Commission staff participate on the PEI’s Prevention Framework Workgroup which is comprised of statewide stakeholders with a goal of developing a prevention framework to guide communities throughout Texas. The workgroup last met on August 26, 2022 to develop goals for the next fiscal year.

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. In July and August 2022, the commission held community meetings in Galveston and Bell County to encourage the Court Liaison and community members to connect and work together. A community meeting for Lubbock is planned for Fall 2022.

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.

9/30/22 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.

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. After the August meeting, the Children’s Commission shared a visual timeline of the required court elements set forth in HB 3041.

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.

09/30/22 Update: 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).

The Caregiver 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 face uncommon situations such as involvement in a psychiatric hospital, transitioning in and out of juvenile detention facilities, and children who are in multiple placements within a very short period. The second deliverable is for caregivers with youth in high school and aging out. This deliverable will provide a timetable for a caregivers who have youth in their care who are preparing for higher education, the workforce, or other independent living. This workgroup last met on August 1, 2022.

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 the Department of Family and Protective Services and the Texas Education Agency and to release an annual report with significant findings. This workgroup last met on August 4, 2022.

The Every Student Succeeds Act Workgroup drafted a School of Origin one-pager that is undergoing final review. 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 the child welfare and education communities. This workgroup last met on August 5, 2022.

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 continues to communicate any resources that may be helpful.

09/30/22 Update: The Children’s Commission continues to monitor the *Brackeen* case. The Supreme Court of the United States granted all parties Petitions for a Writ of Certiorari and will hear oral arguments on November 9, 2022.

The Commission participates in the ICWA Constituency Group monthly calls organized by the Capacity Building Center for Courts. Additionally, Commission staff recently met with the Tribal liaison from DFPS State Office and will continue regular check-ins with DFPS and the Tribes. DFPS has expanded invitations to monthly meetings to ICWA representatives for Tribes outside Texas and Commission staff were able to connect with the ICWA worker for Choctaw Nation of Oklahoma. Discussions about a planning a second ICWA Summit in partnership with the Tribes, DFPS, and the Commission have begun.

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.

09/30/22 Update: The Commercial Sexual Exploitation of Children Judicial Workgroup last met on August 25, 2022. The workgroup produced a judicially-focused webinar on June 10, 2022 titled “Responding to the Commercial Sexual Exploitation of Children: Practical Tools and Takeaways for Judges” which educated judges on issues related to the commercial sexual exploitation of children. Judge Angela Ellis (ret.) moderated a robust discussion with Judge Gary Coley of the 74th District Court; Judge Delia Gonzales of the Dallas County Child Protection and Permanency Court; and Ms. Sarah Hall from the Texas Alliance of Child and Family Services. Discussion centered on addressing ways in which judges can recognize and respond to this issue in their courts.

Commission staff participates 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 11, 2022.

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 September 1, 2022.

The Children's Commission participated in recent meetings of the Texas Human Trafficking Prevention Task Force. The Task Force last met on September 21, 2022 to discuss continued development of projects designed to expand trauma-informed education and training to members of law enforcement and the legal community.

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

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

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

09/30/22 Update: Over 15 years ago, DFPS established the Forensic Assessment Center Network (FACN) to allow for specialized pediatricians to be available for consultation on cases of suspected child abuse and neglect. During the 87th Texas Regular Legislative Session, Senate Bill 1578 added Texas Family Code § 261.3017 which requires DFPS and the Children's Commission to evaluate the department's use of the network and develop joint recommendations for improvement. On April 11, 2022, the Commission hosted the FACN Round Table in Austin. Judge Rob Hofmann moderated a five-hour discussion. The forty-five participants who attended included representatives from DFPS, parent advocates, Child Abuse Pediatricians, other pediatric specialists, parents with experience with the FACN, judges, and attorneys who represent parents, children, or DFPS. The Commission worked closely with the department to complete a [report](#) outlining recommendations for improvement to the Legislature on September 1, 2022.

The Children's Commission partnered with the Judicial Commission on Mental Health to host a Round Table on Children's Mental Health in direct response to discussion at the February 2022 Children's Commission meeting. Please see Strategy #8 for additional information about the Children's Mental Health Round Table and related report.

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 QRTPs went into effect in October 2021. Under Senate Bill 1575 (87th Regular Legislative Session), the Children's Commission will partner with DFPS to examine

the oversight of, and best practices related to, residential treatment center placements, including placements in QRTPs.

09/30/22 Update: The Children’s Commission partnered with DFPS to develop a plan for implementation of Senate Bill 1575, including the creation of a workgroup to oversee the goals set out in the bill. The Senate Bill 1575 Workgroup last met on July 12, 2022 and met for a total of four times over a twelve-month period. The workgroup decided to organize its work into two subgroups: RTC Best Practices and Legal. The subgroups began meeting on a monthly basis in November 2021. By October 1, 2022, the Children’s Commission will submit a related report to the Legislature.

In partnership with DFPS, the Children’s Commission hosted an “Overview of Qualified Residential Treatment Program Legal Requirements” webcast on Tuesday, May 17, 2022. The purpose of the webcast was to explain the court requirements for QRTP placements and to provide an opportunity for judges, attorneys, and guardians ad litem to explore the legal process prior to implementation of QRTP placements in Texas. A recording and slides of the presentation, QRTP Referral Example, and Webcast Q&A are all available on the Children’s Commission [On-Demand MCLE webpage](#).

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.

09/30/22 Update: 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. Researchers at the University of Texas at San Antonio distributed a survey in April 2022 to the participating stakeholders to assess the impact of the dual status initiative in each jurisdiction. Judge Carlos Villalon of the Child Protection Court of the Rio Grande Valley West offered a presentation about the dual status pilot at the Texas Center for the Judiciary’s Annual Conference in September 2022 with input from the other participating courts as well as Children’s Commission staff.

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 help ensure that court proceedings safeguard due process, promote child and family engagement, and produce quality legal representation outcomes for the children and families involved.

09/30/22 Update: The LRC last met on August 26, 2022 to discuss the status of several committee projects.

