



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

Annual Report

2024 Fiscal Year

2024 ANNUAL REPORT

Reporting Fiscal Year October 1, 2023 - September 30, 2024

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

Children’s Commission Staff

Jamie Bernstein
Executive Director

Milbrey Raney
Assistant Director

Jessica Arguijo
Communications Manager

Renée Castillo-De La Cruz
Staff Attorney

Aimee Corbin
Staff Attorney

Tiffany Edwards
Program Specialist

Chelsea Martinez
Program Specialist

Dylan Moench
Legal Representation Director

Patrick Passmore
Finance Manager

Willette Sedwick
Accountant

Andrea Vicencio
Program Specialist





Debra H. Lehrmann
Justice Debra H. Lehrmann
Chair



Rebeca Huddle
Justice Rebeca Aizpuru Huddle
Deputy Chair

From Leadership

Fiscal Year 2024 was another significant year for the Supreme Court of Texas Permanent Judicial Commission for Children, Youth, and Families (Children’s Commission). The Commission continues to maintain a neutral forum for critical discussion about complex and urgent issues impacting the child welfare system and responds with practical and relevant resources for judges and attorneys. Although the primary goal of the Children’s Commission’s work is to strengthen courts and the legal system, the reach of the Commission’s work extends to the broader child welfare system.

This report highlights various projects and resources produced by the Children’s Commission in Fiscal Year 2024. In partnership with the Texas Department of Family and Protective Services, the Children’s Commission began an effort in Fiscal Year 2024 to provide training to legal and child welfare professionals in every region of the state. Engaging judges, lawyers, Court Appointed Special Advocates, DFPS staff, and other child welfare partners in communities throughout the state provided a unique opportunity to educate and also to understand local practices, strengths, and challenges. Training on evidence-based family preservation services and reasonable efforts to prevent removal and finalize permanency will continue to roll out throughout the state next year.

Additionally, the Children’s Commission provided monthly webinar trainings on topics such as Navigating the Transition from Trial to Appellate Counsel, Representing Older Youth in Care, and Understanding the Federal Intersection with Key Texas Child Welfare Laws. Other highlights this year include the McLennan County Parent Advocacy Program Evaluation, conducted by Baylor University and funded by the Children’s Commission to evaluate a pre-petition legal advocacy project, as well as significant involvement in the federal Child and Family Services Review process, and attorney outreach and recruitment in collaboration with the Texas Indigent Defense Commission.

These are just a few examples of Commission projects featured in this Annual Report. We look forward to a continued emphasis on improving the judicial and legal response in child welfare cases so that children and families in Texas can experience positive outcomes in the areas of safety, permanency, and well-being.

Recognizing Judicial Leadership: Chief Justice Nathan L. Hecht



Chief Justice Nathan L. Hecht

Chief Justice Nathan L. Hecht was appointed Chief Justice of the Supreme Court of Texas on September 10, 2013. Over the past 11 years, Chief Justice Hecht has provided invaluable leadership, guidance, and support for the Children’s Commission. Both at the state and national levels, Chief Justice Hecht spoke on behalf of the Children’s Commission and encouraged all three branches of government to utilize the Commission as a resource. He helped to develop the foundation of the Commission and encouraged a commitment to using Commission resources to strengthen the judicial and legal response in child welfare cases. Due to his vision as well as his commitment to access to justice, Chief Justice Hecht’s positive influence on the Children’s Commission will undoubtedly continue for many years to come.



Jamie Bernstein

Jamie Bernstein
Executive Director

From the Executive Director

The theme of this year’s annual report is engaging the community. Fiscal Year 2024 offered a tremendous opportunity for the Children’s Commission to travel throughout Texas to listen and learn alongside legal and child welfare professionals. As a Court Improvement Program, our primary focus is on the judicial and the legal systems but we know these systems do not exist in isolation. For any system to improve, it is critical for individuals representing multiple perspectives to share their ideas, experiences, and solutions. The legal system in child welfare cases is no different and in a state as large as Texas one size will never fit all. Hearing from judges, attorneys, and others in regions throughout the state provided keen insights into how the system currently functions and what improvements may be needed. This experience will certainly inform the work of the Children’s Commission going forward.

The accomplishments included in this report are made possible by the support of the Supreme Court of Texas and our relationships with stakeholders throughout our State. Although Fiscal Year 2024 is over, the commitment at the Children’s Commission to engagement and collaboration remains steadfast and we carry that with us into Fiscal Year 2025. I look forward to continuing our work together.

Thank you to Dylan Moench

After eight years at the Children’s Commission, Dylan Moench left his position as the Legal Representation Director to lead an office of child representation. Although there are too many accomplishments to name, Dylan spearheaded several key initiatives during his time at the Children’s Commission including the 2018 Legal Representation Study, Task Force on Court-Appointed Legal Representation, Tool Kit for Attorneys Representing Parents and Children, Mediation Round Table and Report, Fathers’ Rights Pamphlet, Rights of Incarcerated Parents Poster, *Sam and the Search for Spots* Coloring Book, and other attorney-client relationship materials. He was also instrumental in his support for the establishment of the TBLS child welfare law specialization. Due to Dylan’s unwavering dedication to high quality legal representation for all children, youth, and families involved with the child welfare system, the landscape in Texas is even stronger than it was before. The Children’s Commission is grateful for Dylan’s service and looks forward to working with him in this new capacity.



Dylan Moench

FY2024 Grantees



**OFFICE OF COURT
ADMINISTRATION**
\$250,000



**TEXAS CENTER
FOR THE JUDICIARY**
\$254,571



**TEXAS DEPARTMENT
OF FAMILY &
PROTECTIVE SERVICES**
\$12,000



**TEXAS LEGAL
SERVICES CENTER**
\$125,000

**The total awarded
to FY2024 grant
recipients is
\$607,148.**

Collaboration



The Children’s Commission administers the Court Improvement Program (CIP) funds to assess current and future needs of the courts, provide a forum for meaningful collaboration, encourage continuous quality improvement, and promote best child welfare and court practices to improve the child welfare system.

The Children’s Commission continues to foster connections with many collaborative partners, including, but not limited to, the Office of the Governor (OOG), the Office of the Attorney General (OAG), the Texas Department of Family and Protective Services (DFPS), the Office of Court Administration (OCA), the Judicial Commission on Mental Health (JCMH), Casey Family Programs, the Child Protection Law (CPL) section of the State Bar of Texas, Texas CASA, the Texas Health and Human Services Commission (HHSC), Texas Juvenile Justice Department (TJJJD), the Texas Alliance of Child and Family Services (TACFS), the Texas Network of Youth Services (TNOYS), the Meadows Mental Health Policy Institute (MMHPI), and the Texas Education Agency (TEA).

Children’s Commission Meeting Special Presentations in Fiscal Year 2024

- | | |
|---------------------|---|
| November 3, 2023 | <ul style="list-style-type: none">• Trauma-Informed Court Pilot Presentation by Hon. Carlos Villalon, Judge, Child Protection Court-Rio Grande Valley West; Hon. Linda Dunson, Judge, 309th Family Court; Hon. Angela Graves-Harrington, Judge, 246th District Court; Hon. Andrea James, Associate Judge, 2nd Region Child Protection Court No. 2; and Hon. Cheryl Vaughan, Associate Judge, 8th Region North Child Protection Court. |
| February 2, 2024: | <ul style="list-style-type: none">• Shifting the Paradigm: Engaging Fathers in Child Welfare Presentation by Kenneth Thompson, DFPS Fatherhood Program Specialist• Foster Care Ombudsman Presentation by Raven Sowell, HHSC Foster Care Ombudsman;• Texas Child-Centered Care (T3C) Presentation by Kaysie Taccetta, DFPS Federal Funds Division Manager |
| May 17, 2024 | <ul style="list-style-type: none">• Children Without Placement Presentation by Audrey O’Neill, DFPS Deputy Commissioner of Programs;• CPCMS Highlights by Megan LaVoie, OCA Administrative Director |
| September 13, 2024: | <ul style="list-style-type: none">• FY2025 Strategies and Budget and Legislation and Policy Resource Committee Presentations by Children’s Commission Staff;• DFPS Data Presentation by Sierra Fisher, DFPS Director of Analytics for Change and Enhancement; and Jennifer Sims, DFPS Deputy Commissioner of Operations |



Texas Child and Family Services Review

Texas participated in the federal Child and Family Services Review (CFSR) Round 4 in 2024. This review process is critical for evaluating the state's child welfare system. In preparation, the Children's Commission collaborated with DFPS and Administration for Children and Families (ACF) in monthly calls since January 2023. There is increased emphasis on legal and judicial involvement in Round 4 of the CFSR process.

From April 22-26, 2024, ACF supported over 20 CFSR stakeholder interviews across Texas, engaging over 260 participants, including parent advocates, caregivers, judges, attorneys, agency leaders, and Tribal representatives. Commission staff contributed to the statewide assessment, supported case reviews, coordinated collaborative forums for legal stakeholders, and encouraged the judiciary's engagement in developing the ensuing Program Improvement Plan (PIP) and its implementation strategies.

At the 2023 Child Welfare Judges Conference, the Commission hosted a panel with DFPS staff on the CFSR. This session emphasized the judiciary's role in the CFSR process, provided an overview of national and state data, and highlighted the importance of judicial involvement. The Children's Commission remains committed to supporting Texas's CFSR process and will continue to champion judicial and legal engagement in the PIP and related improvements.

Children’s Commission Members Fiscal Year 2024*

Supreme Court of Texas

- Chief Justice Nathan L. Hecht
- Justice Debra H. Lehrmann
- Justice Jeffrey S. Boyd
- Justice John P. Devine
- Justice Jimmy D. Blacklock
- Justice Brett Busby
- Justice Jane N. Bland
- Justice Rebeca Aizpuru Huddle
- Justice Evan A. Young

Commissioners

- Justice Debra H. Lehrmann, *Chair*
- Justice Rebeca Aizpuru Huddle, *Deputy Chair*
- Hon. Harriet O’Neill, *Chair Emeritus*
- Hon. Eva Guzman, *Chair Emeritus*
- Hon. Rosie Alvarado
- Karla Baker
- Erica Bañuelos
- Chantel Bedlington
- Corey Benbow
- Dr. Gary Blau
- Mark Briggs
- Hon. Susan Brown
- Hon. Darlene Byrne
- Hon. Julie Countiss
- Sheila Stugis Craig
- Hon. Roy Ferguson
- Madelyn Fletcher, *ex officio*
- Hon. Bill Harris
- Anne Heiligenstein
- Rep. Stephanie Klick, *ex officio*
- Hon. Selina Mireles
- Katie Olse
- Hon. Robbie Partida-Kipness
- Sasha Rasco
- Hon. Isaac Roldan
- Hon. Randy Shelton
- Luanne Southern
- Vicki Spriggs
- Terese Stevenson
- Hon. Thomas Stuckey
- Sen. Royce West, *ex officio*

Jurists in Residence

- Hon. Rob Hofmann, *Senior Jurist in Residence*
- Hon. Piper McCraw, *Jurist in Residence*



*Please note that throughout this report, title and membership reflect member roles at the time of participation.



