

Children's Commission

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From the *Chair*



Texas is unparalleled in its geographic, cultural, and economic diversity. Whether you view Texas as 254 counties, 11 judicial regions, or over 1200 school districts, our state is fortified by individuals and organizations dedicated to keeping vulnerable children safe and to strengthening at-risk families. The mosaic featured in this report represents the Children's Commission collaborative approach to child welfare reform—a holistic alliance committed to improving the outcomes for children and youth experiencing neglect, abuse, trauma, grief, and loss.

As Aristotle once wrote, "The whole is greater than the sum of its parts." That adage nicely describes Texas's child-

welfare collective. Different governmental agencies and representatives are responsible for distinct aspects of the lives of Texas citizens. Among others, the child welfare agency serves children and families, judges ensure the rights of children and their families are protected in the legal process, and medical and mental health professionals treat children and families for health issues. Though the means may differ, systemic collaboration is essential to realizing our goal of improving outcomes for the Texas children and families who experience our child welfare system.

Each part of a mosaic is necessary for the whole. At the Children's Commission, we embrace each part of the child welfare system while maintaining steadfast focus on the big picture: the safety, permanency, and well-being of Texas children. A few highlights from 2018 are particularly noteworthy. The Commission supported a first-of-its-kind Judicial Summit on Mental Health, in partnership with the newly formed Judicial Commission on Mental Health. Also, the Legal Representation Committee created and launched a comprehensive survey which gathered input from multiple perspectives to assess the current functioning of legal advocacy in Child Protective Services cases and culminated in a report to the Texas Legislature on the status of legal representation. Additionally, the Children's Commission also supported the creation of a Young Adult Leadership Council to ensure that the voices of children and young adults are considered in the development of systemic reforms.

True child welfare system reform is the product of bringing the many together as one, and there is more to come in 2019!

Tua M. Sugman

"Our mission is to strengthen courts for children and families in the Texas child protection system and thereby improve the safety, permanency, and well-being of children."

Activities by the Numbers

Every year, the Children's Commission provides funding to support judicial and legal training events, technology enhancements, and data collection and analysis for courts. The commission also funds project management support for systemic reform efforts. In 2018, the Commission spent over one million dollars to further the goal of improving child and family outcomes through leadership and collaboration.







\$1,056,554

total amount of grants and scholarships awarded 9

Court Improvement Program grant recipients 20

conferences, programs, training tools & resources funded







786
judges,
attorneys &
partners

trained

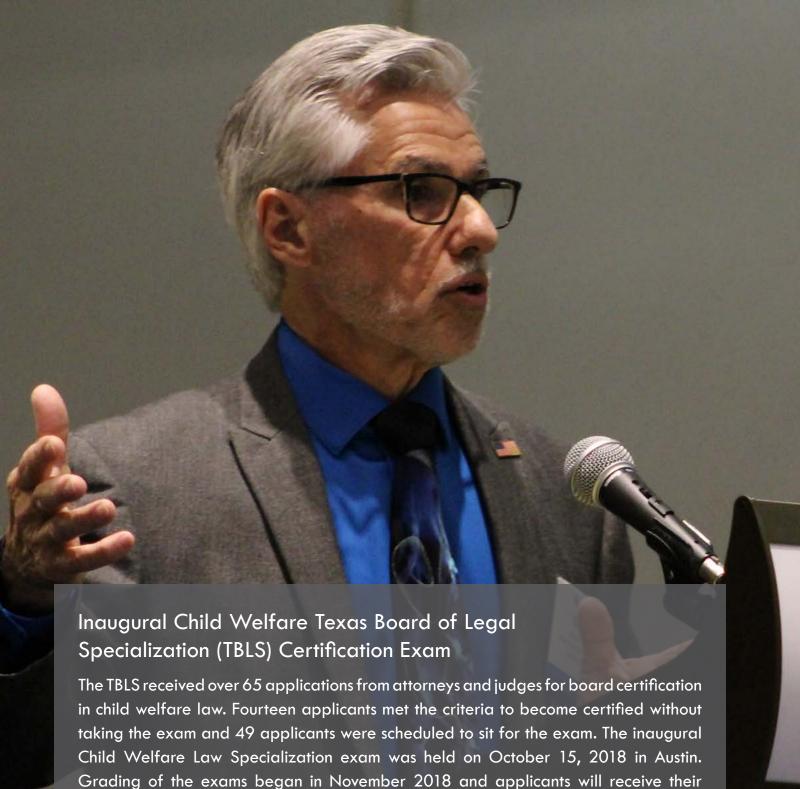
99.25 number

of MCLE hours provided 206

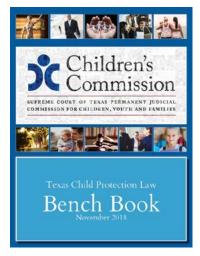
sites enabled for video conferencing



Enhancing Professionalism



results in January 2019.



