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

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

**April 30, 2010  
Meeting Notebook**

**201 W. 14th Street  
Austin, Texas 78701**

**Supreme Court of Texas  
Permanent Judicial Commission for Children, Youth and Families  
201 West 14<sup>th</sup> Street  
Supreme Court Courtroom  
Austin, Texas**

**April 30, 2010  
Meeting Agenda**

- 10:00      **Commencement / Opening Remarks – The Honorable Harriet O’Neill**
1.      Commissioner Reports
  2.      Commission Membership Changes, **Tab 2**
  3.      Collaborative Council Member Changes, **Tab 2**
  3.      Collaborative Council Report, **Tab 5**
  4.      Committee Membership Changes, **Tab 2**
  5.      Staff Member Changes
- 10:30      **First order of business – The Honorable Harriet O’Neill**
1.      Adopt Minutes from February 12, 2010 Meeting, **Tab 1**
  2.      Confirm addition of new collaborative council members
- 10:35      **Highlighted Issues / Commission Projects – The Honorable Harriet O’Neill**
- 10:45      **Committee Reports**
1.      Basic Committee, Robin Sage, Chair  
         Commission Report, **Tab 3, Page 2**
  2.      Training, Camile DuBose, Chair  
         Commission Report, **Tab 3, Page 6**
  3.      Technology, Karin Bonicoro, Chair  
         Commission Report, **Tab 3, Page 10**
- 11:10      **Executive Director’s Report – Tina Amberboy**

1. Grant Administration Update
2. PMC Round Table Update
3. Foster Connections to Success Update
4. Education Committee (Tiffany)

**Voting Matters:**

**Grant Amendments / Budget Adjustments**

11:25 **Report on Mediation Study**, Cynthia Bryant, Clinical Professor, UT Law

11:50 **Office of Court Administration Update** – Carl Reynolds

12:00 **Foster Care Redesign Project**  
**Joyce James, DFPS Assistant Commissioner**  
**Sarah Webster, Child Welfare Consultant**

12:30 **Jurist in Residence Update** – Judge John Specia

12:40 **Appleseed Project Update** – Rebecca Lightsey/Marci Greer

12:50 **Advocacy, Inc Project Update** – Richard Lavallo

1:10 **Comments / New Business / Collaborative Council Issues**  
**(Senate Bill 1912 Report, Conni Barker, DePelchin)**

**2010 Meetings: 8/20/10, 11/12/10**

1:15 **Adjourn**

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

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**PERMANENT JUDICIAL COMMISSION  
FOR CHILDREN, YOUTH AND FAMILIES**

**MINUTES OF MEETING**

February 12, 2010  
10 a.m. – 1 p.m.

Supreme Court of Texas Courtroom  
Austin

**ATTENDANCE**

**Members present:**

Chair, Hon. Harriet O'Neill, Justice, The Supreme Court of Texas, Austin  
Vice-Chair, Hon. Darlene Byrne, Judge, 126th District Court, Austin  
Judge Karin Bonicoro, Associate Judge, Child Protection Court of Central Texas, San Marcos Services, Austin  
Audrey Deckinga, CPS Assistant Commissioner, Department of Family & Protective Services  
Bruce Esterline, Vice President for Grants, The Meadows Foundation, Dallas  
Joe Gagen, Chief Executive Officer, Texas CASA, Inc., Austin  
Hon. Bonnie Hellums, Judge, 247<sup>th</sup> District Court, Houston  
Joyce M. James, Deputy Commissioner, Texas Department of Family & Protective Services  
Fairy Davenport Rutland, Director, Appeals Div., Texas Health & Human Services Commission, Austin

**Members not present:**

Hon. Camile Glasscock DuBose, Judge, 38th District Court, Uvalde  
Harper Estes, Shareholder, Lynch, Chappell, & Alsup, Midland  
Stewart W. Gagnon, Partner, Fulbright & Jaworski, Houston  
Hon. Patricia A. Macias, Judge, 388th District Court, El Paso  
Carolyn Rodriguez, Director of Texas Strategic Consulting, Casey Family Programs, Austin  
Hon. Dean Rucker, Presiding Judge, 7th Region, 318th District Court, Midland  
Hon. Robin Sage, 307th Family District Court, Longview  
Hon. Cheryl Lee Shannon, Judge, 305th District Court, Dallas  
Hon. Yvonne Gonzalez Toureilles, Representative, Texas House of Representatives, Alice  
G. Allan Van Fleet, Shareholder, Greenburg Traurig, LLP, Houston  
Hon. Jeff Wentworth, Senator, Texas Senate, San Antonio

**Staff in attendance:**

Tina Amberboy, Executive Director, Children's Commission  
Sylvia Griego, Executive Assistant, Supreme Court of Texas  
Tim Kennedy, TexDECK Project Manager, Office of Court Administration  
Teri Moran, Support Services Officer, Children's Commission  
Carl Reynolds, Administrative Director, Office of Court Administration  
Tiffany Roper, Assistant Director, Children's Commission  
Hon. John Specia, Senior District Judge (Ret.), Judge in Residence, Office of Court Administration

**Collaborative Council members in attendance:**

Conni Barker, Director/Government Affairs, DePelchin Children's Center, Houston  
Roy Block, Executive Director, Texas Foster Family Association, San Antonio  
Irene Clements, Vice President for Advocacy, Children and Family Services, Lutheran Social Services  
Bill Connolly, Attorney, Connally & Chireman, LLP, Houston

Cathy Crabtree, Executive Director, Children's Advocacy Centers of Texas, Austin  
Susan Hopkins Craven, Executive Director, Texas Alliance for Infant Mental Health, Austin  
Barbara Elias-Perciful, President, Texas Loves Children, Dallas  
Mike Foster, Executive Director, Neighbor to Family, Austin  
Eileen Garcia, Executive Director, Texans Care for Children  
Leslie Hill, Managing Attorney, Office of Child Representation, Travis County  
Richard Lavallo, Senior Attorney, Advocacy, Inc., Austin  
Stephanie Smith Ledesma, Managing Attorney, Office of Parental Representation, Travis County  
Judy Powell, Communications Director, Parent Guidance Center, Austin  
Johana Scot, Executive Director, Parent Guidance Center, Austin  
Janet Sharkis, Executive Director, Texas Office of Developmental Disabilities, Austin  
Armin Steege, Vice President of Programs, Austin Children's Shelter, Austin  
Kenneth Thompson, Fatherhood Program Specialist, Department of Family & Protective Services  
Arabia Vargas, Chair, Bexar County Child Welfare Board, San Antonio

**Collaborative Council members not in attendance:**

Emy Lou Baldridge, Co-Founder, Greater Texas Community Partners, Dallas  
Susan Boone, Executive Director, Texas Council of Child Welfare Boards  
Penny Cook, Co-Founder, The Faith Connection, Dallas  
De Shaun Ealoms, Parent Program Specialist, Department of Family & Protective Services Tomas  
Esparza, Jr., Attorney at Law, The Law Office of Tomas Esparza, Jr., Austin  
Benigno F. Fernandez, M.D., President, Texas Society of Child & Adolescent Psychiatry, San Antonio  
David Halpern, Director, Promise Mentor Program, Seedling Foundation, Austin  
Robert Hartman, Executive Vice President and CEO, DePelchin children's Center, Houston  
Alicia Key, Deputy Attorney General for Child Support, Office of the Attorney General, Austin  
Donald Lee, Executive director, Texas Conference on Urban Counties, Austin  
Tracy Levins, Director, Admin. Svcs. and Community Relations, Texas Youth Commission, Austin  
Rebecca Lightsey, Executive Director, Texas Appleseed, Austin  
Madeline McClure, Executive Director, The Texas Association for the Protection of Children  
Hon. F. Scott McCown, Executive Director, Center for Public Policy Priorities, Austin  
Chadwick Sapenter, entrepreneur and former foster youth, Austin  
Vicki Spriggs, Executive Director, Texas Juvenile Probation Commission, Austin  
Gene Terry, Operations Director, Texas Association of Counties, Austin  
Gloria Terry, Coalition President, Texas Council on Family Violence, Austin  
Gina Van Osselaer, Executive Director, Austin Children's Shelter, Austin  
Henrietta Wright, Vice President, Board of Directors, Children's Advocacy Centers of Texas, Dallas

**Guests in attendance:**

Anne Heiligenstein, Commissioner, TX Department of Family & Protective Services, Austin  
James Rogers, MD, Medical Director, Texas Department of Family & Protective Services

**CALL TO ORDER AND OPENING REMARKS, Justice Harriet O'Neill**

Before calling the meeting to order, Justice O'Neill noted that attendance is light because the snow in North Texas prevented many members from traveling. She said Chief Justice Wallace Jefferson would come speak later in the meeting. Justice O'Neill called the meeting to order at 10:08 a.m.

***Commission Membership Changes***

There are no changes at this time, but there is a plan to add a prosecutor and a parent's attorney to the Commission, which may be accomplished by the April meeting, but no later than the August meeting.

## INTRODUCTIONS

Justice O'Neill asked Commission members to introduce themselves.

***Bruce Esterline, Vice President for Grants, The Meadows Foundation, Dallas:*** Mr. Esterline said the Meadows Foundation recently made a grant to Texas Lawyers for Children and to Advocacy, Inc. He described his pleasure at seeing the interface of his foundation's work and the Commission's work. The foundation is still trying to work its way out of its endowment deficit, or losses, which does not happen as quickly as some might think. Mr. Esterline said the foundation would like to have more funds to support efforts that are important to the Commission, but it has another challenging year ahead.

Justice O'Neill expressed her gratitude for the support of Mr. Esterline and his foundation

***Judge Karin Bonicoro, Associate Judge with the Child Protection Court of Central Texas, and Chair of the Technology Committee:*** Judge Bonicoro Bonicoro described a few initiatives in her jurisdiction, including a workgroup project to help youth better prepare to age out of care. CASA of Central TX and Partnership for Children have begun a mentorship program that focuses on life skills, educational needs and action plans. Another committee is working to create a simple website that would compile links, by region, of providers who provide youth-related services.

***Joyce M. James, Deputy Commissioner, Texas Department of Family & Protective Services:*** Deputy Commissioner James updated members on the project targeting the top-20 youth who have been moved the most and who have the most needs. This work has continued with the providers caring for those youth and some really good results are being seen. When the initiative started, the top-20 youth had an average of 25 moves and multiple psychiatric hospital stays. The initiative's work is making a difference primarily by bringing together stakeholders and making sure everyone knows all of the resources available to sustain a placement. Deputy Commissioner James is also co-chair of the Public-Private Partnership, and says the group is amazed at the progress made in the relationship between the agency and the private providers. The Quality Improvement Center on Privatization that puts on an annual conference on Public-Private Partnerships, has decided to hold their last conference in September in Texas (San Antonio) because of the progress Texas has made in this area and Texas representatives have been asked to speak at the conference about that progress.

