

# PARTICIPANT PRACTICE SESSION INFORMATION

## **PRACTICE SESSION INFORMATION FOR TRIAL SKILLS TRAINING PARTICIPANTS**

During the Fall 2025 TST Contested Hearing Practices Course (Contested Hearings Course), participants will focus on improving their everyday courtroom litigation skills. The first two half-days of instruction will take place on Zoom and will focus on preparing and strategizing for a contested hearing. Upon arrival at the in-person portion of the Contested Hearing Practices Course, participants will hone their practice skills in a simulated Adversary Hearing and Bench Trial.

This document contains all the logistical information needed to prepare fully for the Contested Hearings Course. Please read the following details so that you will know what to expect and how to take full advantage of the faculty resources and live witnesses who will be available to assist you in this intense and interactive litigation training.

### **MEETING ROOMS**

Participants will meet in the Main Zoom Meeting Room on our virtual instruction days and in the conference plenary room on in-person training days for all lectures and demonstrations. Participants will be sent to their assigned Breakout Rooms for Strategy and Practice Sessions.

### **PRACTICE GROUPS**

**Virtual Instruction Days:** All of your breakout and strategy sessions during the virtual portion of TST will take place in three smaller groups based on your client base for the purposes of this training (Attorneys Representing DFPS, Parent Attorneys, and Attorney ad Litem for children (AALs)). Your Attorney Practice Groups by Client Base are as follows:

**Please take note of which client base you are assigned to. As indicated in your TST application, while we make every effort to place participants in their first-choice practice group, this is not always possible.**

**Attorneys Representing DFPS:** Ronke “Kay” Badmus, Kneshae Choice, Julia Hernandez, Anton Jones, Margaret Matheny, Rebecca Saldaña, Daniel Sierra, Alicia Willoughby, and Nanepo Yentoumane

**Parent Attorneys:** James Aaron, Monica Button, Caitlin Cornelius, Jennifer Delage, Veronica Lockett, Nisreen Mahesri, Katrina Parker, Keeli Rogers, and Jessenia Ruiz

**Attorney Ad Litem\*:** Surya Barrow, Christy Cauthen, Alyssa Flores, Angela Hindman, Christine MacDonald, Mary Folse, Dylan Moench, Teresa Morales, and Taylor Qualls

**\* AALs: PLEASE NOTE THAT WHILE, IN REGULAR PRACTICE, YOU MAY ALIGN WITH EITHER DFPS OR A PARENT BASED ON THE FACTS AND YOUR CLIENT’S DIRECTION, IN THE INTEREST OF TIME**

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**AND WITNESS AVAILABILITY FOR THIS TRAINING, THE AAL GROUP WILL BE INSTRUCTED ON WHICH POSITION THEY WILL BE ADVOCATING FOR IN EACH SESSION. PLEASE PAY SPECIAL ATTENTION TO YOUR ASSIGNED PARTY POSITION FOR EACH PRACTICE SESSION.**

**In-Person Instruction Days:** The **first day of in-person instruction** will focus on direct and cross-examination of lay witnesses. In addition to conducting direct and cross examination of your witnesses, you will participate in a practice session focused on Laying Your Evidentiary Foundation, after which, you will be encouraged to use exhibits and make and respond to objections during your remaining practice sessions. On this day, each of the three practice groups will consist of 3 Attorneys Representing DFPS, 3 AALs, and 3 Parent Attorneys.

Your Practice Groups for this day are as follows:

**Practice Group 1:** Julia Hernandez, Christine MacDonald, Keeli Rogers, Nanepo Yentoumane, Alyssa Flores, Jessenia Ruiz, Ronke “Kay” Badmus, Christy Cauthen, and Caitlin Cornelius

**Practice Group 2:** Anton Jones, Teresa Morales, Jennifer Delage, Daniel Sierra, Angela Hindman, Margaret Matheny, Mary Folse, James Aaron, and Katrina Parker

**Practice Group 3:** Rebecca Saldaña, Dylan Moench, Monica Button, Alicia Willoughby, Surya Burrow, Veronica Lockett, Kneshae Choice, Taylor Qualls, and Nisreen Mahesri

On the **second day of in-person training**, instruction will focus on direct and cross-examination of expert witnesses, the use of exhibits, and making and responding to objections. You will meet in your case strategy and practice sessions based on your client base and will be provided practice tips based on the party you represent.

