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

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

**August 20, 2010  
Meeting Notebook**

**The Supreme Court of Texas  
201 W. 14th Street  
Austin, Texas 78701**

**Supreme Court of Texas  
Permanent Judicial Commission for Children, Youth and Families  
201 West 14<sup>th</sup> Street  
Supreme Court Courtroom  
Austin, Texas**

**August 20, 2010  
Meeting Agenda**

- 10:00 Commencement / Opening Remarks – The Honorable Eva Guzman**
1. Commission Membership Changes, **Tab 2**
  2. Collaborative Council Member Changes, **Tab 2**
  3. Committee Membership Changes, **Tab 2**
  4. Staff Member Changes
  5. Guests
- 10:15 First order of business – The Honorable Eva Guzman**
1. Adopt Minutes from April 30, 2010 Meeting, **Tab 1**
- 10:20 Highlighted Issues / Commission Projects – The Honorable Eva Guzman**
1. Education Committee
  2. Bench Book
  3. Strategic Planning Committee
- 10:30 Commission Report – Tina Amberboy, Tab 3**
- Voting Matters:**
1. Basic Grant Budget, **Tab 4,**
  2. Training Grant Budget, **Tab 4,**
  3. Technology Grant Budget, **Tab 4,**
- 11:15 Office of Court Administration Update – Carl Reynolds**
- 11:25 DFPS Update – Audrey Deckinga**
- 11:30 Education Committee Update – Hon. Patricia Macias**
- 11:45 Strategic Planning Update – Harper Estes**
- 12:00 Hogg Foundation Executive Director – Dr. Octavio Martinez**
- 12:20 Appleseed Report – Rebecca Lightsey**
- 12:30 Bench Book Demo – Hon. Robin Sage / Kristi Taylor**
- 12:45 Commissioner Introductions**
- 1:00 Comments from Collaborative Council / New Business**
- Next Meeting: 11/12/10**
- 1:15 Adjourn**



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**PERMANENT JUDICIAL COMMISSION  
FOR CHILDREN, YOUTH AND FAMILIES**

**MINUTES OF MEETING**

April 30, 2010  
10 a.m. – 1 p.m.

Supreme Court of Texas Courtroom  
Austin, Texas

**ATTENDANCE**

**Members present:**

Chair, Hon. Harriet O'Neill, Justice, The Supreme Court of Texas, Austin  
Incoming Chair, Hon. Eva Guzman, Justice, The Supreme Court of Texas, Austin  
Vice-Chair, Hon. Darlene Byrne, Judge, 126th District Court, Austin

Judge Karin Bonicoro, Associate Judge, CPC of Central Texas, San Marcos  
Hon. Camile Glasscock DuBose, Judge, 38th District Court, Uvalde  
Bruce Esterline, Vice President for Grants, The Meadows Foundation, Dallas  
Joe Gagen, Chief Executive Officer, Texas CASA, Inc., Austin  
Stewart Gagnon, Partner, Fulbright and Jaworski, LLP, Houston  
Hon. Patricia A. Macias, Judge, 388th District Court, El Paso  
Hon. Robin Sage, 307th Family District Court, Longview  
Carolyn Rodriguez, Dir. of Texas Strategic Consulting, Casey Family Programs, Austin  
Hon. Dean Rucker, Presiding Judge, 7th Region, 318th District Court, Midland  
Fairy Davenport Rutland, Director, Appeals Div., Texas Health & Human Services Commission, Austin  
Hon. Robin Sage, 307th Family District Court, Longview  
Hon. Cheryl Lee Shannon, Judge, 305th District Court, Dallas

**Members not present:**

Audrey Deckinga, Assistant Commissioner for CPS, Dept. of Family & Protective Services, Austin  
Harper Estes, Shareholder, Lynch, Chappell, & Alsup, Midland  
Hon. Bonnie Hellums, Judge, 247<sup>th</sup> District Court, Houston  
Joyce M. James, Deputy Commissioner, Texas Dept. of Family & Protective Services, Austin  
Selena Mireles, Attorney At Law, Laredo  
Hon. Yvonne Gonzalez Toureilles, Representative, Texas House of Representatives, Alice  
G. Allan Van Fleet, Shareholder, Greenburg Traurig, LLP, Houston  
Hon. Jeff Wentworth, Senator, Texas Senate, San Antonio

**Staff in attendance:**

Tina Amberboy, Executive Director, Children's Commission  
Amy Fitzgerald, Project Manager, Children's Commission  
Sylvia Griego, Executive Assistant, Supreme Court of Texas  
Tim Kennedy, TexDECK Project Manager, Office of Court Administration  
Jessica Lynch, Research Assistant, Children's Commission  
Teri Moran, Support Services Officer, Children's Commission  
Carl Reynolds, Administrative Director, Office of Court Administration  
Tiffany Roper, Assistant Director, Children's Commission  
Hon. John Specia, Senior District Judge (Ret.), Judge in Residence, OCA