***The Hon. Darlene Byrne, 126th District Court in Travis County:*** Judge Byrne reported on the newest project that is part of her Model Court called "College Bound." CPS youth between the ages of 8 and 18 will visit the University of Texas campus during an open house on March 6 hosted by volunteers, including a UT football player. In another project, Judge Byrne's court has begun looking at the CPCMS database and may ask her county commissioners for funding to implement it in Travis County. Another project, called Family Search and Engagement, is a model-court sponsored training event scheduled for April 13 at the Austin Children's Shelter. Judge Byrne's court will host 100 attendees and the keynote speaker is Kevin Campbell, who is the founder of the Center for Family Finding. Her court is also looking for ways attorneys and caseworkers and others can communicate about family finding efforts, for example, through centralizing the documentation.

On February 23, Judge Byrne will host brownbag lunch training on a new pilot project in her court, where she is doing an initial appointment of counsel to every parent named in a petition for the limited purpose of determining whether the parent legally qualifies for a court-appointed attorney. At the ex parte hearing, Judge Byrne immediately does the special appointment in an effort to find the parent before the first hearing and determine whether they financially qualify for a court-appointed attorney. The project has been going for about three months and about 80% of qualified appointments have turned into full appointments.

**Judge John Specia, Office of Court Administration (OCA) Jurist in Residence, San Antonio:** Judge Specia introduced himself and said he would report to the Commission later in the agenda.

**Hon. Bonnie Hellums, Judge, 247<sup>th</sup> District Court, Houston,** announced that her son is back from Iraq. Judge Hellums will soon start an infant and toddler court based on the Zero-to-Three program but somewhat modified. A CIP grant will help fund the project.

**Anne Heiligenstein, Commissioner, TX Department of Family & Protective Services, Austin,** introduced herself and said she would report to the Commission later in the agenda.

**Joe Gagen, CEO, Texas CASA, Inc., Austin,** reported that Texas CASA had its best ever quarter in terms of recruiting volunteers, with almost 600 volunteers taking cases in that quarter. Mr. Gagen added that CASA is trying to make a dent in the large number of Texas children in the system who he cited as not having a CASA. He thanked Judge Byrne and Judge Hathaway for allowing CASA to bring legislative staff to their courts to help them better understand child welfare issues. He thanked DFPS for including CASA in projects such as the Foster Care Redesign and Fostering Connections implementation and for the growing partnership between the two, which he said, has benefited CASA's programs and hopes has benefited DFPS as well. He also thanked the Meadows Foundation for its long term support of CASA.

**Fairy Davenport Rutland, Director, Appeals Div., Texas Health & Human Services Commission, Austin:** Ms. Rutland noted that the State Bar's Child Abuse and Neglect Committee celebrates its 25<sup>th</sup> anniversary this year and will host another full day of child abuse and neglect training at the State Bar's annual Advanced Family Law conference this summer as well as some kind of celebratory dinner or reception. Scholarship money is available for attorneys to attend the one-day training August 11. The SBCAN Committee is also trying to get an issue of the Bar Journal dedicated to child abuse and neglect.

**Audrey Deckinga, Child Protective Services (CPS) Assistant Commissioner, TX Department of Family & Protective Services,** introduced herself, saying she was scheduled to give the Commission an update later in the meeting.

#### ***Collaborative Council Membership Changes***

Justice O'Neill announced the names of the two new members who were approved by the Executive Committee since the November 13 meeting.

- Janet Sharkis, Executive Director, Texas Office of Developmental Disabilities.
- Robert Hartman, Executive Vice President and Chief Operating Officer, DePelchin Children's Center in Houston.

Another pending change is replacing Gena VanOsselaer, who is retiring from Austin Children's Shelter (ACS), with Armin Steege, who is the VP of Programming at ACS.

#### ***Collaborative Council Report***

Justice O'Neill referred members to the Collaborative Council report in the meeting notebook under Tab 7. She thanked Collaborative Council members for their involvement and efforts.

Justice O'Neill welcomed guests Elizabeth and Kenny Cox from San Antonio. She invited CC members who want to speak at the end of the meeting to fill out a speaker's card.

#### ***Staff Member Changes***

Bryan Wilson returned to the Task Force on Indigent Defense and will be replaced by a Program Attorney. Ms. Amberboy will take over grant administration.

## **ADOPT MINUTES**

With only nine members in attendance, there was not a quorum at the meeting.

The meeting minutes from the November 13, 2009, Children's Commission meeting were approved by general consent with the following correction:

1. Collaborative Council member Johana Scot was in attendance but was not listed in the minutes as present.

## **HIGHLIGHTED ISSUES/COMMISSION PROJECTS, Justice Harriet O'Neill**

In December, Commission staff submitted the annual CIP report to the Administration for Children and Families. That report can be found on the Commission website. Also, in compliance with the order creating the Commission, staff submits today a separate annual report to the Supreme Court and to the Commission. Justice O'Neill congratulated staff on both reports and noted highlights from each:

### **Collaboration and Project Highlights**

- Committee or workgroup meetings and conference calls were held with over 100 stakeholders.
- Over 855 collaborative hours claimed for in-kind match.
- Helped improve judicial and CPS oversight of dually managed youth.
- Partnered with Applesseed to focus on kids in long-term care.
- Helped launch cutting-edge technology for court case management.
- Initiated work on a web-based, interactive CPS Bench Book.
- Helped improve the quality of legal representation through attorney training.
- Engaged in a comprehensive study of legal representation in CPS cases.
- Helped introduce the issue of Disproportionality and implicit bias in judicial decision-making to the Texas judiciary.

### **Service to the Community**

- 2475 attorneys and judges served through at least one project or training event.
- 586 guardians ad litem (CASA) served through at least one project or training event.
- 167 + collaborative agencies participated with subgrantees.
- 876 county and court personnel, foster youth, school personnel, CPS caseworkers, and community partners served through at least one project or training event.
- 418 parents and children served through at least one project aimed at this population.
- 60 training events funded with CIP dollars.
- 9962 continuing legal or judicial education hours earned by attendees in 2009.

### **Raising the Profile**

- Published two annual reports for the year ending 12/31/08.
- Published a periodic newsletter called *Better Courts for Kids*.
- Developed a Jurist in Residence Letter for judges to help deal with specific issues related to child abuse and neglect cases.
- Published an article for the *Texas Bar Journal* entitled "Protecting Texas' Future" that highlighted the work of the Commission.
- Published an article for the 2009 Future Trends in State Courts entitled "*Commissions Collaborating for Children.*"

- Created an informational video to highlight the Commission's existence, promote ways to strengthen courts that hear child abuse and neglect cases, and encourage support for the mission to improve outcomes of safety, permanency and well-being for foster youth.
- Assisted with planning of and hosted the Third National Judicial Leadership Summit for the Protection of Children.

Justice O'Neill added that the Commission's Strategic Planning Committee will be reconstituted for a mid-course review of the Commission's five-year strategic plan adopted about two years ago.

During the National Summit, the Texas team incorporated two goals involving educational outcomes of foster youth in its action plan, one of which is to establish a high-level education committee to address these educational outcomes. Justice O'Neill added that staff may be contacting Commission and Collaborative Council members about forming that committee.

## **COMMITTEE REPORTS**

### ***Basic Projects Committee, Tina Amberboy, Children's Commission Executive Director***

Ms. Amberboy asked attendees to look at the back page of the annual report to the Supreme Court for a tribute to Justice O'Neill, and noted that later this year before Justice O'Neill retires, a larger, more appropriate homage to Justice O'Neill will occur. Attendees applauded and laughed at Justice O'Neill's surprise as she had proofed the annual report with that page omitted.

Ms. Amberboy referred members to Tab 3 in the meeting notebook and highlighted the progress of the web-based, interactive Bench Book, which is expected to launch in August 2010. The Bench Book will include links to case law, practice tips, pertinent issues arranged topically, and bench cards.

### ***Ms. Amberboy reported on the following projects during and as part of her Basic Projects Committee Report.***

### **APPLESEED PROJECT UPDATE, Tina Amberboy, Children's Commission Executive Director**

Ms. Amberboy reported on the Appleseed barriers to permanency project, for which interviews have been completed and data analysis is being conducted. An advisory committee met in late January to discuss preliminary recommendations based on the data, which included

- Establish one person as being primary person to follow child, which led to a discussion that this needed to be a team effort because who that one person would/could vary so much (AAL, GAL/CASA, Judge). The team needs to be headed by a judge.
- One judge per one case/family in PMC stage.
- More frequent PMC hearings – 4 months, with at least one benchmark hearing per 12 months, and the PMC hearing would be more collaborative rather than adversarial, perhaps around a table, with the child present.
- Benchmark hearings would trigger an intensive judicial review of the permanency plan (discussed the permanency plan being time-limited, but didn't make a decision on that)
- Children in Court affected by Foster Care redesign to an extent, and agreed that other avenues for participation had to be explored.
- Discussed changing the statute to make it clear that the child does not have to attend the hearing and make it clearer that the intent is that the judge meet and confer with the child BEFORE the judge makes decisions.

Ms. Amberboy also made it clear that her summary was based on her notes and that the official report from Appleseed would be forthcoming in the spring.

**ADVOCACY, INC. PROJECT UPDATE, Richard Lavallo, Senior Attorney, Advocacy, Inc.**

Mr. Lavallo reported that two attorneys have begun representing dually managed youth (CPS/TYC). Mr. Lavallo thanked CPS for its efforts to identify these youth as well as the courts in which their cases reside. Advocacy is contacting prosecutors and ad litem in these cases to offer their free legal services to be appointed co-ad litem or attorney ad litem. The project has been well received and appointments are being granted while Advocacy refines its appointment protocol. Mr. Lavallo would like to expand the project to include representing at risk youth in addition to youth who are already involved with both systems. Dually managed youth who are aging out will also be targeted in this project. Ms. Amberboy reported that the Commission had approved a \$50,000 grant for this project in its first year, which, because of other grants Advocacy received, was not needed this first year. For the project's second year, the Commission will be asked to approve a \$100,000 grant. Mr. Lavallo noted that the two attorneys hired for this project turned down permanent employment with Advocacy to accept this two-year special project. Justice O'Neill recommended using Judge Specia's Jurist in Residence letter to get the word out about the project.

**ROUNDTABLE DISCUSSIONS, Tina Amberboy, Children's Commission Executive Director**

A high-level multidisciplinary group will meet at the next Round Table on February 18 to discuss the problem of too many Texas children being stuck in long term foster care or PMC (permanent managing conservatorship). The Commission has several ongoing projects looking at the problem from different angles. This activity will center on what can be learned from CPS data about these youth and what barriers in the system can be removed to reduce their number. Judge F. Scott McCown and Jane Burstain from CPPP will facilitate the discussion of what the statewide data says about this population looking for tools and solutions judges might use to help them make better judicial decisions to try to get kids out of PMC if they can and to prevent the rebuilding of their population. The Roundtable will also contribute to the department's Program Improvement Plan.

**LEGAL REPRESENTATION STUDY, Tina Amberboy, Children's Commission Executive Director**

Begun last year, this study is looking at legal representation around the state with the goal of improving the appointment system of attorneys who represent children and youth in CPS cases. Ms. Amberboy noted that the information-gathering and interview process is about two-thirds completed and a draft report should be ready in June with the full report completed by August. Part of the study includes a review of the appointment practices of some other states.

