



# Children's Commission

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

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## POLICIES AND PROCEDURES

2023

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# PERMANENT JUDICIAL COMMISSION FOR CHILDREN, YOUTH AND FAMILIES

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The Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families (Children's Commission) was created in 2007 with the overarching goals of improving judicial and legal practice, cultivating judicial leadership, facilitating collaborative solutions, and informing policy affecting children and families involved with the child welfare system. The Supreme Court of Texas [Order](#) Establishing the Permanent Judicial Commission for Children, Youth and Families is available on the Children's Commission website.

The Children's Commission performs the following functions:

- administers the federal Court Improvement Program in Texas;
- provides expertise, cultivates judicial leadership, and supports a collaborative network of interested stakeholders;
- supports committees, task forces, and workgroups formed to address specific and timely issues such as tracking and utilizing data effectively, expanding understanding of the impact of trauma, and improving legal representation for all parties;
- trains and educates judges, attorneys, and other child welfare stakeholders about the federal and state laws and policies that govern foster care so that children and families can experience safety, well-being, and permanency;
- communicates legislative and policy changes, along with information about best practices, in a timely manner to Texas judges and lawyers who handle child welfare cases throughout the state;
- convenes round table discussions about critical and urgent issues with subject matter experts representing multiple systems and perspectives; and
- provides written resources and tools to support best judicial and legal practices in child welfare matters.

Supreme Court of Texas Justice Debra Lehrmann is the Chair of the Children’s Commission and Justice Rebeca Huddle serves as Deputy Chair. The Children’s Commission staff includes an Executive Director, an Assistant Director, a Legal Representation Director, three Staff Attorneys, two Executive Assistants, two Program Specialists, one Communications Manager, a Finance Manager, and an Accountant.

The Children’s Commission has no authority over state agencies or their operational details and does not discuss or consider non-administrative aspects of specific, active cases. The Children’s Commission is committed to incorporating principles of Continuous Quality Improvement (CQI) into projects supported and funded by the Children’s Commission.

## **COMMISSION RESPONSIBILITIES**

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The Children’s Commission was created to develop, implement, and coordinate policy initiatives designed to improve courts and court practices for children, youth, and families in the child welfare system.

Per the Supreme Court Order establishing the Children’s Commission in 2007, the Children’s Commission will:

- develop a strategic plan for strengthening courts and court practice in the child welfare system;
- identify and assess current and future needs for the courts to be more effective in achieving child welfare outcomes of safety, permanency, well-being, fairness, and due process;
- promote best practices and programs that are data-driven, evidence-based, and outcome-focused;
- improve collaboration and communication among courts, the Department of Family and Protective Services, attorneys, and other child welfare stakeholders;

- endeavor to increase resources and funding needed for improvement, and maximize the wise and efficient use of available resources;
- promote adequate and appropriate training for all participants in the child welfare system;
- institutionalize a collaborative model that will continue systemic improvement beyond the tenure of individual Children’s Commission members;
- oversee the administration of designated funds, including the Court Improvement Program grant; and
- provide an annual progress report to the Court.

The Children’s Commission also administers the federal Court Improvement Program (CIP) Grant. The CIP grant is awarded by the Administration for Children and Families of the U.S. Department of Health and Human Services to the highest court of each state in the nation to develop and implement plans for systemic improvement. The Supreme Court of Texas has been the recipient of CIP funds since the program’s inception in 1994, but the Supreme Court of Texas does not directly manage the grant funds or direct how and under what circumstances grant funds are made available to fund certain projects. The CIP grant is administered by Supreme Court staff who work directly for the Executive Director of the Children’s Commission. The Executive Director updates the Supreme Court of Texas on Commission activities through the Supreme Court Justices who serve as the Chair and Deputy Chair of the Children’s Commission.