2017 & 2018 Bench Book Updates

The Children's Commission publishes a Texas Child Protection Law Bench Book (Bench Book) which outlines the state and federal statutory requirements for judges handling child protection cases, and includes topical sections and checklists. The Bench Book also includes special issues which judges may encounter in overseeing child protection cases, as well as statutory and case law citations which are maintained by and connected to an online service called LawBox.

The Bench Book is updated annually and was recently revised to include updates to all topical chapters. New sections on best

interest of the child, burden of proof required throughout the stages of a Child Protective Services (CPS) case, contempt, and the importance of youth voice in court have been added. Additionally, there is a new bench card on addressing disproportionality. While the Bench Book was originally designed for and is primarily used by judges, many attorneys and other child welfare stakeholders also find it to be informative and helpful.

8th Ed. of the Bench Book

18 Bench Cards 30 + JIR letters distributed

Children's Commission Jurist in Residence Receives Service Award

On February 23, 2018, the Texas Board of Legal Specialization (TBLS) awarded its Tom Garner Service award to Children's Commission Jurist in Residence, Judge Dean Rucker. Named after a former chair of the TBLS Board, the award recognizes a TBLS volunteer who epitomizes the best ideals of voluntary service by their knowledge, dedication, hard work and integrity. Judge Rucker was recognized for his diligent and tireless work in establishing Child Welfare Law as a TBLS certified area of legal specialization. Judge Rucker has served as the JIR for the Children's Commission



for five years, providing invaluable support and leadership to the commission and its staff.



See related JIR:
Resources Related to Cultural
Competency and Reducing
Disproportionality and
Disparities

Alabama Coushatta Judicial Symposium Presentation on the Indian Child Welfare Act (ICWA)

In September, 2018, the Alabama Coushatta Tribe of Texas hosted a Judicial Symposium to focus on the Violence Against Women's Act and how it affects tribal nations. The Children's Commission was invited to present on ICWA. The Symposium brought together tribal court staff, tribal members, state court staff, lawyers, domestic violence advocates, and law enforcement. The event provided an excellent collaborative learning opportunity for participants and advanced the tribal-state partnerships working to help families heal from violence and abuse.

2017 & 2018 Child Welfare Judges Conferences

The annual Child Welfare Judges Conference, hosted by the Commission in partnership with TCJ, is designed for judges who have a significant amount of their dockets dedicated to CPS cases. The content focuses on relevant and timely judicial education, along with practical tools for best judicial practices.

- 2017 Presentation Highlights: Family Finding, Interventions, Every Student Succeeds Act (ESSA), 85th Legislative Session Update, Community Based Care and Foster Care Redesign, Case Law Update, DFPS Statewide Data and Regional Trends on Children in Foster Care, Regional meetings with judges and the corresponding DFPS Regional Director, Foster Care Parent Panel, and Recognizing Judicial Leadership and Innovative Practices.
- 2018 Presentation Highlights: Judicial Secondary Trauma and Self Care, Statewide Collaborative on Trauma Informed Care Update, Cultural Competency, Legal Representation Study Results, DFPS Statewide Data and Regional Trends on Children in Foster Care, Regional meetings with judges and the corresponding DFPS Regional Director, and Substance Abuse Issues, Testing, and Resources.



DFPS Attorney Tool Kit

A project of the Legal Representation Committee, the Tool Kit for Attorneys Representing the Texas Department of Family and Protective Services was designed to benefit prosecutors of all levels of experience by providing concise compilations of hearing checklists, relevant state and federal statutes, and practice tips. The goal of the Tool Kit is to promote best practices for

prosecutors representing DFPS across the state. It received endorsement from DFPS as well as TDCAA. It is among the many resources which the Commission has developed and provided to attorneys for parents, attorneys for children, and judges. The Tool Kit was first published and distributed at the TDCAA's Crimes Against Children Conference in April 2018.



