



5
years

2007-2012

 Children's
Commission[®]

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

The Supreme Court of Texas

Chief Justice Wallace B. Jefferson

Justice Nathan L. Hecht
Justice Dale Wainwright*
Justice David Medina*
Justice Paul W. Green
Justice Phil Johnson
Justice Don R. Willett
Justice Eva Guzman
Justice Debra Lehrmann
Justice Jeffrey S. Boyd
Justice John Phillip Devine

** Justices Wainwright and Medina left the court in 2012*

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The mission of the Children's Commission is to strengthen courts for children, youth and families in the Texas child protection system and thereby improve the safety, permanency, and well being of children.

mission

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Office of Court Administration

Members

chair's message

There were almost 30,000 children in the conservatorship of the state due to abuse or neglect when the Commission was formed in 2007. Today, that number has not decreased, due in large part to a growing population, the economic crisis and increased poverty. And each child in the state's care can face physical, emotional, educational and legal difficulties. But despite these challenges, we have made great strides in maximizing positive outcomes for the children entrusted to the state's care.

The Supreme Court of Texas established the Children's Commission five years ago. Then, many recognized it as the state's first attempt through judicial leadership to improve the lives of children and families in our child welfare system. It has been a stellar five years.

Our collaborative approach has produced deep and enduring relationships – born of a commitment to working with other branches to ensure the best results for children in the system. Trial court judges have eagerly led the way toward systemic reform so that when a child enters the foster care system, the partnership between the judicial and executive branch provides a better and more efficient response. Working together, we have dramatically changed the way we approach and resolve problems. No one can imagine returning to a time when judges and child welfare professionals did not communicate about the children and youth who belong to us all while they are in the state's care.

In 2012, the Commission continued to focus on helping trial courts gain the skills and garner the local resources needed to move children out of foster care and into permanent homes quickly. The year also marked a shift in our work toward placing greater emphasis on children's educational and medical needs. And with the unwavering support of the Supreme Court of Texas, we now move ahead with a great sense of confidence that the time and talent we invest in improving the child welfare system will produce a future that is bright and hopeful for the children we serve.

The Honorable Eva Guzman
Children's Commission Chair



In 2006, Chief Justice Wallace Jefferson, Judge John Specia and I joined a delegation of child welfare specialists at the first-ever National Judicial Leadership Summit on the Protection of Children. We were called to lead judges to change lives by changing systems. Change is challenging in any scenario, but especially where courts are over-tasked, under-resourced and faced with some of the most complex and consequential cases before the judiciary.

Determined to make a difference, the Supreme Court of Texas held a public hearing at which many and diverse child welfare stakeholders testified about gaps in our child welfare system and the role that a high-level judicial commission could play in solving these problems. That historic hearing led to the creation of the Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families, which has proved to be the right vehicle at the right time for addressing the critical needs of children and families in our child welfare courts.

In only five years, the Children's Commission has grown to become a network of public and private partnerships, a go-to resource for the state legislature, and a platform for developing best practices. The Commission has changed the course of child welfare in Texas by expanding relationships and identifying common goals. With a series of round table discussions, the Commission has tackled such topics as family visitation, psychotropic medications and notice to and engagement of families. When the Pew Commission identified the need to make better use of technology to track court performance and improve outcomes, it seemed nearly impossible to coordinate such an effort

across the far reaches of our state. But we moved forward nonetheless. Now, more and more courts are accessing the technological resources the Commission developed to gather and analyze critical data. And now, many courts are utilizing videoconferencing equipment that allows foster youth who are placed far from home to participate in the hearings that so dramatically affect their lives. When we heard from national and state partners that children and families in child welfare courts needed better representation, the Commission launched a comprehensive study of legal representation. When we heard that foster children faced serious barriers in school, the Commission launched an intense study and high-level effort to improve educational outcomes. And the list goes on and on.

The findings of these and many other multi-disciplined workgroups, round table discussions, pilot projects, and statewide studies have led to changes in legislation, policy and practice. The Commission has achieved such success by calling the decision makers in many systems to the table to work collaboratively toward improving the lives, and life chances, of our children and families.

Congratulations to the Supreme Court of Texas, the Children's Commission and its tireless staff, and all of our devoted partners in child welfare who blazed this trail.