## **COMMISSION STRUCTURE**

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### **Membership Terms**

By court order, the Children’s Commission consists of no less than fourteen (14) Commission members who are appointed by the Supreme Court of Texas, and a Chair, who is a Justice of the Supreme Court of Texas. Commission members serve a three-year term and may serve a consecutive three-year term upon expiration of the first term. Regardless of the date of the appointment order, Children’s Commission membership expires on the last day of November

during the last year of the member's term unless the term is extended by Supreme Court order. Except for the Chair, the Associate Commissioner for Child Protective Services, the Chief Executive Officer of Texas CASA, and the Chair of the State Bar of Texas Child Protection Law Section who are standing members of the Children's Commission, a member may not be appointed to serve more than two successive full terms as a commissioner.

A member who has served two successive full terms is not eligible for reappointment until the first anniversary of the date that the member's last full term on the Children's Commission expired. A vacancy may occur when any member of the Children's Commission is absent from three consecutive commission meetings. Senior-level or experienced commissioners may be appointed by the Supreme Court of Texas to serve in an adjunct position to ensure continuity and support for the commission's work. If a member is unable to attend a meeting, the member may send a proxy. However, the proxy will not be counted as a voting member.

### **Membership Composition**

Children's Commission members include members of the judiciary, members of the child welfare system, representatives of the business and legal communities, representatives of foundations or organizations with a substantial interest in child welfare issues, parents and young adults with lived experience, and other state leaders who have demonstrated a commitment to the children, youth, and families of Texas. The Children's Commission's membership also reflects the diverse communities of Texas, including but not limited to, race, ethnicity, gender, and geography.

## **EX OFFICIO MEMBERS**

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The Governor may designate a person to serve as an ex-officio member of the Children's Commission. The Lieutenant Governor and the Speaker of the House may also designate a member of that presiding officer's chamber to serve as an ex-officio member of the Children's Commission. A member appointed by the Governor, Lieutenant Governor, or Speaker serves at the pleasure of the appointing officer and is not a voting member of the Children's Commission.

# COMMISSION MEETINGS

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Children's Commission meetings are conducted four times per year. Committee reports, an agenda, and other relevant materials are made available to the Children's Commission members, Committee members, Collaborative Council members, and other interested child welfare stakeholders in advance of each Children's Commission meeting. The Chair of the Children's Commission conducts the meetings. The Deputy Chair or the Jurist in Residence conducts Children's Commission meetings in the Chair's absence. The Executive Director of the Children's Commission also makes a report at each Children's Commission meeting.

## **Commission Reports**

Committee activity is memorialized in the Commission Report issued prior to each commission meeting and may be presented verbally at the Children's Commission meetings. Each Commission Report is provided in advance of each commission meeting to all Commission members, Committee members, Collaborative Council members, and interested child welfare stakeholders, and is posted on the Commission website.

## **Public Comment at Children's Commission Meetings**

The Children's Commission is a Judicial Commission as defined by the Judicial Rules of Administration and is not subject to the Texas Open Meetings Act, Government Code Section 552. As such, it is not required to post meeting notices in accordance with the Act. However, meeting dates and materials are posted online on the [Children's Commission Meetings](#) webpage. Children's Commission meetings are open to the public. Advance notice of attendance is preferred when practicable in order to accommodate additional guests. Auxiliary aids for disabled persons are available upon request at least 72 hours in advance of an event. Participation by phone is not available. Children's Commission meetings are livestreamed if at all possible and are broadcast on the Children's Commission [YouTube Channel](#). Any interested stakeholder or member of the public may submit written comments about any Children's Commission matter

or Committee matter to the Children’s Commission at [children@txcourts.gov](mailto:children@txcourts.gov) or may contact the Executive Director in advance of any Commission meeting.

### **Travel Reimbursement**

The CIP is federally funded, and travel reimbursement is thereby governed by the reimbursement policies of the CIP, the Children’s Commission, and the Supreme Court of Texas. Most Children’s Commission workgroup, subcommittee, and task force meetings are held in Austin, Texas. Commission members who travel to Austin for Children’s Commission or related workgroup meetings may submit certain travel expenses to the Children’s Commission for reimbursement. Any person with work headquarters in Austin, Texas is not eligible to claim travel reimbursement under the State of Texas Travel Guidelines, which are outlined in the [Travel Guidelines](#) on the Children’s Commission website.

