



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

**Supreme Court of Texas
Permanent Judicial Commission for
Children, Youth and Families**

**May 16, 2014
MEETING NOTEBOOK**

The State Bar of Texas - Texas Law Center
1414 Colorado St.
Austin, Texas 78701

**Supreme Court of Texas
Permanent Judicial Commission for Children, Youth and Families**

**May 16, 2014
Meeting Notebook**

Table of Contents

Minutes from March 28, 2014 Commission Meeting..... 1
Commission, Committee and Collaborative Council Member List..... 2
May 16, 2014 Report to Commission..... 3

Supreme Court of Texas
Permanent Judicial Commission for Children, Youth and Families
State Bar of Texas – Texas Law Center
Austin, Texas
May 16, 2014
9:30 a.m. – 3:30 p.m.
Meeting Agenda

- 9:30 Commencement / Opening Remarks – The Honorable Eva Guzman
- 9:45 First order of business – The Honorable Eva Guzman
 - 1. Adopt Minutes from March 28, 2014, Tab 1
- 9:50 Commissioner Updates
- 11:00 Executive Director Report – Tina Amberboy/Commission Staff, Tab 3
- 11:20 Data/Technology Committee Report – Vicki Spriggs, Tab 3
- 11:30 Basic Committee Report – Judge Bonnie Hellums, Tab 3
- 11:40 Training Committee Report – Judge Michael Massengale, Tab 3
- 11:50 Lunch – Served on-site
- 12:45 Disability Rights Foster Youth Representation Project Wrap Up – Ian Spechler, Disability Rights Texas
- 1:05 State/Tribal Round Table on the Indian Child Welfare Act – Judge Darlene Byrne, Senior Peacemaker Joanne Battise
- 1:20 Texas Blueprint Implementation Task Force – Judge Rob Hofmann
- 1:30 Hearing Observation Project – Judge Robin Sage
- 1:40 Trial Skills Training – Judge Michael Massengale
- 1:50 Brief Update on TBRI and Travis County Collaborative – Judge Darlene Byrne, Mike Foster
- 2:00 DFPS Update – Judge John Specia
- 2:15 Office of Court Administration – Mena Ramon
- 2:30 New Business/Comments from Collaborative Council
- 2014 Meeting Schedule
- 2:45 Adjourn

INSERT - TAB 1

PERMANENT JUDICIAL COMMISSION FOR CHILDREN, YOUTH AND FAMILIES

MINUTES OF MEETING

March 28, 2014

9:30 a.m. – 3:30 p.m.

Supreme Court of Texas Courtroom

Austin, Texas

ATTENDANCE

Members in attendance:

Chair, Hon. Eva Guzman, Justice, the Supreme Court of Texas, Austin

Vice-Chair, Hon. Darlene Byrne, Judge, 126th District Court, Austin

Hon. Jo Ann Battise, Senior Peacemaker, Alabama-Coushatta Tribe of Texas, Livingston

Hon. Jean Boyd, Judge, 323rd District Court, Fort Worth

Hon. Bonnie Hellums, Judge, 247th District Court, Houston

Hon. Rob Hofmann, Judge, 452nd District Court, Mason

Hon. Michael Massengale, Justice, 1st Court of Appeals, Houston

Hon. Mary Murphy, Presiding Judge, The First Administrative Judicial Region, Dallas

Hon. Peter Sakai, Judge, 225th District Court, San Antonio

Hon. Cheryl Lee Shannon, Judge, 305th District Court, Dallas

Vicki Spriggs, Chief Executive Officer, Texas CASA, Inc., Austin (proxy Cathy Cockerham)

Terry Tottenham, Of Counsel, Fulbright and Jaworski, L.L.P., Austin

Hon. Carlos Villalon, Associate Judge, Child Protection Court of the Rio Grande, Edinburg

Members not in attendance:

Bruce Esterline, Vice President for Grants, The Meadows Foundation, Dallas

Gabriela Fuentes, Office of the Governor, Austin

Stewart Gagnon, Partner, Fulbright and Jaworski, LLP, Houston

Hon Helen Giddings, Texas Representative, District 109, Dallas

Dr. Octavio Martinez, Executive Director, The Hogg Foundation for Mental Health, UT Austin, Austin

Hon. Dean Rucker, Presiding Judge, 7th Region, 318th District Court, Midland

Luanne Southern, Senior Director of Texas Strategic Consulting, Casey Family Programs, Austin

Sharayah Stiggers, Parent Liaison, Texas Dept. of Family & Protective Services, Region 8, San Antonio

G. Allan Van Fleet, Partner, McDermott Will & Emery L.L.P., Houston

Hon. Judy Warne, Judge, 257th Family Court, Houston

Staff in attendance:

Tina Amberboy, Executive Director, Children's Commission

Jessica Arguijo, Administrative Assistant, Children's Commission

Tara Grigg Garlinghouse, Intern, Children's Commission

Tim Kennedy, TexDECK Project Manager, Office of Court Administration

Mena Ramón, General Counsel, Office of Court Administration

Milbrey Raney, Staff Attorney, Children's Commission

Hon. Robin Sage, Senior District Judge and Jurist in Residence
David Slayton, Administrative Director, Office of Court Administration
Tiffany Roper, Assistant Director, Children's Commission
Kristi Taylor, Project Manager, Children's Commission
Rashonda Thomas, Grant Account Specialist, Children's Commission

Collaborative Council Members in attendance:

Irene Clements, President, Texas Foster Family Consultant, Butterfly Marketing, LLC, Pflugerville
William B. Connolly, Attorney, Connolly & Shireman, LLP, Houston
De Shaun Ealoms, Parent Program Specialist, Dept. of Family and Protective Services, Austin
Barbara Elias-Perciful, President, Texas Loves Children, Dallas
Debra Emerson, CPS Director of Permanency, Dept. of Family & Protective Services, Austin (Proxy Jenny Hinson)
Laura Figueroa, The Arbitrage Group, Inc.,
Mike Foster, Program Specialist, A World for Children, Austin
Mara Friesen, Deputy Director for Child Support, Attorney General's Office
Christina Green, Director of Public Affairs, Children's Advocacy Centers of Texas
Sandra Hachem, Sr. Assistant County Attorney, Houston
Ashley Harris, Child Welfare Policy Associate, Texans Care for Children, Austin
Robert Hartman, Executive Director, Providence Service Corporation, Abilene
Bruce Kendrick, Director of Outreach, Embrace Texas, McKinney
Kelly Kravitz, Foster Care Education and Policy Coordinator, TEA, Austin
Richard Lavallo, Legal Director, Disability Rights Texas, Austin
Tracy Levins, Manager, Prevention/Early Intervention, Texas Juvenile Justice Dept., Austin
Rebecca Lightsey, Executive Director, Texas Appleseed, Austin
Diana Martinez, Director of Public Policy and Education for TexProtects, Austin
Judy Powell, Communications Director, Parent Guidance Center, Austin
Lisa Ramirez, Women's Substance Abuse Services Coordinator, Dept. of State Health Services, Austin
Johana Scot, Executive Director, Parent Guidance Center, Austin
Janet Sharkis, Executive Director, Texas Office for Prevention of Developmental Disabilities, Austin
Jeanne Stamp, Sr. Program Coordinator, Texas Homeless Education Office, The Charles A. Dana Center, Austin
Armin Steege, Vice President of Programs, Austin Children's Shelter, Austin

Collaborative Council Members not in attendance:

Emy Lou Baldrige, Co-Founder, Greater Texas Community Partners, Dallas
Roy Block, Executive Director, Texas Foster Family Association, San Antonio
Lauren Donder, Director of Public Affairs, Children's Advocacy Centers of Texas, Austin
Sadie Funk, Executive Director, Texas Alliance for Infant Mental Health, Austin
Natalie Furdek, Women's Substance Abuse Services Coordinator, Texas Dept. of State Health Services, Austin
Paul E. Furrh, Jr., Chief Executive Officer, Lone Star Legal Aid, Houston
Helen Gaebler, Sr. Research Attorney, William Wayne Justice Center for Public Interest Law, Austin

Eileen Garcia, Chief Executive Officer, Texans Care for Children, Austin
Mike Griffiths, Executive Director, Texas Juvenile Justice Department, Austin
David Halpern, Director, Promise Mentor Program, Seedling Foundation, Austin
Leslie Hill, Managing Attorney, Travis County Office of Child Representation, Austin
Chris Hubner, General Counsel, Travis County Juvenile Probation, Austin
Shannon Ireland, Executive Director, Texas Council of Child Welfare Boards, New Braunfels
Lori Kennedy, Managing Attorney, Travis County Office of Parental Representation, Austin
Stephanie Ledesma, Assistant Professor, TSU Thurgood Marshall School of Law, Houston
Madeline McClure, Executive Director, The Texas Association for the Protection of Children, Dallas
Hon. F. Scott McCown, Clinical Professor and Director of the Children's Rights Clinic, The University of Texas School of Law, Austin
Dr. Sandeep Narang, Director, Child Abuse Fellowship, Division of Child Protection Department of Pediatrics, C.A.R.E. Center, UTHSC-Houston
Dr. Anu Partap, Assistant Professor in Pediatrics, Southwest Medical Center, Dallas
Chadwick Sapenter, CEO and Founder, Little Book of Words, former foster youth, Austin
Leslie Strauch, Clinical Professor, University of Texas School of Law, Austin
Gloria Terry, Coalition President, Texas Council on Family Violence, Austin
Kenneth Thompson, Fatherhood Program Specialist, Dept. of Family & Protective Services, Austin
Arabia Vargas, Chair, Bexar County Child Welfare Board, San Antonio
Larry Williams, Alabama-Coushatta Tribe of Texas, Livingston

CALL TO ORDER AND OPENING REMARKS, Justice Eva Guzman

Justice Guzman called the meeting to order at 9:40 a.m.

Recognition of Guests

Justice Guzman welcomed attendees and guests to the first meeting of 2014 and introduced former judge Dianne Guariglia, Lisa Black who is the new Assistant Commissioner for CPS, Tom Albright with the Office of the Texas Attorney General, Bob Hartman with Providence Corporation, and Tara Grigg Garlinghouse, who was the summer intern and assistant to Judge Robin Sage on the Hearing Observation Project.

Commissioner Membership Changes

Justice Guzman welcomed the newly assigned Commissioners and introduced Judge Peter Sakai, District Judge of the 225th District Court in Bexar County. Justice Guzman invited Judge Sakai to address the group.

Judge Sakai thanked Justice Guzman for the chance to serve on the Commission and stated that he had been a member of the Basic Committee since its inception. Judge Sakai succeeded Judge Specia as District Judge of the 225th District Court after spending 11 years as Associate Judge. Judge Sakai begins his third term next year as he will run unopposed in the fall. Judge Sakai is looking forward to working with the Commission.

Next, Justice Guzman introduced Judge Jean Boyd, long serving judge in the State of Texas. Justice Guzman added that Judge Boyd has served the state extremely well and will be a tremendous asset to the Commission. Justice Guzman invited Judge Boyd to address the group.

Judge Boyd was honored to become a member of the Commission. Judge Boyd has been involved with the Commission for some time and is a member of the Legal Representation Workgroup. Judge Boyd is Judge of the 323rd Family District Court in Tarrant County and has been involved in handling child protective cases since 1982. Tarrant County is currently in the throes of foster care re-design and is also working on trauma informed practices. Judge Boyd is excited about all the new programs in her county.

Next, Justice Guzman introduced Judge Carlos Villalon. Judge Villalon is an Associate Judge with the Child Protection Court of the Rio Grande Valley West and has been involved with education issues. Justice Guzman invited Judge Villalon to address the group.

Judge Villalon was amazed to receive an offer to join the Commission as he had only been a judge for a year and a half. Judge Villalon has been practicing since 1997, half of that time was working with the state as an Assistant Attorney or District Attorney, with the remainder spent in private practice. Judge Villalon returned to the state a few years ago and was given the opportunity to become an Associate Judge; his court currently has 385 cases. Judge Villalon presides over the courts in Hidalgo and Starr Counties and said that it has been a very steep learning curve. Judge Villalon thanked Judge Hofmann and Judge Sage for their support.

Justice Guzman announced that Judge Judy Warne has accepted another term with the Commission but is unable to be in attendance today. Justice Guzman also welcomed Judge Hellums back to serve another term.

