

State of Texas Court Improvement Program 2013 Annual Self-Assessment Report December 30, 2013

1. Provide a bulleted list of the workgroups, committees or planning groups your CIP currently participates in with the child welfare agency, tribes, and other important partners. Concisely summarize the purpose of each group and the role of the CIP in that group.

Workgroups/Committees/Planning Groups	Purpose	Role of CIP
Supreme Court Children’s Commission	To improve safety, permanency and wellbeing of children and families in the Texas child protection system through judicial leadership.	CC/CIP manages the children’s commission, a 40-member collaborative council and over 100 child welfare stakeholders who serve on various Commission workgroups and subcommittees, and advisory councils.
ACF Region VI Parent Representation Group	To improve quality of legal representation for parents in CPS cases.	Collaborates with other ACF Region VI states; Participated in the development of Indicators of Success; will support pilot parent representation project in McLennan County to use Indicators of Success.
Attorney Training Scholarships	To coordinate an application and scholarship process to allow Texas attorneys to attend training events to improve skills in providing legal representation to parents, children, and DFPS.	CC / CIP manages the scholarship process internally and via contractual relationships with State Bar of Texas, American Bar Association, and National Association of Counsel for Children to arrange for registration fee waivers and also pays for travel expenses, when funding allows.
Child Protection Court Advisory Committee	To provide guidance and feedback on the Child Protection Case Management System re maintenance and enhancements to the case management system used by 123 rural courts, and that collects state child welfare data from a court system as opposed to the child welfare agency SACWIS.	CIP funds and supports the staff that works on the development and maintenance of this software program; CC staff consults with this Advisory Group on funding priorities affecting system maintenance, bug fixes and system enhancements to help manage child welfare data collected by the 17 courts that use this case management program.

<p>Child Protective Services Bench Book Committee</p>	<p>To provide written and online access to a CPS Bench Book to child welfare judges, attorneys, multidisciplinary stakeholders.</p>	<p>Maintains pdf and web version on Commission’s website; Updates after each legislative session; Adds new content as appropriate.</p>
<p>Family Visitation Roundtable</p>	<p>To advise DFPS on how to move from its traditional one-size-fits-all approach on visitation to one that serves the child and family in a more individual manner. The discussion focused on why have visitation, motivation and punishment, frequency, supervision, location of visits and who should develop the visitation plan.</p>	<p>CIP / CC formed and staffed the planning workgroup, hosted the round table, and wrote the final report on visitation. The round table and final report also took into consideration feedback from over 800 stakeholders on how to reform visitation policies and practices. There was also legislation passed in 2013 that required DFPS to reform its visitation practices and policies. The CC provided information to judges in May about the round table, stakeholder survey, final report, and change in legislation; undated the CPS Bench Book and distributed a Jurist in Residence letter on family visitation to Texas CPS judges. In 2014, the CC will conduct a follow up survey to assess policy and practice changes and to inquire about the usefulness of the round table format and whether that format is conducive to change.</p>
<p>Hearing Quality Observation Project</p>	<p>To establish a baseline about the quality of court hearings including timeliness and length of hearing, depth of issues discussed, party and judge compliance with Texas Family Code, parent due process, party engagement, children in court, preparedness, and attorney and parent satisfaction with legal representation system; Examine differences in placement stability, permanency plans, and wellbeing</p>	<p>CIP / CC developed an observation tool and two surveys that were utilized in pre and post hearing activities; arranged observation by CC Jurist in Residence of 164 hearings in 12 locations by 17 different judges; will issue a final report by December 31, 2013.</p>

	issues relative to age, gender, race, geographic location, child welfare / legal system culture; Identify judicial and attorney training and education needs.	
Judicial Disproportionality Workgroup	To raise awareness and understanding of judges and key stakeholders involved in the legal system about disproportionality and disparities.	CIP develops and promotes judicial and attorney training applying principles and tools designed to reduce institutional racism and bias; provides assistance to jurisdictions on specific disproportionality data, as requested, and works to connect judges to their communities address disproportionality efforts at the local level. CC also includes a topical section in its CPS Bench Book.
McLennan County Parent Representation Project	To study the impact of a practice changes on parent representation in McLennan County.	CIP / CC will attempt to study and measure timely attorney appointment, appropriate caseload, continuity of representation, access to support staff, access to and requirements for training, representation in and out of court, advocacy, decreased time to case resolution and parent satisfaction with counsel and how to obtain new counsel.
Meadows Mental Health Policy Institute	To coordinate a better system of mental health and substance abuse services for all Texans with special emphasis on children, veterans, homeless, and criminal and juvenile justice populations.	CIP / CC works with MHPI to establish a relationship with the judiciary as courts function as consumers of mental health services, leaders in how mental health resources can be developed and used at a community level, and policy advisors to MMHPI and to the legislature and agencies that have cases before them.
Psychotropic Medication Workgroup & House Bill 915 Medical Consenter	To assist with implementation of House Bill 915 which mandated new Medical Consenter training, awareness, documentation, and tracking to help ensure appropriate use of	CC organizes and convenes HB915 stakeholder meetings to track progress of implementation and subsequent projects and outgrowth per new requirements.