## **COMMITTEES AND WORKGROUPS**

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The Children’s Commission has an Executive Committee and four standing committees: Data, Legal Practice & Process, Systems Improvement, and Training. The Children’s Commission also may form ad hoc committees and workgroups. Each committee, subcommittee, and workgroup is staffed by a member of the Children’s Commission staff and is chaired by a member of the Texas judiciary handling child abuse and neglect cases, a member of the Children’s Commission or one of its committees, or another person with expertise in the subject matter area.

### **Executive Committee**

The Executive Committee is composed of the Children’s Commission Chair, the Deputy Chair, Jurists in Residence, and the Chairs of the Data, Legal Practice & Process, Systems Improvement, and Training Committees. The Executive Committee has the authority to consider issues that occur in the interim between the Children’s Commission’s four annual meetings. The Executive Committee does not have regularly scheduled meetings, but rather meets on an “as needed” basis.



## **Committee Responsibilities**

Each committee participates in the execution of strategies adopted in accordance with the federal CIP requirements and the Children's Commission's Strategic Plan.

## **Committee Membership**

Committee Chairs may add or remove members at their discretion. Attendance by committee members at Children's Commission meetings is not required but is encouraged.

Any Collaborative Council member may submit a request to the committee chair or to the Children's Commission Executive Director to be added to any Children's Commission committee, subcommittee, workgroup, or task force. The Children's Commission has discretion to invite the Collaborative Council member to a different or additional project depending on current membership and area of interest.

## **Committee Meetings**

Each standing committee shall conduct at least one meeting in the interim between Children's Commission meetings approximately two to three weeks before each Children's Commission meeting. Ad hoc committee meetings will be scheduled by the Chair, as needed. Committee meetings may be conducted in person, by webinar, or by conference call. Committee members will receive notice of meeting dates via email invitation to the most current contact information provided to the Children's Commission and members will receive any meeting materials in advance.

## **Workgroups and Subcommittees**

Workgroups and subcommittees are formed based on the need, the outcome expected as a result of the work, whether there are measurable objectives or anticipated outputs from the effort, and whether there are any data that can be collected to provide evidence of the project or workgroup's usefulness. The same process is used periodically to assess the impact and productivity of workgroups and subcommittees.

# COLLABORATIVE COUNCIL

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The Collaborative Council assists the Children’s Commission by informing commission members of local and statewide activities, events, and issues that affect judicial and court practices in child welfare cases, and to help facilitate participation in Children’s Commission activities and grant-funded projects.

## **Composition**

The Collaborative Council is composed of child welfare stakeholders and advocates as well as child and parent advocates who seek participation and formal input into the activities, projects, and strategies undertaken by the Children’s Commission.

## **Membership**

Collaborative Council members serve at the discretion of the Children’s Commission for no set term. Vacancies on the Collaborative Council may occur at any time during the year as a result of resignation or removal due to inactivity. Three consecutive absences from Children’s Commission meetings or non-participation by the Collaborative Council member on assigned committees may result in removal from the Collaborative Council.

## **Collaborative Council Input**

Collaborative Council members who attend commission meetings are provided the opportunity at the end of each commission meeting to provide comments, ask questions, or share information of interest to commissioners and others. Collaborative Council members can also contact the Children’s Commission directly to submit comments, information, and announcements. Collaborative Council members are also invited to join the bi-weekly stakeholder call hosted by the Children’s Commission, which is typically held every other Wednesday with the Department of Family and Protective Services (DFPS), the Office of Court Administration (OCA), and various other stakeholders. The Children’s Commission convenes the Collaborative Council annually, typically in conjunction with the fall Child Welfare Judges Conference.

## **Interested Parties**

Any interested party or member of the public wishing to be apprised of Children’s Commission activities and meetings must notify Children’s Commission staff at [children@txcourts.gov](mailto:children@txcourts.gov). Interested persons may provide input to the Children’s Commission by submitting the issue in writing to [children@txcourts.gov](mailto:children@txcourts.gov). The Children’s Commission does not discuss or consider specific, active cases. For more information about the Collaborative Council, please see the [Collaborative Council Overview](#).