All-Committee Webcast

The four Children's Commission standing committees - Systems Improvement, Legal Practice & Process, Training, and Data - met on September 3, 2024, for an All-Committee webcast to review the proposed FY2025 Strategies and Budget presented by Children's Commission staff. Committee members were invited to provide feedback via survey. Subsequently, the FY2025 Strategies and Budget were presented to and approved by the Children's Commission on September 13, 2024.

Committee Members

Hon. Mark Atkinson

Tymothy Belseth

Hon. Susan Brown

Sarah Bryant

Denise Campbell

Chelsea Cornelius

Sarah Crockett

Adrianna Cuéllar Rojas

Teal De La Garza

Barbara Elias-Perciful

Nathan Ezell

Dr. Monica Faulkner

Hon. Delia Gonzales

Hon. Angela Graves-Harrington

Hon. Charles Griffin

Margaret Halpin

Brenda Kinsler

Elizabeth Kromrei

Crystal Leff-Pinion

Gabriella McDonald

Jenn Meier

Emily Miller

Kellie Price

Judy Powell

Hon. Robin Sage

Hon. Michael Schneider

Hon. Tracey Scown

Hon. Ian Spechler

Diane Sumoski

Natalie Taylor

Sub Uppalari

Janet VanderZanden

Charlotte Velasco

Hon. Carlos Villalon

Hon. Elizabeth Watkins

Jordan Watson

Sarah Worthington



Collaborative Council members at the September 13, 2024 annual meeting.

Collaborative Council Update

The Collaborative Council assists the Children’s Commission by providing information regarding local and statewide activities, events, and issues that affect judicial and court practices in child welfare cases. The council represents a broad array of child welfare system stakeholders as well as individuals representing other systems that serve with children and families in Texas (i.e., family violence, homelessness, and substance use).

In FY2024, the Children’s Commission hosted biweekly calls with members of the Collaborative Council, DFPS, OCA, and various child welfare system stakeholders from across the state to exchange announcements and discuss emerging issues. At the annual Collaborative Council meeting, members shared their priority areas of focus for the coming year.

Collaborative Council Members

- | | |
|------------------------|--------------------|
| Andrew Brown | Kerrie Judice |
| Dania Carter | Bruce Kendrick |
| Irene Clements | Norman Ladd |
| Sarah Crockett | Stephanie Madrigal |
| Teal De La Garza | Gabriella McDonald |
| De Shaun Ealoms | Dr. Jill McLeigh |
| Barbara Elias-Perciful | Kate Murphy |
| Mike Foster | Judy Powell |
| Will Francis | Tanya Rollins |
| Fedora Galasso | Danielle Schaefer |
| Dr. Linda Garcia | Johana Scot |
| Barbra Grimmer | Andrea Sparks |
| Sandra Hatchem | Theresa Thomas |
| Julia Hatcher | Kenneth Thompson |
| Félix Herrera | Ruth Thornton |
| Tina Hosaka | Sarah Worthington |
| Kasey Jackson | |

Children’s Commission External Presentations

In FY2024, the Children’s Commission staff gave the following presentations at external meetings, conferences, and events:

- Foster Care and Education: Region 7 Breakout Meeting for Education Reach, October 20, 2023
- Prevention and Strengthening the Community from the Bench: Partners in Prevention, November 16, 2023
- Remarks at Community-Based Care Legal Convening in DFPS Region 3E, December 7, 2023, and February 9, 2024
- Reasonable Efforts; Preparing for the Specialization Exam: Advanced Child Protection Law Course, April 4-5, 2024
- Remarks at Education Reach for Texans Conference, June 10, 2024
- Child Welfare, Special Education, and Juvenile Justice Course Director, June 14, 2024
- Invited Testimony, House Select Committee on Youth Health & Safety, July 31, 2024
- Foster Care & the Law: The Rights of Children in Foster Care, September 26 and 27, 2024



From left: Williamson County Court at Law One staff members Josie Saucedo, Abdy McComas, Hon. Brandy Hallford; Children’s Commission staff members Milbrey Raney, Renée Castillo-De La Cruz, Andrea Vicencio at the training.

Assistance to Local Jurisdictions

The Commission partnered with Hon. Brandy Hallford, Judge of the Williamson County Court at Law One to provide a free, one-day training entitled “Legal Essentials and Beyond for Representing Parents and Children in Child Welfare Cases” on January 12, 2024, at the Williamson County Courthouse. The training was designed to meet the education requirements in Tex. Fam. Code §§ 107.004 and 107.0131 for attorneys to qualify for court appointments on or to qualify to remain on the Williamson County child protection docket court appointment list. The program included presentations on the statutory overview of a child welfare case; the nuts and bolts of representing parents and children; preventing burnout; admitting evidence and preserving the record for appeal, and a child welfare legislative and case law update. The course was approved for 6 hours of CLE, including 2 hours of ethics.

Website and Social Media

The Children’s Commission website is routinely updated for content and to highlight newly released reports and resources. While the website is designed for judges and attorneys, materials are often accessed by additional stakeholders in the child welfare system. The Commission continues to explore design functionality and work with OCA for website testing and improvements including developing a tool and dashboard to analyze website traffic and commonly accessed resources. Development of utilization of social media platforms such as the LinkedIn business page (Texas Children’s Commission) and X, formerly Twitter (@TXChildrensComm) is ongoing.

Grantee



Office of Court Administration Visiting Judge Support

The Texas Family Code authorizes presiding judges of the administrative judicial regions to appoint associate judges with expertise related to child abuse and neglect to preside in child welfare cases. In FY2024, over 193 child welfare cases were heard by visiting associate judges contracted with OCA to sit by assignment when active Child Protection Court (CPC) associate judges were absent from the bench for reasons that are enumerated in statute. Without funding for visiting associate judges to provide docket coverage, these cases would have been reset until the sitting associate judge was available, resulting in case processing delay. The grant funds allowed for coverage by judges who have extensive knowledge of child welfare proceedings and statutory timelines as well as a clear understanding of the complexity of such cases, thus promoting timely permanency.

International Visitor Leadership Program

On November 20, 2023, the Children’s Commission hosted a 9-person delegation from Guatemala, Honduras, and the Dominican Republic as part of the US Department of State’s International Visitor Leadership Program. Commission staff discussed initiatives supporting judicial and legal best practices in child welfare in Texas, answering questions on training, education, and policy development.



An interpreter stands by to translate for the visiting delegation.

Judicial Child Welfare Forum

The Judicial Child Welfare Forum provides an informal opportunity for judges from jurisdictions throughout the state to brainstorm effective approaches to challenging issues and share innovative practices. The group met on a bi-monthly basis in FY2024 and discussed issues such as children without placement, Community-Based Care, identification documents for transition age youth, driver’s education, and car insurance for new drivers.

Resource Letters for Judges and Attorneys Handling Child Welfare Cases

The Children's Commission regularly publishes resource letters about emerging, relevant, and changing policy, laws, practice, and training opportunities that are of interest to judges and attorneys handling child welfare cases. The Children's Commission's distribution list for the Resource Letter reaches nearly 4,000 judges, attorneys, court staff, and child welfare stakeholders. Several examples of Jurist in Residence (JIR) Letters and Judicial and Attorney Resource Letters (JARLs) issued between September 30, 2023 and October 1, 2024 include:

- 10/4/2023: New Rules from the Administration for Children and Families Focus on Support and Resources for Children and Families
- 11/9/2023: November Celebrates Adoptions and Pathways to Permanency
- 11/13/23: Jurist in Residence Letter: Scholarships to Upcoming NCJFCJ Conferences
- 12/8/23: Navigating the Transition from Trial to Appellate Counsel; Trial Skills Replay and Materials Now Available
- 12/19/2023: Announcing Scholarships to ABA Center on Children and the Law's National Conferences
- 1/5/2024: January is Human Trafficking Prevention Month
- 2/9/2024: Attorney Scholarship to TexasBarCLE's 101 and Advanced Child Protection Law Course
- 2/14/2024: February is Youth Leadership Month
- 3/26/2024: Trial Skills Training Opportunity: Fall 2024 Contested Hearing Practices Pilot
- 4/3/2024: Attorney Scholarships to TexasBarCLE's Handling Youth First (or Next) Civil Appeal Webcast Replay
- 4/10/2024: Trial Skills Contested Hearing Practices Deadline; Representing Older Youth in Care
- 4/11/2024: April is Child Abuse Prevention Month
- 4/18/2024: Now Available: 2024 Tool Kit for Attorneys Representing Parents and Children in Child Welfare Cases
- 4/23/2024: Mandamus in Child Welfare Cases
- 6/7/2024: Scholarship Opportunities for Child Welfare Judges and Attorneys to Summer Conferences
- 6/10/2024: June is Reunification Month
- 6/12/2024: Jurist in Residence Letter: Identifying Child Sexual Exploitation: A Judicial Discussion
- 6/18/2024: Understanding the Federal Intersection with Key Texas Child Welfare Laws; Family Protection Representation Mentorship Announcement from the Texas Indigent Defense Commission
- 7/18/2024: Webinars: Mediation in Child Welfare; Handling Your First Child Welfare Appeal
- 8/1/2024: Scholarship Announcement: Civil Appellate Practice 101 Course
- 8/14/2024: Supporting School Aged Children in Care
- 8/27/2024: Now Available: 2024 Tool Kit for Attorneys Representing the DFPS in Child Welfare Cases
- 8/29/2024: Educational Resources for the 2024-2025 School Year
- 9/19/2024: Upcoming DV Webinar; New TIDC Website and Reporting Requirements

