



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

Supreme Court of Texas

Permanent Judicial Commission for

Children, Youth and Families

REPORT TO THE COMMISSION

September 19, 2014

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

**Supreme Court of Texas
Permanent Judicial Commission for Children, Youth and Families
Report for September 19, 2014**

MINUTES –May 16, 2014(adoption pending), TAB 1

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COLLABORATIVE COUNCIL MEMBERSHIP CHANGES, TAB 2

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ONGOING AND NEW FY2015 PROJECTS

- 1. Parent Representation Initiatives**
 - a. Parent Resource Guide**

The workgroup exists to help improve the quality of legal representation for parents in CPS cases. In the last quarter of 2013, Children’s Commission (Children’s Commission or CC) staff organized a workgroup, which began meeting to discuss a Parent Resource Guide and other resources that might be useful to parents navigating the CPS system. The Children’s Commission is also partnering with McLennan County parent representation project that involves the county contracting with private law firms for all legal representation of parents (see item 6).

The Parent Resource Guide project involves producing an on-line and printed version of a guide that does not provide legal advice, but is designed to help parents be educated about the CPS process, their role and responsibilities, and the responsibilities and duties owed to them by others. It is designed to orient parents to the gravity of their situation, validate emotions they may be feeling, and provide tools that may be helpful in organizing and keep track of progress. UT has written the resource guide and it is undergoing a final round of edits by the workgroup. The final draft will be submitted to a designer through House Printing, and once published, will be translated to Spanish. The workgroup will continue to confer and meet in FY2015 to discuss the feasibility of

establishing an online resource center through the Texas Legal Services Corporation, and possibly a video.

2. Child Protection Bench Book (BB)

In October, the BB was connected to LawBox Citation Service. The most recent version of the Bench Book includes legislative changes from the 83rd legislative session, a new chapter on education, and updates to psychotropic medications and medical consent sections. The Bench Book will not be updated again until after the 84th Legislative Session, although new topics may be added in 2014 and/or 2015. Commission staff launched a Bench Book checklist pilot in July 2014 that will run through December 2014. Approximately 25 judges are participating in the pilot, and the goal is to establish whether judges prefer shorter versus multi-page or statutory versus topical checklists, or whether the checklists should be targeted to less experienced versus more experienced judges. This will help the CC determine whether and what type of checklists to include in the bench book going forward. CC staff checked in with pilot participants at the end of August, and will conduct a mid-pilot survey in October 2014 and a final survey in January 2015. The results of the pilot will be reported at the first commission meeting of 2015 and the Bench Book will be updated with the new checklists and all statutory changes prior to the Child Welfare Judges Conference scheduled for August 2015. Link here: <http://benchbook.texaschildrenscommission.gov/>.

3. Round Table (RT) Series

The Commission hosted a Tribal / State Collaboration Round Table on April 23, 2014. The final report was issued in September 2014. For FY 2015, the Children's Commission will work with DFPS to identify at least one Round Table topic and will:

- Form a workgroup to work state purpose and goal of RT, determine format, develop an agenda
- Facilitate and staff workgroup meetings to develop materials, data required, and identify speakers
- Handle meeting location, invitations, attendee lists, travel and match forms
- Produce a written report from the RT within 4 to 6 months

4. Legal Representation Workgroup (LRS)

The Legal Representation Workgroup met on August 1, 2014. The two subcommittees formed earlier this year reported on two broad issues involving several subparts: The Indigence

subcommittee is charged with examining the feasibility of creating a statutory definition of indigence; factors to consider in determining indigence; standardizing indigence affidavits and unsworn declarations; and feasibility of creating a limited duration attorney appointment for parent at time CPS suit is filed. The Standards subcommittee is charged with determining whether the Commission should develop and promote the adoption of standards of representation; the scope of the standards [based on statute, voluntary for the judge/jurisdiction]; inclusion of local practice tips and guidance; whether attorneys should be encouraged (or required?) to sign annual certification acknowledging compliance with standards and education requirements under the Texas Family Code. The LRS Workgroup as a whole will providing comments to the Children's Commission about legislation to statutorily authorize creation of public defender offices; the possibility of using pro-bono attorney services to perform due diligence-limited appointment assignments for alleged fathers, cite by pubs, and indigence determinations; and a pilot project for a small number of urban and rural counties to study early parent appointments (when suit filed, and prior to Adversary Hearing), and include qualitative and quantitative data. Also, Judge Rucker, Judge Redford, and CC Staff met with representatives from the Texas Association of Counties, Conference of Urban Counties, and County Commissioner and Judges Association, and on August 28, Judge Rucker made a presentation about legal representation and our work to approximately 100 county judges, county commissioners, county auditors, and county clerks at the Texas Association of Counties Pre-legislative Conference. The county organizations are receptive to working together to address the structural and fiscal issues related to legal representation in CPS cases. Also, in August, Justice Guzman sent a letter to Senator Ellis in response to his inquiry about legal representation in CPS cases. This summary has also been provided to TAC, CUC, and CCJA to assist their constituents. Some of the suggestions submitted to Senator Ellis include:

- Exploring the development and adoption of Texas Standards of Representation for Attorneys Providing Legal Representation in Child Protective Services Cases (including training standards).
- Examining whether enacting a date certain by which attorneys for parents are appointed would improve the quality of legal representation and the more timely resolution of child protection cases.
- Examining whether counties should develop and publish an appointment of counsel plan similar to that required under the Fair Defense Act.
- Exploring whether an appropriation from the legislature could help offset county expenses associated with appointing counsel in CPS cases or funding pilot projects aimed at developing more cost-effective representation models.
- Examining whether counties should establish compensation standards for rates paid for in court and out of court efforts and travel.

- Examining methods by which attorneys can certify to their appointing judge that they have complied with all mandated training requirements, and to recertify training annually.
- Exploring whether each county should report to the Office of Court Administration annual expenditures for CPS cases broken down between Parent, Child, and State representation.
- Examining whether a tiered compensation system can be established whereby attorneys who obtain board specialization are entitled to compensation at some percentage or rate higher than a standard or non-certified rate.

5. Texas Board of Legal Specialization

An application for legal specialization through the Texas Board of Legal Specialization (TBLS) will be submitted to the TBLS with approval of the Supreme Court of Texas. The Specialization will be defined as follows: Child Welfare Law is the practice of law dealing with judicial and administrative proceedings involving children who are in the conservatorship or legal custody of the State of Texas, primarily pursuant to Texas Family Code, Subtitle E (Protection of the Child). It includes, but is not limited to, proceedings involving a governmental entity, namely the Texas Department of Family and Protective Services (DFPS), and the conservatorship of a child and/or the termination of parental rights, placing children in temporary or permanent foster care, and adoption proceedings involving DFPS in which a court or agency is required to make decisions affecting the parent-child relationship. The required 100+ signatures of attorneys who support establishing a specialization have been collected. The only outstanding item is identifying 20 attorneys who can serve as the advisory committee to the TBLS.

6. McLennan County Parent Representation Project

McLennan County Parent Representation Project involves the county contracting with private law firms for all legal representation of parents. The project goals include: to fully understand the benefits and challenges, including costs, of contracting with private law firms for the representation of parents in CPS proceedings; to evaluate the nature and quality of representation provided by firm attorneys; and to the extent possible, to compare the firm attorneys to the private bar to examine how quality and outcomes may differ. In July, the Children’s Commission undertook the following activities:

- Conducted file reviews of cases that had reached statutory hearings in the last 6-12 months to get a snapshot of attorney practice (pre and post project start date).
- Conducted judicial interview to understand court-specific procedures and expectations, judge perspective of the strengths and challenges of the project, and any changes that could be made going forward.

- Conducted surveys (anonymous and online), and interviews of the firm attorneys to understand how the firm attorneys are representing the parents and the challenges and benefits associated with the project from their perspectives, include cost factors.
- Conducted interviews of the agency attorneys and case workers to get information regarding whether the attorneys attend out of court conferences and meetings, advocate for services, and provide informal advocacy in other ways.

A full report should be completed by the end of 2014.

7. Jurist in Residence

The Jurist in Residence (JIR) position was created to foster judicial leadership and promote greater expertise among child protection judges. The JIR acts as a consultant, trainer, and speaker to provide expert and seasoned judicial advice on matters affecting courts and legal system handling of child welfare cases and issues. Additionally, informational letter and “blasts” concerning items of interests, such as training events, are routinely issued. In FY 2014, the Commission published JIR newsletters or news blasts on the following topics: 1) Release of the updated Bench Book; 2) New Medical Consenter Training; 3) Trial Skills Training Opportunity for Attorneys; 4) Education Decision-maker Form 2085-E; 5) Attorney Training Opportunities; 6) Family Visitation/Visitation Plans; 7) Non-Pharmacological/HB 915 Legislative Update; 8) More information about the Indian Child Welfare Act; 9) New Child Protection Courts; 10) Unaccompanied Alien Children; and 11) Foster Youth in Court Video. JIRs that will be issued within the near future include: 1) Addressing Treatment Needs of Juvenile Sex Offenders; 2) the Hearing Observation Project; and 3) and Permanency Round Tables.