As a reminder, your Attorney Practice Groups by Client Base are as follows:

**Attorneys Representing DFPS:** Ronke “Kay” Badmus, Kneshae Choice, Julia Hernandez, Anton Jones, Margaret Matheny, Rebecca Saldaña, Daniel Sierra, Alicia Willoughby, and Nanepo Yentoumane

**Parent Attorneys:** James Aaron, Monica Button, Caitlin Cornelius, Jennifer Delage, Veronica Lockett, Nisreen Mahesri, Katrina Parker, Keeli Rogers, and Jessenia Ruiz

**Attorney Ad Litem:** Surya Barrow, Christy Cauthen, Alyssa Flores, Angela Hindman, Christine MacDonald, Mary Folse, Dylan Moench, Teresa Morales, and Taylor Qualls

The **last day of training** will include one final breakout for a strategy and practice session on making your reasonable efforts argument at a bench termination trial. You will return to the split practice groups from the first in-person day of training, which consist of 3 Attorneys Representing

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DFPS, 3 AALs, and 3 Parent Attorneys for this final breakout. Please see the practice group assignments listed under the first day of in-person practice for your group assignments.

## VIRTUAL INSTRUCTION DAY 1 - SEPTEMBER 4, 2025

Zoom Link: <https://txcourts.zoom.us/j/81495214755>

*Be advised that participants should complete their review of all the Harris-Price Case Materials prior to the first day of the TST Contested Hearings Course in order to best prepare for faculty led discussions on hearing preparation and case strategy.*

### 1. REQUIRED EFFORTS PRACTICE SCENARIO

This session provides participants with an opportunity to review a fictitious fact pattern to identify issues related to reasonable efforts in a low stakes learning environment. You will be given a few minutes to read over the case scenario and identify whether reasonable efforts were made by DFPS. TST Faculty will then lead a discussion with your breakout groups on whether reasonable efforts were made, what additional actions could constitute reasonable efforts, and what questions would you ask of the caseworker prior to and during a contested Adversary Hearing based on the provided scenario. Breakout groups will then return to the plenary to share their findings with each other. While not required, participants may find watching the [“Reevaluating Reasonable Efforts”](#) webinar beneficial as they prepare for this session.

### 2. CASE STRATEGY BRAINSTORMING SESSION: IDENTIFYING GOOD AND BAD FACTS FOR THE INITIAL HEARING

In this first strategy session, TST Faculty will lead each breakout group in a brainstorming session about the most strategic ways to present their legal and factual arguments in a contested Adversary Hearing\*. Participants should focus on documents related to the Ex Parte Hearing and Original Petition for Protection of a Child in the Harris-Price Case Materials to prepare for this session. ***AALs should assume that they represent all three children at the Adversary Hearing. Parent Attorneys represent Ms. Kathy Price at the Adversary Hearing.*** Additionally, while not required, participants may find watching the [“Successful Themes and Theories of CPS Cases”](#) bonus lecture beneficial as they prepare for this session.

***Participants are asked to have a few key case strategy points from your perspective (as an agency attorney, child’s Ad Litem, or parent’s attorney) to maximize your benefit from this Case Strategy Session.***

\* PLEASE NOTE THAT WHILE, FOR THE PURPOSES OF THE PRACTICE SESSIONS UTILIZING EXPERT WITNESSES, PARTICIPANTS ARE TO ASSUME THAT TMC OF THE CHILDREN WAS GRANTED TO DFPS AT THE ADVERARY HEARING, PARTICIPANTS SHOULD NOT OPERATE UNDER THIS ASSUMPTION AS THEY PREPARE FOR THE SIMULATED CONTESTED ADVERSARY HEARING THAT WILL TAKE PLACE DURING THE FIRST DAY OF THE IN-PERSON PORTION OF THIS TRAINING.