The Children's Materials Workgroup has been working with the TNOYS Young Adult Leadership Council on producing a youth voice video explaining the attorney-client relationship. The video will feature young adults formerly in foster care discussing their experiences with their attorneys and articulating basic information about the attorney-client relationship. Workgroup members developed a script for the video in collaboration with the YALC, along with questions designed to facilitate the youth's ability to tell their own stories. Preliminary interviews and recordings have been completed and the workgroup has reviewed an initial cut of the video. Final video edits are underway.

The Parent's Materials Workgroup has been developing materials specific to fathers and incarcerated parents. The workgroup finalized text for both the Father's Rights and the Incarcerated Parent's Rights materials. Design drafts of both pamphlets and poster versions were reviewed at the August 26 LRC meeting and final versions will be ready for distribution at the Child Welfare Judges Conference in October 2022. The Children's Commission is collaborating with the Texas Indigent Defense Commission to produce videos where attorneys and parents with lived experience explain the attorney-client relationship. Production of the videos is planned for Fall 2022.

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 is collaborating with the Texas Indigent Defense Commission to produce videos of child welfare practitioners explaining how and why they chose child welfare law as a career path and what they love about the work. Once completed, the videos will be made available to law schools and other organizations to raise awareness of child welfare law as a career path. Additionally, the Children's Commission will bring together subject matter experts for an Appellate Representation Workgroup. The charge of the workgroup is identify the needs of appellate attorneys and develop projects to enhance the

quality of appellate representation in child welfare cases. The first Appellate Workgroup meeting is scheduled on October 28, 2022.

The LRC DFPS Representation Subcommittee completed the first update to the Tool Kit for Attorneys Representing DFPS since its initial release in 2018 and plans to reconvene in late Fall 2022 to assist with curriculum planning for the Texas District and County Attorneys Association (TDCAA) Crimes Against Children course.

The next meeting of the Legal Representation Committee will be on November 18, 2022.

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.

09/30/22 Update: The Task Force on Court-Appointed Legal Representation’s Final Report released in May 2021 recommended the creation of Texas-specific standards of representation as a key element of raising the quality of legal representation for parents and children and provided a roadmap for their creation by identifying issues the standards should address. The LRC identified the creation of Standards of Representation as a priority recommendation from the Task Force Report. As a result, the Children’s Commission will convene a new Child Welfare Law Standards of Representation Committee in the first quarter of FY2023. The committee will be charged with drafting standards of representation over the course of the next year and will plan on submitting standards to the State Bar for approval in 2024.

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 will phase out reimbursement in FY2022.

09/30/22 Update: The 2022 Child Welfare Board Certification Exam will be held on October 3-4, 2022. The exam is spread over two days to account for public health considerations and the safety of examinees and staff. There are 55 applicants who have been determined eligible to take the exam and the Children's Commission will continue to reimburse exam fees for attorneys who pass the exam and become certified, as detailed on the Commission's website.

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

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

Background: The Children's Commission supports a Parent Resource Group which is made up of parent mentors, parent advocates, parent attorneys, DFPS staff, and other interested stakeholders. Prior to establishing the Texas Legal Services Center Family Helpline (see Strategy #22 for additional information), the Children's Commission partnered with the University of Texas and other stakeholders to produce the Parent Resource Guide, which is available in print and online on the Children's Commission website as well as on many other stakeholder websites, in both English and Spanish.

09/30/22 Update: The Parent Resource Workgroup Pre-Litigation Resource Guide is currently being reviewed by Commission staff. The workgroup plans to develop a regular review process for both the Pre-Litigation Resource Guide and the Parent Resource Guide and will focus on identifying partners, such as the Texas Family Helpline, to assist with distribution of the guides to parents and families who can best benefit from the information provided in the guides.

After a summer break, the Parent Resource Workgroup will reconvene this fall with the priority of finalizing content for a webinar focused on improving attorney-client communication and using trauma-informed practices to enhance attorney understanding of client issues.

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

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

09/30/22 Update: During the first six months of FY2022, the Family Helpline completed a total of 693 calls and assisted 808 adults and 1,203 children. Of the calls completed, 581 were from first-time callers and 112 calls were from repeat callers seeking additional assistance. The calls originated from 103 counties across Texas. The highest call volume was received from parents, followed by grandparents and

extended family members. Of all the children discussed during a call, 33% were already residing with a non-parent family member, which appears to be a growing trend in the calls received by the Family Helpline.

Approximately 59% of callers reported that they had an open CPS case, 49% of which were in the investigations stage of the case and 10% were being served by FBSS. About 25% of calls received involved questions related to a closed CPS matter and 13% of the calls were related to inquiries about preventing child abuse or neglect. The Family Helpline is now fully staffed with the addition of three new part-time employees which has allowed the Helpline to increase its volume of call intakes and to work on projects aimed at providing legal information related to child welfare cases to the public. One such project includes the creation of videos for TexasLawHelp.org to provide easy to understand information about conservatorship basics, child safety, information for non-parents, information for parents, and interacting with DFPS. Additionally, the Family Helpline is collaborating with the Texas Center for Justice and Equity on a tool kit for reinstatement of parental rights.

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

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

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

09/30/22 Update: The Texas Child Welfare Law Bench Book is currently undergoing updates and the 2022 version is scheduled for release in late October 2022. The revised version will include updates throughout, as well as new chapters regarding dual status youth and required participation, also referred to as court ordered services. The updated version will be uploaded to the [Texas Child Welfare Law Bench Book webpage](#) in late October 2022 as a free, downloadable PDF for print and also as an interactive resource through LawBox.

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 will 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 will also develop and review plans for publicizing and distributing the tool kits to ensure they are accessible to practitioners.

9/30/22 Update: The 2022 Tool Kit for Attorneys Representing Parents and Children in Child Welfare Cases was completed in March 2022 and all 500 copies of the tool kit were distributed at the State Bar of Texas Child Protection Law Section Advanced Child Protection Law Course; the Special Education, Child Welfare, and the Juvenile Justice System Course; the Texas Family Defenders Association CLE;

and the State Bar of Texas Advanced Family Law Course's Child Abuse & Neglect Workshop. The tool kit is available for free on the Children's Commission website and the LawBox app. Seventy-eight percent of attorneys surveyed indicated that they prefer a printed version of the tool kit over the online versions. Work on the 2024 Tool Kit for Attorneys Representing Parents and Children in Child Welfare Cases will begin at the conclusion of the 88th Texas Legislative Session.