The Honorable Harriet O'Neill
Children's Commission Chair Emeritus

chair emeritus



permanency

Pushing for
permanency:

The quest
continues

Texas is home to more than seven million children. On any given day, Texas has about 30,000 children in the care of the Department of Family and Protective Services (DFPS). Almost half of these children have been in state custody for at least one year. Those who remain in foster care after a year and a half stand a good chance of lingering in the state's care for at least another year or two, mainly because the urgency of finding them permanent homes all but vanishes after their legal case ends at the 18-month deadline.

These children languish in foster care because, after their legal case ends, court oversight diminishes, advocates and attorneys are routinely dismissed, and the roles of those who remain involved become unclear. Children in long-term care are usually moved multiple times and too many age out of the system without a permanent home and inadequately prepared for adulthood.

Since partnering with Texas Appleseed in 2009, and in accordance with Appleseed's 2010 report, *"Improving the Lives of Children in Long-Term Foster Care: The Role of Texas' Courts & Legal System,"* the Children's Commission has focused significant efforts toward improving the plight of children in long-term foster care. This effort has emphasized support for judges who are charged with overseeing the process of getting these children into desirable, permanent placements more quickly, and when that isn't possible, empowering a more stable adulthood through concentrated preparation for independent adult living.

In 2012

Texas has many dedicated judges who oversee Child Protective Services (CPS) cases and are keenly aware of the diminished life prospects foster children face the longer they are involved in the Texas child protection system. In an effort to encourage Texas judges to champion a sense of urgency and maintain momentum in the search for permanent homes for foster children, the Children's Commission held its first Texas Permanency Summit in October 2012. Judicial leadership in expeditiously achieving safety, permanency, and well-being for all children and youth in care was a fundamental tenet for the conference – as it is for much of the work undertaken by the Children's Commission.

The theme of the conference was, "Beyond Safety and Stability: Focusing on the Importance of a Real Permanent Home." The objective was for judges to share strategies for promoting permanency for children and youth on their dockets who are in long-term foster care.

While judges play the lead role in CPS cases, they work within a local system of other key players. This is why each judge who attended the Permanency Summit was instructed to invite a CPS supervisor, a prosecuting attorney, a Court Appointed Special Advocate (CASA) supervisor, and at least one children's attorney and one parent's attorney to attend the event.

Justice Eva Guzman opened the conference with a warm welcome to the participants and told them that she admired their courage in handling such difficult cases. "I'm sure you look at these children and youth in your courts and know they desperately need and want a family – someone who will be there for them as they face the prospect of years in foster care and a journey toward uncertainty that may include homelessness, drug addiction, or

mental illness," Justice Guzman said. "You know that without a permanent connection to someone, it is unlikely they will reach their potential or experience a bright future. You know this because you've seen it time and time again in your courts."

"I'm sure you look at these children and youth in your courts and know they desperately need and want a family," –
Justice Eva Guzman,
Children's Commission Chair

The conference featured presentations by judges and other professionals, moderated panel discussions and facilitated small-group discussions that provided thoughtful insight on best practices to fit local circumstances and constraints. Another important goal of the summit was to send each jurisdiction home with a plan for improving its processes and mobilizing better and timely outcomes for children.

Attendees were provided an overview of statewide data about how long kids were staying in foster care before exiting. They also heard from Judge John Hathaway, an associate judge in Travis County who handles all CPS cases for children who have transitioned into the permanent managing conservatorship (PMC) of DFPS. Due to Judge Hathaway's dedication to handling Travis County's PMC docket and championing innovative strategies, the number of children in Travis County in DFPS custody for three or more years declined from a high of 239 children in 2005 to 82 children in 2012.

Conference participants also heard from many inspirational and incredible youth who had aged out of foster care. These young adults were passionate and firm in their belief that judicial decisions must be informed by the voices of youth in the care of CPS. Texas law requires that all children in foster care attend their foster care review hearings, and some youth formerly in care wish they had been given this opportunity. However, participants learned from some court teams and speakers that this mandate is not uniformly followed and notice of hearings is inconsistently given. As a result, children often lack the opportunity to attend their hearings and have their voices heard.