Justice Murphy joined the meeting.

Justice Guzman welcomed Justice Mary Murphy, who is the Presiding Judge of the 1st Administrative Judicial Region. Justice Guzman invited Judge Murphy to address the group.

Judge Murphy commented that she is excited and honored to be a part of this group. She thanked the Commission for the chance to serve.

Collaborative Council Membership Changes

Justice Guzman announced that several members have transitioned off the Collaborative Council: , Roy Block, Executive Director, Texas Foster Family Association; Elizabeth Cox of San Antonio, Texas; Kevin Cox of San Antonio, Texas; Susan Craven, Executive Director, Texas Association for Infant Mental Health; Lauren Donder, Director of Public Affairs, Children's Advocacy Centers of Texas; Julie Harris-Lawrence, Deputy Associate Commissioner of Educator Performance and Student Affairs, Educate

Texas; Shannon Ireland, with Texas Council of Child Welfare Boards; and Chadwick Sapenter, CEO and Founder, The Little Book of Words.

Justice Guzman welcomed the new members that had joined the council, Christina Green, Director of Public Affairs, Children's Advocacy Centers of Texas, and Mara Friesen, Attorney General's Office.

Justice Guzman reminded the Collaborative Council that members should complete speaker cards if they wished to be added to the agenda.

CIP Committee Member Changes

Justice Guzman announced that Justice Michael Massengale has assumed leadership of the Training Committee since the last commission meeting; he is working with Ms. Roper and Ms. Raney on judicial and attorney training matters. Justice Guzman added that Shaneka Odom transitioned off the Training Committee along with Judge Camile DuBose.

Staff Member Changes

Justice Guzman announced there were no staff member changes.

ADOPTION OF SEPTEMBER 27, 2014 MEETING MINUTES

Justice Guzman directed members to Tab 2, noted that members had the opportunity to review the minutes, and asked if there were any corrections or discussion. There were no corrections or any discussion points raised.

ACTION: Justice Guzman asked for a motion to adopt the meeting minutes of the September 27, 2013 meeting of the Supreme Court of Texas Children's Commission. Judge Byrne made a motion and Judge Hellums seconded. The attending members adopted the meeting minutes unanimously.

COMMISSION MEMBER UPDATES

Hon. Darlene Byrne, Judge, 126th District Court, Austin, provided updates on four projects in Travis County. The first is a visit that Judge Byrne made to D.C. in the fall. The subject of the visit was sex trafficking of minor youths and the fact that 75% of confirmed victims have been in foster care. Judge Byrne realized that the foster care court needed to be included in the meetings and that the local law enforcement task force did not have juvenile justice, child welfare teams, or the courts at the table. Judge Byrne began a roundtable in January to develop a court protocol to ensure that stakeholders know when a child appearing in court is at risk of being trafficked. Judge Byrne invited the National Center for Missing and Exploited Children to join the roundtable and hopes to have a court protocol approved for implementation this summer. The second project concerns the death of a child whilst under the supervision of the court. Judge Byrne checks the court files in these cases to try to see what the court might have done better. Regrettably, there was a recent case where a child died. Judge Byrne realized that this case had been a transfer from Bexar County and that her court has no policy in place to identify a case that transfers from other counties in Texas. Judge Byrne was also concerned about what happens

when a child is transferred from Travis County as there is nothing in the statute that requires the district clerk to rapidly assemble and transport the file to the next jurisdiction. Judge Byrne put together a task force in Travis County to break down the process and determine what could be done to ensure that: (1) there is a hearing; (2) all parties have appointed counsel; and (3) CASA is involved. Judge Byrne will also work with the Commission regarding new legislation required to enforce this throughout Texas. The third project involves working with Senior Peacemaker Battise and the Commission in April at the Alabama-Coushatta Symposium to speak about the Indian Child Welfare Act (ICWA). Judge Byrne will also speak in June at the Child Welfare Judges Conference about *ICWA Made Easy* and how the courts can implement ICWA. Finally, the National Council of Juvenile and Family Court Judges (NCJFCJ) and Judge Byrne are collaborating on the issue of time certain calendaring of CPS cases and whether this would be meaningful to the families.

Hon. Michael Massengale, Justice, 1st Court of Appeals, deferred his report on Trial Skills and the Training Committee until later on the agenda. Justice Massengale provided an update on creating a foundation to support the work of the Children's Commission. Justice Massengale explained that the creation of a foundation would mean the Commission would not be totally reliant on any one source of funding, such as federal funding. If a foundation is established, the Commission would have the opportunity for independent fundraising, which would also establish a cushion so that the work of the Commission remains unaffected when there are issues with the federal budget that the Commission has no control over. Justice Massengale reported that there has been great progress and a number of "heavy hitters" have offered help on a pro bono basis, including the law firm of Baker Botts. Justice Massengale also announced that there has been success in securing additional funding for the CPS docket in Harris County. Justice Massengale acknowledged the work of Senator Joan Huffman from Houston in getting funding for one additional Associate Judge in Harris County to hear Child Protective Services (CPS) cases. Justice Massengale added that funding from the legislative session has a short shelf life and continued funding will depend to some extent on the success of this court. A study is currently being conducted on the Harris County court system, which will be helpful in securing more funding.

Senior Peacemaker Jo Ann Battise, Alabama-Coushatta Tribe of Texas, Livingston, Senior Peacemaker Battise noted that her court is becoming very busy and that all cases are in the best interests of the children. Senior Peacemaker Battise recently had one case, which was very positive throughout. Not only does the court work with children when they are placed with extended families, the court also works with parents, and the parents in this case have been allowed visitation. Senior Peacemaker Battise announced the roundtable, which will be held on the reservation on April 23. The following day, there will be a full day symposium with high profile speakers who will discuss ICWA, what it is, and how it impacts courts across the nation. Chrissi Nimmo, who represented the Cherokee Nation in the Baby Veronica case, will be one of the speakers. Senior Peacemaker Battise invited all commission members to attend the symposium and enjoy the Alabama-Coushatta hospitality.

Ms. Lisa Black joined the meeting.

Justice Guzman attested to the hospitality of the Alabama-Coushatta and recommended that members attend the roundtable and symposium, if possible. Justice Guzman welcomed Ms. Black and stated that, as the Department's Assistant Commissioner of CPS, she will be appointed to the Children's Commission. Justice Guzman invited Ms. Black to address the group.

Ms. Lisa Black, Assistant Commissioner for CPS, Dept. of Family & Protective Services, Austin

Ms. Black thanked the group for inviting her. Ms. Black stated there are a lot of changes going on with CPS including three reviews: 1) Sunset Review; 2) an operational review with the Stephens Group; and 3) one additional review. Ms. Black added that the next federal Child and Family Services Review (CFSR) in 2015.

Hon. Robin Sage, Senior District Judge and Jurist in Residence, announced that as Jurist in Residence (JIR), she has been working on several projects. Judge Sage joined Judge Byrne's group on case transfers between jurisdictions and feels that the Commission could help with in regard to legislative changes or protocols amongst judges. Judge Sage suggests that if a judge transfers a case, it would be helpful to call the new judge to advise them that a case is being transferred. Judge Sage will continue to work with Judge Byrne's group. Judge Sage has also been to several national meetings and wished to echo Senior Peacemaker Battise in that the national leaders are very excited about the conference in Livingston and consider it an historic event. Judge Sage deferred her brief on the time certain calendaring to later in the agenda. Judge Sage is a member of the Legal Representation Workgroup assisting Judge Rucker. Judge Sage announced that she is serving as a Judicial Consultant for the Judicial Engagement Team, a partnership made up of the American Bar Association (ABA), National Resource Centers, the National Center for State Courts (NCSC), the NCJFCJ, and Casey Family Programs. The Judicial Engagement Team has hired five judges from across the nation to mentor judges and bring resources and training to judges in other states.

Ms. Vicki Spriggs, Chief Executive Officer, Texas CASA, Inc. (proxy Cathy Cockerham) provided three updates. Texas CASA is working with judges around the state to try to find CASA volunteers for all children in care. Ms. Cockerham added that CASA is also working with Dr. Karyn Purvis to provide Trauma Informed Care training in order to bring CASA to a more trauma informed perspective. Ms. Cockerham announced that CASA has new resources on its website (www.texascasa.org), including a 3-hour training video which takes you through the child welfare system and a 6-hour e-learning course, which is open to the public. Ms. Cockerham concluded that the annual CASA conference will be held in October with the focus on permanency.

Hon. Cheryl Lee Shannon, Judge, 305th District Court, Dallas, Judge Shannon reported that in Dallas they have launched their education advocate program in connection with Texas Lawyers for Children (TLC); it has been warmly received and is serving 60 children at present. Judge Shannon is also concerned about time certain calendaring and a better way to manage the docket. Judge Shannon's court currently has 4 prosecutors assigned; each prosecutor's caseload has risen from 40 to 90 cases, which has been difficult to manage. Judge Shannon's court is also moving to e-filing, which adds to the workload

of each prosecutor. Judge Shannon concluded by advising that the taskforce working on sex trafficking issues should focus on relationships between the victims and the caseworkers.

Hon. Bonnie Hellums, Judge, 247th District Court, Houston, announced that there is a new CPS court in Houston. Judge Katrina Griffith has been appointed to the court and she is taking cases from 6 of the 9 family district courts in Harris County. Judge Griffith is an outstanding addition to the bench; she is board certified in child welfare law and has done a lot of work with drug courts. Most cases that are being transferred to Judge Griffith are the PMC cases, but if the foster youth has a longstanding relationship with another judge, Judge Griffith returns the case to the sending court. Judge Hellums working with the Fetal Alcohol Spectrum Disorders (FASD) program, working towards Texas being a State of Excellence. Judge Hellums reported that her family intervention program is going really well and the trauma informed training is having amazing results in drug court. Finally, Judge Hellums' husband is working with American Leadership Forum (ALF), which has a class project to talk to CPS about what can be done better to assist children that age out. There will be a roundtable discussion in Houston on May 15, which will be attended by Judge Specia. Anyone wishing to attend should notify Judge Hellums.

Hon. Rob Hofmann, Judge, 452nd District Court, Mason, noted that as he had been allocated time on the agenda to highlight the work of the Texas Blueprint Implementation Task Force. Judge Hofmann attended the McCulloch County Chamber of Commerce Banquet, where Susan Neal, one of the CPS workers in his jurisdiction, was given the Distinguished Public Service award for her 40 years of service in front line investigations. The local CASA program in his jurisdiction is expanding from four to five counties. Judge Specia has requested, through Ms. Amberboy, that Judge Hofmann join the Public Private Partnership group. Later this summer, Judge Hofmann will work with the NCSC in Idaho to helping it with implementation of its programs. Judge Hofmann concluded with an anecdote about a young man named Aaron who was diagnosed with Asperger's Syndrome. Aaron was a child on Judge Hofmann's caseload when he was appointed to his Child Protection Court and Aaron was still in care 12 years later. At one point, Aaron's Star Health prescribing physician had prescribed that Aaron only attend two hours of school due to behavioral problems. Judge Hofmann conducted a review, which led to the reversal of that prescription, and Aaron went back to school full time. The Star Health provider was suspended. Judge Hofmann was pleased to announce that Aaron has just been adopted.

Hon. Peter Sakai, Judge, 225th District Court, San Antonio, asked for time to discuss an issue that was brought to his attention by appellate judges in his jurisdiction. Chief Justice Cathy Stone, 4th Court of Appeals, contacted Judge Sakai regarding the high number of appeals of CPS cases being filed in the 4th Court of Appeals. If this issue is being studied, Judge Sakai asked that it be looked at from a state-wide perspective. An attorney appointed to handle the appeal must do a review of the case and determine whether an Anders brief should be filed due to frivolousness. A response may then be filed by a parent and this might create an increase in the number of appeals. There is a tremendous cost that goes with transcripts, court reporters have to get records up in very minimal times, courts have to get judgments, and it is creating a stress on trial courts.