Kristi Taylor, Project Manager, Children's Commission

**Collaborative Council members in attendance:**

Emy Lou Baldridge, Co-Founder, Greater Texas Community Partners, Dallas  
Conni Barker, Director/Government Affairs, DePelchin Children's Center, Houston  
Irene Clements, Vice President for Advocacy, Children and Family Services, Lutheran Social Services  
Elizabeth Cox, foster and adoptive parent, San Antonio  
Susan Hopkins Craven, Executive Director, Texas Alliance for Infant Mental Health, Austin  
Barbara Elias-Perciful, President, Texas Loves Children, Dallas  
Debra Emerson, CPS Director of Permanency, Dept. of Family & Protective Services, Austin  
Mike Foster, Executive Director, Neighbor to Family, Austin  
Eileen Garcia, Executive Director, Texans Care for Children, Austin  
Robert Hartman, Executive Vice President and CEO, DePelchin Children's Center, Houston  
Leslie Hill, Managing Attorney, Travis County Office of Child Representation, Austin  
Richard Lavallo, Senior Attorney, Advocacy, Inc., Austin  
Stephanie Smith Ledesma, Attorney at Law, Austin  
Rebecca Lightsey, Executive Director, Texas Appleseed, Austin  
Johana Scot, Executive Director, Parent Guidance Center, Austin  
Armin Steege, Vice President of Programs, Austin Children's Shelter, Austin  
Gloria Terry, Coalition President, Texas Council on Family Violence, Austin  
Kenneth Thompson, Fatherhood Program Specialist, Dept. of Family & Protective Services

**Collaborative Council members not in attendance:**

Roy Block, Executive Director, Texas Foster Family Association, San Antonio  
Susan Boone, Executive Director, Texas Council of Child Welfare Boards, San Angelo  
Bill Connolly, Attorney, Connally & Chireman, LLP, Houston  
Penny Cook, Co-Founder, The Faith Connection, Dallas  
Kevin Cox, foster and adoptive parent, San Antonio  
De Shaun Ealoms, Parent Program Specialist, Dept. of Family & Protective Services, Austin  
Tomas Esparza, Jr., Attorney at Law, The Law Office of Tomas Esparza, Jr., Austin  
Benigno F. Fernandez, M.D., President, Texas Society of Child & Adolescent Psychiatry, San Antonio  
Natalie Furdek, Women's Substance Abuse Services Coordinator, Dept. of State Health Services, Austin  
Paul E. Furrh, Jr., Chief Executive Officer, Lone Star Legal Aid, Houston  
David Halpern, Director, Promise Mentor Program, Seedling Foundation, Austin  
Alicia Key, Deputy Attorney General for Child Support, Office of the Attorney General, Austin  
Donald Lee, Executive Director, Texas Conference on Urban Counties, Austin  
Tracy Levins, Director, Admin. Svcs. and Community Relations, Texas Youth Commission, Austin  
Madeline McClure, Executive Director, The Texas Association for the Protection of Children, Dallas  
Hon. F. Scott McCown, Executive Director, Center for Public Policy Priorities, Austin  
Trista Miller, former foster youth, Maxwell  
Judy Powell, Communications Director, Parent Guidance Center, Austin  
Chadwick Sapenter, entrepreneur and former foster youth, Austin  
Janet Sharkis, Executive Director, Texas Office of Developmental Disabilities, Austin  
Vicki Spriggs, Executive Director, Texas Juvenile Probation Commission, Austin  
Gene Terry, Operations Director, Texas Association of Counties, Austin  
Arabia Vargas, Chair, Bexar County Child Welfare Board, San Antonio  
Meghan Weller, Director of Public Affairs, Children's Advocacy Centers of Texas, Austin  
Henrietta Wright, Vice President, Board of Directors, Children's Advocacy Centers of Texas, Dallas

## **CALL TO ORDER AND OPENING REMARKS, Justice Harriet O'Neill**

Justice O'Neill called the meeting to order at 10 a.m. and welcomed attendees and thanked them for attending.

### ***Commission Membership Changes***

The Supreme Court added Selena Mireles, an attorney who represents parents in CPS cases, to the Commission. Ms. Mireles was unable to attend today's meeting.

### ***Collaborative Council Membership Changes***

Cathy Crabtree, Executive Director of Children's Advocacy Centers of Texas (CACTX), a collaborative council member since the Commission's inception, accepted a position in Washington D.C. to be the Director of Chapter Development at the National Children's Alliance. Joy Hughes Rauls is replacing her as Executive Director of CACTX and Meaghan Weller is replacing Ms. Crabtree on the Collaborative Council.