# **COURT IMPROVEMENT GRANTS**

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The federal Court Improvement Program is intended to improve court processes that will result in improved outcomes of safety, permanency, and well-being for children involved in the child welfare system. The Children’s Commission is guided in its use of CIP funds by the Children’s Commission’s Strategic Plan, which incorporates strategic objectives relevant to each CIP grant received.

## **Grant Applications**

The Children’s Commission does not make grants to individuals. The CIP grant year follows the federal fiscal year from October 1st of a given year to September 30th of the following year. Decisions to fund grant requests are at the discretion of the Children’s Commission. All funding from the Children’s Commission is subject to the availability of funds. The receipt of an application for grant funding does not obligate the Children’s Commission to fund the grant. The Children’s Commission makes no commitment that a grant, once funded, will receive funding beyond the fiscal year.

## **How to Apply**

Grant applications are accepted from May to July and award decisions are announced prior to October 1 of the application year. The application, guidelines, and instructions are available on the Court Improvement Program [Grants webpage](#) on the Children’s Commission website.

Applications must be submitted electronically. Please contact [cip.grant@txcourts.gov](mailto:cip.grant@txcourts.gov) if additional information is needed about the grant application process.

### **Grant Review Process**

Once received, an evaluation of the grant application is conducted by the Children's Commission staff. The Children's Commission or its designees will render decisions on applications for funding through grant review conducted to determine how well each proposal aligns with the Children's Commission and CIP Strategic Plans. Additional considerations include whether the grant project is replicable on a small or large scale, whether it has the potential to bring about or inform systemic changes to local or statewide judicial and child welfare practice, and whether it can be sustained moving forward.

### **Approval Process**

Once staff review is completed, the application is presented to the Executive Committee for consideration. If the application is approved by the Executive Committee, the proposed grant is shared in the presentation to the four standing committees and subsequently included on the Children's Commission's agenda for funding approval. The Executive Director may submit funding requests and recommendations to the Children's Commission or Executive Committee as necessary.

Grant awards are made after the Children's Commission members vote to fund the project at one of its four annual meetings. Urgent requests can also be awarded in the interim at the Executive Committee level and later ratified by the Children's Commission at its next scheduled meeting.

### **Electronic Voting**

Any action required or permitted to be taken at any meeting of the Children's Commission may be taken without a meeting if consent to do so is in writing (including in electronic form), sets forth the action to be so taken, and is signed or evidenced by email consent or other electronic means such as voting via an electronic voting instrument.

## **Children's Commission Conflict of Interest Policy**

Commissioners and committee members who serve in an official advisory capacity or on the board of directors for any organization applying for a grant from the Children's Commission shall abstain from voting on any matter concerning the organization that is presented to the Children's Commission or one of its committees for approval.

## **Grant Awards**

Award statements ordinarily cover a funding period of October 1<sup>st</sup> through September 30<sup>th</sup> of the federal fiscal year. All grants, regardless of the starting month, end on September 30<sup>th</sup> of the federal fiscal year in which the grant is issued. Any unexpended balance of the sum granted will revert to the Children's Commission. Extensions of time to complete a grant project may be requested. The extension of time must be approved by the Finance Manager and Executive Director.

All sub-grantees are required to provide the Children's Commission with a semiannual report that details program progress after six months and a final report after the conclusion of the grant period by no later than November 15<sup>th</sup> of the same year. All reports must be written in accordance with report requirements provided by the Children's Commission to sub-grantees which can be found on the Court Improvement Program Grants webpage on the Children's Commission website.

## **Award Notice and Statement**

Notice of the Children's Commission's decision to fund a project will be sent to the authorized official identified on the grant application. The Award Statement will outline the project detailed in the grant application, any data collection requirements, and the approved budget by category and award amount.