Justice Guzman thanked Judge Sakai for raising the issue and invited Justice Massengale to comment. Justice Massengale explained that there is a relatively new administrative rule that requires the appellate courts to resolve appeals in CPS cases within 180 days. If everything works the way it should, that's generally an ample amount of time. But it very quickly becomes an inadequate amount of time if you hit any kind of significant procedural bump, and those happen frequently. It could be a problem with getting a record to the court of appeals or it could be a problem with the lawyers, who may not be familiar with the new 180 day deadline, thinking they can rely on getting indefinite extensions and not starting their work on the appeals until they ask for their first extensions. Justice Massengale has had a case where he did not even get a notice of appeal forwarded to his court for two months because there are so few appeals coming out of the county where the case originated. He'd share one big picture comment with everyone in the room -- keep your eyes and ears open, because you cannot just depend on the court of appeals, the clerk of the court of appeals, or the clerk of your trial court, to necessarily be aware that something has fallen in a ditch. If there is a problem with a record, or a lawyer who may be new to the practice who may not understand that it is an expedited proceeding, providing a helpful hint and letting people know that this is something that needs to be worked through can really help. If you find yourself six or eight weeks out from that 180-day deadline and you are still trying to get a record in the court of appeals you've got a real problem.

Justice Guzman thanked Justice Massengale for his comments.

Judge Byrne added that she would raise the issue of interventions. The issue of interventions and the plethora of people that are intervening in the trial court is creating issues. Judge Byrne has one case that has two or three interveners, four fathers with lawyers, a mom with a lawyer, a child with a lawyer, and CASA. Judge Byrne advised that this makes a chaotic trial that typically creates an appeal.

Justice Guzman invited Mr. Connolly to speak.

Mr. Connolly advised that it would help with court administration to allow the court reporters to prepare the record after the motion for rehearing has been filed. To make the court reporter create a record before the judges even consider some of the issues that may present reversible error doesn't make a lot of sense, at least to the people that are on the ground doing it. Mr. Connolly requested that appeals be specifically looked at on that issue.

Judge Sakai added that the courts keep cutting the budget for auxiliary court reporters and that is a big issue on a county level.

Justice Guzman thanked everybody for their comments and added that there is more work to be done on this process and said she'd invite Judge Rucker to assist as he spearheaded the last effort.

BREAK: Justice Guzman recessed the meeting at 10:50 a.m.

The meeting reconvened at 10:58 a.m. when Justice Guzman opened the floor to Ms. Amberboy.

REPORT TO THE COMMISSION, Ms. Tina Amberboy, Executive Director, advised that others will deliver reports on Education, Trial Skills, Attorney Training, Judicial Training, JIR activity, Legal

Representation, Parent Resources, Visitation, Trauma Informed Care, Psychotropic Medication issues, Tribal work, and Disproportionality and Disparities.

Ms. Amberboy explained that when the Commission met in September, they were unsure when they would receive the 2014 CIP funding. A partial award was received in December 2013, with the balance received in March 2014. In the past, Texas has received approximately \$1.8 million; this year the award was \$1.6 million due to sequestration and it is expected that the Commission may have the same issues with the 2015 budget. Receipt of the Court Improvement Program (CIP) budget will allow the Children's Commission to accomplish more than was initially reported in September. Ms. Amberboy advised that she would brief the Children's Commission with some of the changes and that Justice Massengale would update it on the others.

Ms. Amberboy stated that for the past several years the Children's Commission has been helping Texas Rio Grande Legal Aid (TRLA) by printing the Guide for Foster Youth Aging out of Foster Care. The Children's Commission received a request for 2,000 copies (based on prior years' distribution). The Commission has printed 400, but needs to print an additional 1,600. The total cost for 2,000 is just under \$5,000.00. Ms. Reed explained that the guides are distributed whenever TRLA conduct outreach events, and also provide books to individuals that request them. Ms. Amberboy asked for approval for \$5,000.00.

ACTION: Justice Guzman asked for a motion. Judge Sakai made a motion and Judge Byrne seconded. The attending members approved the budget increase unanimously. The motion was carried.

Ms. Amberboy stated that in September, the Commission approved \$1,500.00 for the Legal Representation (LRS) Workgroup. The LRS Workgroup met in February and anticipates meeting at least once more, if not twice, before the 84th Legislative Session. The February meeting used all allocated funds and so the Commission is seeking a \$2,000.00 increase for a meeting and travel budget totaling \$3,500.00.

ACTION: Justice Guzman asked for a motion. Judge Byrne made a motion and Judge Hellums seconded. The attending members approved the budget increase unanimously. The motion was carried.

Ms. Amberboy explained that for the fourth year, the Commission will be providing funds to the Alabama-Coushatta for their Judicial Symposium, but this year there is an additional Round Table. The Tribal Round Table with the Alabama-Coushatta will be held the day before the Symposium. The Commission has granted up to \$3,000.00 for the past three years, but this year the grantees are requesting approval for an additional \$5,000.00. The additional money will help cover the cost of the speaker travel and facility charge for the Round Table, in addition to the Judicial Symposium the following day. It will also cover printing expenses associated with the project.

ACTION: Justice Guzman asked for a motion. Judge Hofmann made a motion and Judge Hellums seconded. The attending members approved the budget increase unanimously. The motion was carried.

Ms. Amberboy referred the members to the reports at Tabs 5 and 6. Under Tab 5 is the Annual Report to the Administration of Children and Families, which was submitted on December 31, 2013. The focus of the report was on collaboration (with whom and on what), the evaluation tools used to assess projects, projects on which child welfare data like that kept by DFPS as part of its IMPACT system was used, and challenges. The second report, located under Tab 6, is How Well Our State Does in Holding Timely Hearings. This report focused primarily on Permanency Hearings and Children's Commission staff relied on data collected from the DFPS IMPACT system to determine whether hearings were held in a timely manner. Texas does very well because of the statutes prescribing when hearings will be held. With regards to the types of outcomes that children are having when they exit the system, every state has challenges and Texas is no exception. Texas would like to do better when it comes to achieving reunification and exiting children to positive permanency sooner. This is probably the weakest part of the report.

The Children's Commission is interested in the transfer issues that Judge Byrne mentioned and will work with Judge Sage on those challenges. The Meadows Foundation recently established a Mental Health Policy Institute and the Children's Commission has become more engaged with Bruce Esterline and this work. Ms. Amberboy thinks that the commissioners will be hearing a lot more about mental health issues for children in foster care, how they are receiving services to address them, and how work is being done to address these issues. On April 16, the Meadows Foundation formally will launch the Institute. The Children's Commission will send out more information regarding the official launch.

ACTION: Justice Guzman added that the Children's Commission would also post information regarding the event on its website.

Ms. Amberboy will attend the CIP Annual Meeting in April along with Ms. Roper, Ms. Black, Judge Sage, and Jenny Hinson. The focus of the meeting will be Continuous Quality Improvement (CQI). The CIP meeting planners accepted a proposal submitted by Texas for a presentation on the hearing quality project; Judge Sage and Ms. Garlinghouse will make the presentation at the annual meeting.

Justice Guzman expressed her appreciation to Ms. Amberboy. Justice Guzman also mentioned how hard Ms. Amberboy, Ms. Roper, Ms. Taylor, and Ms. Raney worked in putting together the self-assessment report for the Court Improvement Program and recommended that the commissioners read it.

COMMITTEE REPORTS AND VOTING MATTERS

Training Committee Report, Honorable Michael Massengale

Justice Massengale announced that this was his first commission meeting as Chair of the Training Committee and thanked Ms. Roper and Ms. Raney for their assistance in bringing him up to speed. The Children's Commission will host the Child Welfare Judges Conference in partnership with the Texas Center for the Judiciary (TCJ), June 9-11, 2014 at Hyatt Lost Pines in Bastrop. Registration is currently open with many of the 75 slots already filled. The Training Committee has approved amending TCJ's award statement in the amount of \$20,375 to cover additional costs associated with the Child Welfare Judges Conference, including funding a meeting of the Child Protection Court judges and court coordinators, which will take place immediately prior to the conference. Justice Massengale asked that the Children's Commission approve the increase.

ACTION: Justice Guzman asked for a motion. Judge Byrne made a motion and Judge Hellums seconded. The attending members approved the budget increase unanimously. The motion was carried.

This year's NCJFCJ Conference will be held July 13-16, 2014 in Chicago. The Children's Commission will provide a limited number of scholarships, with the application process to begin in April. The Training Committee approved amending TCJ's award statement in the amount of \$38,850 to fund approximately 20 scholarships to the NCJFCJ conference; it will also be possible for commissioners who wish to attend to seek reimbursement from the Children's Commission. Justice Massengale asked that the Children's Commission approve the increase.

ACTION: Justice Guzman asked for a motion. Judge Hellums made a motion and Judge Shannon seconded. Judge Byrne and Judge Sakai abstained from the vote. The remaining members approved the budget increase. The motion was carried.

Justice Massengale recommended postponing the Permanency Summit until 2015 to ensure adequate funding for other projects.

A Parent Resource Guide being drafted by The University of Texas School of Law faculty and students with a workgroup chaired by Judges Morris and Bondurant. They anticipate completion of this project by the end of the calendar year.

Justice Massengale again deferred his full report on Trial Skills Training until later in the agenda. The Training Committee has approved allocating \$25,000 for an additional Trial Skills Training in October of 2014. Justice Massengale explained that Children's Commission had received 75 applications for 19 seats at the April Trial Skills Training. Justice Massengale asked that the Children's Commission approve the increase.

ACTION: Justice Guzman asked for a motion. Judge Byrne made a motion and Judge Hellums seconded. The attending members approved the budget increase unanimously. The motion was carried.

A webinar was produced at the State Bar of Texas in conjunction with the October 2013 Trial Skills Training which has now been archived. The State Bar re-accredited the CLE for all of last year's CPS webinars and also agreed to extend their fee waiver for their CPS webinars to department attorneys and prosecutors. The Commission staff is evaluating feasibility of handling online registration for CPS case related CLE, the creation of an attorney database may assist with other staff projects such as scholarships and surveys.

In the most recent exam cycle there were six Texan attorneys who qualified. Justice Massengale recognized Judge Angela Ellis from Harris County, Dermot Jones from Denton, John Williams from El Paso, Denise Hale from Dallas, Kimberly Austin from Dallas, and Rosa Gonzalez from San Antonio. These newly minted Specialists will be given priority for scholarships to the annual NACC conference.

Scholarship recipients to the 2013 ABA, NACC, and the Advanced Family Law Child Abuse and Neglect conferences were all surveyed. The Commission used the results to identify topics for future trainings, including the need for more ICWA training and training on well-being issues.

2014 scholarships will include the 1-day Child Abuse & Neglect Workshop at the Advanced Family Law Conference in San Antonio, August 6, 2014 and the NACC Annual Conference, August 18-20, 2014 in Denver, CO.

The Training Committee approved funding \$10,000 to the State Bar of Texas Child Abuse and Neglect Committee for its annual Child Welfare Law Conference to be held June 19 in Houston. Justice Massengale asked that the Children's Commission approve funding.

ACTION: Justice Guzman asked for a motion. Judge Byrne made a motion and Judge Hellums seconded. The attending members approved the funding unanimously. The motion was carried.

Justice Guzman asked if there were any discussion of comment. Judge Byrne suggested that the ICWA training should be offered as a Bar Association web training.

Data/Technology Committee Report, Ms. Vikki Spriggs

Ms. Vikki Spriggs was unable to present the update at today's meeting due to a scheduling conflict. Ms. Tina Amberboy provided the project updates to the Commissioners.

The hearing notice project involves using non-confidential case data to build a system whereby notice of statutory hearings and other court-related events requiring notice to parties and interested persons can be distributed via email. OCA has finished building the search screens and notification emails that will be provided to users who sign up for the service. Users will navigate to <https://cpshearings.txcourts.gov> and create an id requiring minimal information. Users can then search for case information by the mother's last name at least one name of one child (first and last) involved in the case, and the county where the suit is filed. The system will return a list of potential cases and the user will confirm his or her interest in subscribing to receive notices of hearings for that particular case. The user will have the option to receive notices 1, 3, 7, 14, and/or 30 days in advance of the hearing. The

project will be piloted in DFPS Region 8 and the Children's Commission will work with Judge Cathy Morris, Child Placing Agency representatives and Residential Treatment Centers (RTC) in Region 8 to recruit users. The Children's Commission will at some point develop a survey tool to assess the usefulness, effectiveness and accuracy of the system. OCA will work with the Children's Commission on tracking or logging the number of users and notices provided. Ms. Amberboy suggested that Judge Villalon would like to try this in his court.