Natalie Furdek, Lead Program Specialist and Women's Substance Abuse Services Coordinator for Substance Abuse Program Services at the Department of State Health Services, is a new member.

Justice O'Neill referred commissioners to the Collaborative Council Report in the meeting notebook for updates on members' activities. She thanked Collaborative Council members for their support and credited their work for much of the Children's Commission's success.

### ***Committee Membership Changes***

Bryan Wilson has been added to the Technology Committee.

### ***Staff Member Changes***

Justice O'Neill welcomed Kristi Taylor back to the Supreme Court as Project Manager for the Children's Commission.

## **ADOPTION OF FEBRUARY 12, 2010 MEETING MINUTES**

The attending members approved the meeting minutes from the February 12, 2010, Children's Commission meeting by general consent.

## **HIGHLIGHTED ISSUES/COMMISSION PROJECTS, Justice Harriet O'Neill**

### **Strategic Plan to be Reviewed**

The Strategic Planning Committee is being re-established with Harper Estes as chair. Its members will be the chairs of the three standing committees, the vice chair, and Audrey Deckinga, DFPS Assistant Commissioner for CPS. The tentative date for the meeting is August 19.

Before the Strategic Planning Committee meets, our three standing committees will meet in person in July to examine the current strategies as they relate to the projects undertaken to date in preparation for the CIP grant applications due in August to the Administration for Children and Families. The current strategic plan was adopted about two years ago and a mid-course review is needed to ensure the commission is staying abreast of national trends and is responsive to our state's needs, culture, population, and climate in the area of child protection.

### **Education Committee Formed**

During the National Summit, the Texas team recognized that youth in care often face educational challenges, including multiple school placements and loss of credits or special education services. The team incorporated two goals involving educational outcomes of foster youth in its action plan. Justice

O'Neill said the commission plans to establish a high-level education committee to address these educational outcomes, and Judge Patricia Macias has agreed to chair the committee. Assistant Director Tiffany Roper will report on this project later in the meeting.

Justice O'Neill announced that although this would be her last meeting as chair, she will continue to serve as Chair Emeritus. She introduced and welcomed Justice Eva Guzman, who has agreed to Chair the Children's Commission.

Justice Guzman thanked Justice O'Neill and said she was delighted to have the opportunity to work with the Commission and to continue the important work that Justice O'Neill started for our state.

## **INTRODUCTIONS**

Justice O'Neill asked Commission members to introduce themselves.

*Stewart W. Gagnon, Partner, Fulbright & Jaworski, Houston*, said he has spent the last six months helping plan a self-represented litigant's forum in Dallas to address the growing influx of pro se litigants in our family courts. A report will be made to the Texas Access to Justice Commission about the two-day conference.

*Hon. Robin Sage, 307th Family District Court, Longview*, introduced herself and said she would report on projects later in the meeting.

*Hon. Cheryl Lee Shannon, Judge, 305th District Court, Dallas*, reported that the most recent project in her jurisdiction is a meeting planned this fall to bring all of the child placement agencies together to address concerns using the Beyond the Bench model.

*Joe Gagen, CEO, Texas CASA, Inc., Austin*, said the second quarter report show that CASA is growing the number of volunteers across the state and it is on track to bring on 1,200 new volunteers. A recent rally in San Antonio where Justice O'Neill spoke drew attention to the issue of child abuse and neglect in Texas. Mr. Gagen recently visited the Hill Country Youth Ranch in Ingram, which receives support from the Meadows Foundation. Efforts continue to try to get legislators and legislative staff to see the daily reality in the child welfare system by taking them to court around the state. Lt. Governor Dewhurst visited the CASA and CAC facilities in Ft. Bend. Justice O'Neill commented that the star of the San Antonio Rally was Collaborative Council member Chadwick Sapenter who is a former foster child who speaks poignantly about how important his CASA volunteer was in his life – and his former CASA volunteer was at the rally.

*Judge Karin Bonicoro, Associate Judge with the Child Protection Court of Central Texas and Chair of the Technology Committee, New Braunfels*, described two initiatives in her jurisdiction, including the development of a web site that would include a listing of services and providers. Carolyne Rodriguez helped Judge Bonicoro find resources, including other similar websites. The other project is mentoring for youth who are aging out of care and Partnership for Children is working in a couple of the counties Judge Bonicoro serves.

*Carl Reynolds, Administrative Director, Office of Court Administration, Austin*, recently traveled to the National Center for State Courts (NCSC) in Virginia with Chief Justice Jefferson, who is the incoming chair of its board. Mr. Reynolds passed around the NCSC's annual report, which includes coverage of the October 2009 National Summit held in Austin.