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## VIRTUAL INSTRUCTION DAY 2- SEPTEMBER 10, 2025

Zoom Link: <https://txcourts.zoom.us/j/86217360936>

### 1. CASE STRATEGY SESSIONS ON DIRECT EXAMINATION OF A LAY WITNESS:

Participants will join their group breakout rooms for a strategy session on direct examination of a lay witness. Faculty members will lead participants in a group discussion and assist participants in selecting an issue to focus their line of questioning on (ex. reasonable efforts to prevent removal, facts necessitating removal, reasonable efforts to eliminate the continued need for removal prior to the adversary hearing, etc.) before providing participants with some time to gather their thoughts and prepare their questions for the direct examination practice session that will occur on the first day of the in-person training.

From this point forward during the Contested Hearings Course, please consider using each strategy session to focus on these three queries:

- (1) What is your ultimate goal for this witness? How does that tie into your theme and theory?
- (2) What evidence needs to come in from this witness to support your goal?
- (3) How can you craft your questions for this witness accordingly?

***Please have a few key questions or points prepared prior to each strategy session,*** understanding that these may change throughout the course of the training. This will ensure that participants get the most out of each strategy session.

**TST Faculty will provide a live demonstration showing participants how to establish a lay witness' credentials on the first day of the in-person training. Participants are to assume that the witnesses during the direct and cross-examination practice sessions have already testified to their background and should not focus on these preliminary questions.**

NOTE THAT THERE WILL NOT BE AN ADDITIONAL STRATEGY SESSION HELD PRIOR TO THE LAY WITNESS DIRECT EXAMINATION PRACTICE SESSION. PLEASE USE THIS TIME TO DEVELOP YOUR LINE OF QUESTIONING AND BRING YOUR PREPARED QUESTIONS WITH YOU TO THE IN-PERSON TRAINING.

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## PARTY POSITIONS

Parent attorneys will be advocating against TMC and complete a direct examination of a faculty member playing Kathy Price.

Attorneys representing DFPS and Attorneys ad Litem (AAL) for the children will be advocating for TMC and will complete a direct examination of an actual caseworker acting as the Harris-Price CPI caseworker.

Participants may choose to use an exhibit from the Harris-Price Case File (copies of exhibits will be made available for participant use at the training), all of which will have been deemed admitted into evidence prior to this practice session, in furtherance of their line of questioning. Also remember to practice making objections and be prepared to respond if your line of questioning is objected to.

## 2. CASE STRATEGY SESSIONS ON CROSS-EXAMINATION OF A LAY WITNESS:

Participants will join their group breakout rooms for a strategy session on cross-examination of a lay witness. Faculty members will lead participants in a group discussion and assist participants in selecting an issue to focus their line of questioning on (ex. reasonable efforts to prevent removal, facts necessitating removal, reasonable efforts to eliminate the continued need for removal prior to the adversary hearing, etc.) before providing participants with some time to gather their thoughts and prepare their questions for the cross-examination practice session that will occur on the first day of the in-person training.

**NOTE: During the morning lectures, there will be a live demonstration on how to conduct a cross examination of a lay witness.**

From this point forward during the Contested Hearings Course, please consider using each strategy session to focus on these three queries:

- (1) What is your ultimate goal for this witness? How does that tie into your theme and theory?
- (2) What evidence needs to come in from this witness to support your goal?
- (3) How can you craft your questions for this witness accordingly?

***Please have a few key questions or points prepared prior to each strategy session, understanding that these may change throughout the course of the training. This will ensure that participants get the most out of each strategy session.***

# PARTICIPANT PRACTICE SESSION INFORMATION

NOTE THAT THERE WILL NOT BE AN ADDITIONAL STRATEGY SESSION HELD PRIOR TO THE LAY WITNESS CROSS-EXAMINATION PRACTICE SESSION. PLEASE USE THIS TIME TO DEVELOP YOUR LINE OF QUESTIONING AND BRING YOUR PREPARED QUESTIONS WITH YOU TO THE IN-PERSON TRAINING.

## **PARTY POSITIONS**

**Parent attorneys will be advocating against TMC and complete a cross-examination of an actual caseworker acting as the Harris-Price CPI caseworker.**

**Attorneys representing DFPS and Attorneys ad Litem (AAL) for the children will be advocating for TMC and will complete a cross-examination of a faculty member playing Kathy Price.**

Participants may choose to use an exhibit from the Harris-Price Case File (copies of exhibits will be made available for participant use at the training), all of which will have been deemed admitted into evidence prior to this practice session, in furtherance of their line of questioning. Also remember to practice making objections and be prepared to respond if your line of questioning is objected to.