The 2022 Tool Kit for Attorneys Representing DFPS will be completed by October 1, 2022 and will be made available for download on the Commission's website. An announcement will be made through a Commission Resource Letter once it is available online. The tool kit will also be made available on the LawBox App for mobile phone and tablet-friendly access. The Commission will collaborate with TDCOA and DFPS regarding the distribution of printed copies of the updated tool kit. Work on the 2024 Tool Kit for Attorneys Representing DFPS will begin at the conclusion of the 88th Texas 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 two 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 more in-person and/or hybrid hearings.

09/30/22 Update: At the May 2021 Commission meeting, funding for upgraded technology to support hybrid hearings in two Child Protection Courts was approved. Commission staff and OCA identified Judge Andrea James of the Child Protection Court #2, Second Judicial Administrative Region, and Judge Delia Gonzales of the Dallas County Child Protection & Permanency Court, as the two courts which would participate in the pilot program. Both Judge Gonzales and Judge James provided overall positive feedback from their court's CPC Hybrid Hearing Technology pilot, and four additional courts have expressed interest in joining the pilot.

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

Background: All parties involved in CPS cases continue to struggle with securing consistent and timely notice of scheduled hearings from DFPS. This issue includes foster placements and DFPS service provider facilities where the children/youth are in placement and results in many parties not being able to attend scheduled court hearings. The Notice and Engagement tool involves using non-confidential case

data to provide email notice to users about upcoming hearings. OCA will market the Notice and Engagement tool and periodically re-issue announcements, survey users on the usefulness and effectiveness of the system, and monitor the system login and search information. Notices will be monitored to evaluate whether the correct hearing data are populating according to search criteria. Reports/data will be produced by OCA and provided to the Children's Commission.

09/30/22 Update: The number of Notice and Engagement system users continues to increase. 162 new users signed up through the Notification and Engagement system to receive hearing notifications, bringing the total number of users to 2,072. Hearing notifications were sent for 9,588 hearings with a total of 25,790 notifications sent.

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 had been collaborating with Tarrant County regarding adopting both the CPCMS and notice and engagement function for use by their courts handling child welfare cases. However, Tarrant County ultimately decided CPCMS did not fit their particular needs and decided to pursue another court case management system. OCA will use the lessons learned with the Tarrant County collaboration to improve collaboration with other 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.

09/30/22 Update: The Mediation Workgroup last met in on March 3, 2022 and participated in a discussion with the National Center for State Courts (NCSC) to help identify points of interest for data collection on mediation in the second phase of the NCSC's study of virtual court practices. On September 12, 2022, members of the workgroup convened to provide feedback on the proposed mediation survey created by NCSC and to discuss Memorandum of Understanding (MOU) language necessary for participation in the mediation data collection portion of the study. After a summer break, the Mediation Workgroup will reconvene in the Fall of 2022.

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

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

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

09/30/22 Update: This strategy is developed on an ad hoc basis and there are no current 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 at least one annual Child Welfare Judges Conference (CWJC) in partnership with the Children’s Commission. The Child Welfare Judges Conference is the Commission’s largest annual judicial training. In FY2022, the Children’s Commission also provided partial funding for a half-day child welfare track at TCJ’s annual Family Justice Conference. Planning and funding activities include designing curricula and conference agendas, determining the budget and number of attendees, participating in planning meetings, vetting judicial scholarship applicants, surveying participants, and evaluating the process and event both internally and externally for future planning.

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

- Overview of Qualified Residential Treatment Program Legal Requirements
- Child Welfare Case Primer: Statutory Hearings and Current Issues
- The Texas Response to the Commercial Sexual Exploitation of Children
- 2021 Judicial Trauma Institute
- 2021 Texas Indian Child Welfare Act Summit
- Judicial Webcast on Benefits of Utilizing Technology in Child Welfare Cases

09/30/22 Update: The upcoming CWJC will be held on October 24- 26, 2022 in partnership with the Texas Center for the Judiciary and will take place at the Sheraton Georgetown Hotel & Conference Center. The CWJC Curriculum Committee was convened in early April and provided feedback on the proposed conference agenda; this was incorporated into a revised final proposed agenda which was approved by the members. Commission staff are meeting regularly with speakers and TCJ staff in preparation for the conference, which will be in person for the first time in three years. The curriculum will include current and emerging topics of interest; a presentation by members of the Department Executive Leadership Team; information about DFPS’ resources for judges; and panels which will include the voices of those with lived experience in the child welfare system. Additionally, Commission staff are collaborating with TCJ and agency staff to convene Regional Breakouts following the annual statewide data presentation by DFPS. These Regional Breakouts will include Regional Directors and Regional Systems Improvement Specialists from DFPS and staff from Single Source Continuum Contractors (SSCCs) in regions where Community-Based Care is in place.

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.

09/30/22 Update: The commission plans to host the biennial Child Protection Court Convening in July 2023, after the 88th Legislative Session concludes. This training is specifically tailored for the Child Protection Courts’ needs and provides updates to CPCMS; updates on Community Based Care; updates on ongoing Pilot projects; and features a Presiding Judge Panel. All 31 Child Protection Court judges and their court coordinators are invited to this training, which is planned and hosted in collaboration with the Office of Court Administration.

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 led by JIR Judge Piper McCraw. Trial Skills Training is held once or twice a year and offers up to 20 MCLE 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, Pediatricians, and Parent Therapists serve as live witnesses. Materials are updated and new faculty is recruited and trained with each event. Extensive internal and external CQI process and outcome evaluation is involved with each event.