Children's Commission Collaborative Council

The Collaborative Council assists the Children's Commission by informing commission members and staff of local and statewide activities, events, and issues that affect attorney and judicial practices in CPS cases. The Collaborative Council is composed of child welfare stakeholders and advocates



from across Texas, including child/youth and parent advocates. There are approximately 50 Collaborative Council members. The Collaborative Council met in November 2017 and November 2018 in conjunction with the annual Child Welfare Judges Conferences. On November 13, 2017, the Council met to discuss new strategies to engage members in 2018. Following the November 2017 meeting, the Commission invited Council members to join its bi-weekly stakeholder conference call and offered Council members an opportunity to present at Commission meetings. The Commission also produced a document defining the roles and expectations of the Collaborative Council.

3 614 hours of MCLE

State Bar of Texas One-Day Webcast

In partnership with the State Bar, the Commission hosted six hours of live MCLE on September 11th, 2018 on basic and advanced topics for attorneys providing legal representation in CPS cases. The webcasts included presentations on Navigating Concurrent Civil and Criminal CPS Cases; Understanding Common Evidentiary Issues in CPS Cases (including Authentication of Social Media, Drug Testing Issues, and Medical Diagnoses and Exhibits); and Expanding Opportunities for Older Youth in CPS Cases (covering Sealing Juvenile Records, Youth Voice in Court, and Postsecondary Readiness and Success).

The State Bar provided discounts to court-appointed attorneys and CASAs and scholarship opportunities to other viewers, while the Commission offered scholarships to attorneys representing DFPS. In general, the webcast audience included attorneys on the child protection docket across the state, along with judges, CASAs, and other stakeholders. All three webcasts have been archived and are available online with the same available discounts at TexasBar CLE's Online Classroom.



Judicial Summit on Mental Health

Texas's two highest courts held a first-ever conference in October 2018 in Houston on how courts grapple with mental illness and intellectual disabilities in criminal and civil cases and strategies for assisting children and adults with such challenges who crowd the justice system. This groundbreaking event was hosted by the Supreme Court and Court of Criminal Appeals' new creation: the Judicial Commission on Mental Health. At the Summit, leaders in civil and criminal justice, mental health treatment, and child welfare met to develop strategies to strengthen the judiciary's response to adults and children with mental health and intellectual disability challenges.

The Children Commission's Children and Youth Track offered presentations on Preventing Youth Suicide, Including Youth Voice, Ensuring Equity in Child Welfare, and updates from the Texas Department of Family and Protective Services and the Texas Juvenile Justice Department. The Statewide Collaborative on Trauma-Informed Care convened on the second day of the Summit to hear updates from the workgroup chairs and to craft guiding principles for Texas.



Statewide Collaborative on Trauma-Informed Care (SCTIC)

In July 2017, the Children's Commission launched the SCTIC to work on developing and implementing trauma-informed policy in Texas's child welfare system. The collaborative consists of approximately 170 members from a wide variety of professions and systems who are committed to transforming Texas into a trauma-informed state. Four workgroups were created from the collaborative membership with these distinct goals: System Reform; Organizational Leadership; Cross Systems Collaboration; and Funding, Data, and Evaluation.

Each workgroup met several times over the course of 2018 to share, discuss, and vet ideas for strategies designed to achieve a statewide trauma-informed child welfare system. This collaboration will result in a Blueprint which will be released in early 2019 and will serve as a roadmap to guide all Texas stakeholders towards a more trauma-informed system.



Legal Representation Study (LRS) Implementation Begins

In an effort to understand how Texas can continue to improve and optimize the quality of legal services, the Children's Commission conducted a comprehensive follow up to the 2011 Legal Representation Study to assess how Texas can go further in improving quality, training, and accountability. A fourteen-member LRS subcommittee consisting of parent and child attorneys, judges, prosecutors, CASA advocates, parent advocates, and former foster youth was established to oversee the creation and implementation of the study.