	psychotropic medications and explore appropriate non-pharm interventions.	
State Bar of Texas Continuing Legal Education	Provides free online training to attorneys representing children, parents, and child welfare agency.	Collaborates on topics, organizes speakers for legal training; Advertises and markets training to judges and attorneys in the state; Provides scholarships for training events.
Texas Appleseed	To work with jurisdictions who request assistance in improving permanency awareness, practices, and outcomes.	Collaborates with Texas Appleseed on precisely how it can assist a particular jurisdiction; Facilitate relationships with judges and other court and child welfare stakeholders.
Texas Blueprint Implementation Task Force	The Education Committee of the Permanent Judicial Commission for Children, Youth and Families fulfilled its charge and was discharged of its responsibilities as a committee in May 2012 (FY2011). The Supreme Court then established the Blueprint Implementation Task Force to oversee implementation of the <i>Blueprint</i> recommendations (FY2012).	CIP supports the Task Force and its workgroups that meet frequently to implement the <i>Blueprint</i> recommendations and strategies. The workgroups are: Training and Resources, School Stability, and Data. In addition, CIP staff serves on a workgroup developing an education advocacy toolkit for CASA volunteers. It also participates in monthly and quarterly collaborative meetings with representatives of the Texas Education Agency and Department of Family and Protective Services.
Texas CASA	To train multidisciplinary stakeholders on Permanency Values, Race and Disproportionality, and Trauma Informed Care through Trust-Based Relational Intervention (TBRI).	Provides funding to CASA for developing, arranging, facilitating, and holding training events.
Texas Center for the Judiciary	To provide Judicial Education to judges hearing child abuse and neglect cases.	Provide event funding; Jointly plan event content; Convene and host conference; Develop and administer event content evaluation; Assess feedback from content evaluation.

Trauma Informed Care and Wellbeing Workgroup	To transition the Texas child welfare system into a trauma informed system that uses trauma informed assessments and tools, screening processes, training for child welfare agency staff, caregivers, advocates, and other persons and professionals who interact with children in the foster care system.	Children’s Commission staff participates on several TIC workgroups managed by the state child welfare agency. TIC information is provided to judges and attorneys through training events and information is included in the CPS Bench Book maintained by the Children’s Commission.
Trial Skills Training Workgroup and Faculty	To provide trial skills training to attorneys representing children, parents, and the state in child protection proceedings.	CIP developed the TST program, Staffs workgroups related to faculty recruitment, development, and training; staffs workgroup related to TST curriculum, training events, evaluation / CQI, Provides funding for training events.
Tribal/State Collaboration	To enhance tribal/state relationships and to support compliance with ICWA which seeks to keep American Indian children with American Indian families.	CC/CIP recently added a Senior Peacemaker as a commissioner. The CC has co-sponsored the annual Alabama-Coushatta Judicial Symposium which provides information and training that is culturally competent, community-based and focused on the strengths and assets of families.
Video Conferencing	To enable children to participate in their permanency and placement review hearings without being physically present in the courtroom.	CIP funds and supports the hardware, software, program requirements and staff to facilitate video conferencing; CC also provides information to CPS judges on its availability, how to use it, and who to contact to participate. CC maintains a log of hearings conducted including the date of the hearing, time, participating court, type of hearing and notes of any technical difficulties.

2. List all projects that involved assessments or evaluations completed in federal FY 2013 (Oct 2012-September 2013). Briefly explain: 1) the purpose of each evaluation or assessment; 2) action steps taken; 3) data collected or generated; and 4) how the information will be used to inform continuous quality improvement.