Link to JIR letters here: <http://texaschildrenscommission.gov/jir.aspx>

8. Hearing Observation Project (HOP)

In the summer of 2013, the Children’s Commission conducted an observation and data collection study, called the Hearing Quality Observation Project, involving 164 child welfare hearings held across Texas. The primary purpose of the project was to establish a baseline about the quality of court hearings occurring in child welfare cases in Texas, including hearing factors such as timeliness and length, depth of issues discussed, party and judicial compliance with the Texas Family Code, parental due process, party engagement, children’s appearance in court, attorney preparedness, and attorney and parent satisfaction with legal representation. Since that time, the Children’s Commission issued a report (March 2014), which revealed that the majority of Texas

child welfare courts address statutorily required issues at some point in the case and many courts are sufficiently assessing aspects of the child's well-being while in foster care. There are a few indicators, both statutorily required and national best practices, which might result in better outcomes for children and families, if addressed more often in court. While some information does appear in the case file, the presence of the information in the case file does not necessarily mean that the judge, the parties, or the attorneys are fully informed about the issue or that the information is correct and up to date. Therefore, it is advisable that judges and attorneys discuss as much of the information relevant to the case in the court hearings as possible. The following recommendations highlight areas of inquiry that should be discussed more often in the courtroom and efforts courts can take to enhance the depth and breadth of the information presented.

Recommendations from the full report:

- Consider using specialized judges and/or engage in more specialized training.
- Judges should consider the use of the bench book, bench cards and checklists.
- Set Fewer Cases on the Dockets to Allow for More Thorough Hearings.
- Increase Length of Time of Hearings
- Statutory Hearings Should Be Set at Specific Times
- Judges Should Read Court Reports Prior to Hearing
- Make Reasonable Efforts Findings from the Bench
- Greater Emphasis on Determining the Applicability of ICWA
- Frontload Procedural Issues by Addressing Them During Early Hearings
- Continue to Address Service at Every Hearing
- Admonish Parents of Right to an Attorney At Every Statutorily Required Hearing
- Review Permanency Plans and Concurrent Plans More Often
- Give More Emphasis to Child Well-Being in Placement Review Hearings
- Address Sibling Visitation when Siblings are not Placed Together
- Consider Alternative Placements More Often
- Require Children to Attend Court Whenever Possible
- Engage Children and Parents During Hearings
- Encourage Caregivers, Particularly Non-Kinship Foster Parents, to Attend Court and Engage Them in Process
- Communicate the Study Findings with Relevant Stakeholders
- Promote Training and Education of Indicators, Hearing Quality Observation Project, and Recommended Changes
- Repeat the Study every 2-3 Years to Measure Improvement

Since the final report was issued in March, the results have been presented to the Children's Commission (May 2014), the Annual Court Improvement Program Meeting (May 2014) and the Annual Child Welfare Judicial Conference (June 2014). The Children's Commission staff also began discussions regarding implementation of several recommendations primarily related to well-being

with Judge Robin Sage and Casey Family Programs. The Children's Commission intends to form an implementation team in FY2015 that focus primarily on well-being recommendations, including:

- Reviewing Permanency Plans and Concurrent Plans More Often
- More Emphasis on Child Well-Being in Placement Review Hearings
- Address Sibling Visitation when Siblings are not Placed Together
- Consider Alternative Placements More Often
- Require Children to Attend Court Whenever Possible
- Engage Children and Parents During Hearings
- Encourage Caregivers, Particularly Non-Kinship Foster Parents, to Attend Court and Engage Them in Process

The HOP implementation workgroup will conduct regular meetings and conference calls in FY2015 to determine the priority of recommendations for implementation, policy and practice change, training, and legislative changes.

8. Judicial Disproportionality Workgroup (JDW)

The JDW held an in-person meeting during the annual Child Welfare Judges' Conference and agreed to continue to support the work of the Center for the Elimination of Disproportionalities and Disparities (CEDD) as the Interagency Advisory Council transitions to a statewide committee made up of systems and community leaders. The work of the statewide committee will be focused on data-driven evidence, leadership, cross-systems collaboration, community engagement, and training based on anti-racist principles

The CEDD also hosted the 2014 Cross Systems Summit and the Children's Commission provided support for speaker fees for one of the presenters. The summit focused on a cross systems collaborative approach to addressing inequities in multiple systems and how outcomes in health and human services, social services, education, juvenile justice, housing, and other systems impact health and wellbeing. The summit featured feature breakout sessions on both days on topics around social determinants of health, social justice, community engagement, cross systems collaboration, and advancements in addressing disproportionality and disparities in Texas.

The JDW will continue to work on how the Children's Commission and Texas can:

- Develop and promote judicial and attorney training on how to apply tools designed to reduce institutional racism and bias
- Partner with system stakeholders to include disproportionality in cross-systems trainings and in issue-specific workgroups

- Help connect judges and lawyers to their communities to develop disproportionality efforts at the local level.
- Liaise with the Texas Health and Human Services State Advisory Coalition for Addressing Disproportionality and Disparities
- Staff and monitor the JDW meetings, strategies, timelines, and work product for FY2014, including monthly strategy meetings with the JDW Co-Chairs.
- Include information about Disproportionality and bias in its CPS judicial Bench Book.