Specific, Concrete Steps

Almost without exception, participants reported leaving the summit not only inspired to make changes in their jurisdictions, but also equipped with strategies and tools to do so. Some judges have required that more children attend court and others are rearranging dockets to improve efficiency and continuity. For

“Once I started insisting children attend court, I was amazed at the difference in the quality of hearings and the progress we could make,” – Judge Angela Ellis, Houston

example, one district judge changed his docket and assigned to an associate judge all hearings for children in PMC to promote closer case oversight and to allow those children to see only one judge. Associate Judge Angela Ellis, 315th Juvenile Court, Houston, told summit attendees, “Once I started insisting children attend court, I was amazed at the difference in the quality of hearings and the progress we could make.” Judge Ellis admitted that, until relatively recently, she did not appreciate the value of bringing children and youth to court. Now, she credits the presence of youth in her court with achieving better outcomes. Beaumont Judge Larry Thorne, 317th Civil District Court, left the conference saying that he intended to start consistently requiring children to attend their hearings in his court. “Not only because doing so can help us reach permanency faster,” Judge Thorne said, “but because it’s just the right thing to do.”



Also, in December, two Houston judges issued an open letter to foster youth explaining their right to have their voices heard. Judge Mike Schneider, 315th Juvenile Court, Houston, and Associate Judge Angela Ellis have posted the letter in their courtrooms and hand it out to caseworkers, attorneys ad litem and youth at each hearing.

Support from Children’s Commission

The Children’s Commission is dedicated to supporting courts in their efforts to improve their hearing practices. We are especially committed to bringing more children to court to ensure their voices are heard and heeded. A few jurisdictions suggested that a video featuring youth in foster care, which explains what court is like and what to expect, would be helpful to youth who might feel intimidated or reluctant to attend court hearings. The Children’s Commission is working with Texas Appleseed and the Texas Center for the Judiciary to develop this video.

A youth court report is another tool in which youth write what is going on in their lives in their own words. It allows them to candidly share their experiences, such as how many places they’ve lived, how many schools they’ve attended, who they stay in touch with and what they need or want.

In October 2013, the Children’s Commission will host its second Permanency Summit. The quest to empower judges, attorneys, guardians ad litem, and other child welfare partners to ensure children have a voice in their future not only helps everyone involved make better decisions but, as Judge Larry Thorne stated, it’s just the right thing to do.

A close-up, black and white photograph of a child's face, focusing on the eye and ear. The child's eye is looking slightly to the left. The background is a soft, out-of-focus light color.

Getting their voices heard

Technology
brings kids
to court
through video
conferencing

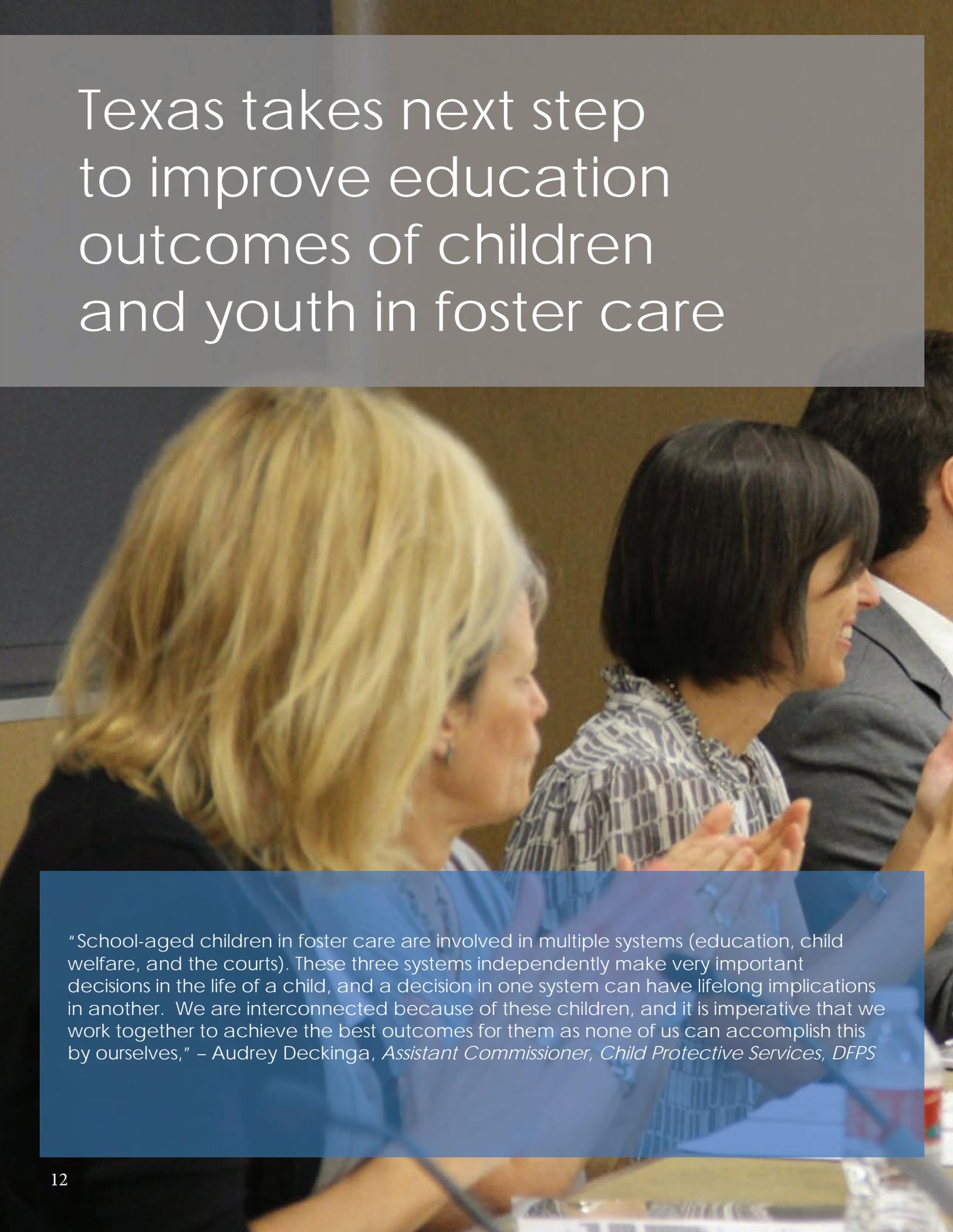
For the past two years, the Children's Commission has funded a project to bring affordable technology to courts that allows children to participate in their hearings without being physically present in the courtroom. When children cannot attend a hearing, a video link hosted and maintained by the Office of Court Administration (OCA) allows a judge to interact with the child or youth. Video conferencing is not intended to replace in-person attendance, but it is preferable to no direct communication between judges and children. Through video conferencing, a judge and child in most cases can see one another and a judge can observe a child's demeanor and body language and get a better perspective on the youth's concerns, wants, and needs.