Project Name	Project Purpose	Action Steps	Data Collected	CQI
Texas CASA	Increase collaboration, knowledge and understanding of critical issues affecting children through multidisciplinary training.	Facilitated discussions, Made presentations, Held collaborative meetings, Conducted training events.	Surveys were used to evaluate each training event.	Participants liked the in-person training events because it allowed for relationship building. CASA will provide more webinars to help relieve travel constraints presented by Texas' size.
Texas Center for the Judiciary	Train judges who hear child welfare cases.	Conducted two training events on best practices to improve the timeliness and quality of court hearings, permanency outcomes, education outcomes, and increase awareness of trauma informed services and disproportionality.	Pre and post-event surveys and evaluation of the Foster Care and Education Summit held in February 2013 were conducted by the University of Texas. TCJ used post event surveys for the Child Welfare Judicial Conference in May 2013.	See Section 6 of Report for CQI discussion related to training events.
Disability Rights Texas	Help ensure that crossover youth with disabilities who are also incarcerated or institutionalized in residential treatment settings have trained high quality legal representation in CPS hearings.	Ensure living and treatment conditions are safe and appropriate. Ensure health and mental health services are adequate and appropriate. Ensure youth in Special Education receive a free appropriate public	Data collected reflects there were 139 children served. The most effective intervention was helping children in long-term residential treatment placements move to community placement with 100% preservation	Based on success of project for dually managed youth, the project is shifting to providing services to all foster youth with disabilities and not just those with juvenile justice system involvement. Also, due to the project's

		education. Ensure youth released to community receive wrap-around services to support community placement. Provide training to judges, attorneys, and service providers on issues related to crossover youth.	for those children who transitioned from institutional to community care.	success at improving outcomes for youth exiting the juvenile justice system, the project will be sustained by collecting fees from participating courts in FY2014.
Blueprint Implementation	Oversee implementation of the <i>Blueprint</i> recommendations.	Creation of a logic model with short, intermediate, and long-term outcomes as well as action plans for the Blueprint Implementation Task Force and its workgroups.	CQI questions applied to action steps. Data collected will include collaborative meetings and potentially developing baseline outcome data.	Most of data collected for FY 2013 activities will reflect process. Working on determining baselines to conduct CQI on short-term and intermediate outcomes.
Office of Court Administration	Maintain and enhance the child protection case management system used by 17 courts in 123 Texas counties.	CPCMS fixes and enhancements such as role-based security to expand user base; collaborative video conferencing; webpage for notice and engagement.	Case related data is collected by each of the 17 courts.	Based on input from users, the CPCMS system was enhanced, which increased judicial satisfaction, additional users were added through role-based security project which increased external stakeholder satisfaction.
Training Scholarships	Provide attorneys with high quality training opportunities that might not otherwise be accessible or available.	Create scholarship administration process, provide scholarships, collect surveys about the training events and the scholarship process,	<u>ABA</u> : 21 scholarships awarded; 16 survey responses returned; <u>NACC</u> : 14 scholarships awarded; 12 survey responses returned;	The CC is using feedback from scholarship recipients to help craft agendas for future CLEs, and will also modify survey questions and

		make adjustments.	SBOT Child Abuse and Neglect 1-Day CLE: 42 scholarships awarded; 26 survey responses returned. Overall: 77 scholarships were awarded; 51 responded.	design in advance of the 2014 scholarship season. Also see Section 5.b.2 for more info on CQI.
Family Visitation	Advise DFPS on how to move from traditional one-size-fits-all approach on visitation to one that serves the child and family in a more individual manner.	The CC formed a workgroup, designed and administered three surveys, compiled materials focused on supporting reunification and preserving family connections and best practices for visitation and family time.	800 + survey results were collected.	Survey results were assessed and combined with workgroup input to develop an agenda, visitation materials, and a final report that was issued in July 2013.
CPC Strategic Planning	Develop implementation plans for creating new child protection courts; develop a strategic plan for current child protection court program.	Surveyed district and child protection court judges; conducted preplanning and internal sessions leading up to strategic planning meeting; held strategic planning meeting; followed up with presiding judges; implemented plan and hired staff for the courts.	Data was collected regarding caseloads of current child protection courts, geography of each cluster, hearing locations and settings, personal safety concerns, compensation, and training needs.	Due to the strategic planning activities, and based on the data that was shared with our regional presiding judges prior to and during the strategic planning session, the decision was made to create three new child protection courts.