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 RTCs and courts with video conferencing capability. For FY2014, OCA will maintain a log of all hearings conducted by video conferencing, including the date, time, participating court, type of hearing, participating placement, length of hearing, any problems with the transmission quality or technical difficulties. OCA and the Children's Commission will issue a Jurist in Residence Letter to judges regarding video conferencing availability, how to use it, and who to contact to set it up as soon as the "how to" document is complete. OCA will work with DFPS and the Children's Commission on expanding capability and feasibility for use beyond court hearings later in FY2014.

Justice Guzman welcomed Supreme Court of Texas Chief Justice Nathan Hecht to the meeting and invited him to address the members.

Chief Justice Hecht thanked the members for their efforts and noted that everyone across the state is very impressed with the work of the Children's Commission; it draws a great deal of attention. The court is very invested with the efforts of the Children's Commission. Chief Justice Hecht concluded by stating that the court is very impressed with Ms. Amberboy and the support that Justice Guzman provides.

Ms. Amberboy continued that the Children's Commission continues to work on CPCMS, which 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. OCA will likely reduce the frequency of the meetings to every other month as the issues list grows smaller.

Mr. Slayton added this is an ongoing project and the funding from the Children's Commission allows OCA to continue to make updates to the system. Mr. Tim Kennedy added that Judge Hofmann still uses the CPCMS website now that he is a District Court Judge and the Harris County CPS Project Court just went live. Every time a court is brought online there is a training need. Mr. Slayton continued that OCA is working to ensure the courts that go to e-filing will have access to the CPCMS records.

The Children's Commission maintains two websites – one for the Children's Commission and the other for education-related work. The websites will inform and apprise stakeholders about the Children's

Commission and its work and the Texas Court Improvement Program. Children's Commission staff recently updated the Children's Commission website to ensure necessary reports, information, and links have been added and are working.

Basic Committee Report, Honorable Bonnie Hellums

Judge Bonnie Hellums provided an update on the activities of the Basic Committee. Judge Hellums reported that the Bench Book has been updated with the 2013 legislative changes and is available on the Commission website.

The Children's Commission and the Appleseed/Permanency Workgroup has created a foster youth video to help youth feel more comfortable attending their court hearings. Texas Appleseed will continue to work with jurisdictions requesting assistance with increasing stability in permanency and wellbeing of foster youth in long term care.

The Visitation Oversight Committee met in February to review the drafts of the temporary and full visitation plan templates, visitation observation forms, and training of staff and other stakeholders, and recommendations for assessing for safety concerns, establishing a level of monitoring and frequency, and best practices applicable to all areas. The plans and associated informational documents will help explain to parents their rights regarding visitation, when or why visits might be terminated, sharing of information gathered during visits, as well as possible parent coaching during visits. The Children's Commission will include information about visits in the new Parent Resource Guide, and will produce a brochure about visitation in partnership/consultation with the Parent Resource Group and the Visitation Oversight Group.

The Legal Representation Workgroup met on February 28, 2014 for the first time in about two years. The group discussed legislative changes from the 83rd Session, but also discussed where the project would go in 2014 and 2015. Issues on the 2014-2015 agenda include: 1) Voluntary Standards of Representation; 2) Legal Specialization through the Texas Board of Legal Specialization; 3) Written and Online Guidance/Assistance for Parents; 4) Training Needs and Methods; 5) Compensation; and 6) Commissioners' Courts and County Relationships.

The Judicial Disproportionality Workgroup (JDW) met by conference call in March and began planning an educational session regarding implicit bias at the annual Child Welfare Judges Conference. The JDW will also meet in person on the second day of the Child Welfare Judges Conference in June. The Center for the Elimination of Disproportionality and Disparities (CEDD) has named Sheila Craig as its new Director. Sheila has been serving as the Interim Director and working with her team to pilot their newly-developed curriculum. The CEDD also just hosted a delegation from the African Canadian Legal Clinic. The specific program focus for this meeting was the Youth Justice Education Program. A team from Toronto traveled to Austin on March 19th and 20th to learn more about CEDD, the Texas Model: A Framework for Equity, and the CEDD curriculum, and to hear from community partners and systems leaders about the work in Texas on addressing disproportionality and disparities. Parent Representation was renamed Parent Representation Initiatives.

The Children's Commission established a Parent Resource workgroup in August, chaired by Judges Bondurant and Morris; it includes parents' attorneys, parents, Texas CASA, and representatives of the Texas Legal Services Center and the University of Texas School of Law. The initial project involves producing an on-line and printed version of a guide and an online resource center similar to the Foster Youth Justice Hotline. UT is writing the resource guide. The online resource center project will be initiated once the written resource guide is finished. The goal of the guide is to help parents be educated about process and their role and responsibilities, and those responsibilities and duties owed to them by others. It will be 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. The workgroup may discuss making a video later. The guide does not provide legal advice or explain legal rights, but will attempt to explain in non-legal and simple terms.

Judge Hellums advised that Ms. Taylor will provide updates on Tribal/State Collaboration and Psychotropic Medications later in the program.

Judge Hellums explained that the Children's Commission will continue to support DFPS's shift to a trauma-informed care system by developing and promoting judicial and attorney training on trauma-informed care. The Commission will also partner with CASA and provide CIP funding support to engage with the TCU Institute of Child Development and Dr. Purvis to develop a Train the Trainer Program to help establish Trust-Based Relational Interventions (TBRI) as an effective and widely used intervention plan for children in foster care. The goal is to train 100 trainers over two years. CASA will establish a workgroup that includes representatives from DFPS, the Children's Commission, and other child welfare advocates to assist with planning the Train the Trainer program. CIP funding will support Dr. Purvis and the TCU Institute training program and travel for TBRI facilitators and materials to support training.

RECESS FOR LUNCH Before breaking the meeting for lunch, Justice Guzman introduced Sherri Evans, current chair of the State Bar of Texas Family Law Section. Justice Guzman adjourned the meeting at 11:45 a.m. Judge Byrne departed the meeting.

The meeting reconvened at 12:55 p.m.

PSYCHOACTIVE MEDICATIONS- House Bill (HB) 915 IMPLEMENTATION WORKGROUP UPDATE,

Ms. Taylor. Ms. Taylor reported on the progress of the HB 915 Implementation Workgroup and provided background on the project. In 2011, the Children's Commission formed a workgroup to focus on better collaboration between medical providers, STAR Health, DFPS, and the judiciary regarding the topic of psychotropic medications. That group issued legislative and practice recommendations. In 2013, HB915 was born and changed how people viewed and dealt with informed consent for children in foster care. The HB915 Workgroup met four times between June 2013 and March 2014 and was facilitated by Judge F. Scott McCown. Ms. Taylor listed the highlights from the workgroup:

- Catherine Guest said that for the last year, Harris County, which has 550 children and 9 caseworkers, has been using the Human Service Technician, this had freed up caseworkers to make monthly visits.

- Medical Consenter Training was conducted by Pam Baker, in collaboration with external stakeholders on Medical Consent and Psychotropic Medication content. The training is available on the DFPS website.
- Notification to parents is happening, and is being recorded in the IMPACT system.
- Transition planning and making sure the youth understand that they can consent to all, or part of, their medical care.
- Assessments require more work, DFPS are working with HHSC to use the Trauma Informed Assessment from DFPS, to see how those blend in with other assessments that have been done within the HHSC system.
- The future of the group has gone from non-pharmacological alternative to focus on HB 915 and that its work would be ending. The next generation might be a broader workgroup on mental health and that could include the non-pharmacological alternative. Some things that are already happening are that Sympatico is trying to increase the clinical capacity so that children can see therapists who are trauma informed care specialists.
- Dr. Purvis has other trainings that are focused on the caregiver to ensure that the caregiver is ready to give the best care and respond appropriately based on the child's experience.
- Partnership with Meadows Mental Health Institute, the Children's Commission has been trying to get a picture of all the continuum of mental health services, Meadows will contribute expertise and resources to capture a snapshot of what is available to children when they come into care and look at how the children flow through the system.
- Psychotropic Medication Judicial Workgroup is going to end. Judge Guariglia chaired this group and Ms. Taylor invited her to speak.

Judge Guariglia thanked the group for their hard work, and shared a story about an 11-year old child that endured a life of sexual abuse from her step-father and is doing much better on two psychotropic medications and despite these issues is going to be adopted by his grandmother.

Ms. Taylor concluded that she had passed out the agenda to the Alabama-Coushatta Annual Judicial Symposium, and spoke briefly about the speakers that would attend, in particular Chrissi Nimmo who represented the Cherokee Nation in the Baby Veronica case.

TRIAL SKILLS TRAINING, Honorable Michael Massengale

Justice Massengale provided a brief background of the Trial Skills Training Project followed by an update on the status. Justice Massengale expressed his thanks to the faculty and staff at the Children's Commission for their efforts in making the program a success. All twelve Trial Skills Training faculty members taped a live webinar at the State Bar, covering all 16 lectures from the Trial Skills Training curriculum. The webcast had 617 live viewers, which was outstanding. 599 of these watched the webinar free of charge thanks to the generosity of the State Bar who, in partnership with the Children's Commission, has made CPS related webinars free to all lawyers who work on CPS cases in their online library. The Trial Skills Training Pilot was held in Austin across 2 ½ days, October 23-25th, 2013. The program was a mixture of lecture and live demonstration format with a live practice sessions, followed by group and one-on-one critiques. Trial Skills Training faculty prepared presentations and group

exercises on all areas of trial preparation. Trevor Woodruff of DFPS arranged for four caseworkers to participate in exercises, and Dr. Narang also arranged for three pediatric fellows, all of whom served as mock witnesses. The participants were 19 new or less experienced lawyers in CPS cases and there was an equal number of Department, state, parent, and child attorneys who attended from 14 different counties.

The pilot received excellent reviews and constructive criticism by participants, faculty, and staff, all of which will improve the program going forward. The next Trial Skills Training is scheduled for April 2-4, 2014. One of the major changes based on the feedback received, the curriculum has been expanded to three days and a new venue has been secured, with more room for a courtroom-like setting. The Commission received 74 applications for 21 slots demonstrating a definite need for the program. Three new faculty will be on board next week. Current volunteer faculty members include: Judge Karin Bonicoro, Judge Gary Coley. Rob Galvin, David Halpern, Doug Lowe, Elizabeth Watkins, LaRu Woody, Jackie Martin, Dr. Sandeep Narang, Judge Robin Sage, Leslie Strauch, and Trevor Woodruff. Justice Massengale concluded by thanking Ms. Raney for her outstanding work.

Justice Guzman expressed her appreciation to Justice Massengale for the presentation content and commented on the depth of the training. Justice Guzman had been in attendance for part of the program and was very impressed with the standard of training.

Justice Guzman welcomed Terry Tottenham to the meeting.

Terry Tottenham, Of Counsel, Fulbright and Jaworski, L.L.P., Austin The veterans program continues to be very robust; they have helped over 10,000 veterans and their families in Texas, and they have involved almost 7,000 lawyers in this effort, many of whom had never done pro bono work before. Mr. Tottenham stated that a lot of cases in clinics involve family law issues and child custody issues. Mr. Tottenham asked whether it would be appropriate to confer with Ms. Amberboy and her staff about how to reach out to better involve veterans and military families with regards to what the Children's Commission does. Mr. Tottenham felt that it would be possible to work with the JAG offices at Fort Bliss and Fort Hood. Both Justice Guzman and Ms. Amberboy agreed that the Children's Commission could work with Mr. Tottenham in regards to this. Ms. Amberboy also suggested the Meadows Mental Health Foundation as another possible source of information. Judge Hellums suggested that Mr. Tottenham contact Judge Farr in Houston. Judge Farr is a colonel in the U.S. military and has contacts that may be useful to Mr. Tottenham's program. Justice Guzman suggested setting up a conference call with commissioners that may be interested.

TEXAS BLUEPRINT IMPLEMENTATION TASK FORCE, Honorable Rob Hofmann

Judge Hofmann provided an update on the work of Blueprint Implementation Task Force. The Task Force has three workgroups that have continued to meet regularly. All are meeting with an eye toward making recommendations regarding future implementation and collaboration when the Task Force wraps up at the end of 2014. Judge Hofmann provided highlights since the last commission meeting:

- The end of year annual report was sent to Advisory Council.

