



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

PROCEDURAL GUIDE

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I. Permanent Judicial Commission for Children, Youth and Families

The Permanent Judicial Commission for Children, Youth and Families (the Children's Commission) was created to improve the judicial handling of child protection cases through improvements in technology, attorney and judicial training, and court improvement projects. To access the Supreme Court Order establishing the Children's Commission or appointing members, visit www.texaschildrenscommission.gov. The Children's Commission has no authority over state agencies or their operational details and does not discuss or consider non-administrative aspects of specific, active cases. The Children's Commission seeks information about systemic improvement through various methods, including soliciting information from the Commission's Collaborative Council and other interested parties. Information on engaging in this process is included in this document.

I.I Commission Responsibilities

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

Per Supreme Court Order, the Children's Commission will:

- develop a strategic plan for strengthening courts and court practice in the child protection system;
- identify and assess current and future needs for the courts to be more effective in achieving child-welfare outcomes of safety, permanency, well-being, fairness and due process;
- promote best practices and programs that are data-driven, evidence-based, and outcome-focused;
- improve collaboration and communication among courts, the Department of Family and Protective Services, attorneys, and partners in the child-protection community;
- endeavor to increase resources and funding needed for improvement, and maximize the wise and efficient use of available resources;

- promote adequate and appropriate training for all participants in the child protection system;
- institutionalize a collaborative model that will continue systemic improvement beyond the tenure of individual Children’s Commission members;
- oversee the administration of designated funds, including the Court Improvement Program grants; and
- provide an annual progress report to the Court.

The Children’s Commission also administers the federal Court Improvement Program (CIP) Grant. The Texas CIP is a federal grant awarded by the Administration of Children and Families of the U.S. Department of Health and Human Services to the highest court of each state in the nation to strengthen courts and improve outcomes of safety, permanency and well-being of abused and neglected children. The Supreme Court of Texas has been the recipient of CIP funds since the program’s inception in 1994, but the Supreme Court does not directly manage the grant funds or direct how and under what circumstances grant funds are made available to fund certain projects. The CIP Grant is administered by Supreme Court staff who work directly for the Executive Director of the Children’s Commission. The Executive Director updates the Supreme Court on Commission activities through the Supreme Court Justice who serves as the Chair of the Children’s Commission. Recommendations for funding are first made by Children’s Commission staff to one of three standing committees for approval prior to being submitted to the Children’s Commissioners at regularly scheduled Children’s Commission meetings. In the event there is not a committee quorum, grant recommendations will be presented directly to the Children’s Commission at Children’s Commission meetings.

I.2 Commission Structure

By court order, the Children’s Commission consists of no less than fourteen (14) members who are appointed by the Supreme Court, and a Chair, who is a justice of the Supreme Court. Commission members serve a three-year term. Children’s Commission membership expires on the last day of November during the last year of the member’s term unless the term is extended by Supreme Court order. Except for the Chair and the Assistant Commissioner of Child Protective Services, who are standing members of the Children’s Commission, a member may not be appointed to serve more than two successive full terms. A member who has served two successive full terms is not eligible for reappointment until the first anniversary of the date that the member's last full term on the

Children's Commission expired. A vacancy may occur when any member of the Children's Commission fails to attend three commission meetings.

I.3 Membership Composition

Children's Commission members include members of the judiciary, members of the child protection system and community, representatives of the business and legal communities, representatives of foundations or organizations with a substantial interest in child welfare issues, and other state leaders who have demonstrated a commitment to the children, youth and families of Texas. The Children's Commission's membership also reflects the diverse ethnic, gender, legal, and geographic communities in Texas.

I.4 Ex Officio Members

The Governor may designate a person to serve as an ex-officio member of the Children's Commission. The Lieutenant Governor and the Speaker of the House may also designate a member of that presiding officer's chamber to serve as an ex-officio member of the Children's Commission. A member appointed by the Governor, Lieutenant Governor or Speaker serves at the pleasure of the appointing officer, and is a voting member of the Children's Commission.

I.5 Children's Commission Meetings

Children's Commission meetings are conducted three times per year. Committee reports, an agenda, and other relevant materials are made available to the Children's Commission Members, Committee Members, Collaborative Council and other interested parties in advance of each Children's Commission meeting. Meeting dates are posted on the Children's Commission website at www.texaschildrenscommission.gov. The Chair of the Children's Commission conducts the meetings. The Vice Chair or the Jurist in Residence conducts Children's Commission meetings in the Chair's absence. Each Committee Chair reports Committee activity at each Children's Commission meeting. The Executive Director of the Children's Commission also makes a report at each Children's Commission meeting.