09/30/22 Update: The Fall 2022 TST was presented on August 24, 2022 via Zoom and on August 31-September 1, 2022 in person, at the Embassy Suites San Marcos Hotel Conference Center. This was the Commission’s first iteration of the training which incorporated both virtual and in-person segments. 21 attorneys completed the full three-day, intensive, and interactive, offering which consisted of 17.75 hours of MCLE, including 1.50 hours of ethics. Additionally, participants were assigned three pre-recorded lectures in preparation for the training and provided access to two optional bonus pre-recorded lectures on “How to Create a CPS Trial Notebook” and on “Basics for Jury Selection” that qualify for the allotted annual 3.0 self-study MCLE hours which attorneys may claim. The Commission sent out a post-event survey and will use participant feedback to inform refinements to the training.

The next TST will occur in Fall 2023 and will consist of a virtual “Pretrial” and in-person “Trial” instruction.

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

Background: In response to current circumstances and the need for virtual training, Commission staff are developing more regular webcasts to help educate child welfare stakeholders across the state.

09/30/22 Update: 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.

On May 17, 2022, the Commission presented a 90-minute webcast entitled “Overview of Qualified Residential Treatment Program Legal Requirements.” Children’s Commission Executive Director, Jamie Bernstein, DFPS Qualified Residential Treatment Program (QRTP) Lead, Texas Flowers-Moffett, and DFPS QRTP Specialist, Tiffani Tillman provided an overview of the QRTP model, the QRTP placement process, and the required legal findings that must be made in court in relation to QRTP placements. A sample case scenario was also reviewed to provide practical tools to participants, and was followed by breakouts for peer discussion and Q&A. The live recorded webcast was approved for 1.50 hours of MCLE. The archived video, which does not include the breakout discussions, provides 1.0 hour of MCLE and all material related to the webinar, including the PowerPoint from the presentation, are available on the Training Committee’s [On-Demand MCLE](#) webpage.

The Commission is currently developing a Youth Voice webinar, entitled “Enhancing Youth Court Experience: How to Prepare and Support Children to Appear in Their CPS Case,” which will focus on how enhanced communication with youth can increase the effectiveness of attorney advocacy and provide more accurate information for judges, as well as provide a more positive experience for youth in care. The webinar is planned for October 2022, and registration information will be made available in a Resource Letter to Judges and Attorneys closer to the webinar date.

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. Typically, once each year the Children’s Commission works with TexasBarCLE to broadcast a day-long, 6 MCLE hours’ worth of training for attorneys who represent children, parents, and the state of Texas in child welfare proceedings. These live broadcasts are then archived in the TexasBarCLE’s Child Welfare [Practice Area](#) in their Online Classroom. Both the live and archived recordings of 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. Additionally, the Children’s Commission partners with DFPS to provide high-quality training for attorneys representing DFPS, primarily through supporting their annual attorney training.

09/30/22 Update:

[State Bar of Texas Child Protection Law Section](#) :

The State Bar’s Child Protection Law (CPL) Section provides 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 possible trainings and ways to partner together. As a part of this collaboration, a Commission staff member participates in the CPL CLE Committee.

In addition, the Commission aims to coordinate with CPL as well as TexasBarCLE to produce six hours of MCLE this year focused on providing updated “101” course offerings for court-appointed attorneys. All prior years’ webcasts produced by the Commission in partnership with TexasBarCLE are archived and available as webinars for viewing at the same discounted rates provided for the live webcasts in the Child Welfare Practice Area of the TexasBarCLE’s Online Classroom.

Online Classroom: Through TexasBarCLE, the State Bar of Texas currently offers a number of online continuing legal education courses in the Child Welfare Practice Area related to representation of all parties on the CPS docket. A total of 24 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 the Child Welfare Practice Area of their Online Classroom, TexasBarCLE provides discounts to court-appointed attorneys and scholarships to other viewers.

DFPS Regional Attorney Training: This year’s DFPS Attorney Training will take place at the Embassy Suites San Antonio on October 25-26, 2022. This is the first opportunity for the Department attorneys to gather together in-person for training, to work on team building, and to share ideas since 2019. The Children’s Commission has provided funding in the form of a grant to support this training.

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

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

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

09/30/22 Update: Jurist in Residence (JIR) Letters and Judicial and Attorney Resource Letters (JARLs) issued between May and September 2022 include:

- 9/16/2022: The Importance of Kinship Care
- 8/29/2022: Resources for the 2022-2023 School Year

- 8/8/2022: Extra Pandemic Funds Available until August 31, 2022 for Current and Aged Out Foster Youth
- 7/26/2022, Jurist in Residence Letter: Registration Now Open: 2022 Child Welfare Judges Conference
- 6/21/2022: Application Deadline Extended: Attorney Scholarships for TexasBarCLE's Child Abuse and Neglect Workshop
- 6/14/2022: June is National Reunification Month
- 6/2/2022: "Overview of Qualified Residential Treatment Program Legal Requirements" Recorded Webcast Now Available; Now Available on LawBox: 2022 Tool Kit for Attorneys Representing Parents and Children in Child Welfare Cases
- 6/1/2022: Scholarship Opportunities for Child Welfare Judges and Attorneys to Summer Conferences
- 5/20/2022, Jurist in Residence Letter: Responding to the Commercial Sexual Exploitation of Children: Practical Tools and Takeaways for Judges
- 5/16/2022: Trial Skills Training Application Deadline Extended to Friday, May 27th
- 5/9/2022: May is National Foster Care Month

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 attendees plan to implement and/or a current practice attendees plan to change. The surveys also inquire about additional topics of interest to help inform planning for future conferences. All attorney applicants for Commission scholarships must currently represent DFPS or take appointments on a child welfare docket, be in good standing with the State Bar of Texas and with their primary judge, and commit to completing a post-event survey from the Commission. Judges with applicants from their jurisdiction are notified by the Children's Commission and asked to confirm that the applicant currently represents DFPS or takes appointments on their child welfare docket.

09/30/22 Update:

The Advanced Child Protection Law Conference: The Commission offered registration scholarships for qualified attorneys to attend the 4th Annual Advanced Child Protection Law Course, hosted by TexasBarCLE and the Child Protection Law Section of the State Bar of Texas on March 24-25, 2022 in Houston, Texas and via webcast replay on April 26-27, 2022. The Commission allocated \$10,000 to cover registration costs to attend and awarded 47 scholarships total: 18 to attend the live event in Houston and 29 to view the webcast replay.