- A Jurist in Residence letter was issued on the new Form 2085-E, which DFPS uses to designate education decision-maker.
- A Texas team made up of DPFS, TEA, and the Children’s Commission accepted into and attended the Information Sharing Certificate Program at Georgetown University, which was a 4-day program and will help how TEA and DFPS are using the data they exchange.
- A Texas team was one of five national teams that participated in the Casey Shared Learning Collaborative (SLC) regarding data sharing between education and child welfare agencies. The Texas team developed an action plan at the SLC, which includes TEA and DFPS partnering to develop a joint report about education outcomes. The team felt that they had all of the right people in the room to discuss the best way to share this information.
- The Texas Association of School Boards (TASB), DFPS, TEA and the Children’s Commission partnered to host a focus group of school administrators at the Texas Association of School Administrators (TASA) Mid-Winter Conference. The conference was attended by 14 school district representatives to discuss enrollment, child specific information sharing, and best practices. Since the Education Summit in February 2013, over 700 school district liaisons have joined the TEA list serve; this is a dramatic increase.
- The Texas TRIO grant ended last July, however Houston ISD and DFPS staff in Harris County continue to meet quarterly and report they have a great working relationship.
- TEA, DFPS, and the Children’s Commission also continue to meet quarterly to troubleshoot and discuss their ongoing collaboration.
- TASB released a policy alert to school districts about Texas law and policy affecting school transitions for students in foster care as well as a chart about who to contact when things arise in the school setting.
- Several education service centers around Texas are developing curriculum specifically for school district foster care liaisons.

Judge Hofmann added that on the horizon for 2014, the Task Force is developing fact sheets for CASAs, DFPS is rolling out its new education policy, the Capstone Project for the Georgetown program will be completed by the end of 2014, the Task Force continues the work on data exchange on both global and individual levels, including working with schools and DFPS about when and how to share information about specific children, and there will be further work on implementing legislation passed in 2013 related to education of foster students. Ms. Roper added that another big project being worked is to determine a method to measure school mobility. This will look at whether children stay in their school when they enter foster care and whether they change schools while in foster care. Texas is a pioneer in this effort. Judge Hofmann concluded by thanking the commission staff for all that they do.

HEARING OBSERVATION PROJECT, Honorable Robin Sage and Ms. Garlinghouse

Ms. Amberboy began by referring the member to the hard copy of the Hearing Observation Report. Ms. Amberboy then explained that a CIP grant had been awarded to ensure that parties in CPS cases have quality hearings, and quality legal representation. Last summer, Judge Sage and Ms. Garlinghouse worked on a project to use a 100-element tool to determine the quality of the hearings. Ms. Amberboy invited Judge Sage and Ms. Garlinghouse to address the Children’s Commission. Ms. Garlinghouse

explained that the tool that was developed to measure the results is located at the back of the report. Ms. Garlinghouse and Judge Sage looked at some of the national best practices and spoke with the federal Children's Bureau about how to measure the content and depth of judicial consideration of certain factors. The Children's Commission developed project goals, an observation tool and surveys in partnership with the Children's Bureau and ABA National Resource Center for Legal and Judicial Issues. Over the course of the summer, they observed 17 judges conducting 164 hearings in 12 locations; sometimes there would be more than one judge in a particular jurisdiction. Judge Sage carried out the courtroom observation and Ms. Garlinghouse interviewed attorneys and parents involved in the cases. In all, Ms. Garlinghouse interviewed 68 attorneys and 42 parents, but in-depth analysis of these surveys was not conducted for this report. Judge Sage explained that judges were notified that they would be observed, but in order to ensure that they did not perform differently under observation, Ms. Garlinghouse asked lawyers and parents if the hearing was consistent with hearings that had taken place in the past.

Ms. Garlinghouse continued that the study covered the many types of child welfare courts, ~~including District~~including District Courts, specialized Child Protection Courts (CPC), County Courts at Law, non-CPC Courts, and rural and urban courts. Where possible, they tried to look at half-day dockets with at least 10 hearings per court, to have a good sample, and then followed this with file reviews. The project also looked at hearing quality indicators, including both due process and well-being indicators. Due process indicators were things that happen when a family comes to court, such as all parties present, statutory findings, and setting the next hearing date. The well-being indicators are things that one would hope happens in court based on national best practices that might lead to a better outcome for children. The review identified which issues came up in court and noted whether issues were discussed in the courtroom, were addressed in the notes, were missing, or were not applicable. Judge Sage and Ms. Garlinghouse used as an example ICWA and siblings as issues that might have been addressed in the file or not applicable. For example, if ICWA had been addressed previously in the life of the case, then it need not come up in court; similarly, if all siblings are placed in one foster home, or there are no siblings, sibling visitation would be a moot issue. Other issues were hearing type, court type, geography, parties present, engagement, advocacy, hearing length, docket case load, and how involved the parties were in the case. The data was analyzed based on these factors. In over 60% of hearings where these items are relevant, parties were identified at the beginning of the court hearing, the next hearing was set, there were clear orders and next steps, parties discussed current placement, visitation was addressed, over half of the courts discussed the educational needs, and, of the cases that could request an extension, less than 20% were granted. Ms. Garlinghouse concluded that most parents have attorneys, especially mothers; in most jurisdictions, attorneys are appointed early in the case.

Judge Sage briefed the recommendations:

- Child Protection Courts covered more indicators than any other court
 - Those courts have smaller dockets (longer hearings)
 - More specialized training in Child Welfare
 - CPCMS management system
- Training provided by the Children's Commission produces better results among judges

- Permanency Summit
 - 34% of those that did not attend reviewed permanency plans, as opposed to 46% that attended
- Education Summit
 - 39% of those that did not attend enquired into well-being issues, as opposed to 67% that attended
- Recommend Children’s Commission continue to provide training
- Fewer cases on the docket able to cover more relevant points
 - Recommend no more than 15 cases for half day docket
- Increase length of hearing
 - Hearings last from 1 to 81 minutes
 - Cases that lasted under 10 minutes were inadequate
 - Optimum time is between 10 and 25 minutes
 - Make hearings as long as possible
 - Recommend judges review court reports ahead of time
 - Recommend judges use bench cards to prepare for hearing
- Federal Government requires Judges to ascertain whether DFPS has made reasonable efforts to avoid removal of the children, or to reunify the children, or to achieve permanency
 - How often do judges ask these questions?
 - Judges tend not to mention “reasonable efforts” after the adversary hearing
 - In court order is boiler plate language that the federal government requires in order to fund our child welfare system
 - Recommend judges ask more “reasonable efforts” questions
- Indian Child Welfare Act (ICWA)
 - Judges rely on caseworkers to make inquiries regarding tribal membership
 - 1 in every 10-15 cases is eligible for tribe membership
 - Notes in file that identify child as “African-American” so child cannot be Indian
 - Recommend ICWA question be asked in every case
- Due Process
 - How often are parents served?
 - Judges better at asking questions at beginning of case
 - Recommend judges continue to ask whether parties have been served
- Permanency Plans
 - Only two thirds of judges review permanency plans
 - Concurrent plans rarely discussed
 - Recommend courts consider alternative placement before current placement breaks down
- Child Well-being
 - Shortest hearings, average 12 minutes
 - Recommend judges ask more questions: are they attending schools; are there disciplinary actions; etc.
- Psychotropic Medications

- Judges ask what medication child is taking
- Do not ask whether they are taking medication correctly or whether prescription is current
- Recommend judges ask more in-depth questions
- Sibling Visitation
 - Rarely discussed even if siblings are placed apart
 - Recommend judges address this issue
- Children to attend court
 - When children are present judges do a much better job of having a thorough hearing
 - Recommend children attend court in person or via video conference or phone
- Engage Parents and Care givers
 - In the hearing attorneys and CASAs spoke up whenever they had a point to make
 - Parents, foster parents, caregivers, etc. did not speak unless asked
 - Recommend judges ask questions to involve them in hearing

Judge Sage explained that the findings and recommendations are in the report which is available on the Children’s Commission website. The next step will be to communicate the findings with the relevant stakeholders and to promote training and education for those involved in these cases. In two to three years, the study should be repeated to see whether Texas has improved. Judge Sage concluded that the average wait times for a case to be called was 56 minutes and the longest wait time was 4 hours and 25 minutes. Judges need to do a better job of scheduling to reduce wait time for parties.

Justice Guzman thanked Judge Sage and Ms. Garlinghouse for the in-depth report and recommendations.

Mr. Connolly asked whether moms were served sooner than dads and whether dads were given the same considerations regarding court appointed attorneys. Judge Sage answered that she did not see that particular issue in the cases she observed. Judge Boyd asked whether Judge Sage would send the report to the judges, Judge Sage responded that those results would be forwarded confidentially to each judge. Justice Guzman asked that the confidentiality issue be checked with General Counsel to ensure that it is in compliance with open records. Justice Guzman did not want to leave the impression that there would be confidential information that the public would not have access to.

UPDATE ON FOSTER CARE REDESIGN, Bob Hartman

Mr. Hartman introduced himself to the group and provided background on Providence Service Corporation and Foster Care Redesign. Providence Service Corporation was started 18 years ago to help children stay in their homes with community based alternatives to avoid institutional care. Primarily dealing with mental health issues, it has branched out to cover 40 states plus Canada, and works with juvenile justice activities around the country such as well as Medicaid, Medicare, and Child Welfare. Providence currently has 10,000 employees. The concept of Foster Care Redesign was to replicate an organization that has a continuum of care to provide child welfare services, mental health services, home based work, and integration with the family, etc.

The plan for Foster Care Redesign is a collaborative effort to integrate care. Core values in Providence match with Foster Care Redesign, the core values that you want to see in any organization that provide care to families. The principles of service delivery were put into the proposal to DFPS, child safety being number one, this is a critical issue highlighted today with the increase in the child safety concerns around the state. The structure for Foster Care Redesign encourages an urgency of action. It also encourages and requires a quality of action so that services are not shortened inappropriately. Foster Care Redesign is currently in Region 2/9 and anticipated to roll to other regions, it is not a time limited study to determine, and it is a state commitment to continue revising and refining this new model of care to strengthen the child welfare system. Region 2/9 looks small on the map, but it is huge. It is 20% of the state, 25% of the counties, the size is one of the biggest barriers to Providence. One child had an 800 mile round trip to attend court, had Mr. Kennedy's video conferencing been in place this would have been much easier to accomplish. Mr. Kennedy has been very supportive with the video conferencing, Judge Chavez has video conferencing in Midland, and Judge Bondurant will be next. Other judges have requested this capability in their courtrooms.

There are eight major outcomes to Foster Care Redesign should achieve:

- Safety in the child's placement
- Placed closer to home (50 miles from a child's removal neighborhood). This is not always possible in western Texas, when Foster Care Redesign began 28% of children were sent outside of Region 2/9, and over 70% of kids were away from their home county. Foster Care Redesign will track how many children, and what percent will be within 50 miles of home, and how many total average miles.
- Minimal moves
- Connections to the family
- Placed with siblings
- Respect child's culture
- Fully prepared for successful adulthood
- Provided opportunities to participate in decisions that impact their lives. There are a number of points under this, but one of those is to be present in court, so this use of technology is critical for Providence.

Foster Care Redesign signed a contract with Judge Specia a year ago, the first 7 months were dedicated to developing the system of care before going live at the end of August. There was a built in demand for placements, almost 80 children were waiting to be placed and Foster Care Redesign received them overnight, for the first 6 weeks they were deluged with referrals. Legacy transitions were then added, Legacy Children being those that have been in care all along. Important lessons were learned, the result being that when the next regional roll out in Tarrant County begins in July they will start with Legacy transitions. Mr. Hartman added that there are currently 1,100 children in the support system.

In the startup phase Foster Care Redesign collaborated regularly with DFPS.