3. **Identify and describe any projects currently underway that are utilizing child welfare administrative data (i.e., SACWIS, AFCARS, NCANDS, NYTD, or other data reports that may be provided by the title IV-B/IV-E agency).**
 - a. SACWIS: Timeliness Measures 4A, 4G & 4X, 4H & 4I (See report entitled Timeliness of Hearings and Indicators of Quality and Legal Representation).
 - b. SACWIS: The Texas SACWIS: The Texas Department of Family and Protective Services (DFPS) and the Texas Education Agency (TEA) currently engage in aggregate data sharing pursuant to a MOU. The exchange is initiated by DFPS and based on children and youth identified in the Texas SACWIS system; the list of children and youth is then matched with data in TEA’s Public Education Information Management System (PEIMS). This data sharing occurred in FY 2013. In FY 2014, DFPS plans to add cross-tabs of information from its SACWIS system to the data match run by TEA to drill down into education outcomes of foster students, including looking at education outcomes based on type of placement and legal status. DFPS and TEA are also working toward a common vision regarding what the shared data means and how it should be reported. Texas CIP is working closely with both agencies on these initiatives.
 - c. SACWIS: McLennan County Parent Representation Project is using baseline data to document how children from McLennan County exited the foster care system in FY2012 and FY2013 to study whether quality representation decreases time to safe permanency (Indicator #4 of the ABA Center for Legal and Judicial Issues *Indicators of Success in Legal Representation for Parents*).

4. **Summarize your current capacity on the below technology and data topics. With respect to the required timeliness measures, please explain how the measures are or will be used by your statewide multi-disciplinary task force to promote CQI:**

- a. **the required timeliness (toolkit) measures;**

See separate report entitled Timeliness of Hearings and Indicators of Quality and Legal Representation

- b. **data sharing and data exchange between the child welfare agency and the courts, the department of education, or other relevant stakeholders (where applicable list any regular data reports that are run for interested parties and how those reports are used);**

(1) Timeliness Measures (See Report entitled Timeliness of Hearings and Indicators of Quality and Legal Representation).

(2) McLennan County Parent Representation Project (See item 3.c).

(3) See also item 3.b. Reports will be used to identify trends and to help with policy and resource allocation decisions.

c. data accessibility and interpretation (include efforts to make data more useful to decision-makers, including efforts to make dashboards, graphics and other data displays);

(1) The Children’s Commission does not have access to statewide child welfare data except through the child welfare agency nor does the Children’s Commission have the expertise or capacity to interpret data beyond a basic level of understanding. The Children’s Commission has court-collected child welfare data for 123 rural counties, but there are no data dashboards that have been created from this data. This data is accessible in report form.

d. additional toolkit measures, child well-being measures, or other process or quality indicators your program has or is working to implement.

(1) See 3.b and 4.b.3 Re Education data sharing/data exchange

(2) See 5.d.1 Re Education-related wellbeing

(3) See 5.d.2 Re Physical and Mental Health child wellbeing

5. Identify and describe your efforts to implement CQI to ensure measurable outcomes in the below areas, including a description of methodologies used, instruments developed, and any relevant performance measurements:

a. timely, thorough, and complete court hearings;

(1) Hearing Observation / Quality Project

From May to July 2013, the Children’s Commission conducted a hearing observation project to assess the quality of court hearings including timeliness and length of hearing, depth of issues discussed, party and judge compliance with Texas Family Code, parent due process, party engagement, children in court, preparedness, and attorney and parent satisfaction with legal representation system. The Commission observed over 160 court hearings. Although the final report is pending, preliminary results reveal that 95% of the hearings were heard on time (not continued). The average hearing length was 15 minutes with the shortest being one minute and the longest

lasting 81 minutes. There were 14 possible due process indicators and 22 wellbeing indicators although not all indicators were applicable to all hearings. Results also indicate that wellbeing issues such as education are being addressed over half the time, psychoactive medication and medical issues about 25% of the time, and that there is little understanding of the Indian Child Welfare Act. Of those hearings where identification of parties was required by statute, only 69% of the cases met this indicator meaning that about 30% of the cases where parties should have been identified on the record, they were not. Children were present at approximately 33% of the Permanency Reviews and 25% of the Placement Reviews.

b. high quality legal representation for parents, children and the title IV-B/IV-E agency;