9. Tribal/State Collaboration

On April 23rd, Commissioner and Senior Peacemaker Jo Ann Battise welcomed national experts, state court judges, tribal judges, and child welfare leaders to the Alabama-Coushatta Indian Reservation for a half day judicial round table discussion about the Indian Child Welfare Act (ICWA) and how courts can use the ICWA to meet the needs of children and tribes. Judge Darlene Byrne facilitated the round table, gathering ideas and best practices in state and tribal collaboration. The next day, the 4th Annual Tribal/State Symposium included nationally-recognized leaders in tribal/state collaboration, including Tricia Tingle of the Bureau of Indian Affairs, and Chrissi Nimmo, who represented the Cherokee Nation in the Baby Veronica case. Ms. Nimmo gave a moving account of Veronica's journey through the courts. The Symposium was an excellent resource for judges, leading to new connections, partnerships and judicial leaders.

A final report from the Round Table was issued in September 2014 and is included in the meeting materials. The report highlights the importance of (i) cultural awareness; (ii) training/education; and (iii) effective court practice. The Round Table participants noted that a lack of cultural awareness often contributes to the failure to identify Indian children and afford them the protections under ICWA. Also discussed at the Round Table was the need for education regarding many misunderstandings about how to apply ICWA. For example, there is a great deal of confusion about who determines tribal membership. Round Table participants further identified many challenges and possible solutions related to court practice. The group discussed issues such as the lack of accurate information, the need for better notice to the tribe, procedural concerns, and the use of expert witnesses.

The work of the Round Table will also be discussed at the upcoming Tribal/State Symposium on September 18th, hosted by the Ysleta del Sur Pueblo. All of Texas' federally-recognized tribes will be represented at this gathering. The intent of the Symposium is to build on this work while also traveling to the homes of the tribal nations and developing mutually respectful relationships.

For 2015, the Children's Commission will continue to collaborate with tribal nations and system stakeholders to promote ongoing knowledge and understanding of the ICWA and its importance. Specifically, the Children's Commission will endeavor to:

- Work with stakeholders to develop an ICWA Strategic Plan for Texas.
- Continue to collaborate with the Children's Bureau and the participants of the CIP Peer to Peer Exchange to tailor the Model ICWA Judicial Curriculum and other best practices for Texas.
- Update the ICWA Section of the CPS Judicial Bench Book.
- Continue to work on developing and maintaining mutually respectful and ongoing relationships with Texas' three federally-recognized tribal nations.
- Support Senior Peacemaker Battise in her role as a new Commissioner.
- Staff and monitor the Tribal/State Workgroup meetings, strategies, timelines, and work product for FY2015, including monthly strategy meetings with Senior Peacemaker Battise and DFPS.
- Partner with the Alabama-Coushatta to support the 5th Annual Alabama-Coushatta Judicial Symposium with content and finances.
- Assist with any CIP grant application, as requested and appropriate.
- Further connections with Ysleta del Sur Pueblo and Kickapoo tribes through the DFPS tribal/state meetings, Annual Conference of the Native American Section of the State Bar and other networking opportunities.

10. Trauma Informed Care Project

Children's Commission will continue to support DFPS's shift to a trauma-informed care system on the many levels of the organization, with its partners and its staff, therapists, foster/kinship parents, residential contractors, judges, attorneys, CASA volunteers, youth and foster alumni, and STAR Health (the managed care HMO that provides physical and behavioral health to all foster youth in the state's conservatorship). Specifically, the Children's Commission will devote efforts to:

- Develop and promote judicial and attorney training about trauma-informed care, informed by the work of Dr. Karyn Purvis's Trust-Based Relational Intervention and Dr. Bruce Perry's Trauma Academy and other leading trauma experts.
- Include information about trauma informed care in the CPS Judicial Bench Book.
- Liaise with and participate as a collaborate partner in the various trauma-informed workgroups such as the DFPS Trauma-Informed Care Workgroup, the CASA Mental Health Task Force, the Texas Disability Rights' Workgroup, and those that may be created.
- Monitor the trauma-informed care trainings, workgroups, meetings, and strategies hosted, sponsored or initiated by various groups and provide reports to the Children's Commission and other stakeholders as appropriate.

11. Mediation Project

In April 2013, the NCJFCJ endorsed the national Child Protection Mediation Guidelines, which were developed by a national group of experts. The next step for this national group is putting together

training standards for child protection mediation. Over the course of FY 2014, commission staff worked with Cynthia Bryant of the University of Texas School of Law Mediation Clinic and others as they examined data related to CPS cases mediated in Travis County. In September 2015, UT applied for a grant to help determine the best practices and cost-effectiveness of mediation for Travis County, Texas. Additionally the project will develop a cost formula that can be applied to other counties in the state and that will provide a research framework and questions that can be used by other counties. The project aims to answer four broad research questions:

1. What types of child protection cases are best suited for resolution through mediation?
2. When in the life-cycle of a case is the optimal time for mediation to occur?
3. How are outcomes affected by mediation, including the legal resolution of the case, child wellbeing, and time to permanency?
4. Is mediation a cost-effective strategy for resolving child protection cases?