Texas District and County Attorney Association Training: During 2022, the Commission offered up to 14 reimbursement scholarships for new attorneys currently representing DFPS to attend TDCAA's "Fundamentals of Child Welfare Law" online course which was produced in partnership with the commission. 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. The Commission awarded 9 scholarships to the online course in FY2022. The Commission distributed a post-event survey to collect feedback from awardees.

Advanced Family Law One-Day Child Abuse and Neglect Workshop: This year's Child Abuse and Neglect One-Day Workshop was held on August 10, 2022 in San Antonio, Texas. The Commission allocated \$10,000 and offered registration scholarships for 100 qualified attorneys at \$100 each for the live one-day workshop or for any of the subsequent replays. Eighty-one scholarships were awarded in total: 38 to the live event in San Antonio; 38 to the virtual webcast replay; 2 to the Dallas video replay; 2 to the Houston video replay; and 1 to the South Padre video replay. The Commission has distributed a post-event survey and will collect feedback from awardees until the last replay date has commenced in October.

National Association of Counsel for Children Annual Conference: The NACC's 45th National Child Welfare Law Conference was held in a dual-format this year: in-person on August 22-24, 2022 in Baltimore, Maryland and virtually on September 21-23, 2022. The Commission allocated \$10,000 to provide scholarships to qualified Texas judges and attorneys to attend the annual conference in Baltimore to cover registration costs and assist with conference-related travel expenses. Seven scholarships were awarded. The Commission distributed a post-event survey to collect feedback from awardees.

National Council of Juvenile and Family Court Judges 85th Annual Conference: The NCJFCJ's 85th Annual Conference took place on July 17-20, 2022 in Reno, Nevada. The Commission awarded 13 scholarships to Texas judges hearing civil child welfare cases in the amount of \$2,100 each to cover registration and eligible travel-related expenses. The Commission distributed a post-event survey to collect feedback from awardees.

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 to members of the judiciary at the Child Welfare Judges Conference, which is hosted by the Commission in partnership with TCJ. The project also includes breakout sessions between judges and DFPS regional directors and regional systems improvement specialists to discuss region-specific data elements and permanency outcomes. This 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. Due to the expansion of Community-Based Care (CBC), Single Source Continuum Contractors responsible for case management and placement are also included in the regional breakout presentations with judges serving CBC catchment areas, beginning in 2020.

09/30/22 Update: Planning for the annual Child Welfare Judges Conference is well underway and Commission staff are coordinating with the Director of Research and Evaluation, the Contract Performance Manager, and the Division Administrator Child Protective Regional Systems Improvement at DFPS to prepare for the Statewide Data Presentation and the Regional Breakouts which follow immediately afterward. This year’s Statewide Data Presentation will share data and trends with judges and will focus on safety, permanency, and well-being outcomes at the statewide level and how these topics intersect and impact each other. Commission staff are collaborating with TCJ and agency staff to convene Regional Breakouts following the annual statewide data presentation by DFPS. Regional Breakouts provide the opportunity for judges and their local DFPS 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.

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

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

09/30/22 Update:

The results of the preliminary studies on the PMC courts have been promising, but the workgroup has determined that the only way to evaluate the causal evidence of effectiveness of the PMC court model is to conduct a study that compares two groups: children whose cases were placed on the PMC's court docket upon entering PMC and children whose cases stayed in a non-PMC court. The workgroup also concluded that in order for the evaluation to give a complete picture of the court's effectiveness, it must be able to measure both permanency outcome indicators and well-being indicators.

To accomplish those 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. Workgroup members and Commission staff met with DFPS staff to discuss a draft evaluation request and in July, the workgroup submitted a formal request for access and data through the new DFPS research and data request portal. Next steps will begin once DFPS makes a decision on the 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.

9/30/22 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. Preliminary results from this analysis will be presented at the Child Welfare Judges Conference in October 2022.

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

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

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

09/30/22 Update: In September 2021, the Office of Court Administration 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 a report documenting the results will be available in September 2022.

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

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

09/30/22 Update: The CPCMS Advisory Council met on May 27, 2022, to discuss planned updates and enhancements for CPCMS. Updates to the CPCMS system were released on May 19 and August 25, 2022, including enhancing data collection and tracking of hearing attendance, adding statutory timelines for Court Ordered Services, allowing for multiple hearing types for one hearing setting, and adding an Education tab to document special education services. The next meeting of the Advisory Council will be on October 7, 2022.

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

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

09/30/22 Update: The CPCMS and IMPACT integration workgroup identified the need to develop an MOU to share a sample data set to test the data matching criteria to determine whether data sharing and integration between the CPCMS and IMPACT systems could be successful. Negotiations over the MOU were put on pause when DFPS announced an overhaul of its data requests procedure. The overhaul included creating a new web-based self-managed process for requesting data for research, policy, or custom analysis requests.

After the overhaul was complete and the new web-based procedures were in place, the CPCMS and IMPACT integration workgroup met with DFPS on August 8, 2022 to discuss the appropriate pathway for requesting the data set and identifying the proper data fields necessary to test the matching criteria. It was agreed that the web portal was not the appropriate avenue for requesting the data set and that a Data Use Agreement (DUA) rather than an MOU would be more appropriate. DFPS has submitted a proposed DUA to OCA and it is currently under review. Once both parties have signed the DUA, the data sample can be shared, and the matching criteria can be tested.

OCA had been collaborating with Tarrant County regarding adopting both the CPCMS and notice and engagement function for use by their courts handling child welfare cases. However, Tarrant County ultimately decided CPCMS did not fit their particular needs and they would pursue another court case management system. Please see Strategy #28 for additional information.