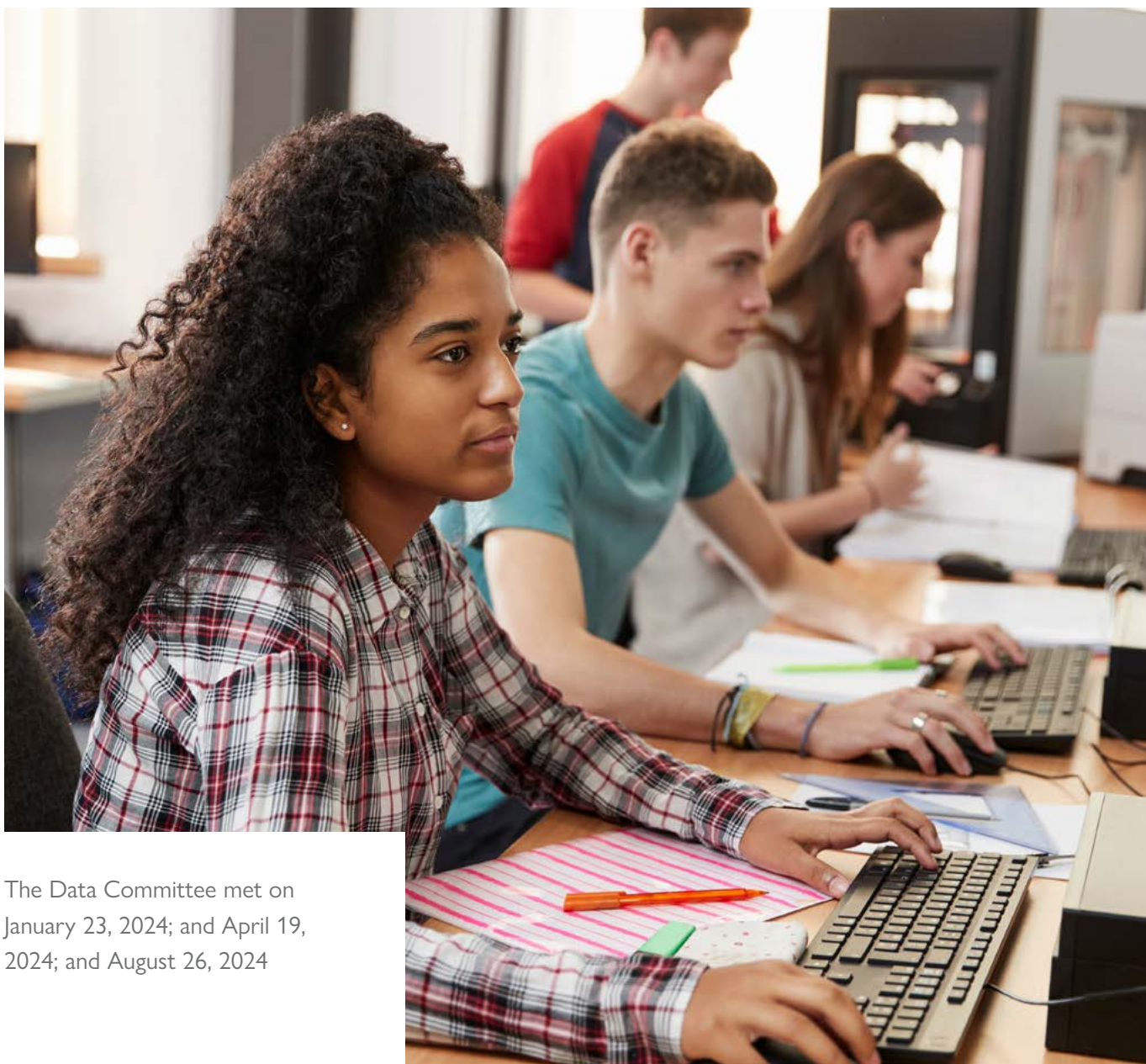
Scan the QR codes
for a complete list of
Resource Letters:



Data



The Data Committee focuses on operationalizing data-driven decision-making through continuous quality improvement and an analysis of publicly available child welfare and court data to identify legal processes and practices that produce desired outcomes, as well as which practices need improvement.



The Data Committee met on January 23, 2024; and April 19, 2024; and August 26, 2024



Data Committee

The Data Committee received a presentation from Christine Barela and Stacy Russel on future DFPS data and case management tools that could replace the IMPACT system. Committee members provided feedback on how such a system can incorporate legal and judicial needs and perspectives. Additionally, the committee reviewed the requested data from DFPS regarding prior placement by youth in DFPS conservatorship who enter the juvenile justice system. The committee also reviewed initial responses from the 2024 CWJC pre-conference survey identifying barriers to achieving permanency in twelve months.

At the October 2023 Child Welfare Judges Conference, the Statewide Data Presentation was combined with the traditional DFPS Leadership Panel presentation so that the processes which lead to data outcomes could be presented by both the DFPS Leadership and Data Team staff as an ensemble to promote greater understanding of the intersection of law, policy, practice, and data. DFPS leadership presented a panel entitled DFPS Leadership and Statewide Data Updates which covered key topics such as prevention, investigations, removals, capacity, and family preservation, along with accompanying data on safety, permanency, and well-being outcomes at the statewide level. The subsequent panel addressed the Child and Family Services Review (CFSR) wherein the Director of Services at DFPS, the CPS Federal and Program Improvement Review Division Administrator, and the Children's Commission Executive Director described the CFSR, shared national and state data, explained what judges can expect from the process, and emphasized the critical importance of the judicial voice to the CFSR's outcomes.

Immediately thereafter, Regional Breakouts were convened where judges met by DFPS Region with CPS Regional Directors, CPI Regional Directors, Regional Systems Improvement Specialists, and Single Source Continuum Contractor representatives as applicable, to examine and discuss regional data with an eye towards improving outcomes for children and families. Judicial and agency feedback following these sessions was very positive and focused on the helpful aspects of examining and discussing regional data within the statewide data context. Judicial participants and agency representatives reported that communication across judges, agency staff, and SSCC staff was increased and strengthened in their respective jurisdictions.

Grantee

Office of Court Administration
Child Protection Case Management System



Funded by the Children’s Commission and developed by OCA, the Child Protection Case Management System (CPCMS) is a case management system unique to CPCs. 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 identify and discuss various enhancements and issues. In FY2024, CPCMS managed 11,002 cases involving 10,548 children/youth in 153 Texas counties.

The following is a summary of the activities for FY2024.

1. CPCMS Advisory Council Meetings: Three meetings were held (January 26, May 3, and August 9, 2024) for information sharing, collaboration, processing enhancement requests, and gathering feedback for continuous quality improvement.

2. Software Releases: Three software updates were deployed:
- December 14, 2023: Updates included enhancements to data collection, new respondent types, system security improvements, and reporting updates.
 - April 18, 2024: Introduced new fields, updates to hearing methods, and SMS compliance for the Hearings Notice & Engagement system.
 - August 23, 2024: Added new document types, updates to the calendar display, data integrity improvements, and adjustments to hearing types.

3. Continuous Quality Improvement (CQI) Activities:

- Addressed issues with data integrity, such as correcting the “age at filing date” and adding a “Referral Date” field.
- Created a checklist for data pull requests and removed a default selection impacting data accuracy in CPCMS.
- Updated training materials and conducted in-person sessions to improve data integrity.

- ### 4. Data Reporting:
- Fulfilled over thirty ad hoc data report requests and developed three sets of annual reports to track hearing, permanency outcomes, and caseload data, with reports planned for implementation in December.

- ### 5. Training and Support:
- Provided CPCMS training to seven new court coordinators and conducted group training on October 25, 2023.



Systems Improvement



The Systems Improvement Committee focuses on executing innovative projects aimed at ensuring equity, fairness, and justice for children, youth, and families; promoting judicial leadership in courts and communities; and expanding court and child welfare system capacity to support continuous, systemic improvement.



The Systems Improvement Committee met on October 30, 2023, and January 29, and April 29, 2024.



Participants at the Texas Family First Pilot Training in San Antonio.

Texas Family First and Reasonable Efforts

This past year, the Commission embarked on statewide onsite regional trainings on Texas Family First (TFF) and Reasonable Efforts. On December 11, 2023, the Commission in partnership with DFPS, Belong, and Casey Family Programs offered a free four-hour training event to over 50 participants from the legal and child welfare community in DFPS Region 8B (the area surrounding San Antonio).

The training provided clarification and addressed questions about the TFF pilot including defining the eligible population, details on the current progress, referrals, referral sources, and time limitations. Participants also received training on reasonable efforts laws that impact removal, termination, and permanency. All participants ended the training by engaging in simulated court hearings to practice objectives learned.

Given the success of the training in Region 8B, DFPS entered a contract with the Commission to conduct additional regional trainings on the Texas Family First Pilot and Reasonable Efforts. Trainings were conducted in the additional regions where TFF is being piloted. On June 3, 2024, in Region 3W (Fort Worth), the Commission was joined by DFPS and TFF provider Our Community Our Kids (OCOK), to present on the evidence based modalities being employed by OCOK to assist families in the pilot. On July 9, 2024, the Commission, DFPS, and TFF provider Saint Francis Ministries presented in Region 1 (Lubbock), and on August 22, 2024, in Region 2 (Abilene) TFF provider 2INgage joined in the convening.

In areas where TFF is not available, the Commission continued training with a focus on the state and federal reasonable efforts law, including new requirements added during the 88th Legislative Session. On September 5, 2024, the Region 7 (Central Texas) training included over 70 child welfare professionals. Participants received training on reasonable efforts documentation and findings required at an ex parte hearing, the adversary hearing, and the termination trial on the merits.



From left: Joey Orduna Hastings, Hon. Rob Hofmann, Hon. Lawrence Lujan at swearing in ceremony.

Senior Jurist in Residence named NCJFCJ President

On July 23, 2024, Hon. Rob Hofmann was sworn in as President of the National Council of Juvenile and Family Court Judges (NCJFCJ), the oldest national judicial organization. Former Ysleta del Sur Pueblo Tribal Court Chief Judge Lawrence Lujan swore in Judge Hofmann with many Texas judges in attendance.