**Basic Committee's Two New Proposed Grant-funded Projects**

Ms. Amberboy directed members to page six in the Report to The Commission under Tab 2.

**Harris County Infant and Toddler Court** – The Basic Committee recommends funding this project with the \$50,000 that Advocacy, Inc. didn't use, but because all the details are not yet worked out, the Basic Committee plans to bring this for a vote at the April meeting. The project is based on ZERO to Three, but with added visitation that Judge Hellums said she hopes will minimize the incidence of attachment disorder.

**Texas CASA** – To allow CASA to complete its CIP-funded Transitioning Youth Initiative, the Basic Committee recommends amending CASA's grant allowing for \$27,800 in unspent grant funds from FY 2009 to be added to its FY 2010 grant. The Executive Director will exercise her authority to change the scope of CASA's grant award to allow the program to continue until it can be revisited at the April 30, 2010 meeting.

**COMMENTS FROM THE CHIEF, Justice Wallace Jefferson, Chief Justice, Supreme Court of Texas**

Justice O'Neill asked Commission and Collaborative Council members to introduce themselves to Chief Justice Wallace Jefferson.

Chief Justice Jefferson began by thanking Commissioners, Collaborative Council and Committee members for their work on Commission projects. He lauded Justice O'Neill for her vision, saying he and the other Supreme Court of Texas Justices have been amazed and astounded at what she has accomplished. He added that not long after the Commission was created, he began hearing from Chief Justices from around the country who would say they had heard we were doing something extraordinary in Texas, something different. He noted that Justice O'Neill's vision was to create something more than a task force, but a Commission that would be permanent and not based on personalities but based on a commitment of the courts, and all of those who collaborate with the courts to our families.

Chief Justice Jefferson added that hers was a new vision of judicial leadership that is showing now the courts can have a pro-active role in the lives of ordinary citizens, and help to improve their lives. Next year, the Chief will be the President of the Conference of Chief Justices and said he intends to use his platform to spread Justice O'Neill's vision to the rest of the country, and that he expects her to stay involved. After he again thanked everyone in attendance on behalf of the Supreme Court of Texas, Justice O'Neill lauded the Children's Commission staff.

***Training Committee, Tiffany Roper, Assistant Director, Children's Commission***

Judge Camile DuBose, Chair, was in trial and could not attend the meeting. Ms. Roper referred members to the Committee's report and highlighted a few big-picture projects. The National Association of Council for Children (NACC) is holding its national conference in Austin, October 21-23, 2010, and the Commission has approved granting conference registration scholarships to Texas attorneys who represent DFPS or receive appointments to represent children and parents in CPS cases. Ms. Roper asked members to help get the word out that NACC will begin accepting scholarship applications on March 1. NACC is also looking for abstracts for the conference and the submission deadline is April 1.

Last year, NACC conducted 17 trainings around the state. Commission staff, with help from NACC staff, wrote an accompanying manual that participating attorneys received. It is posted on the Commission's website and a limited number of hard copies are available.

Ms. Roper highlighted the two TCJ conferences coming up soon. The April 21-23 **Harris County Beyond the Bench** will focus just on Harris County rather than on a whole region like previous conferences because Harris County is the largest urban area with the most children in foster care and the largest number of judges hearing CPS cases. Texas is holding the first-of-its-kind conference on **Implicit Bias in Judicial Decision-Making**, an invitation-only conference on disproportionality. Speakers include judges from other states, Deputy Commissioner James, and Chief Justice Jefferson.

The Training Committee set aside roughly \$10,000 for scholarships to send about 75 – 100 attorneys to the Child Abuse and Neglect Track at the Advanced Family Law Conference. Ms. Roper will work out procedural details with the State Bar.

Lastly, Ms. Roper reported that while conducting the NACC ad litem trainings last year, she learned that many jurisdictions conduct their own training and could sometimes need supplemental help. The Committee has set aside funding to offer training assistance to local jurisdictions, for example, to help them pay fees for expert speakers.

In Judge Specia's next Jurist in Residence letter includes a list of upcoming training opportunities.

Ms. Roper is in charge of a fulfilling one of the goals that Texas team members set for themselves at the October 2009 Summit to create a statewide committee to improve education outcomes for Texas foster children. The planning to create a state-level Education Committee requires the consideration of many issues, from determining the committee's composition to researching federal confidentiality laws that would affect data sharing between the education agency and CPS. Planning is in its early stages, and Ms. Roper expects to bring a more detailed plan to the next Commission meeting.

### ***Technology Committee, Judge Karin Bonicoro, Chair***

Judge Bonicoro reported that the Technology Committee added Bryan Wilson as a new member.

CPCMS – The system's users suggested hundreds of system enhancements since it rolled out September 2009, and most have been implemented to improve the system. Additional layers of security will be added to the system at the suggestion of Bruce Hermes. OCA staff have demonstrated the system to several urban counties, and at least one has shown interest in incorporating some features into its case management system.

The Committee has begun discussing how to develop in collaboration with CPS a standard format for Status, Permanency and Placement Review Hearing reports, so that certain data elements that CPCMS tracks would automatically be entered from those reports, reducing the amount of data entry required.

Data Exchange – Colorado was featured in a conference call last week because it has achieved data exchange between the courts and the state agency in child support enforcement, and some child-welfare cases. Colorado's experience shows that a state's judicial system does not have to be unified for the two systems to communicate directly computer-to-computer. Ms. Amberboy reported that Colorado's manner of addressing ex parte issues with sharing data – with a statement from its state court administrator – is also being evaluated.

Dallas County is working on pricing and developing processes to implement its CIP-funded videoconferencing project. No report has been received on Tarrant County's project to develop its own case management system, but one will be provided at the next meeting.

The Technology Committee discussed how difficult it is for foster children's education records to keep up with their different placements, and whether some technology could be developed that would allow foster children to carry the equivalent of a key fob for access to that information remotely.

Also, the Committee voted to de-obligate \$100,000 previously set aside to fund videoconferencing projects, and apply them to the CPCMS project, which needs additional funds for the project's enhancements and completion. This move was taken in light of the uncertainty about Technology Funds being available after FY 2010.

### **EXECUTIVE DIRECTOR'S REPORT**

Although the Commission could not vote on the items for lack of a quorum, Ms. Amberboy pointed out the new proposed budgets under Tab 4, which address several issues, including:

- proposals for where to allocate funds left over from last year.
- requests to adjust a few budget categories. For example, in the Basic Budget, requesting an increase in the Commission Operating and Jurist in Residence budgets based on a better understanding of actual

needs versus estimated needs. Ms. Amberboy and Commissioner Heiligenstein both noted how invaluable Judge Specia's contributions have been this past year.

## **DFPS UPDATES**

### ***Dr. Jim Rogers, Medical Director, Texas Department of Family and Protective Services***

Dr. Rogers distributed a handout called Psychotropic Medication for Texas Foster Children and highlighted some of the gains made in monitoring children on these medications since all foster children were enrolled in the managed health care plan STAR Health in April 2008. The plan's goal is to provide a medical home and primary care provider to the 30,000 children now in foster care. Dr. Rogers summarized benefits that include immediate enrollment, coordination of medical and behavioral health through a service management team, a help line with a nurse on call around the clock, and a broad provider network that is growing. Although some counties have few providers, Dr. Rogers said he has been pleased that STAR Health has made every effort to involve clinicians and providers.

The health passport – an electronic health record that, because not every clinician in the field enters notes into it yet, does not qualify as an EMR (Electronic Medical Record) – has improved continuity of care, according to Dr. Rogers. It provides access to authorized users according to their role. The health passport provides demographic information including caseworker contact information. Visit history details include provider contact information, diagnoses and treatment, and complete medication history – not just psychotropic medications. Immunizations are tracked as well.

Dr. Rogers summarized factors that have contributed to the drop in the number of foster children being overprescribed psychotropic drugs. The introduction of STAR Health continued a trend that had begun in 2005 after DSHS widely disseminated in a protocol listing eight criteria that defined the expectations for the proper prescribing practices of psychotropic medications.

### ***Anne Heiligenstein, Commissioner, Texas Department of Family & Protective Services***

Commissioner Heiligenstein expressed her appreciation for Dr. Rogers and for the skills he contributes as a psychiatrist who has treated foster children for 30 years. She also thanked Mr. Lavallo for his contributions to the effort of better monitoring of medications prescribed to foster children since about 2004. She noted that the protocols Dr. Rogers just reviewed have been adopted by every medical society in Texas for all children, adding that foster care has actually been in the lead in improving the health of all Texas children. In 2005, when managed care for foster children was proposed, Commissioner Heiligenstein said her agency had to assure the legislature that it would not be managed care on the cheap. Although the top-notch care is expensive, it works well, she added, as illustrated by Dr. Roger's presentation. The department spends on its foster youth managed care plan about three times more – per member per month – than on premiums for regular Medicaid programs.

The Texas legislature has asked all state agencies to cut their budgets by 5 percent because of revenue shortfalls all states are experiencing due to the national economic downturn. Commissioner Heiligenstein referred members to a handout showing a draft of DHHS budget cuts and reviewed its contents. Most cuts occur in the Health and Human Services Commission, because that's where Medicaid and CHIP are funded, she said. Probably nine of every 10 dollars spent in HHSC is spent on Medicaid. Executive Commissioner Thomas Suehs directed his agency to not cut direct services. One budget category interest she highlighted was travel, noting DFPS staff travel 60 million miles a year – the highest number of miles of any state agency, including state troopers.

Ms. Heiligenstein noted that because the agency's removal rate has increased substantially, CPS is expected to exceed its foster care budget by more than \$100 million, due to an increase in intakes and in the severity of cases that staff have been trying to deal with through family based safety services.

***Audrey Deckinga, CPS Assistant Commissioner***

Assistant Commissioner Deckinga lauded Judge Specia for the many areas in which he has helped CPS programs. Assistant Commissioner Deckinga recently attended a planning committee meeting for a national conference where the collaboration in Texas between the agency and judiciary was recognized, and for which she was asked to provide a speaker for the conference. One person asked her, "Now, who is that judge you have down there? Judge Specia?" Judge Specia has agreed to present at the conference, and Assistant Commissioner Deckinga noted that the Children's Commission work is receiving national attention and other states want to replicate it.

Assistant Commissioner Deckinga summarized some aspects of the Permanency Care Assistance program created to get children out of PMC who would otherwise grow up in foster care. It is not for those children who can be reunified or adopted, she said. Every effort will be made to find relatives for these children so the court may transfer PMC from CPS to the relative, who, after qualifying, can receive a subsidy. The program is modeled after the Adoption Assistance Subsidy. Six children are already in the program's pipeline, and if they were to continue in the department's PMC, together they would represent 63 years of PMC, or 756 monthly caseworker visits. Assistant Commissioner Deckinga added that agency staff are excited about the program and that they intend to heavily utilize existing collaborative relationships to maximize the program's chance for success.