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**Children's Commission
Financial Report**

FISCAL YEAR 2022 EXPENDITURES

	Budget Original	Expenses To-date	Anticipated Expenditures*
Operating	\$ 1,216,406	\$ 1,257,895	\$ 111,690
Commission Projects	\$ 211,200	\$ 62,500	\$ 132,306
<i>Systems Improvement</i>	\$ 95,650	\$ 22,274	\$ 58,305
<i>Legal Practice and Process</i>	\$ 84,250	\$ 37,559	\$ 46,868
<i>Training</i>	\$ 30,050	\$ 2,667	\$ 26,633
<i>Data</i>	\$ 1,250	\$ -	\$ 500
Scholarships	\$ 82,000	\$ 44,481	\$ 32,469
<i>ABA Parent Representation Conference (Virtual)</i>	\$ 12,500	\$ 8,703	\$ 3,797
<i>Child Protection Law Section</i>	\$ 10,000	\$ 1,250	\$ 8,750
<i>NACC - Annual Conference</i>	\$ 10,000	\$ 550	\$ 9,450
<i>NCJFCJ - Judicial Scholarship</i>	\$ 30,000	\$ 20,751	\$ 9,249
<i>SBOT One Day Webcast</i>	\$ 2,000	\$ -	\$ -
<i>State Bar CAN CLE</i>	\$ 10,000	\$ 10,450	\$ -
<i>TBLS - CWL Specialization Exam Fee Waiver</i>	\$ 5,000	\$ 1,200	\$ 300
<i>TDCAA - Conference</i>	\$ 2,500	\$ 1,577	\$ 923
Grants	\$ 811,402	\$ 486,524	\$ 288,502
<i>DFPS - Regional Attorney Training</i>	\$ 13,000	\$ -	\$ 13,000
<i>OCA - CIP Technology Project</i>	\$ 170,276	\$ 105,553	\$ 64,723
<i>OCA - CPC Visiting Judge</i>	\$ 21,110	\$ 4,370	\$ 5,630
<i>OCA - Data Analyst</i>	\$ 100,000	\$ 55,269	\$ 44,731
<i>OCA - Virtual Court Equipment Update</i>	\$ 25,000	\$ 7,653	\$ 17,347
<i>TACFS - Data & Trauma Informed Court Practices</i>	\$ 109,269	\$ 75,980	\$ 33,289
<i>Texas CASA - Child Welfare Legal Process</i>	\$ 25,265	\$ -	\$ -
<i>TCJ - Family Justice, Child Welfare Judges Conference</i>	\$ 135,418	\$ 90,807	\$ 44,611
<i>TLSC - Family Helpline</i>	\$ 160,000	\$ 106,169	\$ 53,831
<i>TNOYS - Young Adult Leadership Council</i>	\$ 52,064	\$ 40,724	\$ 11,339
	\$ 2,321,008	\$ 1,851,399	\$ 564,968
Funds Available at 9/20/22	\$ 2,502,289		
(-) FY2022 Anticipated Expenditures	\$ 564,968		
Estimated FY2022 Carry Forward	\$ 1,937,321		

**Children's Commission
Financial Report**

FISCAL YEAR 2023 PROJECTED REVENUE

Estimated FY 2022 Carry Forward	\$ 1,937,321
(+) Projected FY 2023 Federal Distribution	\$ 1,835,438
Projected Funds Available for FY 2023	\$ 3,772,759

FISCAL YEAR 2023 PROPOSED BUDGET

	<u>Budget</u>
Operating	\$ 1,486,160
Commission Projects	\$ 174,300
<i>Systems Improvement</i>	\$ 46,000
<i>Legal Practice and Process</i>	\$ 42,300
<i>Training</i>	\$ 86,000
<i>Data</i>	\$ -
Scholarships	\$ 95,000
<i>Child Protection Law Section</i>	\$ 15,000
<i>NACC - Annual Conference</i>	\$ 10,000
<i>NCJFCJ - Judicial Scholarship</i>	\$ 45,000
<i>State Bar CAN CLE</i>	\$ 10,000
<i>TBLS - CWL Specialization Exam Fee Waiver</i>	\$ 2,500
<i>TDCAA - Conference</i>	\$ 12,500
Grants	\$ 790,211
<i>DFPS - Regional Attorney Training</i>	\$ 12,000
<i>Houston PEARLS Program</i>	\$ 25,000
<i>OCA - Data Analyst, Technology, Visiting Judge</i>	\$ 250,000
<i>TACFS - Data & Trauma Informed Court Practices</i>	\$ 71,732
<i>TCJ - Judicial Training</i>	\$ 254,571
<i>TNOYS - Commercial Sexual Exploitation of Children</i>	\$ 25,580
<i>TFYJP - Hotline Data Collection</i>	\$ 26,328
<i>TLSC - Family Helpline</i>	\$ 125,000
	\$ 2,545,670

Projected Funds Available for FY 2023	\$ 3,772,759
(-) FY2023 Proposed Expenditures	\$ (2,545,670)
Estimated FY2023 Carry Forward	\$ 1,227,088

Children's Commission Grant Summaries

Fiscal Year 2023

Organization:	Houston PEARLS Foundation
Project:	Mentorship Program for Teen Girls in Foster Care
Strategic Category:	Systems Improvement , Legal Practice and Process
Grant Amount:	\$25,000.00
Project Description:	<p>PEARLS (Preparation, Esteem, Achievement, Resiliency, Learning, Strength & Stamina) will enroll 20-25 girls (ages 14-18) for the duration of the academic year (August-May). The program includes developing, supporting, and facilitating the curriculum twice a month with a multi-team approach. Each young person is provided a mentor within the community as a role model. The youth take an active role in participation by giving back to the community in a Day-of-Service and by enhancing their own self-esteem and goals in a Day-of-Opportunity.</p> <p>PEARLS has partnered with other community service organizations which allow the program to take the girls on special programming days like sailing and a beach picnic. PEARLS will teach the girls to give back to the community through community service.</p>
Project Activities:	<p>The program offers bimonthly programming which consists of meetings, regular programming nights, and service projects. During meetings, the girls will be provided dinner and listen to a presentation on success.</p> <p>Regular programming nights will include activities like healing circles, how to choose better friends, career advice including resume writing and social media presence, how to dress for success, healthy living habits, attend community events like a baseball game or symphony performance, etc. Every programming night will be attended by the girls, their two mentors, and ambassadors (women in the community). There will be game nights, a Thanksgiving dinner, and a Christmas event where the girls will receive gifts and "shop" for people in their lives. During regular programming nights, the girls will be presented "gems" where they are recognized for the successes in the last two weeks: excelling at school, community engagement, meeting a goal, etc.</p> <p>The grant project will document the elements of the program as well as track outcomes for the girls that participate including, but not limited to, education, housing, workforce, and engagement in community service.</p>
Use of Funds:	<p>Personnel Supplies</p>