Sr. Jurist in Residence
Hon. Rob Hofmann



Jurist in Residence
Hon. Piper McCraw

Jurists in Residence

The Jurists in Residence (JIRs) develop relationships with retired and sitting judges, and act as consultants, trainers, and speakers to provide expert and seasoned judicial advice on child welfare matters affecting courts and the legal system. Judge Rob Hofmann of the 452nd District Court in Mason County serves as Senior Jurist in Residence and Judge Piper McCraw of the 469th District Court in Collin County serves as Jurist in Residence. Both JIRs participated in multiple Children's Commission meetings, proposed legislation, policy and rules, discussion on statewide topics of interest such as Community-Based Care, prevention and early intervention, placement capacity, and other issues.

Between October 1, 2024 and September 30, 2024, some examples of JIR activities include:

- Attended the Interstate Commission for Juveniles Annual Meeting and Presided over Election of Officers, Salt Lake City, UT
- Presented at the 6th Annual Advanced Child Protection Law Course, Dallas
- Chaired the Children's Commission's Trial Skills Training Contested Hearing Practices Pilot, Dallas
- Attended the Harris County PEARLS and EAGLES Foster Youth Conference, Houston
- Hosted and presented at the Community-Based Care Legal Convening, December 7, McKinney
- Attended the National Judicial Network Peer-to-Peer Session on Victims of Human Trafficking, Virtual
- Hosted the National Center for State Courts Rural Justice Collaborative Meeting, Fredericksburg
- Participated in Children Without Placement Judicial Focus Group, Virtual
- Attended and Presented at Champions for Children Event, Dallas
- Chaired the Children's Commission Systems Improvement and Training Committee, Virtual
- Participated in calls with Commission leadership and staff regarding various issues



From left: Hon. Ian Spechler, Jamie Bernstein, Hon. Leigh Mathews Rodriguez, Hon. Riley Shaw at the course.

Special Education, Child Welfare, and Juvenile Justice System Course

In collaboration with the State Bar of Texas' Child Protection Law Section, Juvenile Law Section, and Disability Issues Section, the Children's Commission Executive Director served as Course Director and assisted with identifying content and speakers for the 2024 Special Education, Child Welfare, and the Juvenile Justice System Course. The course was held on Friday, June 14, 2024, in Austin. Topic highlights include trends in special education, child welfare, and juvenile justice systems, assisting kinship caregivers with school-related issues, and attorney duties for children placed in congregate facilities.

Dual Status/Juvenile Justice

In late 2023, the Children's Commission formed a new Juvenile Justice Committee to explore the need for additional capacity to support judges handling juvenile justice cases. The initial goal for the committee was to gather information and insights from judges throughout the state about the challenges and opportunities to improve the judicial handling of juvenile justice cases. The committee members include District Court, County Court at Law, and Municipal Court judges from various geographic areas of the State including: the Metroplex area, Houston area, Central Texas, East Texas, and the Rio Grande Valley. The committee met on November 27, 2023, February 23, 2024, June 7, 2024, and September 6, 2024. Committee members identified the need for additional support for judges that handle juvenile justice cases, including training, resource development, networking opportunities, data access and analysis, and information on placement options and services for youth.

Grantee

Office of Court Administration Notice & Engagement



142 new users signed up to date in FY2024 (from October 1, 2023 to present) through the Notice and Engagement system to receive hearing notifications, bringing the total number of users to 2,370. Hearing notifications were sent for 6,554 hearings with a total of 21,011 notifications sent this fiscal year.

OCA created an Application Programming Interface (API) that will allow courts other than those using the Child Protection Court Case Management System (CPCMS) to upload their hearing data into the system. The goal of the API is to expand the hearing notification tool to all courts hearing child welfare 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. OCA aims to identify jurisdictions interested in adopting the API in the future.

Prevention and Early Intervention

During FY2024, DFPS' Prevention and Early Intervention (PEI) division, OCA, and the Children's Commission continued the Early Intervention Court Liaison (EICL) pilot in Galveston, Bell, and Lubbock Counties. The Court Liaisons act as special assistants to the court, serve to identify and connect early childhood and family support programs to the courts and community, and offer a judicial perspective within community stakeholder meetings. In November of 2023, Barbara Bischoff and Judge Jamie Rawlinson from Galveston County presented Prevention and Strengthening the Community from the Bench at the Partners in Prevention Conference. Following this presentation, Commission staff were contacted by several people interested in learning how to create a similar position in their jurisdiction.



Hon. Dallas Sims



From left: Ann-Charlotte Proffitt, Ronald Smith, Chaz Davis, Alexander Polk, and Judge Delia Gonzales at the Child Welfare Judges Conference.

Youth Voice & Normalcy

Efforts to ensure normalcy for children and youth adults in foster care continue to be embedded into all areas of the Commission’s work. Young adults with experience in the child welfare system lent their voices and experiences to multiple projects at the Commission.

The Children’s Commission collaborated with Texas Network of Youth Services (TNOYS) and the Judicial Workgroup on Commercial Sexual Exploitation of Children (CSEC) to present “Youth-Centered Approaches to Meeting the Needs of Commercially Sexually Exploited Children and Youth” at the October 2023 Child Welfare Judges Conference. A panel featured young adults alongside Judge Delia Gonzales and TNOYS staff, providing practical strategies and resources for supporting youth survivors.

During the September 2024 Foster Care and Education Summit, co-hosted by the Children’s Commission, the Texas Education Agency, and DFPS, a panel of three young adults shared their experience of growing up in the child welfare system and how their education was impacted. They provided insight and examples into how educators can positively influence students experiencing foster care.

Commission staff continue to participate in DFPS’ Supervised Independent Living (SIL) Workgroup to evaluate and improve SIL policies for young adults aging out of care, incorporating insights from youth with lived experience. Additionally, the Commission is working with the Office of the Governor, DFPS, and TNOYS to develop a guide for sexual abuse survivors, ensuring input from youth with lived experience. In FY2024, Commission staff joined DFPS, Texas Workforce Commission, Casey Family Programs, and TACFS to explore training and employment opportunities for youth aging out of foster care, with a focus on including youth perspectives in planning.

Foster Care & Education

Educational issues impacting children and youth in foster care remains an important part of the Commission's collaborative work with DFPS, Texas Education Agency (TEA), Texas Workforce Commission (TWC), and other external partners.

In May 2024, Commission staff attended the Texas Workforce Commission Foster Youth Conference to learn about opportunities for youth with experience in foster care who pursue a vocational path. In June 2024, Commission staff attended the Texas Network of Youth Services conference to learn about how to better support older youth in foster care. Commission staff also attended the Education Reach for Texas Annual Conference, with a focus on encouraging improved post-secondary outcomes for young adults with experience in foster care.

On September 20, 2024, the Commission hosted "Supporting School Aged Children in Care," a one-hour webinar on the role of DFPS Education Specialists in supporting students in foster care and serving as a resource to judges and attorneys.

On September 26-27, 2024 at Angelo State University in San Angelo, the Foster Care & Education Summit brought together over 200 professionals who work with school-aged students experiencing foster care. Attendees received guidance on the educational needs and Every Student Succeeds Act requirements for students in foster care and heard from a panel of young adults with lived experience. They gave insight into growing up in foster care and how their education was impacted by their experiences.





From left: Scott Prescher, Don Binniker, Frank Adler, and Chad Frymire at the CBC Legal Convening.

Community-Based Care

The Children's Commission partnered with the North Texas Foster Care Consortium to host Community Based Care (CBC) Legal Convenings in DFPS Region 3E in December 2023 and February 2024. Ultimately, the goal of the convenings was to bring legal stakeholders together to encourage a smooth transition to CBC for the families and children who are involved with the child welfare system. Speakers included judges and attorneys from various regions of the state that are currently operating under the CBC model.

On April 19, 2024, the Children's Commission participated in the inaugural CBC Region 7 Judicial Workgroup meeting. The workgroup plans to develop trainings for the legal stakeholders as part of a larger effort to prepare the community for the transition to CBC. On May 3, 2024, the Children's Commission partnered with the Texas Family Care Network to discuss the transition to Stage II of Community Based Care with judges in DFPS Region 5.

Beginning in May 2024, the restructured Public-Private Partnership transitioned to the Partners for Children and Families Committee (PCFC), where the Children's Commission holds a standing position. At the first meeting of the PCFC, the Children's Commission Executive Director was named as PCFC Co-Chair, alongside with Michael Redden, CEO of New Horizons.



Children's Commission staff participate in the meeting.

Children's Mental Health

The Children's Commission participated in HHSC Children's Mental Health Strategic Plan Subcommittee. This included a cross-agency educational series alongside DFPS, HHSC, TEA, JCMH, and other state agency representatives. Sessions included HHSC Substance Use Programs Planning and Policy on February 16; Department of State Health Services on February 20; Texas Alliance for Child and Family Services on February 26; Texas Education Agency on February 27; and HHSC Prevention and Early Intervention on March 4.

Additionally, the Children's Commission participated in the HHSC Children's Mental Health Strategic Plan Subcommittee, which met on February 21, April 17, and May 15, as well as the Governance Workgroup and the Youth and Family Voice Workgroup, in order to collaborate on the Children's Behavioral Health Strategic Plan. From early spring to mid-summer 2024, both workgroups met regularly to assess behavioral health governance, funding, and service needs. The Commission provided input on the recommendations in the Children's Behavioral Health Strategic Plan for fiscal years 2025-2029, which was submitted to the Legislative Budget Board and the Office of the Governor on December 1, 2024.

Equity Workgroup

The Equity Workgroup met on October 5, 2023 and February 15, April 18, and June 20, 2024. The workgroup reviewed data on child welfare investigations, focusing on the use of Alternative Response across racial and ethnic groups, and statewide intake outcomes. The workgroup also supported an equity-focused presentation, "Understanding Social Determinants of Health as a Matter of Equity," at the 2023 Child Welfare Judges Conference. Workgroup meetings included updates from the DFPS Disproportionality Team, Casey Family Programs, and the Travis County Race Equity Collaborative.



From left: Anne Heiligenstein, Tanya Rollins, Paula Bibbs Samuels, Chelsy Alexander, Mosley Hobson, Jamie Bernstein, and Robbie Callis at Casey Convening.



Judicial Leadership Panel at Child Welfare Judges Conference. From left: Hon. Angela Graves-Harrington, Hon. Rob Hofmann, Hon. James Belton, Hon. Linda Dunson, Hon. Cheryl Vaughan, and Hon. Andrea James.