OCA has focused on providing the equipment and expertise to connect courts with 58 residential treatment center (RTC)

facilities. To date, OCA has set up and tested the equipment in 45 RTCs and ten courts, among them Associate Judge Richard Garcia's Children's Court in Bexar County. Judge Garcia credits the system with helping him make better decisions. "It's much better to talk to a child directly rather than getting all your information about them secondhand," Judge Garcia said. "Are they really doing well in school and adjusting to their environment? Are their needs being met? I can find out firsthand by asking the child."

Judge Garcia sees the future benefits for meetings other than court hearings and for parties other than children. For example, video conferencing could connect CASA offices and RTCs and could even accommodate family visitation. OCA staff have targeted the next dozen courts and RTCs to continue expanding the project and court participation.

Texas takes next step to improve education outcomes of children and youth in foster care



"School-aged children in foster care are involved in multiple systems (education, child welfare, and the courts). These three systems independently make very important decisions in the life of a child, and a decision in one system can have lifelong implications in another. We are interconnected because of these children, and it is imperative that we work together to achieve the best outcomes for them as none of us can accomplish this by ourselves," – Audrey Deckinga, *Assistant Commissioner, Child Protective Services, DFPS*



education

“Education is a huge component of a child’s overall well-being and future success in life, yet child welfare systems and public school systems often work separately, despite sharing a common goal,” – Dr. Johnny Veselka, *Executive Director, Texas Association of School Administrators, and Education Committee member*

According to national studies, youth in foster care often have poor educational outcomes compared with the general child population. The National Working Group on Foster Care and Education reviewed studies from around the country on children and youth currently and formerly in foster care. According to these studies, when compared to the general student population, foster youth were more likely to be suspended or expelled, scored lower on statewide standardized tests, were more likely to repeat a grade, were less likely to graduate, and were more likely to drop out.

Although educational challenges are not unique to children and youth in foster care, this vulnerable population faces additional hurdles, including multiple residential and school changes, court appearances or therapeutic or other case-related appointments that must be attended during school hours, missed school days to visit with parents and siblings, as well as a typically chaotic educational history prior to entering foster care in the first place.

Children and youth who are of school age and in foster care may also find themselves lost in between child welfare and education – two systems with overlap but inadequate ongoing and effective communication. Texas judicial, child welfare, and education stakeholders informally report that school changes result in a damaging loss of records, credits, services and support systems, which can hinder the academic success of school-age foster children and youth.