Another goal of the project is to determine the costs of mediation, which will be measured by the full costs associated with cases that are resolved prior to mediation, at mediation, and at trial and include all real costs paid by the courts and departments to prepare and service the case, in addition to the cost of mediation, foster care placement, and any other relevant costs.

The desired result is an evidence-based analysis best practices in mediation and whether mediation in child protection cases is a more cost effective strategy than going to trial without mediation, and whether mediation can be associated with a shorter time to permanency and case resolution.

12. Child & Family Services Review (CFSR)

The federal CFSR is scheduled for June 2016. Part of the process includes a statewide assessment conducted by staff of the child welfare agency, representatives selected by DFPS who are also involved in the development of the Child and Family Services Plan (CFSP) and other child welfare stakeholders. Information gathered as part of the statewide assessment is used by the federal government to determine whether the state is in substantial conformity with the seven outcomes and seven systemic factors used to measure conformity with title IV-B and IV-E of the Social Security Act. The seven child and family outcomes are:

- Children are first and foremost, protected from abuse and neglect;
- Children are safely maintained in their own homes whenever possible and appropriate
- Children have permanency and stability in their living situations
- The continuity of family relationships is preserved for children
- Families have enhanced capacity to provide for their children's needs

- Children receive appropriate services to meet their educational needs
- Children receive adequate services to meet their physical and mental health needs

The seven systemic factors include:

- The statewide information system (SACWIS or IMPACT, for Texas)
- Case Review System: written case plan, periodic court reviews, quality of permanency hearings, termination of parental rights; notice of hearings to caregivers,
- Quality Assurance System
- Staff and Provider Training: initial staff training, ongoing staff training, foster and adoptive parent training
- Service Array and Resource Development: array of services, individualized services
- Agency Responsiveness to the Community: state engagement and consultation with stakeholders pursuant to the state CFSP and APSR, coordination of CFSP Services with other federal programs
- Foster and Adoptive Parent Licensing, Recruitment and Retention: standards applied equally, requirements for criminal background checks , diligent recruitment of foster and adoptive homes, state use of cross-jurisdictional resources for permanent placements

The Children’s Commission will facilitate stakeholder input by hosting stakeholder meetings for three groups: CFSR Stakeholder Group 1 - Case Review System (Section IV of Statewide Assessment Instrument, Systemic Factor B, CFSR Instrument Items 20, 21, 22, 23, 24, 25); CFSR Stakeholder Group 2 - the Service Array and Agency Response to Community (Section IV of Statewide Assessment Instrument, Systemic Factor E, CFSR Instrument Items 29, 30; Systemic Factor F, CFSR Instrument 31, 32); and CFSR Stakeholder Group – the Foster/Adoption Licensing, Recruitment and Retention, to include Foster and Adoptive Family Training (Section IV of Statewide Assessment Instrument, Systemic Factor G, Items 33, 34, 35, 36; Systemic Factor D, Item 28).

13. Protect Our Kids Commission Support

The Protect Our Kids Commission was established by Senate Bill 66 during the 83rd Legislative Session and is charged with studying the relationship between child welfare and child fatalities and must submit a report to the Legislature no later than December 1, 2015. The Children’s Commission will provide administrative and meeting support to the POK commission. Judge Robin Sage (Children’s Commission JIR) is the POK Commission chair.

14. Texas Blueprint: Implementation Task Force, formerly Education Committee

The Texas Blueprint Implementation Task Force and its three workgroups (Data, School Stability, and Training) continued to meet since the last Commission meeting and work on steps identified in

their action plans. The Task Force and workgroup meetings will continue through the end of 2014, when phase I of implementation will come to a close. The Task Force and three workgroups have already started to assess progress thus far and make recommendations for the next phase of implementation. In January 2015, the Task Force and workgroups will present their final recommendations to the Children's Commission.

Some things of note which have occurred since the last commission meeting:

- The Texas team continued its work on the Georgetown Capstone Project to determine how to measure school mobility;
- The School Stability Workgroup closely examined the issues of school attendance and credits, including partial credits;
- The Data Workgroup supported work within TEA and DFPS to promote the exchange of more robust data and better analysis and use of the data;
- The Training Workgroup reviewed the Texas CASA Education Advocacy toolkit and topical education fact sheets, in an attempt to provide better resources for a diverse audience; and
- Collaborative work between the courts, education, and child welfare stakeholders continues to expand on the state and local levels.