There are currently 19 child placing agencies in region 2/9, and Foster Care Redesign is working with 30 organizations outside the region to accommodate children. A provider council of organizations was formed to work with Foster Care Redesign and help make decisions, one of which is a rates committee

which will look at rate structure, a 300 page operations manual is available on line to provide detailed information. The Foster Care Redesign also established a Community Advisory Council, members include Judge Hacker, CASA Directors, Foundation representatives, and Mental Health representatives. Foster Care Redesign regularly meets with collaborative members to manage the program; deciding who needs to present in court, and when, is an important facet in these discussions. Foster Care Redesign also coordinates with STAR Health and Cenpatico for evaluations and with a number of faith based initiatives to provide foster home support, development, and respite care. Currently 80% of all removals come from 8 of the 60 counties, Foster Care Redesign want to strategically recruit homes to get those children placed nearer to their homes. Midland and Odessa present a challenge to find foster homes, Foster Care Redesign will join with faith based groups to conduct a joint recruitment campaign that will join private child placing agencies with their own recruitment to drive interest for people to become foster parents. Foster Care Redesign has inherited the child placing unit from DFPS to manage the emergency placements, and responds within 4 hours to pick up a child.

The Community Based Resource and Information System (CoBRIS) has a geo positioning unit that can see foster homes within a 50 mile radius of the child's removal home, this provides a tool to try to match a child with a home. The Child and Adolescent Functional Assessment Scale (CAFAS) is an assessment that does not replace psychological evaluations, but enhances the information; CAFAS is accessible on-line with 120 trained raters who have completed over 150 child assessments. Foster Care Redesign also has a quality assurance unit assessing the residential child care licensing and accreditation standards, and a utilization management team assessing at care management and permanency planning.

A large part of the Foster Care Redesign proposal concerned wraparound and behavioral services, how to bring more community based services to children in child welfare to result in less disruption in a child's life. Mr. Hartman stated that he had been a member of a national child traumatic stress network and had chaired the child welfare committee to help develop a caregiver manual which is available on-line at <http://www.nctsnet.org/> along with other free materials on Trauma Informed Care. Providence Service Corporation has thousands of webinars which will be available to the provider network shortly. Mr. Harman mentioned that it was disappointing to him to see statements from foster parents that children were not bonding within the foster home only three weeks into the placement, he felt that moving children from place to place should be stopped and added that this is one of the biggest challenges facing Foster Care Redesign.

To date over 71% of siblings have been placed together, primarily in shelters, with 90% of children being placed with at least one other sibling. This is higher than the state average of 60%, however the aim is to place these siblings into foster homes rather than shelters. Child Welfare is a system of systems that do not always speak to each other, this is confusing to the children and foster care professionals need to work to ensure that the correct agencies are around the table. Initial evaluations have been conducted by the University of Texas and the University of Chicago, Mr. Hartman concluded that a culture change in the system does not happen overnight, he is hopeful that in a year from now he will be able to report on what is going well with the new system.

OFFICE OF COURT ADMINISTRATION (OCA) UPDATE, David Slayton, Administrative Director

Mr. David Slayton provided the project updates to the Children's Commissioners. Mr. Slayton mentioned that the Hearing Observation Project had identified that only half of the cases where language assistance was needed were formally interpreted. OCA is currently working on a project funded by the legislature to provide interpretation services to any court in the state. Since the last Commission meeting in addition to the Harris County Child Protection Court (CPC) opening, there is also a CPC opening in Atascosa, Wilson, Karnes, Frio, and La Salle counties; Judge Melissa DeGerolami has been assigned to this court.

OCA is working with legislature regarding discussion from the judicial council on juvenile justice, there is an interim charge to raise the age of majority for criminal prosecution from 17 to 18. The judicial council continues to work on school ticketing issues and truancy issues, early indications are that the cases going to court in September through November were down 80% in 2013 compared to the same period in 2012.

Another project that OCA is involved with is E-filing, the Judicial Council and OCA are working guardianship issues, and this is an issue for elderly and also children with disabilities. OCA are looking at ways to make sure that guardianship awards are being protected, and will provide recommendations later this year. Mr. Slayton provided a handout to the members on e-filing, and explained that the Supreme Court has been studying the issue of e-filing for 10 years, and have heard from clerks, lawyers, and judges about the need to mandate e-filing, a couple of years ago e-filing was mandated on a rolling schedule. The schedule shows that in all Appellate Courts, and Counties with population over 500,000, attorneys were required to begin e-filing in all civil cases, family cases, probate cases, on January 2014. Every six months that mandate rolls down to smaller and smaller counties until by 2016 all counties will be covered. In addition to the mandated counties there are an additional 43 counties that have permissive e-filing, these counties cover 85% of the population. E-filing has increased the number of documents that OCA receives from 2,100 to 15,500 per day. On March 1st there were 57,000 users of this system, today there are 60,000. Mr. Slayton added that Jan 1st was a big day, 10 counties went live on Jan 1, on July 1st 2016 136 counties with a population under 20,000 will go live. These counties have little to no technology and will present a challenge to the OCA. Mr. Slayton explained that OCA provides a central portal that all e-filing comes through, it connects to two outer things. The first is PFSP which is a courier service from the filer to the central portal, and there are a number of portal being used for this. The second is on the back side and is a connection to each county case management system, there are 30-40 separate systems. There are more issues raised regarding the back side case management with clerk's offices, pulling up documents, accessing documents, etc. OCA is still working with courts and clerks to iron out these problems. Last Friday the Supreme Court issued updated technical standards which standardized the statewide filing types, codes, and categories that clerks can use. Prior to this if you filed in Harris County there were 550 filing types for filers to choose from versus 25-30 in Travis County. Now the filing types are unified state wide, this is a huge accomplishment.

Justice Guzman thanked Mr. Slayton and added that his office is available to assist anyone having problems with e-filing.

Mr. Slayton concluded that while e-filing is free, counties are able to charge a \$2.00 local option fee to recover the cost of integrating. The law governing this is government code 72.031 “the court shall waive this fee for indigent individuals”, court appointed attorneys should not be paying this fee.

COLLABORATIVE COUNCIL REPORT

Justice Guzman expressed appreciation to the members of the Collaborative Council for their efforts.

Ms. Mary Christine Reed, Texas Foster Youth Justice Project, Austin.

Ms. Reed introduced herself and then spoke about health insurance for aged out foster youth. Now every youth that aged out of foster care has free Medicaid until age 26. Most of the foster youth over age 21 are unaware that they have this right. There is information regarding this available on <http://texasfosteryouth.org> and Ms. Reed added that there is no income limit to receive this benefit. Ms. Reed requested that members pass this information to Foster Youth.

ACTION: Justice Guzman thanks Ms. Reed and added that the Children’s Commission would send out a JIR regarding this, and also place a link on the Children’s Commission website.

Mr. Mike Foster, A World For Children, Austin.

Mr. Foster shared that A Word for Children has kicked off the Travis County Children’s Collaboration pilot program in partnership with Dr. Purvis and the TCU Institute of Child Development. TCU is providing 270 scholarships to their TBRI model and there is a cross section of people being trained. Judge Byrne and Judge Hathaway’s staff are being trained, the ad litem attorneys, CASA, school teachers, foster parents, clinicians, child placing agencies, children’s shelter, settlement home, and Helping Hand are all being trained in the trauma informed model. Mr. Foster envisions in 3-5 years if a child enters the Travis County system, whoever touches that child will be trained in TBRI. The first training has been accomplished and with approval from Justice Guzman Mr. Foster would like to give a more detailed report at the next meeting.

ACTION: Justice Guzman asked Ms. Amberboy to add this to the agenda for the next meeting

Ms. Irene Clements, Texas Foster Family Association, Austin.

Ms. Clements was invited by the House Committee on Human Resources to provide expert testimony on normalcy for children in foster care, and what that means for the foster parent and care givers. Florida started the ball rolling, the Governor for Washington State signed their normalcy bill yesterday and Utah is in the process of passing theirs. Foster Family Association, Provider Groups, and Youth are collaborating to introduce a bill regarding normalcy for kids into the next session. One of the things that will be in the bill is a definition of prudent parent. There is currently nothing in Texas statute that defines a prudent parent or prudent parent standard. Utah has a clause regarding limited liability to the foster parent or caregiver in regards to prudent parent standard. The Foster Family Association will be working on this until January.

Ms. Clements reminded the members that May is national foster care month.

Ms. Johanna Scot, Parent Guidance Center, Austin.

Ms. Scot introduced herself and explained that her organization exclusively advocate for parents involved with child protective services. Ms. Scot applauded that Commission for their work and then added that the data book for 2013 has been issued. In 2013 32.4% of children went home, that means that 67.6% never went home to their family. Ms. Scot explained that we can do all this work, but if children are not going home we are not doing enough and opined that if the ~~the~~ majority of children are removed due to neglect and not abuse, then we must do a better job on services and visitation. We need to think about what it means to children if 67.6% are never returned home.

Ms. Barbara Elias-Perciful, Texas Lawyers for Children, Austin.

Ms. Elias-Perciful stated that Texas Lawyers for Children has made a focused effort in the last few months to include a lot more resources for judges and attorneys on trauma informed judicial practice and trauma informed advocacy. The National Child Traumatic Stress Network, and all their bench cards and materials are in the on-line center for access and so are the NCJFCJ materials. Also the same has been done for education advocacy, so there are a lot of materials focusing on education issues. The Children's Commission helped to create the capability for on-line training, the first wave of videos available is on education advocacy.

Justice Guzman announced the dates for the next Commission meetings as May 16 and September 19. Ms. Amberboy added that there is an event in Austin in May, and so hotel rooms for the May 16 meeting may be scarce. Justice Guzman thanked members for attending and said that this had been a great meeting.

ADJOURNMENT

Justice Guzman adjourned the meeting at 2: 30 p.m.

INSERT - TAB 2

CHILDREN'S COMMISSION MEMBERS

Hon. Eva Guzman, Chair	Hon. Helen Giddings	Vicki Spriggs
Hon. Harriet O'Neill, Chair Emeritus	Hon. Bonnie Crane Hellums	Sharayah Stiggers
Hon. Darlene Byrne, Vice Chair	Hon. Rob Hofmann	Terry Tottenham
Hon. Jo Ann Battise	Dr. Octavio Martinez	G. Allan Van Fleet
Lisa Black	Hon. Michael Massengale	Hon. Carlos Villalon
Hon. Jean Boyd	Hon. Mary Murphy	Hon. Judy Warne
Bruce Esterline	Hon. Peter Sakai	
Gabriela Fuentes	Hon. Cheryl Lee Shannon	
Stewart W. Gagnon	Luanne Southern	

COMMITTEE MEMBERS

EXECUTIVE	BASIC PROJECTS	TECHNOLOGY PROJECTS	TRAINING PROJECTS
Hon. Eva Guzman, <i>Chair</i>	Hon. Bonnie Crane Hellums <i>Chair</i>	Vicki Spriggs, <i>Chair</i>	Hon. Michael Massengale, <i>Chair</i>
Hon. Harriet O'Neill, <i>Chair Emeritus</i>	Gabriela 'Gaby' Fuentes	Dan Capouch	Hon. Mark Atkinson
Hon. Darlene Byrne <i>Vice Chair</i>	Colleen McCall	Jason Hassay	Tymothy Belseth
Hon. Bonnie Crane Hellums	Hon. Peter Sakai	Hon. Gilford Jones	Cathy Cockerham
Hon. Michael Massengale	Hon. Cheryl Lee Shannon	Octavio Martinez	Barbara Elias-Perciful
Hon. Dean Rucker	Hon. Olen Underwood	Robert Nolen	Alice Emerson
Vicki Spriggs	Hon. Doug Warne	Hon. Virginia Schnarr	Debra Emerson
	<i>Staff: Tina Amberboy</i>	D.J. Tessler	Hon. Richard Garcia
	<i>Kristi Taylor</i>	G. Allan Van Fleet	Tracy Harting
		Hon. Carlos Villalon	Joyce M. James
		Bryan Wilson	Hon. Lamar McCorkle
		<i>Staff: Tina Amberboy</i>	Sandeep Narang
			Pam Parker
			Fairy Davenport Rutland
			Hon. Ellen Smith
			Elizabeth Watkins
			<i>Staff: Tiffany Roper</i>
			<i>Milbrey Raney</i>