In February 2013, over 200 court, child welfare, and education leaders met in Austin at Texas’ first Foster Care and Education Summit and Texas took another step in its long-term initiative to improve how children and youth in foster care fare in schools.

This step represented a new chapter in the initiative after the May 2012 release of *The Texas Blueprint: Transforming Education Outcomes for Children and Youth in Foster Care*, by bringing together multi-disciplinary stakeholders to raise awareness of the issue and begin establishing connections among the courts, DFPS and local school districts. With the culmination of the summit, work now turns to implementation of the *Texas Blueprint*.

A National Call to Action and our State’s Response: *The Texas Blueprint*

Passage of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 focused attention on the educational stability of youth in care and galvanized states to look at how students in care fared educationally, particularly in the number of school placements. In response, the Supreme Court of Texas issued an Order Establishing the Education Committee of the Permanent Judicial Commission for Children, Youth and Families in 2010. This order ultimately resulted in a level of cross-systems collaboration previously unseen in Texas.

Led by judges, the Education Committee included the commissioners of Texas’ state education and child welfare agencies, the directors of Texas CASA, the Texas Association of School Boards and the Texas Association of School Administrators, representatives from Casey Family Programs, a parent’s attorney, a child’s attorney ad litem, and a youth formerly in care. More than 100 professionals in education, child welfare and law met more than 60 times during an 18-month period to learn from one other, discuss and debate the issues, and ultimately develop recommendations to improve the educational outcomes of children and youth in foster care.



Texas Blueprint recommendations addressed:

- Judicial Practices
- Data and Information Sharing
- Multi-Disciplinary Training
- School Readiness
- School Stability and Transitions
- School Experience, Supports, and Advocacy
- Post-Secondary Education
- Future Collaboration

The Education Committee reached consensus on approximately 30 recommendations and suggested numerous strategies to



help the state implement the recommendations, with the joint recognition that some recommendations may carry a fiscal note, present challenges when implemented, or involve multi-system training. The recommendations outlined in the committee's final report, *The Texas Blueprint: Transforming Education Outcomes for Children and Youth in Foster Care*, range from changes to daily practices of courts, schools and child welfare caseworkers, to modifications of education and child welfare policy and amendments to Texas' statutory framework.

On May 3, 2012, the Education Committee officially submitted the *Texas Blueprint* to the Supreme Court of Texas at a reception where Chair Patricia Macias and Education Committee members were recognized for their dedication and collaborative work.

Looking Ahead

As envisioned by the Supreme Court of Texas, the Education Committee was to be a short-term effort of less than two years. But, as part of its charge, the Court directed the Education Committee to develop a collaborative model to continue systemic improvement of educational outcomes after the submission of the *Texas Blueprint*.

Texas now moves the collaboration established by the Education Committee forward by developing a task force to prioritize the *Texas Blueprint* recommendations and monitor the progress of implementation. The *Texas Blueprint* Implementation Task Force, created by order of the Supreme Court of Texas in December 2012, has begun meeting and is currently drafting an implementation plan to further guide this work.



Psychotropic medication and Texas foster care

psych meds

In 2012, several news articles and a prime time special with ABC's Diane Sawyer portrayed Texas as one of the worst offenders in the overmedication of the foster children in its care. These stories focused on a study released in late 2011 by the U. S. Government Accountability Office (GAO) that compared 2008 Medicaid data from Texas, Florida, Oregon, Massachusetts, and Maryland. Many experts disagreed with the conclusions made in the GAO Study, citing that the data was old, did not reflect many policy improvements by Texas, and was not an accurate, parallel comparison. Regardless, the eye-opening statistics fueled a heated debate. Many judges and child advocates expressed concern that, in the foster care system, psychotropic medication has been overprescribed, inappropriately prescribed to control behavior, and insufficiently monitored. These concerns were not new. Texas began looking more closely at its psychotropic medication practices and making systemic changes in 2005 with the creation of medication guidelines called the Psychotropic Medication Utilization Parameters (the Parameters).

Since Texas implemented the Parameters and other oversight protocols, there has been a steady reduction in the use of psychotropic medications in foster care. The rate of foster children prescribed psychotropic drugs has dropped from 42 percent in 2004 to 32 percent in 2012. The U. S. Administration for Children and Families recognized Texas as one of three national pioneers that created practice guidelines for the prescription of psychotropic medications.

