



To: Texas Judges Who Hear CPS Cases

**From: The Honorable Robin Sage and The Honorable Dean Rucker,
Jurists in Residence, Supreme Court Children's Commission**

Date: November 17, 2014

RE: DFPS Transformation Report and Suggested Statutory Changes

The Health and Human Services Commission (HHSC), which oversees the Texas Department of Family and Protective Services (DFPS), has been going through the Sunset Advisory Commission process. In early October, The Sunset Advisory Commission released its report on HHSC. The Sunset Advisory Commission directed DFPS to identify any statutory barriers that complicate or prevent implementation of needed changes. On October 22, 2014, DFPS submitted its response to the Sunset Advisory Commission in its Child Protective Services Transformation Report (Transformation Report). We strongly urge you to read these reports at: [Sunset Advisory Commission Report](#) and [DFPS Transformation Report](#).

In its Transformation Report, DFPS suggests amending various statutes in order to gain more flexibility in determining best practices, enable CPS caseworkers to spend more time with children and families, and eliminate duplication and deviation from federal law. Regrettably, the Department was required to provide these recommendations to the Sunset Advisory Commission without any opportunity for collaborative partners, including the Children's Commission and the judiciary, to provide feedback.

The Transformation Report raises serious concerns and makes recommendations that portend an adverse impact on court practices and procedures. At the request of the Senate Health and Human Services Committee, the Children's Commission prepared a succinct response setting out areas of concern with the Department's recommendations for statutory changes. The resource paper can be found at: [Children's Commission Resource Paper](#).

As we go forward, it is vitally important for the judiciary to speak with one voice. Through our efforts over the past several sessions in dealing with issues important to the judiciary, we have found that if judges speak in unison, we have a much better chance of being heard by the Legislature. With that, we humbly request that if you have any comments about the recommendations you send those to Tina Amberboy at your earliest convenience at tina.amberboy@txcourts.gov.

As always, we will continue to keep you informed of progress on these issues and from time to time, we will solicit your suggestions and assistance. We thank you in advance for entrusting the Commission and your Jurists in Residence with the task to lead this effort.