At the January 2010 Appleseed project meeting, Assistant Commissioner Deckinga said she agreed to enhance communication avenues between judges and courts, and the department. She will be establishing a website where judges can send the department information (not case-specific) via email about trends, barriers and issues seen in their jurisdictions. Department staff will respond and take appropriate action. The email box is being set up, she added, to enhance the department's ability to become aware of and correct problems.

The Foster Care Redesign project aims to revamp a system that is broken, Assistant Commissioner Deckinga said, where children are placed far from home, are unable to participate meaningfully in their court reviews, and are unable to visit their parents as often as they should be able to. The project's intent is to create a new model for how the department procures and pays for foster care services – but the time frame is short because the goal is to have a new plan ready by the next legislative session next year. Two consultants have been hired who will do the data and simulation modeling, which will allow for simulated testing of new ideas and policies. Two former child-welfare directors have been hired to work with stakeholders to design a model. Although input will be sought from as many stakeholders as possible, the primary input will come from the Public-Private Partnership group, whose diverse members can provide balanced input.

**OFFICE OF COURT ADMINISTRATION, Carl Reynolds, Administrative Director**

Mr. Reynolds related that the two grant-funded positions in his office have been filled. The federal Children's Justice Act (CJA) grant funded a position for an attorney to support Specialty Courts. Simi Denson, a former DFPS policy attorney, accepted that position and is already out in the field working today, Mr. Reynolds said. The Council on Family Violence was instrumental in helping OCA hire another federally funded position for an attorney to help courts that hear domestic violence cases.

Justice O'Neill suggested that Mr. Reynolds to work with Stewart Gagnon on his protective order kit.

**JURIST IN RESIDENCE REPORT, Judge John Specia**

Judge Specia described his jurist in residence role as a great project that is lots of fun. Judge Specia and Justice O'Neill had talked years ago about the need to be able to go out into the community and help judges, he said. One helpful tool is the new Jurist in Residence letter about timely, relevant issues sent monthly to judges who hear CPS cases. Judges can also email Judge Specia with questions. Beyond the Bench is an exciting aspect of judicial leadership, he added, and a recent conference brought up concerns in the Valley. Judge Specia has led a small team that now routinely visits the area to offer assistance and help solve problems. As the fifth largest urban area in Texas, the Valley has unique problems that include 40% of its residents having no health insurance at all, including Medicaid or Medicare.

Judge Specia thanked Jane Burstain of CPPP for preparing statistics on permanency that have been used as learning tools and shared with many judges around the state, including those who attended CPS Judges training this past fall.

A Beyond the Bench in Harris County is being planned with Judge Rynd and Judge Hellums providing leadership. In Harris County, 24 judicial officers hear these cases on a daily basis, Judge Specia said. Judge Specia said his goal is to get the judiciary to acquire and to instill in others a shared vision of what should be done in CPS cases.

#### **PUBLIC PRIVATE PARTNERSHIP, Judge Peter Sakai, 225th District Court, San Antonio**

From a judicial perspective, the partnership is a very important process, Judge Sakai said, adding that it is helping to create a common vision through the collaborative process. Four judges, several CPS representatives, providers from across the state, and other stakeholders constitute the group, and in discussions, he said, members challenge one another's systems and paradigms. The group looked at other states' systems, including Florida, Kansas and Illinois, and has members are coming up with lots of new ideas.

#### **COMMENTS/NEW BUSINESS**

Justice O'Neill noted the next meeting dates:

April 30, 2010

August 20, 2010

November 12, 2010

Collaborative Council member Bill Connally noted a few topics that will be addressed at next week's 23rd Annual Juvenile Justice conference in Dallas, such as properly diagnosing adolescents, differentiating between diagnosis and families with limited resources and treatment options for children with complex needs. In Harris County, Mr. Connally and another attorney have approached a judge to work with them to conduct some ad litem training. In another effort to elevate the bar in this specialty, Mr. Connally is involved in creating a mentorship program so newer lawyers may have co-ad litem status in some of the more complex cases. Younger lawyers will be trained on how to deal with difficult cases.

In Harris County, Judge Specia added, there are 9 family courts, 3 juvenile courts, and each of those courts has an Associate Judge. That means there are 12 courts from which an attorney could be appointed.

Collaborative Council member Barbara Elias-Perciful highlighted a summary in the meeting notebook of the Texas Lawyers For Children survey sent annually to TLC users, who now number about 300 judges and 1,200 attorneys. Of the judges who responded to the survey, 92 percent said the online legal resource center helps them achieve the best interest of the children in their cases, and 83.3 percent said the online center expedites their ability to reach decisions. Ms. Elias-Perciful said user response rates to the annual survey average about 10 percent of users.

Collaborative Council member Arabia Vargas reported on two pilot projects in Bexar County, one of which involves providing basic household items to youth who are aging out of care, such as cookware, dishes, towels and blankets. In the other project co-sponsored by CPS, twice a year a workshop is conducted to teach African-American children and those caring for them how to care for and style their hair. Ms. Vargas reported that a video of the event shows a marked improvement in children's attitudes about their appearance after the salon workshop. Bexar County has also begun its sixth year of monthly adoptions. In the last several years, an average of 1,000 children per year are adopted in Bexar County. This past November, Ms. Vargas said the County was honored and delighted that Justice O'Neill helped preside over the adoptions of 105 kids. To thank Justice O'Neill and memorialize that visit, Ms. Arabia presented her with a framed picture of her presiding over adoptions.

Justice O'Neill reported that the Foster Care Alumni of Texas is having a national foster care alumni event at the Capitol on May 22, and invitations are extended to individuals who have foster youth in their journey. Justice O'Neill said the event was described to her as a family reunion, and that having it at the Capitol symbolizes coming home for foster youth because the state was their parents.

Judge Karin Bonicoro announced the recent death of Anne Forman, Travis County Assistant District Attorney, who was a longtime, passionate advocate for children involved in the CPS system. She was a beloved person who mentored many people and will be sorely missed, judge Bonicoro said.

#### **ADJOURNMENT**

The meeting adjourned at 1:15 p.m.

CHILDREN'S COMMISSION

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HON. DARLENE BYRNE, VICE CHAIR  
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AUDREY DECKINGA  
HON. CAMILE G. DUBOSE  
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HON. DEAN RUCKER  
FAIRY DAVENPORT RUTLAND  
HON. ROBIN SAGE  
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TOUREILLES  
G. ALLAN VAN FLEET  
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HON. ELMA SALINAS ENDER  
HON. PETER SAKAI  
HON. CHERYL LEE SHANNON  
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HON. DOUG WARNE  
*STAFF: TINA AMBERBOY  
TIFFANY ROPER*

EMY LOU BALDRIDGE  
CONNI BARKER  
ROY BLOCK  
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PENNY COOK  
ELIZABETH COX  
KEVIN COX  
SUSAN HOPKINS CRAVEN  
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DEBRA EMERSON  
BARBARA ELIAS-PERCIFUL  
TOMAS ESPARZA, JR.  
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GENE TERRY  
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STAFF

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TIFFANY ROPER, ASSISTANT DIRECTOR, CHILDREN'S COMMISSION  
KRISTI TAYLOR, PROJECT MANAGER, CHILDREN'S COMMISSION  
TERI MORAN, SUPPORT SERVICES OFFICER, CHILDREN'S COMMISSION  
CARL REYNOLDS, ADMINISTRATIVE DIRECTOR, OFFICE OF COURT ADMINISTRATION  
SYLVIA GRIEGO, EXECUTIVE ASSISTANT, JUSTICE HARRIET O'NEILL



# Children's Commission

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

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

REPORT TO THE COMMISSION  
APRIL 30, 2010

201 W. 14<sup>th</sup> Street  
Austin, Texas 78701

**Supreme Court of Texas  
Permanent Judicial Commission for Children, Youth and Families  
Report for April 30, 2010 Meeting**

**MINUTES– February 12, 2010 meeting** (adoption pending), **TAB 1**

**COMMISSION MEMBERSHIP CHANGES**

Selena Mireles, Parent Attorney, Laredo, Texas

**NEW STAFF**

Kristi Taylor, Project Manager

**COLLABORATIVE COUNCIL MEMBERSHIP CHANGES**

New Members:

Kevin and Elizabeth Cox, adoptive parents of four foster children, are new members.

Natalie Furdek, Women's Substance Abuse Services Coordinator, Texas Department of State Health Services, is a new member.

Cathy Crabtree, Executive Director of Children's Advocacy Centers of Texas, has accepted a position in another state and will be replaced on the Collaborative Council by Meghan Weller, CACTX Director of Public Policy.

**COMMITTEE MEMBERSHIP CHANGES**

Judge Bonicoro added Bryan Wilson to the Technology Committee

**COMMITTEE ACTIVITIES / REPORTS**

**Basic Grant Committee Report**

**1. Bench Book** – The Bench Book Committee has not met since the February 12, 2010, Commission meeting, and last met on January 18, 2010. The next meeting is scheduled for May 12, 2010. Jessica Lynch, Commission research assistant, devotes 15 hours per week to adding Bench Book content into to the software/web tool called Flare. Judges Schnarr and Sage made final edits to the Adversary, Status Hearing, Appeals, and Adoption chapters in March and April, and Tina Amberboy made the final edits to the remaining statutory chapters. All procedural chapters have been added to Flare, and edited to ensure the citations are correct.

Staff met with Lexis in March and has provided a list all judges in Texas who hear or may hear CPS cases. Lexis will cross-check this list against its list of judges who already have a contract with Lexis. The Children's Commission intends that judges not already covered by a contract through their county to be covered by a contract between the

Children's Commission and Lexis in order to provide all judges using the bench book through the TCJ password tool will have access.

OCA will host the Bench Book in test mode starting on / about May 1, 2010 and the Bench Book committee will be given access to it to test the site for ease of use, navigation, linking to case law and statutes, and final editing. A tutorial on how to use the bench book is being developed. Phase I of the Bench Book will be demonstrated at the CPS judicial conference in August 2010. Ms. Amberboy will work with OCA to set up an ongoing demo of the BB at the conference.

**2. *Appleseed PMC Project*** – Appleseed representatives and several other stakeholders met January 30, 2010, to discuss possible recommendations in response to the information they have gathered over the past 18 months. At the February 12 Commission meeting, Ms. Amberboy shared her (unofficial) notes from that January 30 meeting, which were reflected in the 2/12/10 Commission report and minutes. Rebecca Lightsey will update the Commission on 4/30/2010 with the latest information.

**3. *TYC/CPS Project*** – This project funds two full-time Advocacy, Inc., staff attorneys who focus on both youth in the TYC System and youth placed in one of the state schools. The project has been well received and appointments are being granted while Advocacy refines its appointment protocol. Mr. Lavallo reports that his attorneys are on the road several days per week traveling all over Texas. The foster youth comment how Ian and Dustin are the only ad litem who consistently see them. They have identified several issues that affect their ability to advocate and affect the youth's ability to exit the TYC system safely and timely or to ensure their needs are met while they are incarcerated. Ian Spechler will provide a verbal report of the systemic issues they are discovering and dealing with and possible solutions to some of the issues.