The Department of Family and Protective Services (DFPS) has also created a plan to move toward a trauma-informed system of care which will focus on treating the root causes of many mental health and behavioral problems and ensure that non-pharmacological alternatives have been explored before psychotropic medication is prescribed.

In response to the request of many stakeholders, the Children's Commission formed a multi-disciplinary workgroup to examine how judges, the child welfare agency, and other advocates and interested persons could work together to further decrease the administration of psychotropic

medications to Texas' foster youth. The Psychotropic Medication Workgroup, led by Associate Judge Diane Guariglia, 245th Family Court, Houston, and Dr. James Rogers, Medical Director at DFPS, studied the psychotropic medication oversight process in Texas, the information-sharing process between the court and the state's many child welfare professionals, and the consent process for psychotropic medications.

More than 50 judges, attorneys, psychiatrists, child welfare leaders, mental health experts, and other advocates attended the Psychotropic Medications Round Table in July 2012. The round table was opened with a reminder of the common purpose of every participant in the room: to provide foster children the best, most effective, and least intrusive treatment for emotional and behavioral difficulties. All of the 50-plus attendees agreed that no one wished to overmedicate or undermedicate children, and that the difficulty was in finding the right treatment for each child. Advocating for a child struggling with mental health issues is time and resource intensive. As reflected in national debate, there are also philosophical, moral, and religious differences about how psychotropic medications should be used with children.

The round table participants discussed the consent process, judicial review, and agency oversight, including a detailed discussion of the Parameters. The participants reviewed current statutes, policies, and practices surrounding the use of psychotropic medications and offered their expertise and insights from the field regarding what is working well and what is not.

One important discussion addressed the appropriate role for judges who hear child protection cases and are charged with the oversight of the safety, permanency, and well-being of the children in their courts. Section 266.007 of the Texas Family Code requires that the judge overseeing the case review a summary of the medical care being provided to the child at each hearing held pursuant to Chapter 263. The standard of review under the Texas Family Code is always the best interest of the child, but how do judges ensure the best interest of the child without running afoul of their role as an independent judicial officer?

The judiciary has the responsibility to check and balance executive power by declaring executive actions unconstitutional where necessary, but matters become complicated when there are no laws in question and no constitutional questions. What if none of the parties are questioning or objecting to the care being provided to the child? In that scenario, is a judge prohibited from overruling decisions made about medical care by the executive branch? Round table participants explored possible responses when a medication regimen is within the Parameters but an advocate is concerned because the child appears overmedicated or is having adverse effects. The majority of round table participants agreed that if an advocate expresses concern to the court, the judge has a legitimate dispute and must hear evidence and make a decision in the best interest of the child.

The conclusion of several participants was that Section 266.007

of the Family Code directs the judge to review all medical care being provided, including any psychotropic medication regimen, and to question whether the care is appropriate under the circumstances presented. Consequently, when judges decide that the medical care is not in the child's best interest, there is an expectation that the judge will enter orders to address the situation.

In January 2013, the Children's Commission issued a 50-page report entitled, "Psychotropic Medication and Texas Foster Care." The report includes 20 recommendations to help guide DFPS and the judiciary in continuing to improve legislation, child welfare policy, and judicial practices in the use and oversight of psychotropic medications. The report articulates an urgent call to improve medical consent systems, amend the Texas Family Code to increase accountability, and enhance data collection and information sharing to better serve our children's best interests. Of paramount importance to our state is garnering the necessary resources to implement a statewide, trauma-informed approach to serving children, youth, and families involved in the child welfare system. The 30,000 foster youth currently in care deserve an accountable and sensitive system of care and Texas must do everything in its power to get it right for each and every child.

Read the full report on the Resources and Reports page of the Children's Commission's website:
www.texaschildrenscommission.gov.





training

Attorney Training

In 2012, the Children’s Commission used federal Court Improvement Program (CIP) grant funds for scholarships to send Texas attorneys to state and national conferences related to child abuse and neglect:

- 17 attorneys attended the National Association of Counsel for Children (NACC) Annual Conference in Chicago in August
- 69 attorneys attended the Child Abuse and Neglect Track at the State Bar of Texas Advanced Family Law Conference in Houston in August, while another 49 viewed the same CLE by video replay in South Padre Island or Dallas

Trial Skills Training Developed: Commission staff and a workgroup led by Justice Michael Massengale, 1st Court of Appeals, Houston, developed the Trials Skills Training curriculum. It includes a fictional fact pattern with many elements of a typical CPS case along with Texas-specific pleadings, exhibits, forms, and other legal documents. Called the

“Case Scenario,” this curriculum will facilitate the practice of basic litigation exercises. Experienced faculty members comprised primarily of Trial Skills Workgroup members will teach the course, which will be offered to attorneys who represent parties in CPS cases.