Consortium on Trauma-Informed Court Practices and Cross Systems Trauma Informed Care Initiative Workgroup

The Children’s Commission launched the Consortium on Trauma Informed Court Practices on August 16, 2024, to establish a statewide network for judges to have a forum for discussion, education, and training on trauma-informed and trauma-responsive court practices in child welfare cases. Led by Hon. Carlos Villalon Jr., Associate Judge of the Child Protection Court of the Rio Grande Valley West, the Consortium builds upon the work of four Trauma-Informed Court Pilot judges and the Commission’s Statewide Collaborative on Trauma Informed Care. These judges serve as mentors in bi-monthly virtual forums. The Commission provides meeting support, continuing legal education credits, and a dedicated resource library for participants.

Additionally, the Commission participates in the Cross Systems Trauma Informed Care Initiative Workgroup. Convened by the Trauma-informed Policy and Training Specialist at HHSC, Commission staff join quarterly meetings with members of other state agencies working on implementing trauma-informed practices internally and externally. Workgroup Members are from TJJD, TIDC, and HHSC. Commission staff attended and provided input in a virtual meeting on May 15.

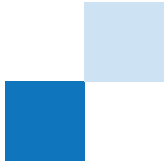
Addressing Specialized Needs of Sensitive Populations

Throughout FY2024, the Commission along with the Office of the Governor, DFPS, and other stakeholders, worked to develop a resource aimed at the rights of children who are sexual abuse survivors. The workgroup is led by Hon. Selina Mireles, Judge of the 4th & 5th Administrative Judicial Regions Cluster Court, and the goal is to provide an easy-to-use guide that child survivors and their caregivers can use to identify and understand their legal rights.

Human Trafficking Prevention and Awareness

Commission staff continued to attend multiple conferences during FY2024 such as Administration for Children and Families Region VI Human Trafficking Conference and the National Crimes Against Children Conference. During these conferences, ideas and strategies are generated that impact future Commission trainings. On September 11, 2024, the Commission staff attended the quarterly Human Trafficking Prevention Task Force meeting led by the Office of the Attorney General. This meeting is comprised of multiple agencies from across the state including the Department of Public Safety, Department of Licensing and Regulation, Texas Alcohol and Beverage Commission, DFPS and Office of the Governor, along with local county agencies who work to prevent and end trafficking.

Legal Practice & Process



The Legal Practice & Process Committee focuses on assisting trial and appellate courts, judges, and legal advocates to ensure that children, youth, and families involved with child welfare experience a legal system in which they have access to justice and their rights are protected.



The Legal Practice and Process Committee met on October 17, 2023, and January 16, April 30, and August 20, 2024.



Parent Resource Workgroup

The Parent Resource Workgroup met on October 26, 2023 and on February 15, 2024. The Parent Resource Workgroup has two subgroups that meet regularly on priority projects identified by the larger workgroup.

The Pre-Litigation Guide Subgroup, which met on November 28 and December 18, 2023 and on January 9, February 12, and March 25, 2024, worked diligently over the summer with the goal of finalizing the Pre-Litigation Resource Guide. A digital version of the guide will be published after the upcoming 89th Legislative Session to ensure that the most current information is available when the guide is released.

The Parent's Materials Workgroup, in collaboration with the Texas Indigent Defense Commission (TIDC), began the process of developing and producing videos designed for parents explaining the attorney-client relationship. The Parent Materials Subgroup hosted two focus group meetings in February with parents with lived experience aimed at identifying the most relevant topics to include in its parent voice video project. The Subgroup convened in early April to review the focus group input and identified up to five topics to highlight in the pending parent voice videos. In FY2025, the workgroup will work on developing scripts similar to the existing youth voice videos that will include the basics of the attorney-client relationship and opportunities for parents to share their experiences.

The Parent Resource Workgroup also identified content and speakers for a webinar hosted by the Children's Commission on October 19, 2023, entitled "Enhancing the Experience of Parents in Child Welfare Cases." The webinar, focused on the importance of communication between attorneys and their clients, was moderated by workgroup member Hon. Robert Falkenberg, Associate Judge of the Child Protection Court of South Texas, and included two parents and their attorneys, who shared their experiences with the child welfare system and included best practice tips for representing clients.



Attorney Outreach

In FY2024, the Legal Representation Committee (LRC) continued its focus on attorney outreach and recruitment. In collaboration with TIDC and OCA, spotlight interviews of child welfare practitioners and judges were compiled and the finalized product was posted on the Texas Indigent Defense Commission’s YouTube webpage on January 17, 2024. Video topics include:

- “What led you to practice in this area of the law?;”
- “How do I enter child welfare field?;”
- “What makes child welfare law unique?;”
- “What inspires you in child welfare law?;” and
- “The importance of high-quality legal representation.”

The videos were provided to law schools and other organizations to raise awareness of child welfare law as a career path. Commission staff partnered with TIDC to develop attorney recruit days at law schools across Texas including Baylor University School of Law, South Texas College of Law, Texas Tech University School of Law, and University of Houston Law Center and scheduled a panel of speakers for Texas Tech University School of Law on March 26, 2024, and at Baylor University School of Law on April 3, 2024. The events included panels of local judges, attorneys, and law school alumni discussing the importance of high-quality representation, the need for attorneys in local communities, and how law students can choose child welfare law as a career path.

In furtherance of the LRC’s goal to recruit more attorneys to the practice of child welfare appeals, Commission staff met on May 10, 2024, with Melissa Garcia, Director of Texas High School Mock Trial & Law Related Education, to discuss a child welfare law fact pattern for mock trials. Additionally, the Texas Indigent Defense Commission announced the beginning of its mentorship program for new child welfare attorneys, an agreement between TIDC and DFPS to collaborate on Title IV-E reimbursement, and the launch of regular community of practice meetings for child welfare attorneys.

McLennan County Parent Advocacy Program Evaluation

The Children’s Commission contracted with Dr. Elissa Madden of the Diana R. Garland School of Social Work at Baylor University to conduct an evaluation of the McLennan County Parent Advocacy Program. A Final Report was issued in February 2024 and outlined efforts in the pilot program to provide pre-petition legal representation through a multi-disciplinary model. The report included the following finding, “In addition to preventing foster care entry and keeping children at home, the multidisciplinary advocacy model also generates significant cost savings compared to the expense of foster care placement.” The report includes qualitative data from individuals who participated in the program including one parent who remarked, “I got to meet [the attorney] up front and [the social services worker]. And everything that they said they’d do, they did. They walked me through it, helped me, helped explain everything to me so that I understood what was going on, what was happening, what could happen.”

In FY2024, the Legal Representation Committee (LRC) hosted presentations from Dr. Madden and Emilie Cook, Preventive Legal Advocacy Fellow at the Barton Child Law & Policy Center. Ms. Cook discussed her experience supporting pre-petition programs through the Preventive Legal Advocacy/Pre-Petition National Cohort. Dr. Madden presented on her evaluation of the McLennan County pre-petition pilot program. After a structured discussion following these presentations, the committee identified several future project ideas to support the establishment of additional pre-petition programs in Texas.





Appellate Practice

The Appellate Representation Workgroup was created to identify the needs of appellate attorneys and develop projects to enhance the quality of appellate representation. In FY2024, the Appellate Representation Workgroup focused their efforts on providing content for judicial and attorney trainings and resources, increasing access to appellate training, and collaborating with the State Bar of Texas Appellate Law Section to help recruit attorneys to take child welfare appeals.

Appellate Representation Workgroup met on October 27, 2023, and on February 23, 2024, to plan and discuss committee projects.

As part of the Appellate Representation Workgroup's efforts to provide content for judicial and attorney training and resources, the workgroup identified speakers Alana Pearsall, Attorney, and Hon. Aurora Martinez Jones, Judge of the 126th District Court, for a presentation focused on what trial judges need to know about the appellate process at the October 2023 Child Welfare Judges Conference. Additionally, the Appellate Representation Workgroup provided content and speakers for three webinars hosted by the Children's Commission. The first, entitled "Navigating the Transition from Trial to Appellate Counsel" was hosted on February 23, 2024. Additional webinars included "Filing for Mandamus in Child Welfare Cases" on May 7, 2024, and "Handling Your First Child Welfare Appeal" on June 26, 2024. The workgroup also identified a need to expand updates planned for the 2024 version of the Tool Kit for Attorneys Representing Parents and Children, which led to the inclusion of a new appellate transition section in the tool kit.

As part of the workgroup's goal to increase access to appellate training, the Children's Commission allocated scholarship funds to help child welfare attorneys attend the TexasBarCLE Handling Your First (or Next) Civil Appeal Webcast Video Replay on May 22, 2024, and to attend the Civil Appellate section's Appellate Law Boot Camp on September 4, 2024, in Austin, or via video replay on October 9, 2024.

Standards of Representation

The Standards of Representation Committee is currently drafting standards of practice for attorneys representing children. The Standards of Representation Committee met on November 1 and December 18-19, 2023 and February 29-March 1, June 7, and September 26-27, 2024 to review standards for attorneys representing children. The Committee reviewed the draft of Phase 1: Attorney-Client Relationship in its entirety and made several important content and organizational decisions. The committee then began the draft of Phase 2 (Investigative Stage) of a case. At the end of the fiscal year, the committee focused on concluding the draft of Phase 2 and beginning the draft of Phase 3 (Preparatory Stage).

Legislative Matters

The Children's Commission's role is to serve as a resource for all three branches of government. The Legislation and Policy Resource Committee (LPRC) was created in FY2024 and held its first meeting on February 22, 2024. Members discussed the purpose and scope of the committee, legislation tracking, serving as a resource, and the process of submitting legislative proposals to the Texas Judicial Council. Neither the committee nor members acting on its behalf can advocate either for or against proposed law or policy and must remain neutral.

The LPRC met periodically throughout FY2024 to discuss and prioritize legislative proposals to be submitted to the Texas Judicial Council. The recommendations were also discussed at the September 15, 2024, Children's Commission meeting, and 7 of the 8 LPRC proposals were approved. Commission staff then drafted background and proposal language which LRPC members reviewed and approved. Commission staff presented the LPRC proposals to the Texas Judicial Council's Civil Justice Committee on September 9, 2024. The LPRC's recommendations were approved and adopted by the Texas Judicial Council on September 27, 2024.

