



# Children's Commission

## For Judges Handling Child Protective Services Cases

March 2, 2018

### New Required Domestic Violence Training for Child Protection Mediators

Domestic violence (DV) persists as a tragic and dangerous problem among Texas families, with significant impacts on family ecology and child well-being. According to the [2016 Texas Council on Family Violence Honoring Texas Victims Report](#), 146 women in Texas were murdered by their male partners, leaving 183 children without a parent. Perhaps more startling, 40% of the women killed had made attempts to end or leave their relationships, underscoring that post-separation violence is prevalent and associated with an increased risk of lethality.<sup>1</sup>

Texas Family Code [Section 153.0071](#) (f) has for years provided for the opportunity to object to mediation on the basis of family violence in recognition of the potential risks and inefficacy of the mediation process when domestic violence is an issue. However, parents referred to mediation under this section as part of a Child Protective Services case are explicitly precluded from the ability to object to a mediation referral even though domestic violence is common in child protection cases and the same dangers and dynamics exist for the affected families.

Since the law does not allow a party in a child protection case to object to mediation even when issues of domestic violence are present, it is essential that those who mediate child protection cases have training in the dynamics of domestic violence. In recognition of this need, the 85th Texas Legislature passed [SB 539](#), requiring a minimum of four hours of DV training for mediators. While this law is not specific to child protection mediators, the mandated training applies to anyone mediating a Suit Affecting the Parent Child Relationship. To be certified, mediators should have 40 hours of basic and 24 hours of family-specific training, four of which must be specific to DV. The aim of the requirement is to equip mediators with accurate and relevant information on domestic violence to enhance safety and child welfare.

TCFV has created an online curriculum tool kit, available at [www.tcfv.org](http://www.tcfv.org), which meets the statutory training requirements for certified mediators. The tool kit is available free to TCFV members and consists of four modules around the following core components:

- dynamics of domestic violence,
- child exposure to DV and promoting resiliency,
- intersection of DV and child custody including the Texas statutory framework, and
- frameworks for trauma-informed, safety-centered mediation practice.

Each module includes the power point slide deck for download as well supplemental documents with links to relevant multi-media tools, research, and data. Both the online and in-person training has been approved for four hours of continuing education for social workers, LPCs (CEUs) and attorneys (CLEs), including ethics credits.

Mediation professionals working with families as part of a child protection case play a critical role in supporting the safety of children, families, and communities. We encourage you to share this training opportunity with mediators in your jurisdiction as well as those who select mediators for child protection cases.

<sup>1</sup> 2016 Honoring Texas Victims Report, Texas Council on Family Violence. Retrieved <http://tcfv.org/resource-center/honoring-texas-victims/>.



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