More Online Training for Attorneys Provided:

Commission staff continues to collaborate with the State Bar of Texas to create a larger online continuing legal education (CLE) library. The State Bar created a CPS category in its Online Classroom series that lists all courses in child welfare law. There are currently two categories of courses. One category provides a couple of 3-hour CLEs for attorneys who represent children or parents. The second category, called the CPS Mentor Series, provides several 1-hour CLEs such as: Representing Parents in CPS Cases, Best Practices for Attorneys Ad Litem, Representing the Teen Parent in CPS Cases, Special Education Advocacy for Kids in the Foster Care System, Advocating for Youth Aging out of the Foster Care System and Resources and Procedures for Representing Crossover Youth



with Disabilities. These CLE courses are available on the State Bar website and are free of charge to attorneys who represent children and other parties in CPS cases.

First of its Kind Parent Attorney Leadership Conference held in September: A joint CIP project between Texas and the neighboring states of Louisiana, Oklahoma, New Mexico, and Arkansas, this effort brought together experienced parents' attorneys, parents, judges, child welfare agency representatives, and other key stakeholders to receive both substantive training and tips for returning to their home states to develop strategies to improve the quality of legal representation.

Judicial Training

In 2012, CIP funding offered many judges the opportunity to attend trainings, network with stakeholders, and improve their court practices.

- 14 judges attended the Office of Court Administration (OCA) Child Protection Court Conference in Austin in March
- 36 judges attended the Implicit Bias in Judicial Decision-Making Conference in Austin in February
- 84 judges attended the Child Welfare Judges Conference in

San Antonio in June

- 27 judges attended the National Council of Juvenile and Family Court Judges (NCJFCJ) Annual Conference in New Orleans in July
- 22 judicial teams, totaling approximately 200 participants, attended the first Permanency Summit in Rockwall in October

Implicit Bias in Decision-Making: The Texas Center for the Judiciary (TCJ) held the third Implicit Bias Conference February 6-7, in Austin. This judicial training addressed the disproportionate representation of children and families of color in the child welfare system. By looking at influences such as history, poverty, the structure of power and the neuroscience of decision-making, the course encouraged participants to re-examine their ideas about who appears in their courtroom and why, and how to improve outcomes for all children and families. Also, TCJ included a portion of this training in its annual College for New Judges in December 2012.

Child Welfare Judicial Conference: TCJ held the Child Welfare Judicial Conference on June 4-6, in San Antonio. This conference targeted judges throughout Texas who hear child protection cases. Due to the fragmented nature of the Texas court system, it



is vitally important to bring together these judges to share best practices and work on common solutions. The conference focused on improving the timeliness and quality of court hearings as well as increasing family engagement and permanency. Judge Michael Key, from Georgia, kicked off the conference with a session on “Reducing Time to Permanency,” followed by a session entitled, “Why Can’t the Kids Go Home Today?” Both of these presentations

American involvement in the child protection system, strategies for appropriately serving military families involved in the child protection system, procedural fairness in CPS cases, improving educational outcomes for foster youth, and many other topics.

NCJFCJ 75th Annual Conference: The NCJFCJ Annual Conference was held July 15-18, in New Orleans. Scholarships were awarded to 27 judges from across Texas who hear child welfare cases. The conference included sessions on trauma and creating trauma-informed systems, immigration issues, assisting parties with limited English proficiency, the Indian Child Welfare Act and judicial leadership in improving educational outcomes for youth in foster care.

Texas Permanency Summit: During the 2012 grant year, TCJ, in collaboration with the Children’s Commission, Texas Applesed and the Permanency Summit Planning Committee, organized and convened the inaugural Texas Permanency Summit October 7-9, in Rockwall.

The training focused on improving court function through family engagement, preservation and reunification, and adoption. Additionally, the conference engaged in capacity building by



addressed improving court hearings and engaging families to shorten the path to permanency for children and youth in the foster care system. Additional sessions offered new approaches for improving court function by incorporating evidence-based, trauma-informed practices. Conference participants learned about the Indian Child Welfare Act, the history of Native

increasing judicial and attorney knowledge and expertise, cross-training with multidisciplinary stakeholders, and data-sharing.