Child Welfare Legal Specialization

The 2023 Child Welfare Board Certification Exam was held on October 3-4, 2023. Seventeen attorneys sat for the 2023 child welfare certification exam, and seven attorneys have been newly certified as child welfare law experts. Applications for the 2024 Child Welfare Board Certification Exam closed on April 22, 2024, and 27 applicants were determined eligible to take the fall exam. The exam took place over a two-day period on September 30 and October 1, 2024. The Children's Commission reimburses exam fees for attorneys who pass the exam and become certified.

Tribal/State Collaboration

The Commission remains committed to strengthening Tribal/State partnerships and collaborating with Tribal partners to provide education on the Indian Child Welfare Act (ICWA). Commission staff participate in the ICWA Constituency Group monthly calls organized by the Capacity Building Center for Courts (CBCC). Additionally, Commission staff meet regularly with the Tribal liaison from DFPS State Office and Tribal partners, including building connections with ICWA Tribal liaisons from Tribes based outside Texas.

In FY2024, John L. Williams, attorney for the Ysleta del Sur Pueblo Tribe, provided a lunch presentation at the 2023 Child Welfare Judges Conference held in October entitled “Sharing Best Practices from an ICWA Specialty Docket.” Mr. Williams gave brief review of what judges need to know about the Indian Child Welfare Act (ICWA), followed by best practices related to the application of ICWA, notice issues, active efforts, placement preferences, and the effect on permanency when ICWA is not applied.

Commission staff also participated in tribal/state collaborative calls hosted by DFPS held on May 10, June 20, and July 18, 2024, and established a goal of the tribal/state collaborative to host an in-person ICWA Summit in 2026.

Commission staff attended a presentation hosted at Texas Christian University on April 1, 2024, entitled “Becoming Effective Native American Allies: A Conversation with the Alabama-Coushatta Tribe,” and completed a site visit at the Ysleta del Sur Pueblo on August 2, 2024.

Mediation

The Mediation Workgroup met on October 30, 2023, and on February 13, April 22, and July 8, 2024, to discuss current projects. The workgroup set a goal to complete eight mediation checklists for FY2025. Additionally, the workgroup developed a one-hour webinar hosted by workgroup members Michelle Morgan, Sean Healy, and Sonja Sims entitled “Mediation in Child Welfare Cases: Preparing, Participating, and Proposing Solutions.” The webinar occurred on August 29, 2024, and 98 attendees participated. Plans for FY2025 include creating additional webinar content on topics such as nonparty participation in child welfare mediations and considerations for mediations involving incarcerated parents.





Texas Legal Service Center **Family Helpline**

With Children’s Commission funding, the Family Helpline fills the niche of providing legal information regarding child welfare to parents and families who do not have access to court-appointed attorneys, and where free or affordable legal representation is not readily available.

In FY2024, the Family Helpline fulfilled its primary objective of providing legal information, referrals, and education related to Child Protective Services and child safety, completing a total of 1,659 calls, which included discussions with 1,367 first time callers. 63% of all callers had an open CPS case at the time of the call. In addition to answering questions related to the child welfare system, calls to the Helpline continue to involve complex legal situations and overlapping issues of child abuse and neglect, poverty, domestic violence, substance use and abuse, and a general lack of understanding of the child welfare system and legal system.

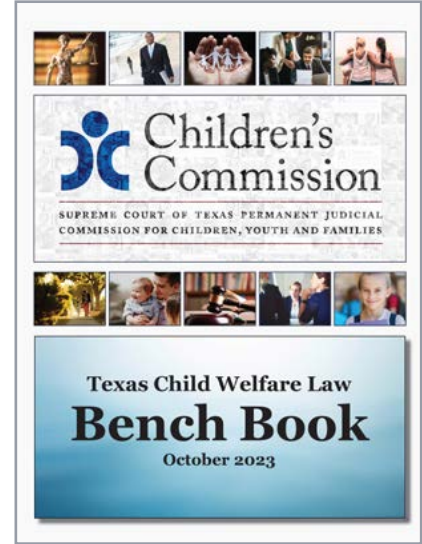
During the first half of this fiscal year, TLSC was awarded several grants to expand services related to child welfare to address gaps in legal services that were identified by Family Helpline data including the need for an expansion in services for kinship caregivers. As of August 30, 2024, TLSC’s Kincare Project had responded statewide to 230 requests for assistance from relative caregivers across a variety of legal issues.

In addition to responding to hotline calls, Family Helpline staff continue to provide information in a variety of ways including writing articles and creating video content for the TexasLawHelp.org website and presenting at conferences. Managing Attorney Sarah Bryant co-presented on two topics, “Family Law 101” and “Legal Prevention Resources in Texas: How Legal Services Can Promote Family Stability and Child Safety” at DFPS’ Partners in Prevention Conference held in November 2023. Texas Family Helpline staff has also contributed to two new articles available on TexasLawHelp.org. *CPS and the Forensic Assessment Center Network (FACN)* explains parents rights when their child is assessed by a child abuse pediatrician during a CPS case. *Kinship Care* explores the meaning of a kinship placement in a CPS case, how a person becomes a placement, and the benefits that may be available to placements.

Family Helpline attorneys also distributed outreach materials to publicize their services to Texans, including courts and district clerks, DFPS offices, libraries, jails, and child welfare community organizations. Outreach materials were also provided in response to more than 145 online requests including law libraries, clerk’s offices, children’s advocacy centers, other nonprofits, law enforcement agencies, and medical providers.

Texas Child Welfare Law Bench Book

The Texas Child Welfare Law Bench Book (Bench Book) is updated every year and released in the month of October, in time for distribution at the Commission’s annual Child Welfare Judges Conference. The 2023 edition of the Bench Book included updates from the 88th Regular Legislative Session and was organized by the following sections: Statutory, Legal Essentials, Federal, Health, Well-being, Safety, System Issues, and Family Connections. A new Bench Card on Reasonable Efforts was included. The resource is available on the Commission’s Texas Child Welfare Law Bench Book webpage as a free, downloadable PDF for print and also as an interactive resource through the LawBox app.



Bench Cards

The Bench Cards are abbreviated, quick reference visuals on specific hearings and relevant topical matters. The statutory Bench Cards include each of the required statutory hearings in a child welfare case as well as a chart of all hearings At a Glance, Required Participation, Termination Grounds, Reasonable Efforts, and De Novo Hearings. The topical Bench Cards address issues such as Education, Medical and Mental Health Care, Indian Child Welfare Act (ICWA), and Human Trafficking.

At a Glance					
	Required Participation	Adversary Hearing	Status Hearing	Permanency Hearing Before Final Order	Permanency Hearing After Final Order
Hearing set timely	14 days	14 days	90 days	14 or 30 days, whichever is less	100 days, served 1st or 30 days if child
Court of Continuing, Exclusive Jurisdiction	No	No	No	No	No
Child AAL and GAL appointed	Required before Temporary Orders Hearing (AAL only)	No	No	No	No
Parent Attorney appointed	Required before Temporary Orders Hearing	No	No	No	No
Notice of hearing	Yes	Yes	Yes	Yes	Yes
Court Report filed and provided	Not Required	Not Required	Not Required	Not Required	Not Required
Identify all parties and swear witnesses	Yes	Yes	Yes	Yes	Yes
Inquire about absent parties	Yes	Yes	Yes	Yes	Yes
Inquire about diligent efforts	No	No	No	No	No
Address services on parties	Yes	Yes	Yes	Yes	Yes
Address parenting issues	No	No	No	No	No
Issue orders regarding service	Yes	Yes	Yes	Yes	Yes
Advise parents of right to attorney	Yes	Yes	Yes	Yes	Yes
Advise parents of TPN	No	No	No	No	No
Aggravated circumstances	No	No	No	No	No
Inquire about and document Indian heritage	Yes	Yes	Yes	Yes	Yes
Indian Child Welfare Act, if applicable	No	No	No	No	No
Child Placement Resource Form	No	No	No	No	No
Child asked about potential placements	No	No	No	No	No
Initial home studies on file	No	No	No	No	No
Child present	No	No	No	No	No

Required Participation in Services Hearing Checklist	
Statutory	
Prior to the Hearing:	Parents AAL appointed Parties served
Hearing within 14 days of cause for extension	Parents AAL appointed
Court Report filed and provided	Parties served
At the Hearing:	Determine good cause if AAL has not been child and ensure services are specific and narrowly tailored
Determine need for language interpretation	
Identify parties present and served	
Determine indigence	
Court Findings	
At the End of the Hearing:	
Determine if sufficient evidence to order participation in services by parent(s) or caregiver(s) for the child. If not, deny required participation in services. Evidence sufficient to satisfy a person of ordinary prudence and caution that:	ISSUE COURT ORDER
<ul style="list-style-type: none"> Substantial risk of abuse or neglect, or Continuing danger to the physical health or safety of child caused by an act or failure to act by named party/parties; and Services necessary to ensure the physical health or safety of child. 	<ul style="list-style-type: none"> State findings Make appropriate temporary orders under Chapter 105 to ensure safety of the child, excluding orders that place the child outside the child's home or in the conservatorship of DFPS. Order the participation in services narrowly tailored to address court findings. Set dismissal deadline of 180 days, and Schedule review hearing within 90 days.
Review Hearings:	Determine if good cause to extend dismissal deadline if DFPS shows continued need for services beyond original 180-day dismissal deadline.
Address continued need for temporary order and dismiss if no longer a continued need.	
Set review hearing within 90 days if temporary order continued.	
Best Practices	
Engage parties with direct questions	Consider the following questions:
Review services with parents	How are these services specific to this family and child?
Set Review Hearing date within 90 days	Are there cultural/issue-specific needs to understand?
Give notice in open court	Is there a need for ongoing services or can we dismiss today?
Engage parties with direct questions:	
Do you understand the purpose of the court ordered services?	

Updated September 2023



Tool Kit for Attorneys Representing Parents and Children in Child Welfare Cases

In addition to providing legislative updates to the Tool Kit for Attorneys Representing Parents and Children in Child Welfare Cases, the Tool Kit Workgroup drafted new sections covering the transition from trial to appellate counsel and the representation of children in permanent managing conservatorship of DFPS for inclusion in the tool kit.