*Hon. Dean Rucker, Presiding Judge, 7th Region, 318th District Court, Midland*, reported that Judge Sylvia Chavez's CPS Child Protection Court of the Permian Basin has seen about 35 to 40 removals per

month since the first of the year and she faces a challenge managing that docket. In August, the State Bar of Texas' Advanced Family Law Course will include a day-long workshop on child abuse and neglect cases.

***Vice-Chair, Hon. Darlene Byrne, Judge, 126th District Court, Austin***, stated that with assistance from the National Council of Juvenile and Family Court Judges (NCJFCJ), the American Bar Association is bringing to Travis County its Trial Skills training for attorneys in CPS cases – prosecutors, child and parents' attorneys, this August. There are 50 training slots and the training will be free. Also, on May 18, there will be a CLE-approved brown-bag lunch training session on dually managed youth, with cooperation from Georgetown University. NCJFCJ chose to have their lead judge's meeting this May in San Antonio.

***Judge John Specia, Office of Court Administration (OCA) Jurist in Residence, San Antonio***, said he would give his report later in the meeting.

***Anne Heiligenstein, Commissioner, TX Department of Family & Protective Services, Austin***, confirmed that there has been a recent surge in removals, which has caused DFPS to spend substantially beyond their budget in foster care funds, as will be reported to the legislature in the next few weeks. The Permanency Care Assistance (PCA) Program is currently being implemented, which will allow federal financial support to be given to relative caregivers of children under certain circumstances. Federal guidance is expected soon on another initiative to provide independent living arrangements for youth up to age 21. DFPS has discussed the idea with colleges and universities about declaring dorm settings as independent living.

***Hon. Camile Glasscock DuBose, Judge, 38th District Court, Uvalde***, reported on several activities in her jurisdiction as part of National Child Abuse and Prevention month. A new group in Uvalde County called Chick Time, made up of local women of all ages, visits a local youth ranch (residential treatment center) monthly to mentor the young women there. Judge Dubose's court coordinator adopted two young foster children recently.

***Carolyn Rodriguez, Director of Texas Strategic Consulting, Casey Family Programs, Austin***, reported that part of Casey's support of the Commission's new Education Committee will be technical assistance from the ABA. Casey's Knowledge Management Team provided information included in a report on mental health assessments that Ms. Rodriguez said would be shared with a legislative interim committee. After serving as a facilitator at the recent Houston Beyond the Bench conference, Ms. Rodriguez was invited back to help that team work on its recommendations. Ms. Rodriguez informed members that technical assistance through Casey's headquarters is also available for projects involving dually managed youth. Casey is supporting DFPS's PCA program through two contractors who use case-mining tools to find relatives. Also, in partnership with the National Resource Center for Child Protection, Casey is supporting a substantial training effort for CPS caseworkers on safety decision-making.

***Fairy Davenport Rutland, Director, Appeals Div., Texas Health & Human Services Commission, Austin***, reported on the activities of the State Bar Committee on Child Abuse and Neglect, that include sponsoring a full day of training at the annual Advanced Family Law Conference this August in San Antonio. The Commission will provide scholarships for a number of attorneys to attend the one-day training, and because DFPS's training budget has been reduced, DFPS attorneys will be invited to apply for scholarships. At the conference there will also be a celebration of the Child Abuse and Neglect Committee's 25th anniversary. The committee's annual award to an attorney for outstanding service to children and families will be presented at the conference. The October issue of the Texas Bar Journal will be devoted to child welfare issues. The Spanish version of the Shaken Baby video called "When Babies Cry" has been completed. The committee has begun a project to educate teenagers about fetal alcohol

syndrome and the dangers of drinking alcohol while pregnant by providing informational packets to a number of schools.

**Patricia A. Macias, Judge, 388th District Court, El Paso**, commended Judge Byrne, who will soon begin serving on the board of trustees of the National Council for Juvenile and Family Court Judges (NCJFCJ), as her leadership style has added to Texas' positive reputation. Judge Macias just completed her term as NCJFCJ president. She reported that NCFJJC's board recently announced its support for the repeal of the valid court order exception of the Juvenile Justice and Delinquency Prevention Act. The board also reaffirmed support for the ratification on the Convention on the Rights of the Child. The Office of Juvenile Justice and Delinquency Prevention announced a Children's Exposure to Violence fellowship. In her jurisdiction, Judge Macias has begun a pilot communication mediation project focusing on high-conflict divorce cases that she plans to expand to include certain domestic violence cases.

**Bruce Esterline, Vice President for Grants, The Meadows Foundation, Dallas**, reported on a few projects his foundation supports that interface with the Commission's work, including Texas Loves Children's website, Appleseed Inc.'s policy work, Advocacy Inc.'s dually managed youth legal representation, and Children at Risk's efforts to expand juvenile mental health courts in Texas. His foundation has made about \$1.6 million available to support basic infrastructure of the provider community that support children involved with CPS. His work with these organizations helps him see the larger picture, including how these providers interact with the judicial system and helps inform efforts for system improvements. He thanked Justice O'Neill for the privilege of working with her on the Commission. Justice O'Neill thanked Mr. Esterline for having hosted a dinner on the previous evening with representatives of the Hogg Foundation, whom she has invited to the next Commission meeting. She said she would like to put together a consortium of foundations.