Implementation of the new LRS began on March 13, 2018. Surveys were sent to courtappointed attorneys, DFPS attorneys, judges, CPS caseworkers, parents, relatives, CASAs, foster parents, and youth-in-care. When the surveys concluded on June 1, 2018, over 3,400 stakeholders had participated, including 962 CPS caseworkers, 790 CASAs, 737 youth-in-care, and 555 foster parents.

See related JIR: 2018 Study of Legal Representation in CPS Cases

LRS Presentation to Statewide Youth Collaborative; DFPS Statewide Parent Collaborative Focus Group for LRS

Children's Commission staff attended the DFPS Statewide Youth Collaborative in Houston on January 20, 2018. Youth were given the opportunity to provide direct feedback on the proposed youth-in-care survey questions for the Children's Commission 2018 Study of Legal Representation in Child Protective Services Cases. The discussion focused on making the survey questions relevant and relatable to youth-in-care so that they would accurately capture youth's experiences with their attorneys.

Children's Commission staff attended the DFPS Statewide Parent Collaborative Meeting in South Padre Island on June 8, 2018. Commission staff conducted a focus group with the collaborative about their experiences with their court-appointed attorneys. Parents were asked open-ended questions about their relationships with their attorneys, their experiences with the legal representation system, and their opinions about how the system could be improved. This discussion provided the opportunity to add parents' voice to the LRS.

3,400+ stakeholders surveyed

737 youth-in-care surveyed 962 CPS caseworkers surveyed

LRS Report Submitted to the Texas Legislature

In September 2018, the Children's Commission sent the finished report on the 2018 Study of Legal Representation in Child Protective Services Cases to the Texas Legislature. The report reveals divergent perspectives on issues such as attorney performance and accountability, but also reveals common ground on issues such as



what resources are most needed, and which reforms are likely to have the greatest impact.

The report recommends that the Supreme Court or the Texas Legislature convene a Task Force on Court-Appointed Legal Representation to determine how Texas can thoughtfully design systemic improvements. The report suggests that the Task Force on Court-Appointed Legal Representation be charged with making specific recommendations regarding the creation, implementation, and evaluation of a high-functioning, high-quality legal representation system with the necessary and appropriate oversight and accountability.

Foster Care & Education

Texas' 2nd Foster Care and Education Summit

In July 2018, the Children's Commission hosted its second Foster Care and Education Summit. The summit included cross-disciplinary training and offered facilitated discussion among regional teams to tackle local problems and formulate customized solutions. Teams consisted of judges, attorneys, educators, child welfare staff, youth, advocates, and other professionals from every region in the state. Discussion topics included preparing students in foster care for postsecondary opportunities, using foster care and education data to drive related decision-making, addressing behavioral health in schools, supporting students with special education needs, and accessing and engaging young children with early learning.

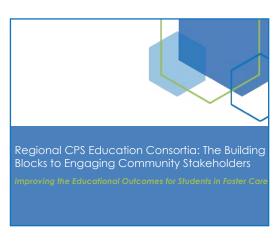


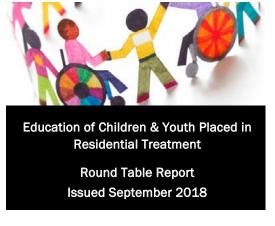
Release of Education-Related Resources

The tuition and fee waiver in the Texas Education Code offers eligible young adults the opportunity to attend any Texas public institution of higher education without the payment of tuition and fees. In response to a concern that the process to activate the waiver is difficult, the Foster Care and Education Postsecondary Education Workgroup created the "Foster Care College Tuition & Fee Waiver Process" map.

A short video entitled "THECB Tuition and Fee Waiver" was also created by the Texas Higher Education Coordinating Board, in partnership with Sam Houston State University, DFPS, and the Postsecondary workgroup. The video clarifies the eligibility criteria for the state tuition and fee waiver and explains how the waiver can be utilized in Texas.

To help make connections at the local level, there are now CPS education consortia in every region of Texas aimed at strengthening ongoing efforts to partner across systems. Although the consortia are organized differently, DFPS, with input from the Foster Care & Education Local Collaboration Workgroup, developed a short guide entitled "Regional CPS Education Consortia: The Building Blocks to Engaging Community Stakeholders, Improving the Educational Outcomes for Students in Foster Care" which provides the foundation for building a local collaboration.