(1) Hearing Observation / Quality Project

Part of the project discussed in 5.a.1 included interviews of 68 attorneys and 42 parents to assess parent and attorney satisfaction, appointment timing, compensation, training and preparation for court. In 77% of the cases observed, the mother had a court appointed attorney and in 63% of the cases, one or more the fathers had attorney. Over 70% of parents interviewed were very or mostly satisfied that their attorney and believe that their attorney represented their wishes with regards to Service Plans; was helpful in getting appropriate / adequate family time; counseled them but allowed them to make the final decision about their case; helped their voices be heard by the court; was adequately prepared for hearings and meetings. Some parents were dissatisfied with the amount of contact with their attorney on days other than court, and fewer than five of the 42 parents interviewed were unsatisfied or only somewhat satisfied with their lawyer.

Attorneys were also surveyed, and 70% of the 54 who were surveyed indicated that they received their appointments for representation at the beginning of the case. Also, that they are trained primarily by and through the State Bar of Texas or a local bar association. Most attorneys are attending Family Group Conferences and Permanency Planning Meetings, and 100% of the attorneys surveyed believed their caseload to be manageable. The majority are paid hourly at a rate that ranges from 65.00 to 225.00 for in-court appearances and between 20.00 and 200.00 per hour for out-of-court work.

(2) Other attorney satisfaction, training and appointment surveys

The Children's Commission awarded 77 scholarships to Texas attorneys to attend the ABA Parent and Child Representation Conference held in July 2013, the NACC Annual Conference held in August 2013, and to the State Bar of

Texas Advanced Family Law Child Abuse and Neglect 1-day Workshop (referred to as the SBOT CAN 1-Day) held in August 2013.

ABA: 21 scholarships awarded; 18 attorneys actually attended; 16 of these attorneys responded to our survey and 14 of these gave very complete answers.

NACC: 14 scholarships awarded; 12 attorneys actually attended; 10 of these attorneys responded to our survey and all answers were complete (survey designed not to allow skipping).

Child Abuse and Neglect 1-Day Workshop (SBOT CAN): 42 scholarships awarded (34 in person; 8 via video replay); 26 responded to our survey.

Overall: 77 scholarships were awarded; 51 attendees (66%) responded to the surveys with substantial completeness.

The top questions which were skipped most frequently across all surveys were:

“Is there a new practice you will incorporate or an existing practice you will enhance in order to be more prepared for court hearings, mediations or trials?” 16 skips: 8 skips by private attorneys, and 8 by state/DFPS attorneys.

“Can you identify one or more things about your practice you intend to change based upon what you learned at this conference?” 8 skips, also evenly divided across private and state/DFPS attorneys.

Even though these were skipped, these are critical CQI questions. CC Staff is considering other ways to draft this survey question for next year’s scholarship process.

CQI Applied to the SBOT CAN 1-Day:

42 scholarships were awarded to the State Bar of Texas training, split evenly between attorneys representing the state and those representing parents and/or children. 26 Attorneys responded to the survey.

- 21 out of the 26 attorneys would not have attended the CAN 1-Day without a scholarship.
- 100% responded that they gained a better understanding of a law, child welfare policy, or a child welfare practice as a result of the training.
- Only half of the respondents reported being familiar with ICWA

When asked to state which law, policy, or practice had been the most helpful/educational, the respondents named the following:

- Case law and legislative updates (by far the most frequently cited)
- Service by publication (also Notice, and locating parents)
- Termination grounds
- Immigration
- Learning more about opposing counsel's perspective and preparation for trial

When asked what practice changes they would implement as a result of the training, respondents answered:

- Compliance with notice requirements
- Locating parents and answering for them when they cannot be located
- Complying with new legislation and using new case law to enhance their practice

When asked what topics they would like to learn more about in future CLEs:

- Immigration
- Drug treatment programs, drug testing
- Termination trial techniques
- Psychotropic medications and their use in the foster care population; also, mental health treatment for children in care
- Discovery in the CPS case context
- Collaboration between CPS and AALs
- Request for DFPS to be more involved in presentations

(3) Trial Skills Training, State Bar Online CLE Library, ABA Parent / Child Conference, NACC Conference

Other projects to help improve legal representation of parties include the design and coordination of taping of several courses on representing parents and children in CPS cases designed to assist attorneys in meeting the statutorily required minimum three hours of continuing legal education (CLE) training to be eligible for appointment as an attorney ad litem in CPS cases, as well as other specialized areas. The Children's Commission has partnered with the State Bar of Texas to offer all courses free of charge to attorneys who represent children, parents or the state in CPS cases. The courses added in FY2013 include:

- 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.