#### **Presentation of Harriet O'Neill Award for Excellence**

Tina Amberboy asked the Commission to approve the establishment of an award that it would present periodically to a person who has shown outstanding leadership and service in child welfare, to be called the Harriet O'Neill Award for Excellence. Ms. Amberboy surprised Justice O'Neill with the award. After a standing ovation, Ms. Amberboy also presented Justice O'Neill a commemorative book of dozens of letters written to her, mainly by persons involved with the Commission. Justice O'Neill thanked everyone for both, adding that it has been an honor working with all involved with the Commission. She added that she will remain involved in the Commission's work as Chair Emeritus.

#### **DFPS UPDATES**

**Anne Heiligenstein, Commissioner, TX Department of Family & Protective Services, Austin**

DFPS has begun a significant project to completely redesign the entire foster care system from the ground up. A significant imbalance in geographic distribution of service providers exists in Texas and there is also a lack of residential providers who can offer a full continuum of care. Zoning ordinances are responsible for some of the geographic distribution problems. For example, in Harris County there are an abundance of residential treatment centers because of a lack of zoning issues. In Dallas, there are no residential treatment centers because of zoning. Extensive work must be done to provide children with a full array of services in their home counties. Commissioner Heiligenstein listed some of the system problems the re-design will target:

- Placement outside of community
- Increasing number of placement changes
- Separation from siblings and other family
- Lack of educational continuity
- Fractured social support system

Almost 60% of children removed from their homes are placed outside of their home county. About 20 percent of sibling groups are not placed together. The redesign goals will address these problems with input from a group of advisors called the Public Private Partnership that includes many system stakeholders, some of whom are affiliated with the Commission. The ways DFPS contracts for services will have to change, Commissioner Heiligenstein said, to remove some of the perverse incentives, such as when the longer a child is ill, the greater the payment provided to the caregiver. It is not what providers want, and Texas lacks a reimbursement system that recognizes success and rewards shorter durations in care and getting children to the least restrictive form of care as fast as possible. Flexibility in how to use money appropriated must be built into the system and the current revenue shortfall will make this effort even more challenging. The Public Private Partnership expects to have recommendations ready for the next legislative session in January 2011.

## **COMMITTEE REPORTS**

### ***Basic Projects Committee, Judge Robin Sage, Chair***

Judge Robin Sage gave an example of how the new collaborative culture the Commission has created between the department and the judiciary has made solving systemic problems easier. A group of judges had a problem with a CPS policy and were about to ask for an Attorney General opinion on the policy. Judge Sage contacted Audrey Deckinga and a conference call was set up during which a solution was found. Judge Sage described this as an example of the Commission's positive influence. Ms. Heiligenstein echoed Judge Sage's comments giving the Commission credit for a greatly improved working relationship between the judiciary and the department. The Commission created a venue and an opportunity to solve system problems more quickly. Judge Sage highlighted some of her committee's projects described more fully in the committee report in the meeting notebook.

**Bench Book:** The online Bench Book project is scheduled to be unveiled this August. Jessica Lynch demonstrated the Bench Book online, showing how its content will be organized and its interactive capabilities.

**Round Table Series:** The subject of the last Round Table discussion held February 18 was on how to use data to inform decisions to move children out of permanent managing conservatorship and into true permanency. The discussion satisfied a CPS Program Improvement Plan (PIP) project. The first of a two-part summary of the PMC Roundtable is posted on the Commission's website as well as the Texas Lawyers for Children's website to encourage ongoing discussion about **overcoming** specific barriers to exiting TMC and PMC children within various jurisdictions. Initially, Ms. Amberboy added, the group had expected to focus mainly on those children in PMC without TPR. But as a result of the Round Table discussion, the group learned that efforts to remove permanency barriers should be expanded to TMC children as well to prevent the PMC population's expansion.

**Legal Representation Study:** The project to determine how legal representation of parents and children is handled in Texas is on track for completion in the next few months. Interviews and surveys have been completed and a rough draft will be completed by the first part of June for the review process to begin. Amy Fitzgerald, the project manager, handed out the final report's proposed table of contents and summarized the sections.

**CFSR / PIP Child and Family Services Review:** Commission staff worked closely with DFPS on the state's Program Improvement Plan (PIP), which was just approved and includes Commission-sponsored activities such as Round Table discussions. A new strategy was added where DFPS will provide judges data specific to their district, county or region to help them identify barriers to permanency. The two-year period to implement the PIP began April 1, 2010.