Between now and the next Children's Commission meeting, Commission staff will continue to support the Task Force and its workgroups as they complete several deliverables before the end of 2014 and as they formulate recommendations regarding the next phase of implementation, which will likely broaden to include working on the Texas Blueprint recommendations regarding postsecondary education.

Training Projects

The Training Committee met by conference call on September 4, 2014.

1. Attorney Education

Attorney Ad Litem Appointment Eligibility and Online Training Webinars on CPS issues

In partnership with the Children's Commission, the State Bar offers the following online courses to court-appointed attorneys and state and DFPS attorneys:

- Advocating for Youth Aging Out of Foster Care

- Resources and Processes for Representing Crossover Youth with Disabilities
- Special Education Advocacy for Kids in the Foster Care System
- Representing Teen Parents in CPS Cases
- Practice Tips on Representing Children
- Representing Parents in CPS Cases
- Preserving Error and Appeals Issues in CPS cases
- Representing Children in CPS Cases, Updated July 2013
- Trial Skills in the CPS Case

The webinars entitled *Representing Parents in CPS Cases* and *Representing Children in CPS Cases* meet the statutorily required minimum 3 hours of CLE for attorneys seeking to be qualified to take CPS appointments.

To increase the availability of CPS-related CLE online, Staff will ask the SBOT about the possibility of adding the video of this year's Child Abuse and Neglect One-Day Workshop CLE to the library as soon as the Workshop video replays are completed (late October 2014). Additionally, Staff will be creating a new webinar before the end of the year called "Life of a CPS Case/CPS 101" to provide basic training to all attorneys on the CPS docket. Additionally, updates to the basic child and parent webinars are planned for 2015, along with a new CLE on medical issues in CPS Cases (in collaboration with Dr. Sandeep Narang). Staff will partner with the SBOT to produce these webinars. Finally, the SBOT has offered to set aside one day of studio time every year for the Commission to use to tape webinars, without charge to the Commission.

The SBOT's online library of CPS-related webinars is currently free, but the Bar would like to start charging \$25.00 per webinar. There will be scholarships available through the Commission and through the Bar for attorneys who need financial assistance to access this online training. Staff is working with SBOT to amend the webinar registration process and will continue to update the Training Committee.

Attorney Scholarships

The 2014 summer scholarship award process went well, having been streamlined based on lessons learned last scholarship cycle. The Children's Commission coordinated scholarships for two annual CLEs:

1. The State Bar of Texas (SBOT) Child Abuse and Neglect 1-Day Workshop in San Antonio, Texas, on August 6th: 98 scholarships were awarded, the highest number ever to this annual CLE. After some attrition, the final numbers are as follows:
 - 69 attorneys saw the live CLE in San Antonio on August 6th; 10 will watch video replay in Dallas; and 9 will see video replay in South Padre.
 - 37 prosecutors (included ADAs, one CA, and Regional or Managing Attorneys with DFPS) received scholarships to this event;
 - 51 private, court-appointed attorneys received scholarships to this event.
 - Post-event survey results will be shared following the final video replay in late October.
 - Highlights from the survey results collected so far are: 76% of those responding would not have attended without a scholarship; 90% of the respondents reported a better understanding of a child welfare law, policy, or practice as a result of the training; and 65% of respondents reported being familiar with ICWA (a much greater percentage than last year's survey results).
2. NACC Annual Conference in Denver, Colorado, from August 18-20th:
 - 6 newly minted Texas Child Welfare Law Specialists received \$1102 apiece to cover conference registration, plus reimbursement at the state rate for 3 nights at the conference hotel and 3 days' worth of meals.
 - Designated as "training scouts," Staff worked with these scholarship recipients to divide up the conference schedule to cover as many lectures as possible. The Scouts brought back ideas for topics/speakers relevant to Texas.
 - They completed a pre-conference survey and a post-conference survey to help us track any practice changes that were a result of the conference. Survey results will be shared when compiled.
 - These 6 may also be called on to be speakers or trainers in the future.
 - Staff Attorney Jamie Bernstein also attended the conference.

On the horizon: In addition to funding scholarships to next year's Child Abuse and Neglect 1-Day Workshop and the NACC's Annual Conference, the Commission will also provide scholarships to the ABA's semi-annual Parent Attorney and Child Attorney conferences in July 2015 in Washington, DC.

NACC Fee Waivers for Child Welfare Specialist Exam

The NACC Grant is for reimbursement of the \$350 certification exam fee for Texas attorneys and judges who have qualified to sit for the NACC's Child Welfare Specialist Exam. Of those who qualified to take the exam since late 2013, six from Texas passed the exam successfully and have taken advantage of this grant. The total cost to the Commission has been \$1,950.00.