**4. *Round Table Series*** – The goal of the Round Table Series is to advance ideas that result in sound executive agency policy, carefully planned legislation, and improved judicial handling of child protection cases. The Commission sponsored two Round Tables in 2009, and a third Round Table was held on February 18, 2010, that focused on achieving permanency from the Temporary Managing Conservatorship and from the Permanent Managing Conservatorship of DFPS and how to prevent so many youth from exiting TMC into PMC. A report on the February 18, 2010, PMC Round Table is available on the Children's Commission website and by linking to [www.supreme.courts.state.tx.us/children/pdf/CompletePMCSummary.pdf](http://www.supreme.courts.state.tx.us/children/pdf/CompletePMCSummary.pdf). The PMC Round Table group will also be engaged in a discussion about specific barriers to exiting TMC and PMC within various jurisdictions.

**5. *Legal Representation Study*** – The Children's Commission has been conducting a study of how legal representation is handled around the state.

Interviews and surveys have been completed. The timeline for completion of the report is:

- June 1, 2010 - Rough draft of report available for distribution to Commission members and LRS workgroup for review and comment on content and format; requested that printing office make this available in electronic form so we can e-mail it to all parties; six hard copies will be printed for staff review and comment.

- June 1 – July 2, 2010 – Review and comment period for all Commission Members and Staff and LRS workgroup members; comments and suggestions due to LRS staff July 2.
- July 5 – August 6, 2010 – Revision period for LRS staff to make changes and edits to draft report
- August 20, 2010 – Final report printed and ready for distribution to Commission Members, Staff and Court

The report will include an appendix which represents responses from:

- Court coordinators (includes all respondents)
- DFPS supervisors (broken out into responses regarding parent and child representation)
- CASA personnel (broken out into responses regarding parent and child representation)
- Prosecutors (responses will be identified as prosecutor only, no county or names associated)
- Judges (responses will be identified only by county or CPC, not by the judges' names)
- Child and parent responses (will be based on the written surveys they completed)

**6. Summit/Education Committee** – Texas team members at the October 2009 National Judicial Summit developed and adopted a state action plan that includes the goals of reducing Texas' PMC population, improving education outcomes for kids in care, keeping foster children closer to their homes, and reducing disproportionality in the foster care system.

At least one meeting to discuss all five goals was held within 90 days of adopting the action plan, including a PMC Round Table held on February 18, 2010, a judicial conference entitled Implicit Bias in Judicial Decision-making scheduled for May 10-11, 2010, and a charge establishing an ad hoc committee to address improving education outcomes for children in foster care has been drafted.

The summit education goals specifically included improving education outcomes through greater collaboration and by keeping kids closer to home. According to national studies, youth in foster care often have poor educational outcomes, especially in comparison with the general child population. Although educational challenges are not unique to foster children, foster children face additional hurdles when trying to succeed academically, including multiple placement and school changes, therapeutic or other needs that must be addressed during school hours, missing school to visit with parents and/or siblings, and in all likelihood, a chaotic educational history prior to entering foster care in the first place. On top of this, foster children who are of school-age find themselves lost in and between two systems – child protection and education – two systems with some overlap but little ongoing and effective communication. Courts and stakeholders informally report that school changes and the subsequent loss of records, credits, services, and support systems greatly hinder the academic success of school-age foster children.

Since the last Commission meeting, more work on creation of the education committee has been completed. Commission staff and stakeholders identified key decision-makers in the Texas child protection and education systems. These persons, as well as attorneys who represent the interests of foster youth and parents, will be members of the committee. Judge Patricia Macias, 388<sup>th</sup> District Court, El Paso, and Commission member, will chair the committee. After its official creation, the committee will determine its goals. At the next Commission meeting, the Commission may be asked to authorize a budget for this project.

**7. CFSR / PIP Child and Family Services Review** – DFPS revised and submitted the Program Improvement Plan (PIP) a number of times. The federal Administration for Children and Families (ACF) approved the PIP this April, and the two-year period to implement the plan began April 1, 2010.

Proposed PIP strategies relevant to the Commission include the use of Commission Round Tables which are responsive to permanency outcomes strategies, including mediation (held in June 2009), PMC without termination of parental rights (held in February 2010), and providing appropriate notice to relatives pursuant to Fostering Connections to Success and Increasing Adoption and to parties entitled to notice pursuant to the Texas Family Code later in 2010. The PIP was recently updated to include a new strategy that would help judges use data specific to their district, county or region to identify agency or judicial practices that may contribute to the over-use of PMC without TPR.

**8. Strategic Planning** – At the request of the ED and Justice O’Neill, each committee is being asked to review the CIP strategic plan relevant to the grant the committee oversees before August 31, 2010, when CIP applications are due. Each committee is being convened for an in-person meeting in July to review the CIP strategy with a follow up meeting of the Commission’s Strategic Planning Committee set for August 19, one day before the August 20, 2010 Commission meeting.

The Commission Strategic Planning Committee will be chaired by Harper Estes and membership will be comprised of the chairs of each committee (Basic - Robin Sage, Technology - Karin Bonicoro, Training - Camile DuBose, Education – Patricia Macias, Legislative – Dean Rucker, Vice Chair - Darlene Byrne, CPS Assistant Commissioner - Audrey Deckinga).

### **New Grant Funded Projects:**

**Harris County Infant and Toddler Court** – Harris County submitted an application for \$50,000 to help create a court docket specifically for CPS cases involving infants and toddlers aged 0 – 3. This grant was reviewed by the Basic Committee at its January 2010 meeting and recommended for funding. Harris County needed additional time to respond to comments from Ms. Amberboy and there was not a quorum at the 2/12/10 Commission meeting so request for approval is being sought at the 4/30/10 meeting.

The project's goals include ensuring a continuum of services, education about the issues affecting this population, creating a replicable program, reducing parental recidivism, building local capacity, implementing and utilizing data tracking and utilization models, and identifying cost-saving measures. These goals will be accomplished through improved access to primary and mental health care, access to ECI, increased visitation, addiction recovery, family conferencing, and overall use of a collaborative, therapeutic and problem-solving judicial approach. Initial client caseload will start at five families and increase to 20 by June 2011. CIP funds will be used for personnel / salary required for start-up activities including developing formal memoranda of understanding, docketing protocols and procedures, agreements with service providers, and implementation and operation of the planning aspects of the project.

### **Grant Amendments:**

**Texas CASA** – In 2009 part of CASA's grant award and program activities included a program called Transitioning Youth Initiative (TYI). Due to a delay in implementing the two TYI project pilot sites budgeted in the FY 2009 CIP Partnership Grant, Texas CASA had \$27,800 in unspent contractual grant funds at the end of the FY 09 grant period. Because the Commission authorized the expenditure of the funds in 2009 and the timing was such that they were not spent, this committee recommended to the Commission at the last meeting that CASA's grant be amended to allow for the increase. The Executive Director exercised her authority to change the scope of CASA's grant award to allow the program to continue until it could be revisited at the April 30, 2010 meeting.

**Budget Changes to Basic Budget are discussed at the end of this report.**

### **Training Committee Report**

The Training Committee met via conference call on March 31, 2010. The next meeting of the Training Committee will occur in Austin on July 14, 2010. At the next meeting, the committee will examine whether its projects fall within the Commission's overall strategic plan.

### **Attorney Education**

**1. NACC Child Welfare Law Conference** – The NACC-sponsored conference is scheduled for October 20-23, 2010, in Austin. The annual NACC conference offers nationally known expert speakers on multi-disciplinary topics related to legal representation in child abuse and neglect cases. The deadline for abstracts was April 1, 2010. In January 2009, the Commission approved \$100,000 to sponsor the conference; this includes offering scholarships for attorneys to attend the conference as well as formation of a workgroup to work with the NACC to develop the curriculum for the conference. Two Commission members, Carolyne Rodriguez and Fairy Rutland, plus Gerry Williams, General Counsel at DFPS, and Commission staff are participating in this workgroup. The applications for attorney registration scholarships opened on

March 1. So far, approximately 185 applications have been approved. The committee approved adding \$20,000 to the budget for this conference for additional attorney scholarships.

**2. Scholarships for Child Abuse and Neglect Track at Advanced Family Law (AFL)** – The committee approved funding of \$10,000 at the January 2010 meeting to provide registration scholarships to attorneys for the day-long Child Abuse and Neglect Track at the State Bar of Texas Annual Advance Family Law Conference in August 2010. Information about the registration scholarships will be available on the Commission's website in mid-April.

**3. Attorney scholarships for conferences (other than NACC or AFL)** – The committee approved \$15,000 at the January 2010 meeting to attend conferences other than the NACC Annual Conference or the Child Abuse and Neglect Track at Advanced Family Law. Scholarship applications will be available on the Commission's website in a few weeks.

**4. Scholarships for DFPS attorneys to attend NACC annual conference in October or Advanced Family Law Child Abuse and Neglect Track in August** – Committee members approved \$20,000 to provide scholarships for DFPS attorneys who otherwise would not be able to attend legal training to attend either the NACC or the AFL conference.

**5. Trial Skills Training** – This committee approved \$40,000 at the January 2010 meeting to identify and send attorneys to NITA trainings this year to create a cadre of NITA-trained faculty members in Texas. Several attorneys have been identified and are working with Commission staff. Further reports on this project will be made at the next committee meeting.

**6. Scholarships for National Conferences** – In FY2009, Training Grant funds were used to send Texas attorneys to a national conference on parental representation in CPS cases, and according to participants, it was a very worthwhile conference. The committee approved FY2010 funding to provide scholarships for future national training conferences, such as the American Bar Association (ABA) Parent's Attorney Conference, Children and the Law Conference, the National Association of Drug Court Professionals Annual Conference, or the Rocky Mountain Child Advocacy Institute. Scholarship applications will be available on the Commission's website in a few weeks.

**7. Child Welfare Law Certification** – In May 2009, the Texas Board of Legal Specialization approved the application of the NACC to offer child welfare law certification to qualifying Texas attorneys. Fourteen Texas attorneys applied for the 2010 certification exam. The application deadline for the 2011 exam is May 31, 2010.

**8. Prosecutor Training/Roundtable** – At the January 2010 meeting, the committee approved work with the Texas Children's Justice Act to develop or implement prosecutor training. There is no update on this project.

## **Judicial Training**

### ***The Texas Center for the Judiciary (TCJ) conferences in 2010:***

***NCJFCJ National Conference on Juvenile and Family Law*** – This conference was held March 14-17 in Las Vegas. There were more than 80 applicants with 60 judicial scholarships awarded to attend the conference.

***The Harris County Beyond the Bench*** – The Beyond the Bench conference brings together a comprehensive list of stakeholders in the child protection system from a particular region for a two-day multi-disciplinary training that includes open communication and collaboration, brainstorming, and problem solving as well as discussion of best practices. Stakeholders who participate include judges, prosecutors, CASA, CPS, foster parents, educators, mental health/substance abuse professionals, public health professionals, law enforcement, the Texas Workforce Commission, educators, former foster youth, and parents formerly involved with CPS.