**ACTION ITEMS:** The Basic Committee recommends approval of the Basic Projects budget with the following four amendments that were discussed at the last Commission meeting on February 12 but could not be voted on for lack of a quorum.

- **Harris County Infants and Toddler Court grant application:** Award \$50,000 to create a new court docket for infants and toddlers 3-years-old and younger that will be styled after the Zero to Three approach.
- **Texas CASA, Inc. grant amendment, to increase award from \$210,000.00 to \$237,800.00:** Increase CASA's award to allow it to complete its Transitioning Youth Initiative Program. Texas CASA returned \$27,000 of its grant award last fiscal year that was not spent on a project because it was too late to launch. The committee recommends that those funds be carried over to the next grant year to allow CASA to complete that project.
- **Commission operating budget increase from \$28,000.00 to \$45,000.00:** Increase the budgeted amount to more accurately reflect the amount needed based on last year's expenditures, which were \$42,373.48 in FY 2009.
- **Jurist In Residence budget increase from \$12,000 to \$28,000:** Increase the budgeted amount to more accurately reflect the amount needed based on last year's expenditures, which were \$24,989.05 in FY 2009.

Justice O'Neill asked if there was any discussion. There was no discussion and the motion from the Basic Committee to approve its amended budget was approved unanimously. Joe Gagen abstained from the vote.

#### **Training Committee, The Honorable Camile DuBose, Chair**

The Training Committee has focused on providing a variety of training opportunities to judges and attorneys throughout the state, Judge DuBose reported. She highlighted some of her committee's projects described more fully in the committee report in the meeting notebook.

#### **Attorney Training**

**NACC Child Welfare Law Conference, October 20-23, 2010, in Austin:** The Commission approved \$100,000 in January 2009 to sponsor the conference, which includes funding for attorney scholarships and forming a workgroup with NACC to develop conference curriculum. Because more than 185 scholarship applications have been received, the Training Committee recommends adding \$20,000 to the project's budget to award more attorney scholarships.

**Scholarships for Child Abuse and Neglect Track at Advanced Family Law (AFL):** The Training Committee recommends spending \$10,000 to provide attorney scholarships to pay registration for the one-day Child Abuse and Neglect Track.

**Scholarships for DFPS attorneys to attend NACC annual conference in October or Advanced Family Law Child Abuse and Neglect Track in August:** The Training Committee recommends spending \$20,000 to provide scholarships to DFPS attorneys to attend these two conferences. DFPS budget constraints have limited attorneys to in-house training.

**Attorney scholarships for conferences (other than NACC or AFL):** The Training Committee recommends spending \$15,000 to provide scholarships to attorneys for conferences other than NACC or Advanced Family Law.

**Trial Skills Training:** The Training Committee recommends spending \$40,000 to identify and send attorneys to National Institute for Trial Advocacy (NITA) trainings and form a cadre of NITA-trained faculty members in Texas.

**Child Welfare Law Certification:** In May 2009, the Texas Board of Legal Specialization approved the application of the NACC to offer child welfare law certification to qualifying Texas attorneys. Fourteen

Texas attorneys applied for the 2010 certification exam. The application deadline for the 2011 exam is May 31, 2010.

**Prosecutor Training/Roundtable:** The committee decided to work with the Texas Children's Justice Act to develop and/or implement prosecutor training.

### **Judicial Training**

**NCJFCJ National Conference on Juvenile and Family Law:** This conference was held March 14-17 in Las Vegas. There were more than 80 applicants with 60 judicial scholarships awarded to attend the conference.

**Harris County Beyond the Bench:** Held April 21-23 in Galveston, this conference brought together 12 elected and 12 Associate Judges as well as many other stakeholders. This was the largest Beyond the Bench conference held to date and because it grew so large, the Training Committee recommends adding \$68,603.84 to the Texas Center for the Judiciary's grant award to cover the substantial additional costs it incurred putting on the conference.

**Implicit Bias in Judicial Decision-Making:** The first of its kind in Texas for child protection judges, this conference, will take place May 10-11 in Bastrop and will address implicit bias in judicial decision-making and tools judges may use to address it.

**Associate Judges Conference:** This conference is scheduled for July 5-7 in Austin. This annual conference is for Texas associate judges who hear the bulk of child-welfare cases and includes IV-D judges.

**CPS Judges Conference:** This annual conference, to be held August 4-6 in San Antonio, is designed specifically for judges who hear child-protection cases and focuses on best practices and cross-disciplinary issues.

**Other Judicial Conferences:** The Training Committee recommends allotting \$10,000 to send judges to national conferences other than those already included in TCJ's budget, such as the upcoming NACC annual conference and trainings by the NCJFCJ Child Abuse and Neglect Institute.