*Reminder: All Direct and Cross Examination practice sessions will be recorded as part of your training experience. The Commission will collect all recordings at the close of each day and can send participants their recorded sessions (for posterity and/or to review) at the conclusion of the training.*

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## DIRECT AND CROSS EXAMINATION OF LAY WITNESSES SEPTEMBER 16, 2025

**Please refer to the breakout assignments for Day 1 of the in-person training to determine which breakout room to go to for your practice sessions.**

### 1. LAYING YOUR EVIDENTIARY FOUNDATION PRACTICE SESSION:

In preparation for this session, participants are required to watch the “[Laying Your Evidentiary Foundation](#),” “[Making and Responding to Objections](#),” and “[Preserving the Record for Appeal](#)” webinars available on the [TST landing page](#) prior to the in-person TST Contested Hearings Course dates.

Following a live demonstration and Q&A session on laying the evidentiary foundation and objections practice, this practice session is meant to help participants feel more at ease with their foundation and objection skills. Since this is a skill set that many attorneys have difficulty with (or at least anxiety about), participants will take turns laying the proper foundation for various types of evidence and making and responding to objections.

For the purpose of this exercise, participants will select one of the following exhibits and attempt to admit it as evidence using testimony of a live witness:

- Kathy Price’s text to the Caseworker
- Caseworker’s text to Kathy Price
- Kathy Price/Caseworker email exchange
- Kathy Price/Caseworker email exchange
- Medical records on each of the three subject children (3 sets of business records)
- Photographs of Rose Price (2)
- Psychological Evaluation of Kathy Price
- Counseling Notes on Kathy Price

Participants are instructed to assume the exhibits have been pre-marked and circulated to opposing counsel ahead of time for review and should not spend practice time on these tasks.

Following this practice session, please assume that all evidence has been admitted in the Harris-Price case. **Each participant is required to use one of the above exhibits during at least one of the subsequent direct or cross examination practice sessions.** This will allow participants to develop and practice using an exhibit through a witness to support their case theme and theory.

The requirement to use exhibits with witnesses is designed to give participants all an opportunity to build their skill level and confidence to do this successfully in courtroom practice.

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Please note that it is important to learn your local rules on admitting evidence for in-person and virtual hearings!

## **OBJECTIONS:**

Participants are encouraged to practice making and responding to objections during the Laying the Foundation exercise and during all direct and cross examination practice sessions. As Judge McCraw will elaborate “what happens in Trial Skills Training stays in Trial Skills Training” – so please don’t worry about making any mistakes!

**TST Faculty will be asked to select an individual from each of the three practice groups (AALs, Parent Attorneys, and Attorneys representing DFPS) to recognize for the best use of/response to objections at the end of the training. These three individuals will receive a Gift Card as a prize.**

## **2. DIRECT EXAMINATION OF A LAY WITNESS PRACTICE SESSIONS:**

*\* FOR THE PURPOSES OF THIS PORTION OF THE TRAINING, PARTICIPANTS SHOULD REFER TO THE HARRIS-PRICE CASE MATERIALS RELATED TO THE EX PARTE AND ADVERSARY HEARINGS TO PREPARE FOR THE CONTESTED ADVERSARY HEARING. FACTS FROM THE REMAINING COURSE MATERIALS SHOULD NOT BE REFERENCED TO DURING THE DAY’S PRACTICE SESSIONS.*

Participants will join their group breakout rooms and will each participate in a round of direct questioning of their lay witness. In groups of three at a time (one DFPS attorney, one AAL, and one Parent’s attorney), each attorney will take a turn questioning their client (either the CPI caseworker or Ms. Kathy Price) on direct, while opposing counsel practices their objection skills. Attorneys questioning on direct should be prepared to respond to any objections raised.