COLLABORATIVE COUNCIL MEMBERS

Irene Clements	Mike Griffiths	Tracy Levins	Armin Steege	Tina Amberboy, Executive Director
William B. Connolly	Diane Guariglia	Rebecca Lightsey	Gloria Terry	Tiffany Roper, Assistant Director
De Shaun Ealoms	Sandra Hachem	Diana Martinez	Kenneth Thompson	Kristi Taylor, Program Manager
Barbara Elias-Perciful	David Halpern	Madeline McClure	Arabia Vargas	Milbrey Raney, Staff Attorney
Debra Emerson	Ashley Harris	Hon. F. Scott McCown, ret.	Larry Williams	Rashonda Thomas, Grants & Finance Specialist
Laura Figueroa	Robert Hartman	Sandeep Narang		Mary Mitchell, Executive Assistant
Mike Foster	Leslie Hill	Anu Partap		Jessica Arguajo, Administrative Assistant
Mara Friesen	Bruce Kendrick	Judy Powell		Hon. Robbin Sage, Jurist in Residence
Sadie Funk	Lori Kennedy	Lisa Ramirez		<i>Office of Court Administration</i>
Paul E. Furrh, Jr.	Kelly Kravitz	Johana Scot		Hon. Dean Rucker, Jurist in Residence
Helen Gaebler	Richard Lavallo	Janet Sharkis		<i>Office of Court Administration</i>
Christina Green	Stephanie Ledesma	Jeanne Stamp		

STAFF

INSERT - TAB 3



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

May 16, 2014

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

Supreme Court of Texas
Permanent Judicial Commission for Children, Youth and Families
Report for February 7, 2014

MINUTES –March 28, 2014 (adoption pending), **TAB 1**

COMMISSION MEMBERSHIP CHANGES, TAB 2

COLLABORATIVE COUNCIL MEMBERSHIP CHANGES, TAB 2

COMMITTEE MEMBERSHIP CHANGES, TAB 2

STAFF CHANGES, TAB 2

ONGOING PROJECTS

1. Parent Representation Initiatives

The workgroup exists to help improve the quality of legal representation for parents in CPS cases. In the last quarter of 2013, 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 UT School of Law is taking the lead on drafting the guide, with input from the workgroup. CC is also working with the Texas Legal Services Corporation to see whether it's feasible to launch an online resource center for parents.

The Parent Representation workgroup is chaired by Judge Alyce Bondurant and Judge Cathy Morris, that includes parents' attorneys, parents, Texas CASA, and representatives of the Texas Legal Services Center and the University of Texas School of Law. The initial project involves producing an on-line and printed version of a guide and an online resource center similar to the Foster Youth Justice Hotline. UT is writing the resource guide. The online resource center project will be initiated once the written resource guide is finished. The goal of the guide is to help parents be educated about process and their role and responsibilities – and those responsibilities and duties owed to them by others. It will be 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. The workgroup may discuss making a video later. The guide does not provide

legal advice or explain legal rights, but will attempt to convey information non-legal and simple terms.

The group is currently reviewing final edits for the various sections and is scheduled to meet again in June 2014. The group anticipates completing the guide by the end of the calendar year.

2. Child Protection Bench Book

In October, the BB was connected to LawBox Citation Service. Link here: <http://benchbook.texaschildrenscommission.gov/>. 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 is currently modifying all Bench Book checklists and will launch a Bench Book Checklist Pilot at the June Child Welfare Judges Conference to assess the usefulness of checklists. There are multiple checklists available to judges on a myriad of issues. The pilot is intended to assess whether judges would use checklists if they were shorter versus multi-page, statutory versus topical, or targeted to less experienced judges versus more experienced judges. This will help the CC determine whether and what type of checklists to include in the bench book going forward. Bench Book Checklist Pilot: The CC will solicit a handful of judicial participants to test the one-page checklists over a 6 month period. CC staff will check in with the pilot group after 30 days, after 120 days and again at 180 days, and write a summary report.

3. Family Visitation Oversight Committee

The purpose of the committee is to develop and execute a plan to move from a traditional one-size-fits-all approach on visitation to one that serves the child and family in a more individual manner. DFPS manages 3 workgroups: Assessments, Visitation Plans, and Best Practices. The Commission provided a JIR letter on family visitation in December 2013, and will continue to provide training and information and judges on the new visitation law, advocate duties, and best practices. Link to JIR here: [JIR on Family Visitation](#)

The Visitation Oversight Committee met in February to review the drafts of the temporary and full visitation plan templates, visitation observation forms, training of staff and other stakeholders, assessing for safety concerns, establishing a level of monitoring and frequency, and best practices

applicable to all areas. The plans and associated informational documents will help explain to parents their rights regarding visitation, when or why visits might be terminated, sharing of information gathered during visits, as well as possible parent coaching during visits. The Children's Commission will include information about visits in the new Parent Resource Guide, and will produce a brochure about visitation (in partnership / consultation with the Parent Resource Group and the Visitation Oversight Group).

DFPS is also examining whether and how to capture data and information about visitation sessions between children and family members.

4. Round Table Series

The Commission hosted a Tribal / State Collaboration Round Table on April 23, 2014.

5. Legal Representation Reform

The Legal Representation Reform workgroup met February 28, 2014 and discussed new business related to Voluntary Standards of Representation, Issues of Indigence and Commissioner Court and County Relationships and Specialization by the Texas Board of Legal Specialization.

Standards of Representation: From the LRS meeting, Judge Rucker explained that in previous LRS meetings it had been discussed whether it would be wise for the State of Texas to adopt minimum standards of representation for attorneys in this work. We have access to standards that have been adopted elsewhere, whether there are broad and general as we see through NACC and, ABA or more detailed as we see in other states. While Standards will not specifically solve a problem; it will provide a higher quality of representation. This will be helpful because the standards, even voluntary, provide the attorneys with information regarding the court expectations. Judge Rucker concluded that the point is to have standards that can be used in court.

Texas Board of Legal Specialization: An application for legal specialization through the Texas Board of Legal Specialization 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.

Presumed Indigence / Attorney Appointment / Representation and Commissioner Court / County Relations: As was discussed at the recent LRS meeting, Appleseed has been working with CASA and CPS to provide Permanency Values Training in 5 jurisdictions, and one issue that came up at the end of each training event was the issue of attorneys seeing their children. It was noted at the meeting that CASA, CPS, and other parties also feel the impact that the missing relationship between the child and their attorney brings to the case. Some jurisdictions pay only an appearance fee, which results in attorneys not spending time out of court with their client because they are not compensated. Clients are also placed 300-400 miles away and the judges have no way to pay for these visits. Technology is one option; there are tools that can be used but the model where the child and attorney/parent and attorney meet face to face is the best solution. Also, many jurisdictions have no mechanism in place to measure whether this is being done. There is research outside of Texas that show putting resources such as a good attorney, a social worker, and an investigator on the case shortens the time that the case is in court. The LRS workgroup determined that it would be useful to have a one page bullet list of why it is important to have a budget that pays a reasonable fee to lawyers to take CPS court appointments. Much of the money going into the foster system is federal money, but there is also a shift of more state dollars going into the system as Title IV-E dollars become less available.

In May, Judge Rucker established two subcommittees: Standards of Representation and Parent Indigence / Commissioner Court & County Relationships.

6. Jurist in Residence

The Jurist in Residence (JIR) position was created to foster judicial leadership and promote greater expertise among child protection judges. Additionally, informational “blasts” concerning items of interests such as attorney scholarships are issued routinely. In 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; and 5) Attorney Training Opportunities. JIRs that will be issued within the next month include: 1) more information about the Indian Child Welfare Act; 2) New Child Protection Courts; and 3) and Permanency Round Tables.

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

7. Hearing Observation Project

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.

Courts Observed: The courts observed were in urban and rural areas, district courts, county courts at law, and Child Protection Courts (CPC), presided over by district judges, associate judges, and CPC associate judges.

Observation Tool: The court observations involved the use of an observation tool designed to capture whether relevant issues were addressed at hearings by using a set of Due Process and Well-Being Indicators to track the frequency with which issues were discussed in the hearing or case file. The observation tool also captured data on the type of hearing, hearing length, which parties were present and the parties' level of engagement, and how the lawyers in the case advocated on behalf of their clients. Case file reviews were also conducted for each of the cases observed in court to gather background information on the history of the case. There were 36 quality indicators affecting due process and child well-being as well as federally mandated findings related to reasonable efforts and the Indian Child Welfare Act (ICWA). The tool also measured steps taken to inform parties of the case status, upcoming scheduled hearings, and next steps. Although not all indicators were relevant or applicable in every hearing due to the unique characteristics of each case and the type of hearing observed, making note of those addressed or not addressed highlighted areas needing further training and/or statutory or policy changes.

Project Results: The project 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.

This Hearing Quality Observation Report did not conclude that hearings which do not address every relevant due process and well-being indicator are *de facto* inadequate or insufficient. But, based on the experience of the Children's Commission and research from experts in this field, there is a strong view that ensuring procedural fairness and delving into child and family well-being leads to better child and family outcomes. While it may be sufficient to cover at least the indicators that are statutorily required, an ideal court hearing would cover all of the indicators relevant to a case. That said, despite the uniformity of statutory timelines and evidentiary standards across the state, courts must also acknowledge that judicial processes, community culture and resources, and expectations vary widely and that because children and families are unique, courts must respond to those families in an individualized manner.

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*

8. Judicial Disproportionality Workgroup (JDW)

The JDW will hold an in-person meeting during the annual Child Welfare Judges' Conference. Plans are also underway for an educational session during the Conference by Kimberly Papillon on Neuroscience and Decision-Making. Ms. Papillon is a nationally recognized expert on the implications of neuroscience, psychology and implicit association in the analysis of decision-making.

The Center for the Elimination of Disproportionality and Disparities is hosting the 2014 Cross Systems Summit, a one-and-a-half day event in Austin. The summit will focus 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 will 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 support the work of the Center for the Elimination of Disproportionalities and Disparities 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

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. Children's Commission staff is currently putting together a report to capture the many innovative solutions that were discussed.

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.

10. Psychoactive Medications / HB915 Implementation Workgroup

In 2011 a Children's Commission Workgroup came together to create a dialogue and understanding between the judiciary, DFPS, and the medical providers regarding psychotropic medication use among children in foster care. The Workgroup resolved many issues surrounding the Psychotropic Medication Utilization Parameters (Parameters). The Parameters have been considered successful, leading to a significant reduction in the overall use of psychotropic medications and decrease in the use of multiple medications for the same purpose, to which this Workgroup sought to promote more widespread use of the Parameters. In July 2012, the Commission hosted a Round Table discussion later issuing a Report on Psychotropic Medication and Foster Care. The Round Table Report led to the work of many stakeholders during the 83rd legislative session and ultimately resulted in House Bill 915 which addressed consent for psychotropic medication, allows children the right to provide an opinion on their medical care; allows foster youth 16 and older to act as their own medical consentor; requires attorneys and guardians to evaluate medical care; elicit their client's view on medical care being provided, and mandates that the youth transition plan provided to each child 16 and older include provisions and instructions regarding medical care and psychotropic medications.

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. The group was charged with identifying practices and policies in place to support HB915, making recommendations regarding new policies required to support the implementation and ongoing execution of DFPS's duties under the new bill, identifying training needs required to support new practices, expanded collaboration and communication to support the objectives and mandates of HB915, and with meeting regularly to ensure stakeholder involvement and communication on implementation progress. The HB915 Implementation Workgroup met three times over the summer; workbook items can be found here: [June 11, 2013](#), [July 23, 2013](#), and [August 27, 2013](#).

On September 9, 2013, the Commission hosted a session to enable stakeholders to evaluate and comment on DFPS's updated medical consent and psychotropic medication training. The training lasted over 7 hours with meticulous review by several stakeholders. The new training is now available at: [DFPS Medical Consent Training PPT](#).

On March 7th the HB915 Implementation Workgroup reconvened to review the progress of the many stakeholders and DFPS with implementation of the new law.

Regarding Informed Consent:

- CPS revised policy to add 11 new Human Services Technician staff. (In Harris County, 4 HST staff have been in place for a year. This unit has 550 children and 9 caseworkers. The additional HST staff has allowed the caseworkers to make monthly visits.)
- Created a Brochure, "Making Decisions About Psychotropic Medications." (available on DFPS website).
- Coordinated with CPS Residential Child Care Contract staff on changes to the DFPS Residential Contract.
- Coordinated with HHSC and STAR Health on the role of Prescribing Providers in the informed consent process.
- Developed Medical Consent Mailbox to respond to medical consenters' questions.