**Office of Court Administration (OCA) Judicial Education:** CIP funds this annual two-day workshop for CPC judges that covers current multi-disciplinary topics. This year, OCA is considering pushing back the training because of judicial interest in attending the NACC conference in October 2010.

**Drug court Training Workgroup:** The Training Committee recommends spending \$40,000 to create and conduct a training conference for the staff of Texas courts who are interested in creating a family treatment drug court.

**Local Jurisdiction Disproportionality Training:** The Training Committee recommends allotting \$15,000 to help local jurisdictions conduct their own disproportionality training.

**ACTION ITEMS:** The Training Committee recommends ratifying the Training Grant budget dated April 30, 2010, in the meeting notebook that includes the following changes.

- Increase TCJ's grant award for the Harris County Beyond the Bench to \$130,713.84 to cover the additional costs associated with the Harris County Beyond the Bench) and judicial technical assistance from the Center for Public Policy Priorities (CPPP) to analyze and interpret a specific court's data on permanency indicators.
- Allot \$10,000 to send judges to training conferences that are not covered in TCJ's budget.
- Add \$20,000 more to the Child Welfare Law Conference budget to provide additional registration-fee scholarships for more Texas attorneys to attend the NACC Child Welfare Law Conference to be held in Austin October 20-23, 2010.
- Allot \$20,000 to provide scholarships to DFPS attorneys to attend NACC annual conference in October or Advanced Family Law Child Abuse and Neglect Track in August.

Justice O'Neill asked if there was any discussion. There was no discussion and the motion from the Training Committee to approve the amended budget dated April 30, 2010, in the meeting notebook was approved unanimously.

### **Technology Committee, Tina Amberboy**

The Technology Committee met via conference call on April 8, 2010, but did not have enough members in attendance to meet a quorum. Ms. Amberboy referred members to the committee report in the meeting notebook.

**Functional Requirements, Version 2** – FRS Version 2.0 was presented at the last meeting and committee members wanted more time to review it. Some follow-up ticklers were sent for edits, but no new edits have been submitted. **Distribution of CPCMS to non-CPC Jurisdiction:** Staff efforts to make jurisdictions aware of CPCMS and encourage its use are ongoing. Several counties have shown interest in the system but must determine how to integrate it with their existing case management systems which can be a long process. Mr. Hermes and other TexDECK staff have met with various county associations, including a group for rural counties. A demonstration of the CPCMS was provided to representatives from the County Information Resource Agency (CIRA). CIRA is an inter-local government agency supported by the Texas Association of Counties (TAC) and is dedicated to helping counties with their technological needs. Staff will follow up with CIRA. **Data Exchange:** This is a national effort to make it possible for direct, computer-to-computer exchange of data between child welfare agencies and courts. Commission and TexDECK staff will be attending some upcoming national conferences on the matter.

### **Grant Projects**

#### **Tarrant County Juvenile/CPS Case Enhancements**

In August 2009, the Commission approved a \$350,000 grant to Tarrant County to integrate some CPCMS functions into its juvenile case management system. However, the juvenile case management system project was too far along in production to accommodate the integration of any part of CPCMS so the project was scrapped. Tarrant County submitted an alternate proposal to use the \$350,000 to evaluate the feasibility of, and then the development of, a third product that would be part CPCMS, part Odyssey, and part current Tarrant County system to accommodate only the courts in Tarrant County. The proposal was evaluated with many questions and answers going back and forth between CIP, OCA and Tarrant County. Ultimately, it was decided that the \$350,000 grant should be recovered and redistributed to other projects since the funding expires 09/30/11. Tarrant County will continue to work on a solution that involves CPCMS and JCMS with input from CIP in order to re-submit a grant application in the near future.

#### **Dallas County Video Conferencing**

Dallas County received a CIP grant to install a video conferencing system to allow children and youth to participate more in their cases. Court staff is developing the procedures for securing rooms and scheduling the use of the videoconferencing system, and its IT staff did a final walk through of the Courts in late March to confirm installation and drop locations and equipment is being ordered.

**Youth Oriented Web Site:** Judge Bonicoro wants to create a website for the counties she serves and has a workgroup in her jurisdiction working on that project.

#### **Funding for positions to help CPC judges establish full utilization of CPCMS**

The committee has looked at the wide variation of CPCMS usage by Child Protection Court judges. Those who use it less have said that one reason is lack of personnel to enter the information, which involves migrating some data from the older system and entering data from new and ongoing cases. The committee discussed using CIP to hire staff to assist these courts with the data entry. The committee will continue to work on this issue and report to the Commission.

**Placement and Permanency Review Forms:** The committee will review some forms that Judge Bonicoro uses and determine whether to recommend asking DFPS to adopt them or parts of them. The forms make it easier to enter information into CPCMS.