Since our last meeting, 16 Texas attorneys have been approved to take the CWLS exam; 2 are up for review to determine their eligibility to take the exam, and 19 Texas applicants have incomplete applications. Staff is recommending that this grant be reduced from \$10,000 to \$5,000 for FY2015.

Trial Skills Training

The next Trial Skills Training will be Oct. 1-3 in Austin. It will be the second Training following the Pilot Trial Skills Training, one year ago. Eighty-six applications were received for a total of 21 spots. Staff is in the process of tweaking the schedule, some of the lectures, and some of the group exercises based on feedback from April's TST. Based on additional debrief information from faculty and students, Staff is in the process of locating a therapist for parents who will participate in trial skills exercises as an additional witness. The three newer faculty will participate after having observed the training in April, and additional prospective faculty will be invited to attend. A report on the effectiveness of these improvements will be made at the next Commission Meeting. In 2015, two additional Trial Skills Trainings will be hosted. Staff anticipates that one will be in the Spring and the other in the Fall. Exact times and locations will be announced shortly.

State Bar Of Texas Child Abuse and Neglect Committee

The CAN Committee hosted the 1-Day Child Abuse and Neglect Workshop mentioned above, and used \$10,000 of training funds from the Children's Commission to support their Child Welfare Law Conference in June, which was held in connection with the annual Keeping Infants and Toddlers Safe (KITS) conference.

DFPS Attorney Training

Based on their successful initial attorney training, the Department has requested \$2,500 in funds to train their regional attorneys in November of this year. The funding would go to cover speakers' fees.

Texas CASA Training

CASA's FY2015 training projects are intended to increase the understanding of the impact of trauma and understanding and awareness of proven strategies and interventions provided in the TBRI (Trust Based Relational Intervention) model of treatment to help CASA volunteers, CPS caseworkers, attorneys, judges, placement providers, therapeutic providers, kinship and families implement strategies that positively impact well-being and permanency outcomes. Texas CASA also will seek to learn how TBRI fits into the broader goal of creating a statewide trauma-informed system. Working closely with the Travis County Collaborative and the TCU Institute for Child Development, continuing the work of the Texas CASA Mental Health Task Force, utilizing the training efforts and outcomes TBRI "educators", and engaging with other state and nationally recognized trauma experts Texas CASA will develop a report of recommendations and information regarding trauma informed practice and the intersections with TBRI that offer greatest opportunity to improve child outcomes.

CASA will undertake several activities and events in FY2015:

1. ~~Monthly~~ [Quarterly set](#) coaching sessions with TBRI "educator" teams.
2. At least one in-person meeting during FY2015 with TBRI teams.
3. Quarterly "cluster" phone conferences with TBRI teams.
4. One workshop at the 2015 CASA Conference for the TBRI teams.
5. Document ongoing collaboration with Dr. Karyn Purvis and the TCU Institute of Child Development, including the use of current and development of new materials dvd's and training aides.
6. Written documentation of each TBRI team's training plan, including progress on the plan.
7. Development of evaluation tools for TBRI educator training, team coaching and use of TBRI information and training in local areas.
8. In collaboration with the Children's Commission, identify and compile a list of trauma informed programs/projects/services currently implemented around the state.
9. Conduct site visits of programs and projects (as identified in #7 above) that are implementing trauma informed service models to learn directly how different models function day to day.

- Caselaw Update Trevor Woodruff
- Minor Sex Trafficking Geoff Barr
- Laws and Policies Affecting Limited English Proficient People in Texas Courts Marco Hanson
- CASA Focus Group Vicki Spriggs
- Judicial Checklist Focus Group Judge Dean Rucker
- Education Decision Making Ian Spechler
- Neuroscience of Decision Making Kimberly Papillon
- Mental Health in Texas Andrew Keller, Peter Selby, Cheryl Fisher, and Sarai Leeb

2015 annual conference is tentatively scheduled for August in Austin and funding related to the conference is included in the Texas Center for the Judiciary grant application for FY 2015.

Judicial Scholarships to Attend the NCJFCJ Annual Conference– In July 2014, a number of Texas judges attended the annual NCJFCJ conference in Chicago. Full scholarships were initially offered to judges who serve on one of the commission’s committees, workgroups, or other initiatives. Eleven judges accepted the full scholarship. An additional five scholarships, which covered 80% of expenses related to attending the conference, were offered to judges who hear CPS cases. Additional requirements included attendance at the Texas Child Welfare Judges Conference, hearing a significant number of CPS cases, and membership in the NCJFCJ. In 2015, the annual NCJFCJ conference will be held July 26-29 in Austin. Funding for scholarships to the conference is included in the FY 2015 TCJ grant application.

Judicial Technical Assistance – Part of the TCJ FY 2015 grant application includes funding for judicial technical assistance that TCJ provides the Children’s Commission throughout the year, including facilitation of meetings, developing additional judicial trainings, and speaker and other fees related to conferences not specifically funded.