Regarding Medical Consent Training

- Revised Medical Consent Training, policy, internal and external communications to include training related to:
- informed consent;

- psychosocial therapies, behavior strategies, and other non-pharmacological interventions that should be considered before or concurrently with the administration of psychotropic medications; and
- process and information related to young people who are their own medical consenters. .
- Developed specialized training for Human Services Technicians.
- Developed new Psychotropic Medication Training for caregivers and medical consenters.
- Collaborated with external stakeholders on Medical Consent and Psychotropic Medication content.

Form, Acknowledgement and Certificate of Completion of Medical Consent Training

- DFPS has developed a form for medical consenters to acknowledge in writing that they:
- have received the training, as described above;
- understand the principles of informed consent for psychotropic medication; and
- understand that non-pharmacological interventions should be considered and discussed with the prescribing practitioner before consenting to the use of a psychotropic medication.

Transition Planning

- Included in Transition Plan that the court may allow 16 + youths to consent to some or all of their medical care.
- Revised Residential Contracts
- Coordinated with HHSC and STAR Health to inform them of these transition planning requirement changes:
- Service Coordination and Service Management provided by STAR Health for young people over the age of 18;
- STAR Health communications and publications to this age group;
- Court report prompts;
- CPS policy; and
- Training for staff and caregivers/medical consenters.

Monitoring Use of Psychotropic Medications at Least Every 90 Days/ Notify Parents of Psychotropic Medication

- Revised CPS policy and training, strengthened practice

- For Sept-Nov., 88% of kids had a follow-up visit within 90 days, and many of the remaining 12% were seen within 91 or 92 days

Monitoring New Populations of Children

- HHSC and DFPS identified children in ICPC placements and those who are dually-eligible for Medicaid and Medicare.
- Developed a review process with HHSC to monitor medications and notify the home state when outside the Parameters.

Parental Notification

- Verbal notice or email notification
- Notice is required to be documented in IMPACT

Assessments

- Collaboration with HHSC underway to coordinate trauma-informed assessments with all assessments used within the Enterprise Agencies

Non-pharmacological Alternatives

- STAR Health/Cenpatico is working to increase clinical capacity for trauma-informed therapy and also evidenced-based trauma-informed training for caregivers
- Residential contracts require trauma-informed care training
- Service Plans are now incorporating non-pharm interventions
- Meadows Mental Health Institute will research the continuum of mental health services available to youth in foster care.

11. Trauma Informed Care Project

On May 7th, Dr. Karyn Purvis and Dr. David Cross at the TCU Institute of Child Development partnered with the Travis County Collaborative for Children for a one-day Introduction to Trust-Based Relational Intervention® (TBRI). This high-level introduction to the research-based intervention model was designed for professionals who work with children and families, such as: judges, attorneys, child welfare leaders, and educators. TBRI is an emerging intervention model for a wide range of childhood behavioral problems. It is a family-based intervention that is designed for

children who have experienced relationship-based trauma events such as institutionalization, multiple foster placements, maltreatment, and/or neglect. The Children's Commission will provide CIP funding to Texas CASA to help establish TBRI as an effective and widely used intervention plan for children in foster care. CASA has more fully developed its Train the Trainer Program which will begin late summer of 2014. The goal is to train ten teams of three, with a CASA staff person leading a local team with two additional community partners. In exchange for these training opportunities, the trainers will agree to share TBRI with their organizations. CIP funding also will support extensive follow-up for the new trainers. Further, the 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).

12. 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 will work with Cynthia Bryant of the University of Texas School of Law Mediation Clinic and others as they examine data related to CPS cases mediated in Travis County. This workgroup will help determine the scope of any mediation project developed to support statewide mediation practices, including review of mediation data or creation of standards of training for those involved with Texas CPS cases that result in mediation. Initial discussion will include the parameters of such a mediation project and what funding might be needed.

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

The Texas Blueprint Implementation Task Force and its three workgroups continued to meet during early 2014 and work on steps identified in their action plans. The Task Force and workgroups will meet until the end of 2014, at which time the Task Force will provide recommendations and a final report to the Children's Commission, outlining next steps in the initiative to improve educational outcomes for children and youth in foster care.

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

- The Texas team kicked off the Georgetown Capstone Project to determine how to measure school mobility;
- The School Stability Workgroup has looked closely at increasing foster care capacity in the schools;
- The Data Workgroup is supporting work within TEA and DFPS to establish a common understanding of the data elements exchanged and how to more effectively analyze the data exchanged;
- The Training Workgroup is looking at how key stakeholders are trained on foster care and education issues and whether existing resources may be used to further train these individuals; and
- Collaborative work between the courts, education and child welfare continues to expand on the state and local levels.

Between now and the next commission meeting, commission staff will continue to support the task force and its workgroups as well as work on some of the benchmark items, including developing resources regarding education of foster students for multiple stakeholders and collaborating with Texas CASA in the creation of an education toolkit for local CASA programs and develop resources regarding education of foster students.

Training Projects

The Training Committee met by conference call on .March 19, 2014. For Minutes regarding the full discussion at the meeting, please see Tab 4.

1. Attorney Education

Attorney Practitioner Manual: Children’s Commission Staff is developing a plan to update the Attorney Practitioner Manual, which needs substantive and legislative updates. As part of the National Association of Counsel for Children (NACC) Texas trainings, the manual was written in 2009 and is available online and in print. In February, the Children’s Commission Legal Representation Workgroup, which is chaired by Judge Dean Rucker, discussed updating the manual and proposed that the manual be converted to a wiki-type tool that would allow attorneys and others to add and modify content, checklists, practice tips, etc. Further research will need to be conducted to determine the feasibility of this idea.

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

In partnership with the Children's Commission, the State Bar offers online courses to court-appointed attorneys and state and DFPS attorneys, usually at no charge or for a reduced fee on the following topics:

- 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.

The State Bar of Texas has inquired whether the Children's Commission can assist with the registration and access process in place at SBOT for lawyers seeking online education related to CPS cases. Children's Commission staff is researching how to approach the verification and registration of CPS related webinars for free or at a reduced cost to attorney viewers.

Attorney Scholarships

Children's Commission staff has drafted contracts with the State Bar and the National Association of Counsel for Children and has circulated announcements on the availability of scholarships to this year's summer conferences. The Children's Commission is offering up to ninety, \$100 registration scholarships to attorneys attending the 1-Day Child Abuse and Neglect Workshop at the State Bar's annual Advanced Family Law CLE, on August 6, 2014, in San Antonio. Additionally, the Commission is offering up to ten, \$1102 scholarships for newly minted Texas Child Welfare Law Specialists to attend the NACC's annual conference by paying for the conference registration, as well as reimbursement at the state rate of the per diem costs of three nights at the conference hotel and

meals. This conference will take place in Denver during August 18-20, 2014. These 10 CWLS scholarship recipients will also be acting as “training scouts” for the Commission and will report back information about emerging topics or high quality and relevant presentations that might be useful to Texas attorneys.

Survey results from last summer’s scholarship recipients have been helpful to the State Bar Child Abuse and Neglect (CAN) Committee as it planned the agenda for the 1-Day Workshop in August. Additionally, Children’s Commission staff is working on how best to receive feedback from the attorneys sent to conferences on Children’s Commission scholarships and from those who participate in the Commission’s Trial Skills Training, especially regarding how these attorneys have improved their courtroom performance and best practices in and out of the courtroom.

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. The NACC is due to receive more applications in the coming months as the 2014 CWLS testing has reopened.

Trial Skills Training

The first Trial Skills Training following last October’s Pilot was held April 2-4 in Austin, TX. Based on feedback received by the pilot group, the April training took place over three days rather than two and a half, in a new venue. The 12-member volunteer Trial Skills Training Faculty presented lectures, demonstrations, power points, and/or led group exercises on all areas of trial preparation including Case Theory, Voir Dire, Opening Statement, Direct Examination, Cross Examination, Foundations, Objections, Impeachment, Experts, and Closing Argument. The Children’s Commission received 74 applications for 21 spots allotted for the training and of these, selected 20 participants who represented an equal number of state, parent and child attorneys. To serve as expert witnesses, Mr. Trevor Woodruff of DFPS provided three CPS caseworkers and Dr. Sandeep Narang provided three pediatric fellows who are pursuing board certification as Child Abuse Pediatric Experts. Additionally, three prospective new faculty attended, including Mr. Clint Harbour with the Office of the Texas Attorney General, Ms. Michele Surratt with DFPS in Lubbock, and Ms. Quita Russell, Assistant District Attorney of Gregg County.

- Foster Care Redesign Michael Redden, David Whiteside, Bob Hartman
- Visitation and Medication Jenny Hinson and Kathy Teutsch
- ICWA Made Easy Judge Darlene Byrne
- 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 – Why it’s Important and Where Texas is Heading Andrew Keller, Peter Selby, Cheryl Fisher, and Sarai Leeb

Most of the sessions will have judicial moderators and at least one CC workgroup, the Judicial Disproportionality Workgroup, will meet during the conference.

Judicial Scholarships to Attend the NCJFCJ Annual Conference in July 2014 – At the last commission meeting, the CC approved the Training Committee’s recommendation to fund scholarships for the NCJFCJ Annual Conference. 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 eight scholarships, which would cover 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.

FY 2015 Judicial Education– In the next couple of months, CC staff will meet with the Texas Center for the Judiciary (TCJ) to discuss TCJ’s FY 2015 training grant application, which may include proposals for these or other judicial or attorney education training events to be held in 2015. This proposal will be presented to the Training Committee at its next scheduled meeting.

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 user guide can be accessed via this link on the Children’s Commission website.

Persons must create an account within CPCMS to begin receiving notification for cases. Once a profile has been created, the user can search for relevant cases. 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 only and display a Summary of Upcoming Hearings Dates. The results will also display a Summary of All 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.

The website is <https://cpshearings.txcourts.gov>.

The project is being piloted with Judge Carlos Villalon and possibly Judge Cathy Morris and Judge Ginny Schnarr. The tool is available to anyone involved with a case, including an advocate. Also, OCA will provide additional guidance about how to create a log-in and respond to the email prompts that are prerequisite to establishing a log-in. The Children's Commission will begin development of an evaluation tool to assess the usefulness, effectiveness and accuracy of the system. OCA will monitor the use and users through the CPCMS system. A request for this information to be included in the OCA Weekly Update will be submitted to David Slayton.

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 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.

Expansion of the project includes facilitating use by Providence Services Corporation, which is the prime contractor to DFPS for the foster care redesign project that includes six counties within regions 2 & 9 that have 70% of the RTC placements in the Redesign area. Region 9 - Ector County – Odessa, TX – Child Protection Court of West Texas – Judge Tracey Scown; Region 9 - Howard County

- Big Spring, TX - Child Protection Court of the Permian Basin - Judge Sylvia Chavez; Region 9 - Midland County - Midland, TX - Child Protection Court of the Permian Basin - Judge Sylvia Chavez; Region 2 - Taylor County - Abilene, TX - 326th District Court - Judge Aleta Hacker; Region 9 - Tom Green County - San Angelo, TX - 340th District Court - Judge Jay Weatherby; Region 2 - Wichita County - Wichita Falls, TX - North Texas Child Protection Court - Judge Alyce Bondurant.

Judge Villalon is also interested in making VTC available to parents whose children are in RTC placements where the parents cannot travel. OCA and Judge Villalon are working with CPS to establish a second end-point from which parents can access the system. If the system is used for or to facilitate family therapy, there may be telemedicine rules that apply as well. The Department has agreed to help ferret out the details on how to get VTC in place for this purpose.

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 will meet in person on June 9, 2014 at the June at the Child Welfare Judicial Conference at Lost Pines. OCA is working on a new hearings page that will go live in about 2 months. In addition, several bugs and enhancements have been processed recently.

Children's Commission Website Support and Maintenance

Children's Commission maintains two websites for the Commission and for Education. The websites inform and apprise stakeholders about the Commission and the offerings and services available from the Children's Commission and Texas Court Improvement Program. CC staff updates the Children's Commission website to ensure necessary reports, information, and links to other relevant resources.