Training on the Horizon in 2013

October Permanency Summit Will Explore Best Practices:

The goal of the Second Annual Permanency Summit is to highlight the importance of timely finding children and youth in foster care safe, stable, and permanent homes.

Trial Skills Training: In 2013, the Children’s Commission will roll out its Trial Skills Training. Plans are in place for a “Train the Trainers” event for the faculty and a pilot training. Over the next few years, faculty from across Texas will present this robust training to attorneys who represent parties in CPS cases.

More Attorney Training to Go Online in 2013: An additional two-hour CLE on appeals of CPS cases will be taped at the State Bar on June 25, 2013. Also, like the parent attorney training developed in partnership with the State Bar and local practitioners in 2011, a training will be filmed in 2013 for children’s attorneys



ad litem to meet the three-hour statutory training requirements.

Attorney Scholarships for Summer 2013 Conferences:

Commission staff are rolling out an improved process for publicizing and managing attorney scholarships. Staff expect to award attorney scholarships to the American Bar Association (ABA) National Conference on Children and the Law and the ABA National Parent Attorney conference in Washington in July, the Child Abuse and Neglect Track at the State Bar of Texas Advanced Family Law Conference in San Antonio in August, and the Annual NACC Conference in Atlanta in August.

State Bar of Texas Child Abuse and Neglect Committee Multidisciplinary Training, June, 2013:

The SBOT CAN Committee will present a one-day CLE in Houston on June 19, 2013.

Exam Fee Waiver Grant for the NACC Child Welfare Specialist Exam:

CIP funding will reimburse up to 30 eligible Texas applicants' exam fees for NACC's national certification exam.

Visitation Round Table: As an outcome of the Regional Parent Attorney Leadership Forum, the Commission will sponsor a



meeting on visitation practices and policies in Spring of 2013.

2013 Child Welfare Judges Conference:

This annual conference will be held in San Antonio on May 21-23, 2013, in conjunction with the annual Child Protection Court Meeting.

2013 NCJFCJ Annual Conference:

This conference will be held July 14-17, 2013, in Seattle. The Children's Commission will offer scholarships to 25 Texas judges. The Children's Commission Vice Chair, Judge Darlene Byrne, 126th Civil District Court, Austin, is the current NCJFCJ Secretary.



List of Children's Commission Projects

Attorney Scholarships - 2012

Bench Book – Updated November 2012

Child Protection Court Strategic Planning Initiated

Child Protective Services Budget Shortfall and Impact to Courts and Services – Report Issued 2012

Education Committee:

- Issued final report to Supreme Court
- Formed implementation task force and advisory group
- Planned statewide Education/Child Welfare Summit
- Launched education website
- Texas Trio Grant Monthly Meetings

Extended Jurisdiction for Youth Aging Out of Care: Developed Bench Card

Family Visitation Round Table Initiated

Harris County Systems Reform Effort – Partnership between Children's Commission, Appleseed and Harris County Judges

Hearing Quality Project Initiated

Indian Child Welfare Act/Native American Issues – Attended Federal IV-E Signing Ceremony

Judicial Disproportionality Workgroup:

- Planned Implicit Bias Training
- Supported Undoing Racism Training in Houston

Jurist in Residence Letters:

- CPS realigns staff in response to state budget cuts
- Parent representation (free online attorney training)
- New appellate rules
- New CPS subpoena policy
- AFL CAN attorney scholarships
- Court hearing practices and court costs (Texas Appleseed report on judicial practices)
- Free Spanish-language interpretation
- Texas mounts effort to improve educational outcomes of children and youth in foster care

Juvenile Justice Committee – Participation

Legal Representation Reform Workgroup

National Association of Counsel for Children Training Scholarships

National Association of Juvenile and Family Court Judges Technical Assistance Guide on Legal Orphans

Notice And Engagement – Alert systems to provide notice to parties

Parent Attorney Leadership Forum and Ongoing Work

Psychoactive Medications Workgroup: Report and Legislation

Hearing Timeliness Measures/Data (CQI – Related)

Trauma Informed Workgroup

Trial Skills Training Workgroup



SUPREME COURT OF TEXAS PERMANENT JUDICIAL
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2012 ANNUAL REPORT TO THE SUPREME COURT