Also, in FY2013 the Children’s Commission developed a Trial Skills Training which includes a full fictional CPS case and related pleadings, legal forms, and documents from the outset of the case through a trial on the merits. The Commission invited select faculty members to be trained to teach trial skills specific to Texas statutes, policy, and practice. The faculty is comprised of judges; private attorneys who represent children and parents in CPS cases; a JD/MD who specializes in child abuse; and an appeals attorney for DFPS. Commission staff hosted faculty training events in April and June 2013 to prepare for the launch of the Pilot Trial Skills Training program in October 2013 for the first run through the entire curriculum. All faculty members prepared power points and/or a demonstration and group exercise and lectured on all areas of trial preparation. Individual practice of these trial skills using the fictional case followed, with filming of the attorney-participants. Live witnesses assisted in this process in the form of local caseworkers and child-abuse pediatricians who had been trained by Commission staff on the fictional case. Overall, 19 new or less experienced attorneys from 14 Texas counties participated in a 2-day training in October 2013. Surveys from participants, witness debriefs, faculty debriefs, and internal staff debrief are being used as CQI measures to refine the next TST, currently scheduled for April, 2014.

(4) ACF Region VI Parent Representation

Children’s Commission / CIP collaborated with ABA Center on Legal and Judicial Issues and other ACF Region VI states on *Indicators of Success in Legal Representation for Parents*, which are being used in a pilot in McLennan County where the judge has contracted with five law firms to provide all legal representation to parents involved in CPS cases. The project started on November 1, 2013.

c. engagement of the entire family in child welfare proceedings;

(1) Hearing Quality / Observation Project

See 5.a for more details, but this project also collected hearing data on the depth of issues discussed, who was present at the hearing and who engaged in hearing matters. There were many different parties present at the hearings observed. Caseworkers appeared at 90% of the hearings and CASA volunteers at about 55%. Children and caretakers

attended less than 20% of the hearings. Only two non-kinship foster parents were present at the hearings. The majority of those in attendance were given the opportunity to speak, but fathers and children who were present were given the opportunity to speak less than half the time.

(2) Amendments to Texas Family Code

Also, in 2011, there were significant amendments to the Texas Family Code to help ensure compliance with Foster Connections regarding notice to all adult relatives within the 3rd degree of consanguinity. In 2013, the Texas Family Code was amended again to require the court to inform each unrepresented parent that the parent has the right to be represented by an attorney, if indigent and in opposition to the suit. Also, the court is allowed to postpone the removal hearing for up to seven days from the date of the attorney's appointment to allow time to prepare. Time to prepare may be waived by the parent and the parent's attorney. Courts are also required at every statutory hearing to advise the parent of the parent's right to be represented by an attorney if indigent and in opposition to the suit. Also, the law was amended to require notice of permanency and placement review hearings to child at least ten years of age – this is in addition to several other parties and interested persons

(3) Video Conferencing Technology to facilitate child attendance at court hearings

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. Although not a replacement for seeing the child in person, video conferencing can allow the judge can gain perspective on the youth's issues, wants and needs, and see the child's demeanor and body language. OCA hosts and supports the hardware and software required to facilitate VTC between courts and residential placements. OCA drafted a protocol between OCA and DFPS and Courts and is in the process of developing a one-page set of instructions for participation. OCA maintains a list of Residential Treatment Centers with VTC capability as well as a list of courts with VTC capability. There are 45 Residential Treatment Centers which can link to VTC services. There were 201 hearings held in FY2014 that involved youth placed in RTCs participating in their hearing via video. There is also discussion of a pilot program for use of the videoconferencing system by outside entities other than the courts. A process and procedure is established for court scheduling, but if the participant universe is expanded, it will be necessary to review and revisit processes and procedures.

d. physical, social and emotional well-being needs of children and youth;

(1) Education Outcomes (child well-being)