The 2024 Tool Kit for Attorneys Representing Parents and Children in Child Welfare Cases was published in April 2024, and the Children's Commission ordered 500 printed copies for distribution. Approximately 230 copies were distributed at the Advanced Child Protection Course in Dallas hosted by the Child Protection Law Section of the State Bar of Texas on April 4-5, 2024. The remainder of the printed copies were distributed at other events including the Advanced Family Law CLE Child Abuse and Neglect Workshop in San Antonio; the Special Education, Child Welfare, and Juvenile Justice System course in Austin; and the Texas Association of Family Defense Attorneys Annual Family Defense CLE in Galveston.



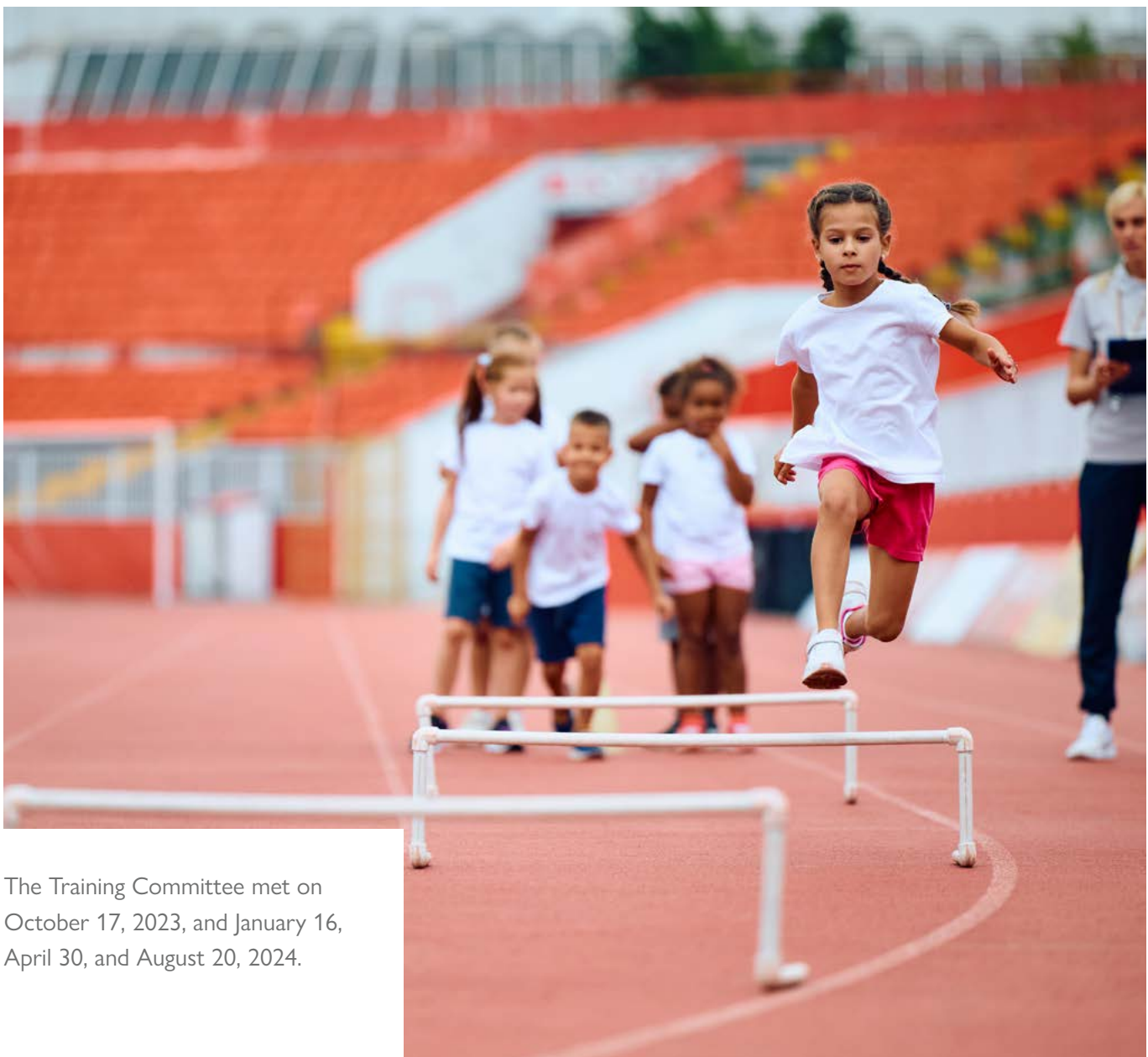
Tool Kit for Attorneys Representing DFPS in Child Welfare Cases

Members of the DFPS Representation Subcommittee provided legislative updates and drafted new content for inclusion in the 2024 Tool Kit for Attorneys Representing DFPS in Child Welfare Cases. Changes to the tool kit include additions to the Special Issues Section of the Pleading Practice Chapter, a list of required actions by DFPS before and after each hearing, and five new hearing checklists. The 2024 Tool Kit for Attorneys Representing DFPS in Child Welfare Cases was published online in August 2024.

Both tool kits are available at no cost on the Children's Commission website PDF download and in an interactive format by desktop or by mobile device through the LawBox app.

Training

The Training Committee focuses on overseeing and developing judicial and legal training efforts at all levels of practice that identify and promote best practices to improve outcomes and establish and maintain a well-informed judiciary and bar.



The Training Committee met on October 17, 2023, and January 16, April 30, and August 20, 2024.

Webinars

The Children’s Commission promotes child welfare-related legal education by providing online CLE content generated by the Commission. These CLEs are offered “on demand” on the Commission website at no cost for judges and attorneys. Some of these CLE courses may also be eligible for TBLS and/or Family Violence credit hours (the latter is only applicable for judges). These offerings may also be considered in some jurisdictions to meet the statutory three-hour education requirements in Texas Family Code Sections 107.004 and 107.0131 for attorneys to qualify for court appointments on child protection dockets or to qualify to remain on a court-appointed list. These offerings may also be considered to meet statutorily required trauma-informed training hours. All of the Commission’s web-based content is archived and is available on the judicial and attorney on-demand MCLE webpages.

Enhancing the Experience of Parents Involved in Child Welfare Cases



The Commission presented a webinar entitled “Enhancing the Experience of Parents Involved in Child Welfare Cases” on October 19, 2023. The webcast focused on attorney-client communication with parents involved with the child welfare system, before, during, and after their court hearings and how enhanced attorney-client communication can increase the effectiveness of attorney advocacy.

Navigating the Transition from Trial to Appellate Counsel



The Commission held a webinar entitled “Navigating the Transition from Trial to Appellate Counsel” on February 9, 2024. The webinar featured a panel discussion of the obligations and duties of a trial attorney post-judgment and how to provide a smooth and successful handoff from trial to appellate counsel.

Mandamus in Child Welfare Cases



On May 7, 2024, the Commission hosted a webinar entitled “Mandamus in Child Welfare Cases.” Justice Julie Countiss of the First Court of Appeals and William B. “Bill” Connolly of Connolly, Schneider, and Shireman discussed what orders in child welfare cases are subject to mandamus review, the process for a mandamus petition, and precedent resulting from mandamus review.

Taking Your First Child Welfare Appeal



The Commission held a webinar entitled “Taking Your First Child Welfare Appeal” on June 26, 2024. The webinar focused on what attorneys need to know about how to appeal a final order in a child welfare case, what to look for when reviewing a record key element of Texas Rules of Appellate Procedure, and what to focus on when drafting a petition.

Children’s Commission
YouTube On-Demand MCLE
Videos Playlist



Webinars



Representing Older Youth in Care

On April 24, 2024, the Commission hosted a webinar entitled “Representing Older Youth in Care.” This webinar featured a discussion of how to address the unique interest of older youth in foster care, such as navigating issues with identification documents, connecting youth to benefits and educational opportunities, and supporting youth with disabilities.



Understanding the Federal Intersection with Key Texas Child Welfare Laws

On July 18, 2024, the Commission hosted a webinar entitled “Understanding the Federal Intersection with Key Texas Child Welfare Laws.” This webinar provided a high-level overview of several significant federal child welfare laws and an in-depth look at related provisions in the Texas Family Code, and it highlighted the similarities and difference between these federal and state laws.



Mediation in Child Welfare Cases: Preparing, Participating, and Proposing Solutions

On August 29, 2024, the Commission hosted a webinar entitled “Mediation in Child Welfare Cases: Preparing, Participating, and Proposing Solutions.” Mediators Michelle Morgan of Morgan Law, Sean P. Healy of Healy Law, and Sonja Sims of Sims & Purzer provided an overview of the mediation process in child welfare cases and discussed how attorneys can make effective use of the benefits of mediation. The panel covered what to expect at mediation, how to prepare, and how attorneys can negotiate solutions for their clients during mediation.



Supporting School Aged Children in Care

On September 20, 2024, the Commission hosted a webinar entitled “Supporting School Aged Children in Care.” This webinar explored the role of DFPS education specialists and how to best utilize them to ensure that the educational needs of child clients are met.



Trial Skills for Child Welfare Cases: Laying Your Evidentiary Foundation

On November 17, 2023, the Commission hosted a webinar entitled “Trial Skills for Child Welfare Cases: Laying Your Evidentiary Foundation.” This webinar reviewed the foundations necessary to introduce exhibits commonly used in child welfare cases such as business records, certified copies, photo video clips, outcry statements, and drug test results and how to include potential objections and foundational issues that may be encountered by attorneys while attempting to lay their evidentiary foundation.



Making and Responding to Objections

The Commission presented a webinar entitled “Trial Skills for Child Welfare Cases: Making and Responding to Objections” on March 12, 2024. The webinar focused on the importance of making proper objections under the Texas Rules of Evidence, strategies for when and how to object, how to respond to an objection, what to do when the court rules adversely to your position regarding an objection, and tips on preserving the record for appeal.



Child Protection Court Convening

The Children’s Commission partners with OCA to provide training and other support for Child Protection Court judges and court coordinators. There are currently 30 CPCs and one Harris County CPS Impact Court; combined, these courts exclusively handle child welfare cases in 148 Texas counties.

In FY2024, Commission staff engaged in two ongoing efforts with the new Children’s Courts Program Manager at OCA to provide training tailored to CPC judges and court coordinators: the preconference for CPC judges and court coordinators at the 17th annual CWJC in late October 2024, and the summer 2025 biennial Child Protection Court Convening.