The Harris County Beyond the Bench conference was held April 21-23 in Galveston. In Harris County, twelve elected judges and twelve associate judges handle CPS cases. In all, 12 teams from Harris County attended, bringing together all courts who hear CPS cases in the county. This was a rare opportunity for the courts to come together to hear about issues, practices, and resources in the third largest city in the country. Each court had a team with a district judge, an associate judge, or both representing it. Three of the courts handle juvenile and CPS cases; the 9 other courts hear CPS and other family law matters.

The Harris County Beyond the Bench opened differently from previous Beyond the Bench Conferences. The Center for Public Policy Priorities (CPPP) put together a data presentation about how Harris County is performing in certain areas, especially in achieving permanency for children in the Harris County child protection system. The Child and Family Services Review (CFSR), a federal review of the child protection system in all states which occurs every few years, always looks at the most populous county in the state – in our case, Harris County. The Texas foster care system is 60 percent funded by the federal government. The CFSR is used to grade state performance. Child safety, permanency, and well-being outcomes are measured, thus Harris County's performance in these measures greatly impacts the rest of the state, especially because areas in need of improvement which fail to improve after the CFSR may result in state payment of fiscal penalties. (Texas-specific information on the CFSR is available on the [CPS website](#), including the [2009 Final Report](#)). The CPPP presentation highlighted where Harris County needs to improve its outcomes.

Over the course of the 2-day conference, teams met to discuss ways to improve the child protection court system in Harris County. At the end of the conference, each court relayed its recommendations to all twelve teams. Many of the recommendations included plans to bring together multi-disciplinary teams in the future to continue discussing issues and improving the way child protection cases are dealt with by the legal system in Harris County.

This was the largest Beyond the Bench conference held to date. Because of the increased number of teams, the committee approved additional funding for TCJ to cover extra costs specific to Harris County Beyond the Bench.

***Implicit Bias in Judicial Decision-Making*** – This judicial conference, the first of its kind in Texas for child protection judges, will take place May 10-11 in Bastrop. The conference will address implicit bias in judicial decision-making and tools for judges to address this issue. The conference planning workgroup has planned the agenda and identified speakers.

***Associate Judges Conference*** – This conference is scheduled for July 5-7 in Austin. This annual conference is for Texas associate judges who hear the bulk of child-welfare cases and includes IV-D judges. The conference provides education to equip associate judges to better handle their difficult caseloads. A planning committee has already met and is firming up an agenda.

***NCJFCJ Annual Conference*** – This national conference will be held July 18-21 in San Diego. TCJ is offering scholarships to attend this conference, which will cover child protection-related topics.

***CPS Judges Conference*** – This annual conference, to be held August 4-6 in San Antonio, is designed specifically for judges who hear child-protection cases and focuses on best practices and cross-disciplinary issues. Commission staff is working with the Texas Center for the Judiciary regarding curriculum for this conference. The first planning meeting for this conference was held on April 6 and the agenda is close to being finalized.

#### ***Other Judicial Conferences***

Children's Commission staff has been approached by judges who are interested in attending conferences not included in the TCJ budget or which exceed TCJ's budget for national conferences. Judges have asked specifically about the NACC conference and the NCJFCJ Child Abuse and Neglect Institute. Members approved funding \$10,000 to send judges to training conferences that are not covered in TCJ's budget.

***Office of Court Administration (OCA) Judicial Education*** – The Office of Court Administration's training is usually scheduled in October. Although Texas' Child Protection Courts (formerly known as Cluster Courts) are now state-funded, the CIP Training Grant funds an annual two-day workshop for CPC judges to cover current multi-disciplinary topics. In 2010, OCA is considering pushing back the training because of judicial interest in attending the NACC conference in October 2010.

***Judicial Technical Assistance*** – The committee approved funding for the Texas Center for the Judiciary to work with experts who can provide judicial technical assistance to improve moving children to permanency.

***Funding for Local Training*** – The committee in January approved \$10,000 to help local courts bring expert speakers and trainers to their jurisdictions. Expenditures may include paying speaker's fees. Grant applications for this project are in the draft stage and will be available in the near future.

***Drug court Training Workgroup*** – In January 2010, the committee approved \$40,000 for family treatment drug court training. The workgroup, which includes committee members Judge DuBose, Judge Smith, Judge Garcia, Cathy Cockerham, and Ms. Elias-Perciful, as well as other judges and stakeholders, has held two meetings, one in December 2009 and the other in February 2010. Judge Texanna Davis will attend the National Association of Drug Court Professionals Annual Conference in June to identify potential topics and speakers for the Texas Family Drug Treatment Courts training.

***Local Jurisdiction Disproportionality Training*** – The committee discussed providing funding to jurisdictions to hold local disproportionality training. Each training event is estimated to be around \$15,000. This potential grant budget item could also tie in with local training grants in FY 2011, if the federal training grant is reauthorized. Commission staff will provide a proposal to the committee at the next committee meeting.

**Budget Changes to Training Budget are discussed at the end of this report.**

### **Technology Committee Report**

The Technology Committee met via conference call on April 8, 2010, but did not have enough members in attendance to meet a quorum.

***CPCMS*** – User requests for improvements and enhancements are being analyzed for coding development and testing. Contract staff will be required for the development, testing and implementation of the version 2.0 enhancements to CPCMS. OCA must initiate development of new reports for the twenty outcome measures specified in the Toolkit for Court Performance Measures in Child Abuse and Neglect Cases and add new reporting formats for the reports currently available.

Implementation of 2-factor authentication using security tokens (i.e., key fob) is expected to be completed Monday, April 19th.

***Functional Requirements, Version 2*** – FRS Version 2.0 was presented at the last meeting and committee members wanted more time to review it. Some follow-up ticklers were sent for edits, but no new edits have been submitted.

FRS Version 2.0 includes the following new information:

- Case study of the development and launch of the Child Protection Case Management System (CPCMS)
- New Data Diagram
- User Guide for CPCMS
- Helps documents
- System Utilization Guidelines (as directed by the Presiding Judges)
- Outcome Measures (data field matrix)
- Medications Chart & Notes

The committee needs to review and accept recent changes before officially posting all FRS v2.0 documentation to the web for public access. This item was deferred to the July meeting.

### ***Distribution of CPCMS to non-CPC jurisdictions***

- Collin County - Interest targeted on whether CPCMS can handle child support data. County is researching options in preparation for replacing their legacy mainframe based on the child support system.
- CD copies of the CPCMS source code, database, and all documentation have been delivered to Tarrant County, Travis County and the TechShare program at the Texas Conference of Urban Counties.
- Mr. Kennedy spoke with Collin County IT manager who was interested in CPCMS and maybe modifying it. Mr. Kennedy will follow up with him.
- Meeting with CIRA (County Information Resources Agency) – A demonstration of the CPCMS was provided to representatives from the County Information Resource Agency (CIRA). CIRA is an inter-local government agency supported by the Texas Association of Counties (TAC) and is dedicated to helping counties with their technological needs. Commission and OCA staff will set a follow meeting with CIRA.

***Data Exchange*** – All States Innovations Forum Conference Call was held on February 9th and was hosted by NASCIO. The objective of this forum was to provide information on information- sharing across various health and human services agencies, the courts and employers.

On that call, Colorado shared their success in doing interface between courts and child support agencies. Compared to other states, Colorado has made the most inroads regarding child support and court data. Colorado representatives were asked about whether courts had to be unified – although Colorado's courts are, they say it is not necessary. They also shared how they exchange data while avoiding ex parte issues ABA wrote a paper on ex parte issues. Members discussed how multiple states have already done a lot of work on the complexities surrounding data sharing and confidentiality laws.

The National Center for State Courts (NCSC) is hosting an Advanced Court-Agency Workshop in Denver, Colorado on June 9-10, 2010. The focus of the workshop is “wise technology choices in troubled fiscal times.” OCA staff will attend this meeting.

The 13th National Child Welfare and Data and Technology Conference will be held in Bethesda, Maryland on July 19-21, 2010. Commission, OCA, and DFPS staff will attend this conference.

### ***Meeting with CIRA (County Information Resources Agency)***

A demonstration of the CPCMS was provided to representatives from the County Information Resource Agency (CIRA). CIRA is an inter-local government agency supported by the Texas Association of Counties (TAC) and is dedicated to helping counties with their technological needs. Staff will follow up with CIRA.

## **Grant Projects**

### ***Tarrant County Juvenile/CPS Case Enhancements***

Tarrant County originally sought and was awarded \$350,000 to pursue the integration of the CPCMS calendaring function with the CUC developed Juvenile Case Management System (JCMS), which was to be installed in Tarrant, Dallas and Bexar counties. However, the JCMS project was too far along in production to accommodate the integration of any part of CPCMS so the project was scrapped. Tarrant County submitted an alternate proposal to use the \$350,000 to evaluate the feasibility of, and then the development of a third product that would be part CPCMS, part Odyssey, and part current Tarrant County system to accommodate only the courts in Tarrant County. The proposal was evaluated with many questions and answers going back and forth between CIP, OCA and Tarrant County. Ultimately, it was decided that the \$350,000 grant should be recovered and redistributed to other projects since the funding expires 09/30/11. Tarrant County will continue to work on a solution that involves CPCMS and JCMS with input from CIP in order to re-submit a grant application in the near future.

***Legal Representation Study*** – For more information please see the Basic Committee portion of this report.

### ***Dallas County Video Conferencing***

Dallas County's IT Department has performed an assessment based on the final proposal. In reviewing the activities section of the grant fund, the equipment specified is “two videoconferencing wheel-based systems” for use by the Juvenile 304th and 305th Courts. Funding permitting, there was also interest in a separate videoconferencing monitor for each of the judge's bench. Based on some of the changes to pricing since the initial grant application Dallas County has requested the following revisions to the equipment list:

- Add an additional Tandberg MXP 3000 or equivalent for a total of two units.
- Remove the Tandberg VCS Expressway – the County has purchased this unit
- Include the two Tandberg 1700 MXP's / 1700 NPP's
- Remove the Dell PowerVault MD3000i
- Modify the number of licenses / registrations included in the quote

Dallas County will move forward in purchasing the equipment (estimated time mid-February). A meeting between Department of Family Protective Services, Judge Shannon, Mr. Henderson, and Vendor Representative to understand the scope of the project and the use of the equipment was to be scheduled for February. Judge Shannon's staff is developing a formal process to ensure availability and accessibility of the children. The court staff is developing the procedures for securing rooms and scheduling the use of the videoconferencing system. IT did a final walk through of the Courts on 3/30/10 to confirm installation and drop locations and equipment is being ordered.

## **New Business**

### ***Permanency and Placement Hearing Forms***

Judge Bonicoro has developed forms conducive to data entry for CCMS. The forms have the same information as other or older forms, but the form is organized in a way that makes data entry easier.

### ***Funding for positions to help CPC judges establish a system of full utilization of CPCMS***

There is wide variation in the extent to which CPC judges use CPCMS, and those who use it less have said that one reason is lack of personnel to enter the information. The committee discussed using CIP to hire staff to assist with the data entry. Members did not know how many positions would be needed or for how long. One idea is to start with 1 to 3 persons in Region 2 to help those judges get up to speed on CCMS, which would include migrating data and a certain amount of entering ongoing cases. Members will submit their input to staff via email.