Children's Commission Grant Summaries

Fiscal Year 2023

Organization:	Office of Court Administration (OCA)
Project:	OCA/CIP Partnership Grant, Senior Data Analyst, Visiting Judge Support
Strategic Category:	Systems Improvement, Data, Legal Practice & Process
Grant Amount:	\$250,000
Project Description:	<p>Continue maintaining and enhancing the Child Protection Case Management System (CPCMS) and the hearings Notice and Engagement system. This includes the continuance of the established governance structure and work to enhance the system based on governance committee assessment and decisions.</p> <p>Data Analyst will provide best practice recommendations to improve data quality, and continuous quality improvement recommendations. Quantitative data will include, but is not limited to: Hearing types, hearing outcomes, hearings status (virtual/hybrid/in-person), children's length of time in the system, children's permanency outcomes, legal status of cases. Qualitative data will include, but is not limited to: hearing type, parties in attendance, parties' participation, interpreters present, parental representation/advocacy, child representation/advocacy, children's participation.</p> <p>The visiting judge grant would allow OCA to continue the established mechanism of payment for the appointment of former/retired child protection court associate judges and former/retired district and county court at-law judges experienced in hearing Child Protective Services (CPS) cases to cover child protection court dockets in absence of the active associate judge.</p>
Project Activities:	<p>Conduct a minimum of two CPCMS governance meetings in FY2023 to establish priorities for CPCMS enhancements and report status of governance activities. Provide at least two CPCMS software releases during the grant period. Provide timely CPCMS user support.</p> <p>Perform in-depth data analysis and research related to child welfare data and court data, including quantitative and qualitative analyses.</p> <p>OCA will contract with former/retired child protection court associate judges to receive \$494.00 for a full day of service, or \$247.00 for a half day of service and former/district court and county court at law judges, experienced in CPS matters, to receive \$620.00 for a full day of service, or \$310 for a half day of service. Travel expenses incurred in performance of these services are reimbursable in accordance with the State of Texas guidelines for state employees. The grant budget will allow for approximately 30 days of service and \$2,250.00 in travel expenses.</p>
Use of Funds:	<p>Personnel & Benefits</p> <p>Supplies (Web Cameras, Cellular Hotspot Devices, Programmer Software)</p> <p>Travel</p>

Children's Commission Grant Summaries

Fiscal Year 2023

Organization:	Texas Center for Child and Family Studies
Project:	Data-Informed Court Improvement
Strategic Category:	Systems Improvement , Data
Grant Amount:	\$71,731.90
Project Description:	<p>Continue the Trauma-Informed Courts Project launched in 2022 which studies the impact of trauma-responsive practices in six Texas court teams. Each court team has been working to increase their understanding of trauma and expand the use of trauma-informed tools and practices. While each project is different, all have elements that focus on increasing speed to permanency, reducing recidivism, and increasing the voice and engagement of families engaged with the CPS system.</p> <p>Continue the evaluation of Harris and Dallas Counties Permanent Managing Conservatorship (PMC) court model designed to improve permanency outcomes of children in their jurisdiction. In FY 2022, the Center examined court practices and well-being of children through the perspectives of two stakeholder groups who work with children and youth in PMC and who regularly spend time in the courts that oversee PMC cases: attorneys ad litem and Court Appointed Special Advocate (CASA) supervisor. Looking to FY 2023, in coordination with the PMC court project steering committee, there is additional work that needs to be done to complete and potentially expand the research objectives to assess the implementation and effectiveness of the courts.</p>
Project Activities:	<p><u>Trauma-Informed Courts Project</u></p> <p>The Center will continue to conduct frequent meetings to provide strategic guidance to the six courts and provide them specific project plans which include tracking components, recording successes, challenges, and next steps. A final report that can be used to expand trauma-informed and trauma-responsive court practices across the state will be produced.</p> <p><u>PMC Court Project Evaluation</u></p> <p>The Center will continue the PMC court project evaluations and provide a summary of findings related to the PMC court projects effectiveness in Harris and Dallas Counties. To expand the research and produce causal evidence of the effectiveness of the PMC court, the Center will need approval from the Department of Family and Protective Services to collect original data from children in care. The center will continue to pursue approval of the request.</p>
Use of Funds:	<p>Personnel & Benefits</p> <p>Travel</p>

Children's Commission Grant Summaries

Fiscal Year 2023

Organization:	Texas Center for the Judiciary (TCJ)
Project:	Judicial Training
Strategic Category:	Training
Grant Amount:	\$254,571.00
Project Description:	<p>TCJ will conduct the 2022 Child Welfare Judges Conference (CWJC). This is a 2.5-day conference, which includes a half day training for Child Protection Court judges and a day and a half training for their coordinators. The conference will be held October 24-26, 2022, at the Sheraton Hotel in Georgetown, TX. The conference is estimated to train around 90 judges and 31 child protection court coordinators.</p> <p>TCJ will include two hours of continuing education, developed by the Children's Commission, at the 2023 Annual Judicial Education Conference. This conference typically reaches about 625 judges and specifically targets general jurisdiction judges as well as judges sitting by assignment. The 2023 Annual Judicial Education Conference will be held September 6-8 at the Marriott Marquis in Houston.</p> <p>TCJ will also begin the planning process for the 2023 Child Welfare Judges Conference.</p>
Project Activities:	TCJ will participate in periodic planning calls with the Children's Commission and OCA. They will communicate with attendees about reservations, reimbursements, work directly with speakers to facilitate travel, develop program descriptions, prepare materials including conference programs, signage, and conference app., and apply for, track, and reconcile MCLE and family violence hours for conference participants. At the conclusion of the conference, TCJ will prepare and distributing conference evaluations, tabulating and providing results to the Children's Commission.
Use of Funds:	Personnel & Benefits Travel Supplies Speaker Fees Other