The Texas Family Code was amended in 2013 to require Attorneys and Guardians ad Litem to determine whether the child's education goals have been identified and addressed and report that to the court at each review hearing. There were also new duties imposed on courts to identify an education decision-maker for the child, if one has not previously been identified, and determine whether the child's education needs and goals have been identified and addressed. Texas continues to work on the implementation of the Texas Blueprint published in 2012 and has prioritized the work into three categories: Training and Resources for all parties, stakeholders, and interested persons affiliated with a CPS case, School Stability for children in foster care, and Data and Information sharing among the child welfare, judicial and education systems. All committees are multi-disciplinary in nature, with each having representatives from the court, child welfare, and education systems. Other recent accomplishments of Texas' initiative to improve education of foster students include:

- Judicial checklist developed and disseminated to judges through a JIR letter and online
- JIR Back to School Letter, which highlighted new legislative changes and resources for courts
- New Texas Child Protection Law Bench Book chapter regarding education
- Updates to the Children's Commission education website
- Collaborative work between the courts, education and child welfare continues to expand on the state and local levels
- Education Summit Final Report released
- Texas team was selected for the Information Sharing Certificate Program at Georgetown University's Center for Juvenile Justice Reform

Also, Texas recently produced a guide for education stakeholders about foster care, the unique needs of children in care, and how to support foster students in the school setting, available at <http://www.tea.state.tx.us/FosterCareStudentSuccess/resource-guide.pdf>

(2) Medical and Behavioral Health (child well-being)

Medical and Behavioral Health: Psychotropic Medication Utilization Parameters (Parameters) were created in 2005 to encourage the appropriate use of psychotropic medications in foster children. The Parameters have been considered successful, leading to a significant

reduction in the overall use of psychotropic medications and decreases in the use of multiple medications for the same purpose. In FY2013, the Commission hosted a Round Table, issued a Report on Psychotropic Medication and Foster Care and worked with many stakeholders during the 83rd legislative session on to pass House Bill 915, which addressed:

- Meaningful consent for psychotropic medication
- Providing children the right to provide an opinion on their medical care
- Allowing foster youth 16 and older to act as their own medical consenters
- Requiring attorneys and guardians to evaluate medical care
- Eliciting a client's view on medical care being provided
- Mandating that DFPS include in the Youth Transition Plan provisions and instructions regarding medical care and psychotropic medications

HB915 also requires courts to review the medical care provided to the child, ensure the child has been provided the opportunity to express their opinion on their medical care, and for a child receiving psychotropic medication, determine whether the child has been provided appropriate psychosocial therapies, behavior strategies, and other non-pharmaceutical interventions, AND has been seen by the prescribing physician at least once every 90 days.

Following the close of the 83rd Session, the Children's Commission facilitated the HB915 Implementation Workgroup, which was charged with soliciting input and collaboration from approximately 60 stakeholders, and identified:

- Practices and policies in place to support HB915
- New policies that would be required to support the implementation and ongoing execution of DFPS's duties under the new bill
- Training needs required to support new practices
- Expanded collaboration and communication required to support the objectives and mandates of HB915

The HB915 Implementation Workgroup met three times over the summer: 6/11/13, 7/23/13, and 8/27/13, and will continue to meet regularly to ensure stakeholder involvement and communication about implementation progress. On September 9, 2013, the Commission hosted a training review session to enable stakeholders to evaluate and comment on the DFPS's updated medical consenters and psychotropic medication training. The training lasted over 7 hours with meticulous review by several stakeholders. The new training was made available to the public in October 2013.

(3) Placement Stability (child well-being)

During the 83rd Legislative Session, a bill was passed requiring DFPS to consult with the child's Attorney and Guardian ad Litem prior to a non-emergency placement change. DFPS is required to consider feedback regarding placement changes, and report to the court placement change that have occurred since the last hearing, and the reason for which a substitute care provider requested the change.

e. Indian Child Welfare Act (ICWA) compliance;

(1) Judicial Education

Judges were trained on how to recognize the need to preserve tribal traditions and values at the May 2014 Child Welfare Judges Conference. The training event included a segment on the ICA, the federal requirements, and the importance of making a timely determination of ICWA jurisdiction.

(2) Attorney surveys indicated that more education and awareness about ICWA is needed

Although ICWA may not have been included specifically on the conference agenda of any attorney training event to which Texas attorneys traveled, the Children's Commission surveyed 77 attorneys about their knowledge of ICWA. Fewer than half were familiar or somewhat familiar.

f. Interstate Compact on the Placement of Children (ICPC) work; and other CQI projects or activities not mentioned above that you would like to highlight.

N/A

6. Describe the methods you are using to evaluate the effectiveness of CIP training activities. Where possible, provide one specific example of an evaluation effort that was helpful in understanding the success of a training event.