### ***Youth-oriented website***

Judge Bonicoro is interested in creating a youth-oriented website for transitioning youth. The website would provide information about jobs, housing, healthcare, college, and other resources that would be organized topically and could be searchable by zip code.

**Budget Changes to Technology Budget are included at the end of the report**

## **COMMISSION BUDGET ITEMS**

### **Basic Projects Budget, Tab 4**

Staff is seeking ratification of the allocation of dollar amounts as represented on the Basic Grant Budget document dated 04/30/10, which includes:

- 1) The Commission operating budget needs to be increased from \$28,000.00 to \$45,000.00 to more accurately reflect the amount of funds spent on operations for 12 months, based on the actual amount spent in FY 2009 (\$42,373.48).
- 2) The Jurist In Residence line item from \$12,000.00 to \$28,000.00 to cover the funds needed to fully utilize the JIR for 12 months, based on the actual amount spent in FY 2009 (\$24,989.05).
- 3) Texas CASA's grant award needs to be increased from \$210,000.00 to \$237,800.00 to would allow CASA to complete of the Transitioning Youth Initiative Program that was launched in 2009, but did not use all of the FY2009 funds allocated. Those funds were returned to CIP at the end of the last FY.
- 4) Harris County Infant and Toddler Court award of \$50,000.00.

The adjusted amount for 2011 / ongoing is \$722,912.72

### **Training Budget, Tab 4**

Staff is seeking ratification of the allocation of dollar amounts as represented on the Training Grant Budget document dated 04/30/10, which includes:

- 1) Additional funds are needed to cover additional costs related to the Harris County Beyond the Bench and for judicial technical assistance to improve moving children to permanency. Members approved increasing the grant award to TCJ to cover the additional costs associated with the Harris County Beyond the Bench (\$120,713.84) and for judicial technical assistance (\$10,000).
- 2) Members approved funding \$10,000 for judicial scholarships to send judges to training conferences that are not covered in TCJ's budget.
- 3) Members approved adding \$20,000 to the Child Welfare Law Conference budget to provide additional registration-fee scholarships for more Texas attorneys to attend the NACC Child Welfare Law Conference to be held in Austin October 20-23, 2010.
- 4) Members approved adding \$20,000 to attorney training for scholarships to be given to DFPS attorneys to attend NACC annual conference in October or Advanced Family Law Child Abuse and Neglect Track in August.

The adjusted amount for 2011 / ongoing is \$670,156.26

## **Technology Budget, Tab 4**

Staff is seeking a vote on items (1) and (2) as represented on the Data Grant Budget document dated 04/30/10, which includes an increase in OCA's TexDECK budget, and recovering the grant funds awarded to Tarrant County in August 2009.

- 1) The CPCMS system was developed initially without full development of certain reporting functionality. Commission and OCA staff agree that it is important to have access to all the reporting capabilities and functions associated with tracking the data being gathered in the CPCMS system and are requesting an amendment to accommodate the creation of the reports associated with the data measurements being collected. The request is to increase the current TexDECK award from \$236,742.00 by \$27,840 for a total of \$264,582.00 for the FY.
- 2) Tarrant County Case Management Project has been cancelled. The request is to recover the \$350,000.00 originally awarded and add it back to the ongoing line item.

The adjusted amount for 2011 / ongoing is \$548,057.50.

## Basic CIP Budget 4/30/10

<b>Grant funds in account as of 10/01/09</b>		\$2,010,014.80
<b>Overhead = 126,992.90 (yr) / 10,583.00 (mo)</b> Salaries, Fringe, Staff Travel, Supreme Court Support Services & Supplies, Equipment		(\$126,992.90)
<b>Supplemental CIP dated 2/10/10</b>		\$186,996.00
<b>Subtotal for grant year</b>		\$2,070,017.90
<b>Supreme Court Judicial Commission for Children, Youth, &amp; Families Operating Budget</b>	Travel, printing, memberships, room rental, staff training, misc.	(\$45,000.00)
<b>Jurist in Residence</b>	Judicial Subject Matter / Judicial Technical Assistance	(\$28,000.00)
<b>Commission Round Table Series</b>	Issue specific collaborative meetings involving local and state-level stakeholders.	(\$15,000.00)
<b>Texas CASA</b>	Costs of staff to enhance recruitment efforts and leadership training, including transitioning youth program	(\$237,800.00)
<b>Office of Court Administration – Judicial Support</b>	Supports travel and other administrative costs of the courts, and training.	(\$20,400.00)
<b>Alamo Children’s Center – ChildSafe</b>	Staff to improve services to drug courts.	(\$46,083.00)
<b>National Adoption Day</b>	Pay for court related training and adoptive / foster parent recruitment efforts.	(\$5,000.00)
<b>Tarrant County Challenge</b>	Grants or pay for staff and services in local drug courts.	(\$100,000.00)
<b>Texas Foster Youth Justice Project</b>	Pay for hotline and staff for legal representation of kids in PMC.	(\$80,000.00)
<b>Texas Lawyers for Children Website</b>	Provide resources and information to attorneys and child welfare judges.	(\$250,000.00)
<b>Office of Parental Representation</b>	Pay for new model of representing primary custodial parents in child protection cases. *See note below	(\$100,000.00)
<b>Office of Child Representation</b>	Pay for new model of representing children in child protection cases. *See note below	(\$100,000.00)
<b>Bench Book</b>	Committee meeting expense. TCJ fees to load BB onto website, manage ids & passwords and maintain.	(\$30,000.00)
<b>Study of DFPS and TYC Population (Advocacy Inc Project)</b>	Committee meeting expense (10k), and AAL representation project (50k).	(\$10,000.00)
<b>Harris County Infant and Toddler</b>	Specialty court in Harris County focusing on zero to three toddlers / siblings, modeled after National Zero to Three Program	(\$50,000.00)
<b>Subtotal</b>		\$952,734.90
<b>Unexpended 09 funds from Travis County PD offices (permission given to spend the funds after 9/30/09 deadline due to delayed opening of offices</b>		(\$229,822.18)
		\$722,912.72
<b>Approximate Amount for Ongoing / 2011</b>		<b>\$722,912.72</b>

Staff is seeking ratification of the allocation of dollar amounts as represented on the Basic Grant Budget document dated 04/30/10, which includes:

- 1) The Commission operating budget needs to be increased from \$28,000.00 to \$45,000.00 to more accurately reflect the amount of funds spent on operations for 12 months, based on the actual amount spent in FY 2009 (\$42,373.48).
- 2) The Jurist In Residence line item from \$12,000.00 to \$28,000.00 to cover the funds needed to fully utilize the JIR for 12 months, based on the actual amount spent in FY 2009 (\$24,989.05).
- 3) Texas CASA's grant award needs to be increased from \$210,000.00 to \$237,800.00 to would allow CASA to complete of the Transitioning Youth Initiative Program that was launched in 2009, but did not use all of the FY2009 funds allocated. Those funds were returned to CIP at the end of the last FY.
- 4) Harris County Infant and Toddler Court award of \$50,000.00.

**Commission Action Required**

The adjusted amount for 2011 / ongoing is \$722,912.72.

## Training CIP Budget 4/30/10

<b>Grant funds in account as of 10/01/09</b>		\$1,732,331.00
<b>Overhead = 126,992.90 (yr) / 10,583.00 (mo)</b>		(\$126,992.90)
<b>Subtotal</b>		\$1,605,338.10
<b>Texas Center for the Judiciary 2010 Award</b>		<b>(\$635,881.84)</b>
<b>a. Associate Judges Conference</b>	Annual conference for associate judges hearing child protection cases; includes IV-D judges.	
<b>b. CPS Judicial Conference</b>	Annual conference for judges hearing CPS cases	
<b>c. Beyond the Bench (Harris County)</b>	Annual conference for various stakeholders in CPS system for cross-disciplinary training. Additional funding request on March 26, 2010 due to increased costs related to Harris County Beyond the Bench.	
<b>d. National Conferences</b>	Scholarships to attend trainings sponsored by national groups	
<b>e. Implicit Bias in Judicial Decision-making</b>	Conference for judges focusing on implicit bias in judicial decision-making	
<b>f. Judicial Technical Assistance</b>	Funding for judicial technical assistance to address moving children to permanency (10k)	
<b>Child Protection Court Annual Update (OCA)</b>	Training, equipment, supplies and technical assistance to CPC courts	(\$29,300.00)
<b>Drug Court Training</b>		(\$40,000.00)
<b>Judicial Scholarships</b>	Judicial scholarships to NACC annual conference or other conferences not covered in TCJ grant award or budget	<b>(\$10,000.00)</b>
<b>Attorney Training</b>		
<b>a. Scholarships to national conferences</b>	Scholarships for Texas attorneys who represent parties and children in child protection proceedings to attend national conferences	(\$15,000.00)
<b>b. Scholarships to Advanced Family Law</b>	Scholarships for attorneys to attend the one-day Child Abuse and Neglect tract of Advanced Family Law Conference	(\$10,000.00)
<b>c. Trial skills training</b>	Scholarships to attend trial skills training through the National Institute of Trial Advocacy (NITA) in child abuse and neglect cases	(\$40,000.00)
<b>d. Prosecutor training</b>	Work with TCJ and Children's Justice Act to sponsor cps training for prosecutors	(\$5,000.00)
<b>e. Speaker / Trainer Development</b>	Make funds available to judges to help bring in expert speakers / trainers to local jurisdictions to improve legal representation / advocacy	(\$10,000.00)
<b>f. State's Attorney Scholarships</b>	Make funds available to DFPS to cover travel and other conference-related costs to attend NACC Annual Conference and Advanced Family Law Child Abuse and Neglect Track	<b>(\$20,000.00)</b>
<b>Child Welfare Law Conference</b>	NACC Annual conference scheduled for 10/2010. Funding will provide scholarships to Texas attorneys for registration fees and speaker travel.	(\$100,000.00)

	<b>Additional funds for attorney registration scholarships</b>	<b>\$20,000.00</b>
<b>Child Welfare Law Certification</b>	To be held in Spring 2010 and again in 2011. No funding set aside at this time	
<b>Approximate for 2011 / ongoing</b>		<b>\$670,156.26</b>

Staff is seeking ratification of the allocation of dollar amounts as represented on the Training Grant Budget document dated 04/30/10, which includes:

- 1) Additional funds are needed to cover additional costs related to the Harris County Beyond the Bench and for judicial technical assistance to improve moving children to permanency. Members approved increasing the grant award to TCJ to cover the additional costs associated with the Harris County Beyond the Bench (\$120,713.84) and for judicial technical assistance (\$10,000).
- 2) Members approved funding \$10,000 for judicial scholarships to send judges to training conferences that are not covered in TCJ's budget.
- 3) Members approved adding \$20,000 to the Child Welfare Law Conference budget to provide additional registration-fee scholarships for more Texas attorneys to attend the NACC Child Welfare Law Conference to be held in Austin October 20-23, 2010.
- 4) Members approved adding \$20,000 to attorney training for scholarships to be given to DFPS attorneys to attend NACC annual conference in October or Advanced Family Law Child Abuse and Neglect Track in August.