Children's Commission Grant Summaries

Fiscal Year 2023

Organization:	Texas Department of Family & Protective Services
Project:	2023 DFPS Annual Legal Conference
Strategic Category:	Training
Grant Amount:	\$12,000
Project Description:	The Texas Department of Family and Protective Services (DFPS) legal division offers over 15 hours a year of free MCLE to any attorney who represents the Department, whether as a DFPS employee or in a district or county attorney's office. The conference will provide approximately 8-10 hours of MCLE credit and an additional 4 hours of training for DFPS legal support staff and hands-on skills practice for new attorneys. Those sessions that are accredited for MCLE will be recorded and made available for DFPS attorneys who cannot attend live and district and county attorneys.
Project Activities:	Sessions that are rated highly for quality and relevance to practice, DFPS will attempt to replicate in future years by inviting a similar speaker or related (but not repetitive) topic. Sessions that are not highly rated will be analyzed to see why it didn't work and what can be improved. Invited speakers are stakeholders in the child welfare (and adult protective services) system, including providers, law enforcement, and legal practitioners.
Use of Funds:	Travel Other (Venue, Audio/Visual)

Children's Commission Grant Summaries

Fiscal Year 2023

Organization:	Texas Legal Services Center (TLSC)
Project:	Family Helpline
Strategic Category:	System Improvement, Data
Grant Amount:	\$125,000
Project Description:	<p>TLSC's Family Helpline was established in 2017. The Family Helpline assists Texans who have legal questions regarding the child welfare system and child safety. Family Helpline attorneys are available Monday – Friday from 9 a.m. – 6 p.m. CST. When a caller dials the phone number, their call is answered by a child welfare attorney. Since its inception, staff attorneys have completed more than 10,000 calls, affecting more than 16,000 children. The goal of the helpline is to improve safety and stability for children, and to empower families through education about their legal rights and court processes. The Family Helpline serves all 254 counties in Texas.</p>
Project Activities:	<p>Provide direct legal information and education to callers with Texas CPS questions by providing easy and efficient telephonic access to experienced child welfare attorneys (on-going for duration of project).</p> <p>Collect data regarding the child welfare system, trends, and areas where additional supports are needed; a thorough data report will be provided to relevant stakeholders with a goal of informing policy and influencing systemic change.</p> <p>Distribute at least 600 outreach materials to entities across the state to make Texans aware of Helpline services. Outreach activities will take place periodically throughout the year and upon request from any agency or group.</p> <p>Observe court in 50 counties and track observations; this information will be shared with Family Helpline staff and a summary of observations will be included in the reports that are submitted to the Commission 2x per year.</p> <p>Conduct legal trainings on topics related to child welfare law twice per fiscal year with a goal of reaching at least 10 attorneys or professionals per presentation.</p> <p>Continue to provide content for Texas Law Help with information regarding CPS matters (this will occur on at least 2x per year).</p>
Use of Funds:	Personnel & Benefits Travel Supplies Contractual Other

Children's Commission Grant Summaries

Fiscal Year 2023

Organization:	Texas Network of Youth Services (TNOYS)
Project:	Centering Youth and Survivors in Texas Courts' Prevention, Identification, and Response to Commercial Sexual Exploitation of Children and Youth in Foster Care
Strategic Category:	Systems Improvement
Grant Amount:	\$25,579.66
Project Description:	Building on previous Commercial Sexual Exploitation of Youth (CSEY) projects with the Office of the Texas Governor, which were efforts that were exclusively focused on youth service providers, TNOYS will address the challenges of providing appropriate and coordinated supports to victims of CSEY by designing and delivering training specifically for the legal community such that judges and lawyers can better assist in preventing and responding to the commercial sexual exploitation of children and youth in foster care.
Project Activities:	<p>Gather input about the needs of the legal community through interviews with CIP staff or 1-2 interviews with selected judges/lawyers. Develop training in collaboration with Commission guidance and priorities.</p> <p>Conduct one virtual or in person training to judges and lawyers across Texas on understanding, identifying, and responding to CSEY and one training and networking opportunity at TNOYS' 40th Annual Conference in May/June 2023.</p> <p>Training activities will include developing and providing training content focused on understanding and identifying CSEY that is specific to the legal community. As part of developing the training, TNOYS will engage with youth and young adults involved in youth programming who have experience with child welfare and CSEY to ensure the training is well informed. TNOYS will incorporate the experiences of youth and young adults as it relates to prevention, identification, and response to CSEY to inform the legal community about opportunities and challenges.</p>
Use of Funds:	Personnel & Benefits Supplies

Children's Commission Grant Summaries

Fiscal Year 2023

Organization:	Texas Rio Grande Legal Aid
Project:	Foster Youth Justice Project – Hotline Data Collection
Strategic Category:	Data
Grant Amount:	\$26,328
Project Description:	The Texas Foster Youth Justice Project serves current and former foster youth across Texas. This population is underserved and often experiences barriers to successfully transitioning to adulthood. A significant component of the Project's service delivery includes maintaining a statewide hotline, email address, and website through which the Project receive inquiries for information, referrals, and legal representation. The Project will track specific data points for each inquiry.
Project Activities:	<p>Conduct outreach to entities and organizations that work with current and former foster youth to inform them of the Project's hotline and services. Outreach may be conducted by community presentations, dissemination of informational materials (including "A Guide to Aging Out of Foster Care in Texas"), and directly contacting the entities or organizations by email and/or phone. Outreach will be conducted by the Project paralegal and Project attorneys.</p> <p>Track each call, email, and website inquiry it receives. The hotline will be staffed by a paralegal who will be trained to provide basic legal information and referrals and to conduct intake interviews for direct representation. The Project paralegal will be under close and direct supervision of the Project director.</p> <p>Examine, evaluate, and analyze data gathered from inquiries. A summary of the data will be provided to the Children's Commission and other stakeholders. Data will be reviewed internally to inform the Project's service delivery and advocacy efforts and guide the Project to develop and disseminate informational materials to the target population.</p>
Use of Funds:	Personnel & Benefits