## **Reimbursement Process**

The Requests for Reimbursement (RFR) spreadsheet and instructions are attached to the Award Statement. The grantee should complete each applicable tab in the RFR spreadsheet and submit

it to the Commission Accounting via email at [cip.grants@txcourts.gov](mailto:cip.grants@txcourts.gov) within 30 days of the calendar month in which the grant-related expenses are incurred. Alternative expenditure reporting requirements may be requested via email at [cip.grants@txcourts.gov](mailto:cip.grants@txcourts.gov). The Finance Manager will review the expenses for compliance with 2 CFR 200 (Code of Federal Regulations), and the grant terms outlined in the Award Statement. The grantee will be required to provide additional expense-supporting documentation and/or explanation for the expense upon request by the Finance Manager. The final RFR is due no later than November 15<sup>th</sup> of the grant period. Reimbursements will be processed within 30 days of the date the RFR is received unless further review of expenses is warranted. Payments will be made utilizing ACH/Direct Deposit unless otherwise specified.

### **Contract Terms**

The Children's Commission's staff has the authority to negotiate specific terms and conditions for all sub-grantees so that the activities funded best reflect the strategic initiatives of the Children's Commission and meet all state and federal fiscal and program reporting requirements.

### **Discontinuance of Grant Projects**

The Children's Commission staff will monitor all grant activities and fiscally audit sub-grantee activities and expenditures. The Children's Commission reserves the right to cancel, modify, or rescind any grant award that is deemed not in compliance with CIP regulations. Children's Commission staff may, but is not required to, seek approval from the full Commission to rescind or discontinue a grant project. Each sub-grantee must expend funds in a reasonable manner and expenditures must be necessary to carry out the objectives of the program. All expenditures must be supported by appropriate documentation. All sub-grantees must maintain records related to the funded activity for at least three years after the end of the grant period.

### **Required Federal Grant Reporting**

The Children's Commission is required to submit financial reports to the Administration for Children and Families detailing both the cash transactions made using CIP funds and separate

reports detailing the expenditures made with the same funds. All CIP fiscal and cash transaction reports are kept on file by the Children's Commission for at least three years from the date of submission to the Administration for Children and Families.

## **STAFF DIRECTED PROJECTS**

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### **CIP Projects Performed by Children's Commission Staff**

The Children's Commission staff may also perform tasks to support various projects and programs using CIP funds. These funds may be used for salaries, fringe, travel, equipment, and supplies. Projects may include conference planning, research projects, training sessions and events, data collection and analysis, judicial and child welfare practice surveys, facilitation of meetings, production of reports or analysis of projects, production of written resources for judges and attorneys, legal and judicial scholarships to national and state events, and miscellaneous tasks aimed at improving courts and court outcomes for children, youth, and families. Staff may develop and implement these projects through interagency agreements with other agencies or quasi-judicial entities, through contracts, or through Children's Commission staff efforts and expertise. The Executive Director will submit project plans and funding requests that support staff projects when appropriate.

### **Supreme Court of Texas Support and Services**

The Supreme Court of Texas provides support for the CIP such as office space, furniture, renovation, major office equipment, human resources, personnel support services, legal counsel, payment of salaries, fringe, staff travel reimbursements, office supplies, cell phones and service, and copying and fax service. Other services include processing grant reimbursement requests from grant recipients, travel reimbursements from Children's Commission stakeholders traveling or presenting on behalf of the commission, and processing payments for memberships and conference fees.

To reduce the amount of time and resources spent generating invoices, payments, and reimbursements, and to offset the cost of certain indirect services, the Children's Commission transfers an annual payment at the beginning of the new fiscal year to cover all indirect services to include accounting, human resources, personnel, legal counsel, and other expenses associated with operating and maintaining the Children's Commission staff and staff functions such as office supplies, cell phones and service, and copies. Salaries, fringe, staff travel, and significant equipment purchases are paid from CIP grant funds directly with assistance from Supreme Court of Texas accounting.

The Children's Commission Executive Director will authorize a lump sum payable on October 1<sup>st</sup> of each year an amount equal to 1% of the projected fiscal year distribution from the Administration for Children and Families.



# STAFF CONTACT INFORMATION

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