Evaluations and Surveys

- a. Pre- and post-surveys conducted for Foster Care and Education Summit (February 2013)
- b. Post-conference survey conducted for Child Welfare Judicial Conference (May 2013)

c. Attorney Training Surveys conducted as condition of CIP scholarship

Specific examples:

- (1) Education Summit: Pre Summit Surveys were used to determine 1) practitioner experience; 2) knowledge of foster care-related laws, policies, and practices; and 3) interaction with other foster youth education-related fields. Post-summit evidenced a near unanimous concern for school stability, summarizing the greatest barrier” to foster youth educational success as, “not being placed in a foster setting within the same school district or school. Many respondents were also excited to learn about the new school district foster care liaisons and DFPS Education Specialists. Comparing the pre- and post-summit evaluations, the planning team gained a better understanding of how to satisfy needs of disparate participants. For example, some individuals had little prior contact with foster youth, while others worked with them every day; some attendees had extensive working knowledge of foster care education-related laws, while other did not know such guidelines, rights, and responsibilities existed. By knowing these audience traits in advance, the planning team could advise the speakers to tailor their presentations accordingly.
- (2) Child Welfare Judicial Conference. Many judges were open to trying new and innovative things to move kids to permanency such as re-establishing contact and possibly returning children to parents who had been terminated. The Children’s Commission is working with Texas Appleseed to assist various jurisdictions with specific issues such as this. For 2014, the CC will work with TCH to develop and conduct a pre and post-event survey of judicial education conferences to analyze changes in knowledge and in practice. Also, CIP is discussing methods to survey judges approximately one-year after the event to determine what changes have been made in jurisdictions.
- (3) Trial Skills Training: Faculty training events in April 2013 on teaching and critique methodology were used to design a further training for faculty in June 2013 in order for the faculty and staff to be fully prepared for the Pilot TST in October, 2013. Feedback from the faculty at the April and June events was used to completely develop the fictional CPS case as well as to determine the topics for the curriculum and their content, and to address the faculty’s request for additional hands-on practice before presenting the TST to trainees for the first time. Looking ahead, surveys from attorney participants, witness debriefs, faculty debriefs, and internal staff debrief from the October 2013 Pilot TST are being used as CQI measures to refine the next Trial Skill Training, currently scheduled for April, 2014. (For example, attorney-participants’ surveys requested an additional day of training and a more courtroom-like setting.)

- (4) Attorney Scholarship Evaluation Project: internal evaluations of the survey design and survey results across all 3 summer conferences referenced herein has resulted in the following planned revisions for next year's administration of scholarships: a. Surveys will be sent out on survey monkey instead of Cvent software; surveys will be designed so that no questions can be skipped over by participants; the requirement to complete a survey for all scholarship recipients will be very clearly stated at the outset of the scholarship application; b. Survey results are being shared with judges and with those creating agendas for upcoming conferences so that legal training which the surveys indicated was lacking can be addressed. For example, since half of all surveyed attorneys across all 3 conferences indicated a lack of familiarity with ICWA, staff is communicating the need for additional training to Texas judges and to next year's CAN Committee.

7. Describe your largest challenges in implementing CQI into the overall approach of your statewide multi-disciplinary team and any particular challenges you may have experienced with CQI in specific projects or activities.

There are several challenges faced when implementing CQI into specific activities or projects, including:

- a. CIP staff lacks technical expertise in data collection and analysis;
- b. CIP efforts at CQI are at a rudimentary level;
- c. CIP confusion about best method of applying CQI and data analysis to a project or activity, for example, whether the only method is collection through paper and surveys, and what are the best internal processes for evaluating the worth of a project rather than relying on experience, intuition, and relations;
- d. The numerous ways of documenting and applying CQI and the terminology used are overwhelming and differ depending on who you speak to about CQI (might be helpful if ACF defines what outputs, outcomes, etc. are for purposes of CIP projects); and,
- e. CIP does not have staff capacity to collect and analyze large amounts of data.

8. Identify the types of technical assistance that would be most helpful in supporting your CQI efforts. Provide specific examples of projects or activities for which TA would be most helpful.

Education around challenges mentioned in the response to No. 7. How do you link CIP projects to short-, intermediate, and long-term outcomes? Our CIP can analyze the process, but is having more difficulty connecting our activities and projects to the big picture goals.