Faculty members will play the role of the judge. The judges will ask you to stop your closing statement practice at the 4 to 5-minute mark and give you immediate feedback and friendly coaching in front of your small group. Many former participants find this to be some of the most valuable time during their training, as your critique will assist you in improving your skills and your confidence, as well as provide you and your fellow colleagues with practice tips. Once you have completed your questioning and receive you in room critique on your line of questioning, you will step outside to receive a 1-on-1 feedback session from another TST Faculty member on your courtroom presence and mannerisms.

**Reminder: Participants are to assume that the witnesses during the direct and cross examination practice sessions have already testified to their background and should not focus on these preliminary questions.**

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**Additionally, Participants must attempt to use one of the exhibits, all of which will have been deemed admitted into evidence prior to this practice session in furtherance of their line of questioning, in at least one practice session throughout the training.**

*This practice session will be recorded, and the recording will be provided, upon request, for the participant's personal review sometime shortly after the conclusion of the Trial Skills Training.*

### **3. CROSS EXAMINATION OF A LAY WITNESS PRACTICE SESSIONS:**

**\* FOR THE PURPOSES OF THIS PORTION OF THE TRAINING, PARTICIPANTS SHOULD REFER TO THE HARRIS-PRICE CASE MATERIALS RELATED TO THE EX PARTE AND ADVERSARY HEARINGS TO PREPARE FOR THE CONTESTED ADVERSARY HEARING. FACTS FROM THE REMAINING COURSE MATERIALS SHOULD NOT BE REFERENCED TO DURING THE DAY'S PRACTICE SESSIONS.**

Participants will join their group breakout rooms and will each participate in a round of cross-examination of their lay witness. In groups of three at a time (one DFPS attorney, one AAL, and one Parent's attorney), each attorney will take a turn questioning the opposing party's client (either the CPI caseworker or Ms. Kathy Price) on cross, while opposing counsel practices their objection skills. Attorneys questioning on cross should be prepared to respond to any objections raised.

Faculty members will play the role of the judge. The judges will ask you to stop your closing statement practice at the 4 to 5-minute mark and give you immediate feedback and friendly coaching in front of your small group. Many former participants find this to be some of the most valuable time during their training, as your critique will assist you in improving your skills and your confidence, as well as provide you and your fellow colleagues with practice tips. Once you have completed your questioning and receive your in room critique on your line of questioning, you will step outside to receive a 1-on-1 feedback session from another TST Faculty member on your courtroom presence and mannerisms.

#### **PARTY POSITIONS:**

**Parent attorneys** will be advocating against TMC and will cross-examine the CPI Caseworker. Parent Attorneys represent Ms. Kathy Price at the Adversary Hearing.

**Attorneys representing DFPS and AALs** will be advocating for TMC and will cross examine Kathy Price.

**Reminder: Participants must attempt to use one of the exhibits, all of which will have been deemed admitted into evidence prior to this practice session in furtherance of their line of questioning, in at least one practice session throughout the training. If time permits, please**

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**also attempt to “approach” the witness with one of the admitted exhibits if it will assist with the line of questioning.**

*This practice session will be recorded, and the recording will be provided, upon request, for the participant’s personal review sometime shortly after the conclusion of the Trial Skills Training.*

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## DIRECT AND CROSS EXAMINATION OF EXPERT WITNESSES SEPTEMBER 17, 2025

**Please refer to the breakout assignments for Day 2 of the in-person training to determine which breakout room to go to for your practice sessions.**

**\* FOR THE PURPOSES OF THIS PORTION OF THE TRAINING, PARTICIPANTS ARE TO ASSUME THAT TMC WAS GRANTED AND SHOULD REFER TO THE HARRIS-PRICE CASE MATERIALS RELATED TO THE STATUS HEARING THROUGH THE TRIAL PHASE TO PREPARE FOR THE FINAL HEARING.**

### **1. STRATEGY AND PRACTICE SESSIONS ON DIRECT EXAMINATION OF AN EXPERT WITNESS:**

The strategy session goals for direct examination listed above will guide the conversation as participants prepare their questions on day two of the Contested Hearings Course. Participants are encouraged to choose separate topics on which to question the witness. While practice groups will consist of all members of the same client base, participants are still encouraged to practice their objection skills during these practice sessions.

There will be a Demo preceding this strategy session on how to establish an expert witness' credentials, so please start your questioning with the assumption that your witness has already been qualified and has testified to their background.