Education in Residential Treatment Centers Round Table

On April 18, 2018, the Children's Commission convened a round table meeting to focus on the education of children and youth placed in Residential Treatment Centers (RTCs). Stakeholders representing RTCs, Child Placing Agencies, Court Appointed Special Advocates, Child Protective Services, Texas Education Agency, school districts, charter schools, as well as the legal and judicial community, each

provided a unique perspective on the current state of education for students placed in RTCs, with a particular focus on special education.

The primary goal of the round table discussion centered on how the child welfare and education systems can improve coordination and communication regardless of where or how the student attends school. This includes developing a plan to address education, providing special education in the least restrictive environment, designating education decision-makers, and planning for school transitions. A Round Table Report was released in September 2018, identifying opportunities for continued dialogue and collaboration.

Connection through Innovation



"We are currently using the video conferencing to accommodate sibling visits for one of our cases. These children are placed in three different places across Texas. We are helping to facilitate these visits to ensure that the siblings are getting to see each other weekly. Mom also attends the visits at our office so that she can see the screen and talk to them. It is very important for children to be able to maintain a connection to family when appropriate. We are very grateful that we have been able to achieve visitation with the video conferencing system." - CASA Volunteer

See related JIR:
Hearing Notification Service
Update - Alerts by Text
Message Now Available

Family Helpline

The Children's Commission partnered with Access to Justice and the Children's Justice Act to fund the Texas Legal Services Corporation to establish the Family Helpline in 2017. The Family Helpline provides easy, statewide access for parents and family members to basic information, education, and resources. The Family Helpline has provided assistance to over 2400 individual callers facing child welfare legal issues across the state of Texas so far in FY 2018. Helpline staff attorneys have spoken with callers from 164 different counties in Texas, which is 65% of the 254 counties in our state. The calls affected 2,089 adults, 3,354 children, and covered questions regarding 119 different issues related to CPS.

2,500 + callers to the Family Helpline

Hearing Notification Expansion

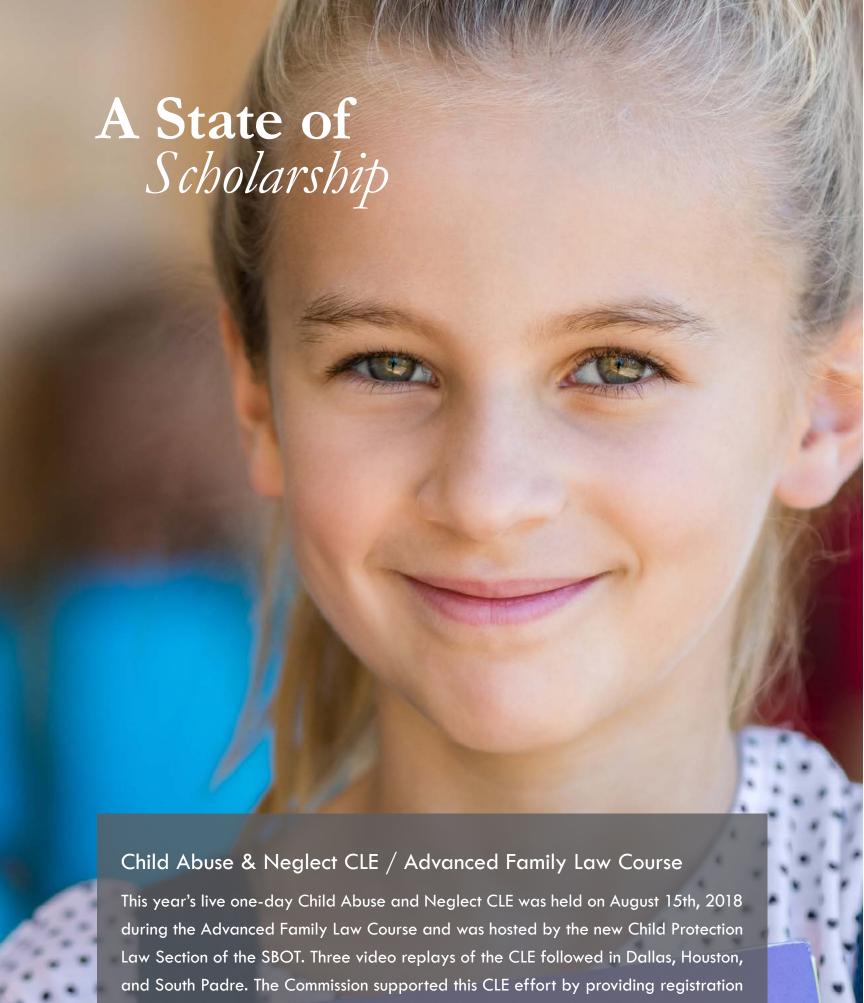
The Supreme Court Children's Commission and the Office of Court Administration (OCA) host a CPS Hearing Notification service that uses non-confidential case data to provide hearing notice by email to and/or text message court participants (attorneys, CPS personnel, CASA, parents, relative caregivers, and adoptive/foster parents) involved in cases heard by our Child Protection Specialty Courts. In FY 2018, OCA created an application programming interface that will allow Courts other than those using Child Protection Court Management System to upload their hearing data into the system to expand the hearing notification tool to all courts hearing child protection cases in order to provide parties with up-to-date hearing information and to provide courts with an alternate means of notification free of charge.