**Commission Action Required**

The adjusted amount for 2011 / ongoing is \$670,156.26.

## Data CIP Budget 4/30/10

<b>Grant funds in account as of 10/01/09</b>		\$1,297,200.40
<b>Overhead = 126,992.90 (yr) / 10,583.00 (mo)</b>		(\$126,992.90)
<b>TexDECK Project 2010 Award</b>	Contract with OCA which includes Redesign of the Texas CPCMS, Project Management, FRS updates, promoting other data projects	(\$264,582.00)
<b>Legal Representation Study</b>	Conduct a study to examine the quality of legal representation and its impact in Texas	(\$207,568.00)
<b>Software Development</b>	Grant to Tarrant County to develop software using the FRS	(0.00)
<b>Video Conferencing</b>	Provide Grants to Dallas County (\$50,000) and other locations to promote children attending court hearings.	(0.00)
<b>Dallas County Video Conferencing</b>	To promote children attending court hearings	(\$50,000.00)
<b>Software Development for Counties</b>	Grants to counties to implement local versions of CPCMS	(\$100,000.00)
<b>Approximate amount for 2011 / ongoing</b>		<b>\$548,057.50</b>

Staff is seeking a vote on items (1) and (2) as represented on the Data Grant Budget document dated 04/30/10, which includes an increase in OCA's TexDECK budget, and recovering the grant funds awarded to Tarrant County in August 2009.

- 1) The CPCMS system was developed initially without full development of certain reporting functionality. Commission and OCA staff agree that it is important to have access to all the reporting capabilities and functions associated with tracking the data being gathered in the CPCMS system and are requesting an amendment to accommodate the creation of the reports associated with the data measurements being collected. The request is to increase the current TexDECK award from \$236,742.00 by \$27,840 for a total of \$264,582.00 for the FY.

### **Commission Vote Required**

- 2) Tarrant County Case Management Project has been cancelled. The request is to recover the \$350,000.00 originally awarded and add it back to the ongoing line item.

### **Commission Vote Required**

The adjusted amount for 2011 / ongoing is \$548,057.50.

## COLLABORATIVE COUNCIL REPORT – APRIL 30, 2010, MEETING

### I. Update on Texas Council on Family Violence

**Coaching Boys to Men** -The most effective domestic violence prevention efforts involve community leaders who can influence the thinking and behavior of significant groups of people. One example of such an effort is Coaching Boys Into Men, a nationally recognized program that invites the leadership of high school athletics coaches in teaching young male athletes about nonviolence and respect for women and girls. TCFV has been able to launch a Texas pilot program of Coaching Boys Into Men, through an exciting collaboration with Dallas Cowboys tight end Jason Witten's SCORE Foundation and SafeHaven of Tarrant County. More than twenty-five high school football coaches from the Arlington area will be leading the Coaching Boys Into Men program with their student athletes this semester. These coaches will instill important messages about respect into their work with the student athletes who so often become role models among their peers. This program will maximize the potential of both athletes and coaches to influence the student body as a whole in favor of attitudes and behaviors that support healthy relationships among teens.

**Project Connect** -TCFV is leading a new statewide initiative that will help connect victims of domestic violence to the services they need, and help educate people about healthy relationships at the crucial moments in their lives when such information can make a meaningful difference. Texas is one of ten states in the country recently awarded a grant from the Family Violence Prevention Fund for Project Connect: A Coordinated Public Health Initiative to Prevent Violence against Women, supported by the United States Department of Health and Human Services Office on Women's Health. TCFV is working in collaboration with the Texas Health and Human Services Commission, the Texas Department of State Health Services, and non-profit partners such as the Texas Association Against Sexual Assault and the Texas Healthy Start Alliance. Project Connect aims to develop policy and public health responses to domestic and sexual violence in public health programs such as family planning and home visitation for new parents. The initiative also seeks to support the provision of basic health services in domestic and sexual violence programs, through enhancing collaborations at the local level. As a part of Project Connect, TCFV will be participating in national policy discussions regarding the integration of domestic and sexual violence response and prevention into public health systems.

### **Legislation Transforms Batterer Programs Statewide**

Effective September 1, 2009, all programs or providers receiving referrals from the courts for family violence offenses must become "accredited." See Code of Criminal Procedure Article 42.12(14) (c-1). To attain accreditation, such programs or providers must comply with Battering Intervention Provider requirements as provided under CCP Art. 42.141(4) (A). BIPP accreditation requires the creation and promulgation of standards for quality services for offenders and ensures victim safety. Communities need all levels of the criminal justice and support services systems to hold batterers accountable. While there are many vital aspects that make BIPPs effective, the following components are critical:

- The foundational conviction that victim safety is essential.
- Strong collaboration with the court system, community organizations and agencies, including the establishment of a cooperative working agreement with the local family violence center with the goal of creating a Coordinated Community Response to Family Violence.
- Group sessions focusing on direct intervention in a group format that holds perpetrators accountable for their abusive behavior.
- A program curriculum based on an intervention model recognizing family violence as the result of one person in an intimate relationship systematically using tactics of emotional and physical abuse in order to maintain power and control over the other.
- Program components focusing on holding perpetrators accountable for victim blaming and confronting and holding batterers accountable for instances of denial, blaming, minimizing, justifying, and rationalizing their behavior, regardless of the perpetrators' relationships, current stress factors, or previous trauma.

- Program components that avoid colluding with perpetrators.
- Facilitators who believe that perpetrators can work towards positive behavioral changes.
- Facilitators who inform perpetrators that battering involves choices.

### **Another Layer of Oversight: State-Funded Battering Intervention and Prevention Programs**

While the Texas Department Criminal Justice Community Justice Assistance Division (TDCJ-CJAD) accredits additional programs in Texas, 27 programs receive funding by TDCJ-CJAD to operate a BIPP and are audited by the Texas Council on Family Violence. A complete list of accredited programs can be accessed at [www.tdcj.state.tx.us/cjad](http://www.tdcj.state.tx.us/cjad).

**Partnership with Office of the Attorney General Child Support Division** - TCFV entered a contract with the Office of the Attorney General Child Support Division to promote greater awareness and safety within the child support process for survivors or family violence. As the OAG child support process determines conservatorship, visitation and support arrangements, it is critical that survivors and their advocates understand the process and how to take advantage of safety measures and that child support staff and courts understand family violence issues to take appropriate precautions and make decisions in the best interest of the children.

**Economic Justice Services** - Throughout this year, TCFV has encouraged family violence advocates to more comprehensively incorporate financial literacy into their programming. TCFV has provided in person trainings, webinars and consultations on a variety of economic topics to enhance capacity and confidence among family violence program staff to include this information in their every day work with survivors. Financial literacy curricula utilized emphasize that survivors set goals, consider their safety, and educate themselves on important financial issues in order to move towards economic stability. Such information and coaching, influences children in these families as they witness their parents investing time to make informed consumer decisions and focusing on long term financial goals.

**Individual Development Accounts** - TCFV has secured modest funding to support Individual Development Account (IDA's, also known as matched savings) projects at family violence programs in El Paso and San Antonio. These projects have partnered the family violence programs in those cities with new community partners and provide incentives for survivors to save and purchase assets, setting solid foundations for ongoing economic stability for participating families. Currently both pilot projects match or provide \$2 for every \$1 that the program participant saves, thus accelerating their saving potential.

## **II. Update on Texas Lawyers for Children**

Texas Lawyers for Children ("TLC") created and operates an online resource center (the "Online Center") for Texas judges and attorneys handling child abuse cases. The Online Center, which receives funding from the Commission, includes a wealth of legal, medical, and psychological materials covering more than 1100 topics and also provides private, secure communication tools for judges and attorneys, respectively, to discuss pertinent issues and share their expertise.

### **Data on the Online Center's Usage and Information**

- Over 1,500 judges and attorneys are now registered to use TLC's Online Center. In the two and a half years of Commission funding, the user base has almost tripled.
- TLC's Online Center continues to average over 70,000 hits per month. In the two and a half years of Commission funding, the usage rate has more than doubled.
- The use of the Online Center's private email networks continues to grow, with judges sending 263 messages in the last 12 months, almost tripling the number sent in the prior 12 months. Attorneys also sent significantly more messages, a total of 390 messages in the last 12 months, which is more than double the number sent in the prior 12 months.
- In the two and a half years of Commission funding, TLC has added information on more than 500 new topics, now covering a total of over 1100 topics.

### **Serving as a Conduit for Information from the Commission**

TLC is using its statewide reach to disseminate information from the Commission and its members to the 300+ judges and 1200+ attorneys registered in the Online Center, including:

- TLC publicized the availability of scholarships offered by the Commission for qualifying Texas attorneys to attend the upcoming NACC Conference.
- TLC is now publicizing the Jurist in Residence letters from Hon. John Specia to judges and attorneys and posting them in the Online Center.
- Hon. Darlene Byrne is providing TLC with the Goals and Initiatives of her Model Court for TLC to disseminate to the judges.
- TLC will be publicizing to judges the Commission's project of making CPS data by county available to judges and of providing the judges with technical assistance in analyzing their county's data by the Center for Public Policy Priorities.
- TLC distributed a survey regarding Family Drug Treatment Courts to over 300 Texas judges for the Drug Court Work Group of the Commission's Training Committee.

### **New Services**

- TLC is creating an email network for participants of the PMC Roundtable, hosted by the Commission, so that the participants can continue to dialogue on how to reduce the barriers to permanency for children and youth growing up in foster care.
- Hon. Ellen Smith is working with TLC to raise awareness among Texas judges of TLC's secure, private email network for judges who preside over or who are interested in learning more about Family Drug Treatment Courts.
- TLC launched its new email network, discussion board, and document vault for judges handling juvenile delinquency cases at the Advanced Juvenile Law Conference.

### **Highlighting Texas' Leadership in Innovation**

Several states are interested in having TLC replicate the Online Center project for them. To acquire funding for this effort, earlier this year TLC applied for a grant from the State Justice Institute ("SJI"). Although TLC did not receive that grant, leaders in several states wrote compelling letters to SJI about the value of TLC's Online Center. Attached are letters from the Chief Justice of the Supreme Court of Alabama, a Florida judge who is a board member of the National Council of Juvenile and Family Court Judges, and the Director of California's Center for Families, Children, and the Courts of the Administrative Office of the Courts. These letters highlight Texas' leadership in innovation in handling abused children's cases.

### **Tools for Attorneys in TLC's Pro Bono Network**

In connection with TLC's joint project with the Texas Young Lawyers Association and the State Bar Committee on Child Abuse and Neglect to recruit pro bono attorneys to represent those of the 14,000 children/youth growing up in the permanent managing conservatorship ("PMC") of the State who would otherwise not have a legal advocate, TLC's attorneys have drafted a paper covering many practice issues regarding legal representation of these children/youth. Mary Christine Reed, Director of the Texas Foster Youth Project, provided input as well. Using private funds and with help from the State Bar and TYLA, TLC's attorneys and others have completed filming a series of training videos for use by pro bono volunteers representing children/youth in the PMC of the State.