2. Committees and Workgroups

There is an Executive Committee, and three standing committees: Basic Projects, Training, and Technology. The Children's Commission also may form ad hoc committees and workgroups. Each committee, subcommittee and workgroup is staffed by an employee of the Supreme Court of

Texas assigned to the Children’s Commission and is chaired by at least one member of the Texas Judiciary handling child abuse and neglect cases. Workgroups and subcommittees are formed based on the need, the outcome expected as a result of the work, whether there are measurable objectives or anticipated outputs from the effort, and whether there is any data that can be collected to provide evidence of the project or workgroup’s usefulness. The same process is used periodically to assess whether workgroups and subcommittees should continue to exist. Chairs of existing workgroups being reviewed are included in the review process.

2.1 Executive Committee

The Executive Committee is composed of the Children’s Commission Chair, the Vice Chair, the Chairs of the Basic, Technology, and Training Committees, and the CPS Assistant Commissioner. The Executive Committee has the authority to consider issues that occur in the interim between the Children’s Commission’s quarterly meetings. Executive Committee does not have regularly scheduled meetings, but rather meets on an “as needed” basis.

2.2 Committee Responsibilities

Each Committee shall implement strategies in accordance with the Children’s Commission’s strategic plan, CIP requirements, and the consensus of the Committee.

2.3 Committee Membership

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

2.4 Committee Meetings

Each standing committee shall conduct at least one meeting in the interim between Children’s Commission meetings, and the meeting should be conducted two to three weeks before each Children’s Commission meeting. Ad hoc Committee meetings will be scheduled by the Chair, as needed. Committee meetings may be conducted in person or by conference call. Committee members will receive notice of meeting dates via Outlook invitation and will receive meeting materials in advance.

2.5 Committee Reports

Each committee chair will report on committee activities at each Children’s Commission meeting. Committee Reports are based on the committee meetings, and are incorporated into the

Commission Report provided at each Commission meeting. Each Commission Report is posted on the Commission website at www.texaschildrenscommission.gov.

3. Collaborative Council

The Collaborative Council exists to inform the Children’s Commission of local and statewide activities, events and issues from around the state that affect judicial and court practices in CPS cases, and to help facilitate participation in Children’s Commission activities and grant funded projects.

3.1 Composition

The Collaborative Council is composed of child welfare stakeholders and advocates, and parent advocates who seek participation and formal input into the activities, projects and strategies undertaken by the Children’s Commission. The Collaborative Council includes members who represent child welfare interests within the community and representatives of organizations and government.

3.2 Membership

Collaborative Council changes are reported to the Children’s Commission at regularly scheduled Children’s Commission meetings.

3.3 Terms of Membership

General Collaborative Council members serve at the discretion of the Children’s Commission. Vacancies on the Collaborative Council may occur at any time during the year as a result of resignation or removal due to inactivity. Three consecutive absences from Children’s Commission meetings or non-participation by the Collaborative Council member on assigned committees may result in removal from the Collaborative Council.

3.4 Collaborative Council Input

The Children’s Commission operates under a structure that seeks input at the committee level. Issues that are brought to the attention of the staff or Commission are usually forwarded to the appropriate Committee Chair for consideration and inclusion on the Committee’s quarterly meeting agenda, and, if appropriate, will be included as an update in the Commission Report provided to the Commissioners in advance of the quarterly meetings. Collaborative Council members who attend Commission meetings are provided the opportunity at the end of each

Commission meeting to provide comments, ask questions, or provide information of interest to commissioners and others. All collaborative council, committee members, and interested parties are advised that non-administrative issues related to a specific case pending before any court will not be forwarded to any Committee or to the Children's Commission for consideration.

4. Interested Parties

Any interested party or member of the public wishing to be apprised of Children's Commission activities and meetings must notify Children's Commission staff at children@txcourts.gov. Interested persons may provide input to the Children's Commission by submitting the issue in writing to children@txcourts.gov. The Children's Commission does not discuss or consider specific, active cases.

5. Public Comment at Children's Commission Meetings

The Children's Commission is a Judicial Commission as defined by the Judicial Rules of Administration and is not subject to the Texas Open Meetings Act, Govt Code, Section 552. As such, it is not required to post meeting notices in accordance with the Act. Children's Commission and Committee Meeting notices are posted on the Children's Commission website, which can be linked to at children@txcourts.gov. Children's Commission meetings are open to the public. Any interested person or member of the public may attend in person without advance notice. Participation by phone is not available. However, Children's Commission meetings are webcast by the State Bar of Texas. And, any interested party or member of the public may submit written comments about any Children's Commission matter or Committee matter to the Children's Commission at children@txcourts.gov or may contact the Executive Director.