#### **PARTY POSITIONS**

**Attorneys representing DFPS and AALs will advocate for Termination of Parental Rights** as to the child, Rose Price, and will complete a direct examination of a Pediatric Fellow or Pediatric Nurse Practitioner playing Dr. Jane Jones.

**Parent attorneys will advocate against Termination of Parental Rights** and will complete a direct examination of a licensed therapist playing Ms. Price's therapist, Consuela Counselor. For this session, all parent attorneys will be representing Ms. Kathy Price.

NOTE: Please recall that prior to the Final Trial on the Merits, the parties entered into a MSA agreement as to the two older children, Ben and Robert. Agreed orders have been entered as to these two children and they have been severed out of this cause.

During the direct examination, **Attorneys representing DFPS and AALs** may choose to use one of the children's ER reports or one of the photos of Rose Price, all of which will have been deemed admitted into evidence prior to your practice session.

**Parent's Attorneys** may choose to use Kathy Price's psychological evaluation or the counseling session notes, both of which will have been deemed admitted into evidence prior to your practice

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session. This is a good opportunity for attorneys to practice “handling” a document, “approaching” the stand, and questioning a witness.

Faculty members will play the role of the judge. The judges will ask you to stop your closing statement practice at the 4 to 5-minute mark and give you immediate feedback and friendly coaching in front of your small group. Many former participants find this to be some of the most valuable time during their training, as your critique will assist you in improving your skills and your confidence, as well as provide you and your fellow colleagues with practice tips. Once you have completed your questioning and receive you in room critique on your line of questioning, you will step outside to receive a 1-on-1 feedback session from another TST Faculty member on your courtroom presence and mannerisms.

*This practice session will be recorded, and the recording will be provided, upon request, for the participant’s personal review sometime shortly after the conclusion of the Trial Skills Training.*

## **2. STRATEGY AND PRACTICE SESSION ON CROSS EXAMINATION OF AN EXPERT WITNESS:**

The same strategy session goals will guide the conversation as you prepare your cross-examination questions. TST faculty will assist participants in choosing separate topics on which to question the witness. This is the last practice session with live witnesses, and it is devoted to cross examination and impeachment of an expert and follows a lecture on Conducting a High-Level Cross Examination and a demonstration on the skill. While practice groups will consist of all members of the same client base, participants are still encouraged to practice their objection skills during these practice sessions.

### **PARTY POSITIONS:**

**Parent attorneys** will be advocating for reunification and will cross examine a Pediatric Fellow or a Pediatric Nurse Practitioner on the medical examination of Rose Price. For this session, all parent attorneys will be representing Ms. Kathy Price.

**Attorneys representing DFPS** will be advocating for Termination of Parental Rights as to the child, Rose Price, and will cross examine Kathy Price’s therapist, Consuela Counselor, who is in support of reunification.

**AALs** will be advocating for reunification in this exercise and will use their cross-examination skills to challenge the Parent Therapist, who has changed their mind about reunification.

**\*AALS: PLEASE NOTE THAT YOU ARE ADVOCATING FOR REUNIFICATION IN THIS PRACTICE SESSION!! ADDITIONALLY, YOU WILL BE TAKING MS. COUNSELOR ON CROSS ABOUT HER CHANGE IN POSITION FROM REUNIFICATION TO TERMINATION.**

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**Parent Attorneys:** Cross Examination questions may revolve around inconsistencies in the medical exhibits. For example, the inconsistent description of the pattern bruising on Rose Price (the ER report on Rose Price says that the pattern bruises are on her left buttock, but the photo shows the bruising only on the right buttock), or about how accurately the doctor can testify to the age of Rose's bruising or her diaper rash at the time of your ER examination, etc.

**AALs:** In this session, Ms. Counselor will not support Kathy's reunification after all (despite earlier documentation and opinion that reunification with Rose would be fine as long as housing is in place, the therapist will say that she ultimately decided that Kathy just doesn't have enough safety and stability in her relationships and housing to be successful. Additionally, Kathy did not mention her positive drug test for cocaine in her therapy sessions, and Consuela only became aware of the positive drug test and Kathy's refusal to submit to the Department's request for a subsequent hair strand test and sporadic submission to requests for random drug testing about a month ago).