Texas Center for the Judiciary **Child Welfare Judges Conference & Family Justice Conference**

Judicial Training

Child Welfare Judges Conference

On October 23-25, 2023, the Children's Commission partnered with the Texas Center for the Judiciary (TCJ) to host the Commission's 16th annual Child Welfare Judges Conference. The conference was attended by 84 judges handling child civil child welfare cases from across the state. The curriculum featured a three-hour pre-conference on "Assessing and Addressing Children's Well-being, From Infants to Young Adults," followed by a full conference. The pre-conference provided judicial education on well-being issues for children in three age groups: infants and toddlers; middle-school aged children; and teens and older youth. Pre-conference topics included child development, the importance of early intervention, the impact of removal and placement changes, education and educational issues, mental health and medication, building protective factors against sexual abuse and trafficking, developing life skills through work and educational opportunities, and using effective communication. The full conference featured a keynote speaker on fundamentals of the neuroscience of interpersonal neurobiology and attachment theory, and how judges can use evidence-based practices to connect with and support children, youth, and families experiencing the child welfare system. The 12 panel presentations that followed addressed topics such as What Trial Court Judges Need to Know about the Appellate Process, Best Practices from an ICWA Docket, Options for Older Youth, Supporting Kinship Placements, Supporting Parents in the Texas Child Welfare System from Prevention to Reinstatement, Meeting the Needs of Commercially Sexually Exploited Youth, and Understanding Social Determinants of Health as a Matter of Equity. Speakers included members of the judiciary, DFPS leadership, OCA leadership, and youth and parents with lived experience.

Additionally, a DFPS Leadership and Statewide Data Updates panel covered key topics such as prevention, investigations, removals, capacity, and family preservation, along with accompanying data on safety, permanency, and well-being outcomes at the statewide level. The subsequent panel entitled "CFSR Discussion with DFPS and the Judiciary" was presented by the Director of Services at DFPS and the CPS Federal and Program Improvement Review Division Administrator and was moderated by the Commission's Executive Director. Panelists described the CFSR, shared national and state data, explained what judges can expect from the process, and emphasized the critical importance of the judicial voice to the CFSR's outcomes. Judges met by their DFPS Region in breakouts with CPS Regional Directors, Child Protective Investigations (CPI) Regional Directors, Regional Systems Improvement Specialists, and Single Source Continuum Contractor representatives as applicable, to examine and discuss regional data with an eye towards improving outcomes for children and families.



Top left: 2023 CWJC attendees in plenary session; Bottom left: CWJC attendees participate in “The Life Course Game: A Simulation Experience”; Right: Shelia Sturgis Craig and Jon Olson presenting at the conference.



Family Justice Conference and Annual Judicial Education Conference

The Commission also partnered with TCJ on two additional judicial training efforts. On January 18, 2024, the Commission provided three breakout sessions in a CIP breakout track dedicated to child welfare to an audience of general jurisdiction judges at TCJ’s annual Family Justice Conference. The three CIP Breakout Session topics were: Managing the Courtroom While Maintaining the Best Interest of Youth When Caregivers Appear with Untreated Mental Health Needs; Impact of New Reasonable Efforts Legislation: What Judges Need to Know; and Staying in the Game: Strategies for Managing Compassion Fatigue, Secondary Trauma, and Self-Care. Additionally, Commission staff shared information about Commission resources with general jurisdiction judges at TCJ’s Annual Judicial Education Conference on September 5, 2024.

Scholarships

The Children's Commission administers various judicial and attorney scholarship opportunities throughout the fiscal year. For all scholarships, the Children's Commission determines scholarship criteria and deploys an application process that includes pre- and post-conference evaluations to identify the knowledge gained and new or updated practices which attendees plan to implement. The surveys also inquire about topics of interest to inform planning for future trainings. All attorney applicants must represent DFPS or take appointments on a child welfare docket, be in good standing with the State Bar of Texas and with their primary judge, and commit to completing a post-event survey from the Commission. A total of \$97,500 was allocated for scholarship recipients.

46

Advanced Family Law Child Abuse and Neglect Workshop | \$7,500

The Child Abuse and Neglect One-Day Workshop was held on August 7, 2024, in San Antonio, Texas. The Commission awarded 28 registration scholarships for attorneys to attend the live event. Additionally, 16 registration scholarships were awarded for the webcast replays, which will occur later in the year.

45

Advanced Child Protection Law Conference | \$15,000

The State Bar of Texas Child Protection Law (CPL) Section hosted its 6th Annual Advanced Child Protection Law Course on April 4-5, 2024. The CPL Section included 101 content which was followed by the Advanced Course. The Commission awarded 45 registration scholarships for qualified attorneys to attend the live "101" and Advanced courses or to watch any scheduled webcast replays.

17

Civil Appellate Practice 101 | \$3,750

The Civil Appellate Practice 101 was held on September 4, 2024, in Austin, Texas. The Commission awarded 6 registration reimbursement scholarships for attorneys to attend the live event. Additionally, 11 registration reimbursement scholarships were awarded for the webcast replay, which will occur on October 9, 2024.





14

National Council of Juvenile and Family Court Judges Conferences | \$35,000

In 2024, the Children’s Commission offered scholarships to the NCJFCJ Juvenile Justice Conference and 8th Annual Conference for judges handling civil child welfare cases. The NCJFCJ 2024 National Conference on Juvenile Justice was held on March 17-20, 2024, in Cleveland, Ohio. The Commission awarded two reimbursement scholarships to qualified judges. The NCJFCJ 87th Annual Conference was held on July 21-24, 2024, in Phoenix Arizona. The Commission awarded 12 reimbursement scholarships to qualified judges.

8

American Bar Association (ABA) Parent Attorney Conference and Children and the Law Conference | \$15,000

The ABA Access to Justice for Children and Families Conference and National Parent Representation Conference was held April 9-12, 2024, in Tyson’s Corner, Virginia. The Commission awarded 8 reimbursement scholarships to qualified attorneys.

8

National Association of Counsel for Children Annual Conference | \$10,000

The 47th Annual NACC Conference was held on August 12-14, 2024, in Salt Lake City, Utah. The Commission awarded 8 reimbursement scholarships to qualified judges and attorneys.

6

Handling Your First (or Next) Civil Appeal Webcast Replay | \$3,750

The “Handling Your First (or Next) Civil Appeal Webcast Replay” was held by TexasBarCLE on May 22, 2024. The Commission awarded 6 registration scholarships to qualified attorneys.

144 total scholarship opportunities

Attorney Training

Trial Skills Training

The 16th iteration of Trial Skills Training, the Contested Hearing Practices Pilot, was held in September 2024. Commission staff, along with Trial Skills Training faculty developed a pilot training focused on practice skills required to represent clients in contested hearings before the bench, such as the Adversary Hearing and a Final Hearing on the Merits. Five new lectures were added to the curriculum including Building the Attorney-Client Relationship; Preparing for the Initial Contested Hearing; Understanding the Required Burdens of Proof and Reasonable Efforts Findings in Child Welfare Cases; Motions Practice; and Bench Trials.



The Trial Skills Training Contested Hearing Practices Pilot included 19 participants and took place over three days. The first day of instruction was held virtually on Zoom on September 18, 2024, followed by two days of in person instruction at the Embassy Suites Dallas Market Center in Dallas, Texas on September 25-26, 2024. This hybrid training schedule was adopted in 2022 and has received positive feedback from participants and faculty members. At the conclusion of the training, participants received a total of 20.00 hours of live MCLE with .75 hours of ethics.

This year's cohort of participants were extremely engaged and eager to learn, and the initial feedback received at the live course was very positive. The Commission plans to use collected post event survey responses to assist in the further development of the Trial Skills Contested Hearing Practices Course which will be provided in September 2025.



Top: Commission Staff Attorney Renée Castillo-De La Cruz welcomes TST participants.

Center: TST participants attend the plenary lecture.

Left: TST Faculty members Mark Zuniga, Michele Surratt, and Judge Piper McCraw take questions following a demonstration.





Texas Department of
Family and Protective
Services
**Attorney Training
Support**

The DFPS Regional Attorney Training was held in San Antonio on October 24-25, 2023. The Children’s Commission provided funding in the form of a \$12,000 grant to support this training. The overall objective and purpose of this program is to update the attorneys and legal support staff of the Department of Family and Protective Services on current issues faced by the agency and in child welfare more broadly. The training topics included: ICWA, trial skills, recent Supreme Court decisions, trends in appeals, human trafficking, ethics, teens and the internet, mental health impacts on child welfare, and a panel of support staff advice on handling less common issues. Sessions that received credit for MCLE were recorded and made available for DFPS attorneys who could not attend the live training and to district and county attorneys who represent DFPS in child welfare cases.

State Bar of Texas Child Protection Law Section

The State Bar’s Child Protection Law (CPL) Section provides high-quality training to judges and attorneys practicing child welfare law by providing MCLE and training opportunities to their membership, hosting an Annual Advanced Child Protection Law CLE, and planning the Child Abuse and Neglect Workshop curriculum for the Annual Advanced Family Law CLE held each August. The Commission collaborates with the CPL Section to connect on possible trainings and ways to partner together. As a part of this collaboration, a Commission staff member participates in the CPL CLE Committee.

As a part of the Commission’s collaboration with the State Bar’s Child Protection Law (CPL) Section, a Commission staff member participates in the CPL CLE Committee and provides feedback on the Section’s training efforts, including the 6th Annual Advanced Child Protection Law Course held on April 4-5, 2024, in Dallas and the annual Advanced Family Law Conference Child Abuse and Neglect Workshop held each August in San Antonio.

Commission staff were invited to present on the topics of Reasonable Efforts and Preparing for the Child Welfare Law Specialization Exam at the Annual “101” and Advanced Child Protection Law CLE held in Dallas on April 4-5, 2024.

Texas District and County Attorneys Association (TDCAA)

The Children’s Commission developed an online course in partnership with TDCAA in 2021 entitled “Fundamentals of Child Welfare Law,” which was designed for attorneys representing DFPS. At the conclusion of the 88th Legislative Session, Commission staff worked with TDCAA to make updates to content and the updated material is now available for free to attorneys representing DFPS. The Commission will work with TDCAA to create updated content after the 89th Legislative Session and will offer reimbursement scholarships to attorneys representing DFPS to complete the online course, if a registration fee is associated with the training.



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

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