6. Court Improvement Program Grants

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

6.I Grant Applications

Decisions to fund grant requests are within the discretion of the Children's Commission and all funding from the commission is subject to the availability of federal or state funds. The Children's

Commission or its designees will render decisions on applications for funding through grant review conducted at the staff level and then at the committee level to determine how well the proposal meets the Children’s Commission and CIP Strategic Plans. The receipt of an application for grant funding does not obligate the Children’s Commission to fund the grant. The Children’s Commission makes no commitment that a grant, once funded, will receive subsequent funding.

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

6.2 How to Apply

The Children’s Commission does not make grants to individuals. Organizations may apply for grants by contacting the Executive Director at 512-463-9352 or via email at children@txcourts.gov. The CIP grant year runs from October 1st to September 30th of the following year, but applications are accepted year-round.

6.3 Grant Review Process

Evaluation of the grant application is conducted by the Grants and Finance Specialist and the Executive Director. The Children’s Commission works with the grant applicant to modify the application, as needed, prior to forwarding the application to the appropriate grant committee. Grant applications are evaluated on their potential to meet or implement a strategy of the CIP and Children’s Commission strategic plan, as well as whether it is replicable on a small or large scale, and whether it has the potential to bring about or inform systemic changes to local or statewide judicial and child welfare practice. The Children’s Commission staff may include subject matter experts, the Office of Court Administration (OCA) staff, or collaborative council members as deemed appropriate to assist in the review process.

6.4 Approval Process

Once staff review is completed, the application is submitted to the appropriate committee for consideration at the next committee meeting. If the application is approved by the committee, the application is placed on the Children’s Commission’s agenda for funding approval. The committee chair may call for an interim meeting if time is of the essence for a project requesting

funding. The Executive Director may submit funding requests and recommendations when needed.

6.5 Grant Awards

Grant awards are made after the Children's Commission votes to fund the project at one of its quarterly meetings. Urgent requests can be awarded in the interim at the Executive Committee level and later ratified by the Children's Commission at its next scheduled quarterly meeting. Award statements ordinarily cover a funding period of October 1 through September 30 of the federal fiscal year. All grants, regardless of the starting month, end on September 30 of the federal fiscal year in which the grant is issued, any unexpended balance of the sum granted will revert back to the Children's Commission. Extensions of time to complete a grant project may be requested. The extension of time must be approved by the Commission. All sub-grantees are required to provide the Children's Commission a report after the conclusion of the grant period by no later than November 15, 2014, which must be written in accordance to report requirements provided by the Children's Commission to sub-grantees.

6.6 Contract Terms

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

6.7 Discontinuance of Grant Projects

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

6.8 CIP Projects Performed by Children's Commission Staff

The Children's Commission staff may also perform tasks to support various projects and programs using CIP funds. The tasks and support may include funding for salaries, fringe, travel, equipment,

and supplies. Projects may include conference planning, research projects, training sessions, data collection and analysis, judicial and child welfare practice surveys, facilitation of meetings, production of reports or analysis of projects, and miscellaneous tasks aimed at improving courts and court outcomes for children and families. Staff may develop and implement these projects through interagency agreements with other agencies or quasi-judicial entities, through contracts, or only using Children's Commission staff. The Executive Director will submit project plans and funding requests that support staff projects when appropriate.

7. Contracts for Goods and Services

The Children's Commission may also contract for goods and services. Payments for contracted goods and services are processed through the Children's Commission's Grant's and Finance Specialist under the State of Texas procedures established by the Supreme Court of Texas and the Texas Comptroller for purchasing and procurement.

8. Supreme Court Support and Services

The Court Improvement Program grant is awarded to the Supreme Court of Texas to enable courts to conduct assessments of their foster care and adoption laws and judicial processes and to develop and implement plans for system improvement. In November 2007, the Supreme Court formed the Children's Commission to administer the CIP program and to manage the CIP funds. The Supreme Court provides support for the CIP such as office space, furniture, renovation, major office equipment, human resources, personnel support services, legal counsel, payment of salaries, fringe, staff travel reimbursements, office supplies, cell phones and service, copying and fax service. Other services include processing grant reimbursement requests from grant recipients, travel reimbursements from Commission stakeholders traveling or presenting on behalf of the Commission, and processing payments for memberships and conference fees.

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

The Children's Commission Executive Director will authorize a lump sum payable on October 1st of each year an amount sufficient to cover expenses associated with operating the Children's Commission.

9. Staff Contact Information

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