For those wishing to practice with exhibits, participants may want to attempt to use Kathy Price's psychological evaluation or the counseling session notes (already deemed to have been admitted into evidence) to impeach Ms. Counselor.

**Please note that while outside of the training, some AALs might not align with the Respondent Mother's position that she should retain parental rights, for the purposes of practicing the skill, please compose questions for the Parent Therapist accordingly.**

The change in position for this exercise is meant to help practitioners think about the case from both sides.

**Attorneys representing DFPS:** For this break out practice session, Consuela Counselor is still in support of a return of Rose to her mother, Kathy Price, or, in the alternative, that Kathy Price maintain possessory conservatorship of Rose. This is a good session to use Kathy Price's psychological evaluation or the counseling session notes (already deemed to have been admitted into evidence) to impeach Ms. Counselor.

Faculty members will play the role of the judge. The judges will ask you to stop your closing statement practice at the 4 to 5-minute mark and give you immediate feedback and friendly coaching in front of your small group. Many former participants find this to be some of the most valuable time during their training, as your critique will assist you in improving your skills and your confidence, as well as provide you and your fellow colleagues with practice tips. Once you have completed your questioning and receive you in room critique on your line of questioning, you will step outside to receive a 1-on-1 feedback session from another TST Faculty member on your courtroom presence and mannerisms.

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## REASONABLE EFFORTS ARGUEMENT SEPTEMBER 18, 2025

**Please refer to the breakout assignments for Day 3 of the in-person training to determine which breakout room to go to for your practice sessions.**

### 1. REASONABLE EFFORTS PRACTICE SESSIONS:

*Note: The Reasonable Efforts practice sessions will be recorded as part of your training experience. The Commission will collect all recordings at the close of each day and can send participants their recorded sessions (for posterity and/or to review) at the conclusion of the training.*

Pursuant to [Tex. Fam. Code § 161.001](#), the court may order termination of the parent-child relationship only if the petitioner proves by clear and convincing evidence that: (1) a ground for termination exists; (2) that DFPS made reasonable efforts to return the child to the child's home but a continuing danger in the home prevented the child's return; and (3) that termination is in the best interest of the child.

In this strategy session, TST faculty will lead a discussion aimed at assisting participants in identifying the best facts to support their reasonable efforts argument for a final trial where termination is being sought.

In preparation for this session, it is suggested, but not required, that participants watch the [“Reevaluating Reasonable Efforts Findings”](#) webinar replay available on the [TST landing page](#).

Following a 30-minute strategy session on reasonable efforts arguments, participants will be given 4 to 5 minutes to provide closing arguments focused on the reasonable efforts prong in a termination trial in the *Harris-Price* case.

***For this simulation, assume that termination grounds and best interest of the child have already been argued before the court and all that is left to present to the court is your argument on reasonable efforts.***

#### PARTY POSITIONS:

**Parent attorneys** will argue that DFPS did not make reasonable efforts to return the child to the child's home prior to the commencement of the trial and/or, that if DFPS's efforts were reasonable, there is not a continuing danger in the home that prevents the child's return. ***Parent attorneys may choose to represent either Kathy Price or Ryan Smith for this exercise.***

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**Attorneys representing DFPS** will argue that DFPS made reasonable efforts to return the child to the child's home prior to the commencement of the trial, but despite those efforts, a continuing danger in the home prevented the child's return.

**AALs** may align with either the parent or DFPS when providing their reasonable efforts argument during closing statement as to the child, Rose Price.

Faculty members will play the role of the judge. The judges will ask you to stop your closing statement practice at the 4 to 5-minute mark and give you immediate feedback and friendly coaching in front of your small group. Many former participants find this to be some of the most valuable time during their training, as your critique will assist you in improving your skills and your confidence, as well as provide you and your fellow colleagues with practice tips.

While additional TST Faculty Members may join each Breakout Room as an observer, this session will not include a 1-on-1 feedback session.

*This practice session will be recorded, and the recording will be provided, upon request, for the participant's personal review sometime shortly after the conclusion of the Trial Skills Training.*

**CONCLUSION OF TRAINING: CONGRATULATIONS!**