1,111 registered users for hearing notification

Video Conferencing

OCA manages a video conferencing project between the courts presiding over child abuse and neglect cases, DFPS, CPS, and the residential placement facilities contracted to DFPS, to facilitate communication between the children placed in these facilities and the judges overseeing their cases. In FY 2018, 159 hearings were conducted using the system and the number of video-enabled courts, placement facilities, and CASA offices increased by 45 bringing the total to 206 video endpoints in Texas.

206 video conference end points



scholarships to 56 attorneys.

National Association of Counsel for Children

The Children's Commission awarded 77 total registration and travel reimbursement scholarships, which included 58 Texas attorneys and judges as well as 9 scholarships to members of the Collaborative Council and 10 to CASAs. Of those awardees, 36 also attended NACC's pre-conference Red Book Training. The conference presented a total of 25.5 hours of MCLE.

77 scholarships

National Conference of Juvenile and Family Court Judges

NCJFCJ's Annual Conference was held in Denver, Colorado from July 22-25, 2018. The NCJFCJ scholarship process was conducted in partnership with TCJ through which the Commission funded scholarships to 19 judges. Topics included trauma, domestic violence, ICWA, human trafficking, combating racial and ethnic disparities in the courtroom, special immigrant juvenile status, child safety, and child and family wellbeing.

19 scholarships

Scholarships for first-ever State Bar of Texas Child Protection Law Section Advanced CLE

The newly-formed State Bar of Texas Child Protection Law Section's first annual Advanced Child Protection Law Course was held April 19-20, 2018 in Austin, Texas. Funding for scholarships to attend the course was approved at the Commission's February 2, 2018 meeting and the scholarship opportunity was announced through the Commission's Attorney Resource Letter. The Commission provided scholarships to 45 attorneys to attend the course in a first-ever partnership with the new Section. One hundred percent of the 40 respondents to the post-event survey replied that they would attend the conference again in the future if given the opportunity for another registration scholarship.

45 scholarships

Texas Judicial Institute on Domestic Child Sex Trafficking

Children's Commission staff partnered with the Office of the Texas Governor's Child Sex Trafficking Team and the National Center for Juvenile and Family Court Judges (NCJFCJ) to host a Texas-specific judicial training on preventing and addressing domestic child sex trafficking on September 18-19, 2018. The Texas Judicial Institute on Domestic Child Sex Trafficking was designed for and led by judges and included interactive sessions and opportunities to apply information to hypothetical case scenarios.

7 scholarships



TNOYS Grant

The mission of TNOYS is to strengthen, support, and protect critical services for Texas youth and their families to ensure their success. TNOYS helps ensure a vision of Texas where all young people are valued, their strengths are recognized, and they have access to the resources, support, and opportunities they need to lead healthy and fulfilling lives. In FY2018, the Children's Commission funded a \$50,000 grant to TNOYS to support its 2018 Annual Conference and help establish a Statewide Young Adult Leadership Council (YALC) designed to elevate and incorporate youth voice in statewide policy and administrative procedure discussions, particularly in the area of the foster care system. YALC members are young adults between the ages of 18 to 25 who have experience with foster care, homelessness, juvenile justice system involvement, or other at-risk situations, and who have a demonstrated interest in or potential for leadership or advocacy.

Children's Commission

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