Child Welfare Track at Family Violence Judicial Conference -- The Family Violence Judicial Conference targets district and county court at law judges throughout the state. The 80th Legislative Session in Texas mandated additional judicial training in child abuse and neglect (CAN) requiring that judges receive 12 hours of FV/CAN during their first term of office and 5 hours every term thereafter. To satisfy this statutory requirement, the Texas Center offers a yearly conference providing judicial education related to family violence, sexual assault and child abuse and neglect. This conference typically reaches between 110-120 judges. This year

the Texas Center will work the Commission to develop sessions at the Family Violence Conference specifically for general jurisdiction judges who hear cases involving child welfare. This will be an excellent opportunity to reach judges who might not have attended a Commission sponsored conference in the past. This conference will be held in January 28-29, 2015 at the Westin Riverwalk in San Antonio. Funding for a child welfare track at this conference is included in the TCJ FY 2015 grant application.

Technology Projects

Notice & Engagement Web Application

The project involves using non-confidential case data to provide notice to parties and interested persons about upcoming hearings, and is distributed via email. The Children's Commission sent an announcement to one CPC court and three child placing agency partners advising of the Child Protective Services Hearing Notification tool. The notice advised that the service is only available for cases covered by CPC courts, and that each participant must set up a user account within the Child Protection Case Management System (CPCMS) in use by those courts.

Once a profile or user account has been created, the user can search for cases to which they are assigned or interested. The case search page requires at least part of the parent, adoptive parent or guardian's last name, and the exact spelling of the child's first and last name as well as the county where the suit is filed. The search will look for open cases and display a Summary of Upcoming Hearing Dates. The results will also display a Summary of All Open Cases regardless of whether a hearing has been scheduled or not. The summary can be printed out or can be sent to the user via email. A user can remove a case from their notification profile by simply clicking the "remove" link next to the case information. The user has the option to receive notices 1, 3, 7, 14, and / or 30 days in advance of any hearing scheduled. A user guide was developed by OCA: [CPS Hearings User Guide](#) and users can set up an account by linking to <https://cpshearings.txcourts.gov>

As of August 25, 2014 there were 55 users – primarily from Judge Villalon's court. All reports are even though users are few in number the system is easy to use and works correctly.

For FY2015, OCA will maintain this project and assist the Children's Commission with tracking usage, distributing information to users, and collecting survey results from users.

Video Conferencing

The video conferencing project enables children involved in child abuse and neglect cases to participate in permanency and placement review hearings without them being physically present in the courtroom. OCA hosts and supports the hardware and software required to facilitate video conferencing between courts and residential placements. OCA has drafted a “how to” for use by Courts and other stakeholders who wish to use video conferencing for a particular hearing. OCA also maintains a list of Residential Treatment Centers with video conferencing capability as well as a list of courts.

OCA developed a user guide, and also maintains a log of all hearings conducted, including the date, time, participating court, type of hearing, participating placement, length of hearing, any problems with the transmission quality or technical difficulties. There are currently 57 RTC’s and 19 courts in the system, over 280 hearings have been hosted by OCA this year. OCA also reports that they are picking up General Residential Operations and Emergency Shelters.

For FY2015, OCA will continue scheduling, coordinating, and tracking remote hearings for existing remote users including test calls. OCA will also increase the number of participating courts by six (6), and increase the number participating DFPS service provider sites by 10 during the fiscal year.

Child Protection Case Management System (CPCMS)

CPCMS is a case management system that is unique to Child Protection Courts. It has been in use since 2009. OCA provides project management, programming and testing services for CPCMS. OCA staffs a CPCMS Advisory Council of CPC judges, OCA staff and Children’s Commission staff to evaluate bug fixes or enhancements. The CPCMS Advisory Group has been meeting monthly since the summer of 2013 and provides governance in order to prioritize enhancements and bug fixes. This group regularly identifies changes to the system that will further increase the courts’ productivity.

For FY2015, OCA will continue to staff the Advisory Council, maintain and enhance CPCMS according to Advisory Council directives and deliver certain court-specific and performance-specific reports to OCA and Children’s Commission.

Personal Document Storage Project

New project for FY2015 that involves a way to store documents securely in the cloud and make them accessible to registrants – in this case, foster youth who have aged out of the foster care system. Although DFPS is required to deliver documents to youth leaving foster care, once they are

out, circumstances may be such that these documents are lost or misplaced. The lack of these documents and the inability to replace them can contribute to further difficulties and trials for former foster youth. OCA will provide limited project management that will include identifying resources to properly scope the project so that it can be submitted to IT vendors on the Department of Information Resources database for pricing. OCA will evaluate responses. Based on the responses, OCA will complete the statement of work for the project including the scope, architecture and deliverables and price the development costs of the project.