**ACTION ITEMS:** The Technology Committee did not have a quorum at its last meeting. Staff recommends ratifying the Technology budget dated April 30, 2010, in the meeting notebook that includes the following changes.

- Increase OCA's budget on the CMCPs project by \$27,840.00, for a total of \$264,582.00 to build reporting capabilities into CPCMS.

Justice O'Neill asked for a motion to approve an increase of \$27,840 to OCA's grant to develop a reporting system for CPCMS. Judge Rucker made a motion, Judge Shannon seconded, and the motion was approved unanimously.

- Recover \$350,000 from the Tarrant County project that was originally funded in August 2009.

Justice O'Neill asked for a motion to recover \$350, 00 from the Tarrant County. Judge DuBose made a motion, Mr. Esterline seconded, and the motion was approved unanimously.

#### **EXECUTIVE DIRECTOR'S REPORT, Tina Amberboy**

Ms. Amberboy asked Ms. Roper to report on the Commission's new Education Committee which will be chaired by Judge Patricia Macias. Ms. Roper will staff the committee and she has drafted the order creating the committee that will be submitted to the Supreme Court. Discussions with potential committee members have begun as well as conference calls, and Ms. Roper noted that while the members are excited about the project, they agree it will be a challenge. Ms. Amberboy and Ms. Roper will address a large conference of two state education associations this fall. Staff has worked with Casey Family Programs to get technical assistance from the ABA's Legal Center on Foster Care and Education.

#### **MEDIATION STUDY UPDATE, Cynthia Bryant, Clinical Professor, University of Texas School of Law**

Ms. Bryant reported that she and students at the University of Texas School of Law's Mediation Clinic prepared a report on the state of mediation in Texas CPS cases that is posted on the Commission's website. She noted that the Supreme Court Order creating the Commission lists mediation and non-adversarial family group decision making as an effective means for case resolution, and that it is under utilized in the state. From 1997-2005, the Children's Justice Act (CJA) grant funded several mediation pilot projects throughout the state that were evaluated by the Center for Public Policy Dispute Resolution (CPPDR). In its report, CPPDR concluded that mediation is an effective and efficient process for resolving child protection litigation in a variety of disputes, including termination. Most mediations studied (76 percent) resulted in agreements, the report stated, and the trend at the time period reviewed showed a tendency to conduct mediation later in the case's life cycle in preparation for trial. Mediation participants saw the process as fair and effective and were very satisfied with the process. There were some anecdotal reports of cost savings as a result of resolving cases through mediation, but could not be statistically proven in the study.

Because of limited available comparable quantitative mediation data, Ms. Bryant's researchers conducted surveys and reviewed reported research. The surveys showed that judges who use mediation strongly support it and that it is used in some form in all but 50 Texas counties. However, its use varies greatly. While no consistent criteria is used to refer cases to mediation, the surveys showed, it is used in all stages of cases – mostly at the end of the case, and most mediations end in settlement. Some judges surveyed were concerned about quality of participation, as well as how confidentiality limits their access to

essential facts related to best interests of children. Overall, the judges surveyed reported that mediations served the best interest of the child. The survey showed the many advantages of mediation include permanency being reached sooner, quicker case resolution, individualized agreements, and parents having more of a voice and being more engaged in the case process.

Ms. Bryant's researchers then compared their survey results to other published studies and found substantial agreement in the findings, including how courts across the country continue to struggle with finding and maintaining consistent funding for mediations. A national workgroup is currently drafting some basic standards for CPS mediation and national studies have offered the following guiding principles for CPS mediation that Ms. Bryant asked the Commission to consider:

- Establish the expectation that judges will authorize mediation in appropriate cases.
- Assure consistency and quality in the delivery of mediation services by developing best practices based on comparable quantitative data.
- Assure reliable mediation services and secure stable funding.
- Provide to mediators training focused on the unique characteristics of child protection mediation.
- Provide lawyers, CASAs, and DFPS staff training focused on effective participation in the mediation process.

Ms. Bryant was asked whether any parents were surveyed for the report, and while none were, the initial CJA report included parent responses as did some of the national surveys. Debra Emerson noted that efforts are underway at DFPS to capture mediation data.

#### **OFFICE OF COURT ADMINISTRATION, Carl Reynolds, Administrative Director**

Mr. Reynolds noted that the six guiding principles Ms. Bryant listed for mediation also apply to other court improvement efforts. Ms. Reynolds added his public appreciation of Justice O'Neill and her efforts, and she in turn thanked him for his active participation in the Commission. Mr. Reynolds reported that CPCMS security is being enhanced and the ability to produce some 20 reports is being added. Mr. Reynolds introduced Simi Denson, an attorney OCA hired with CJA grant funds to support CPC courts. Ms. Denson has already visited 14 of the 17 child protection courts and has already become facile with CPCMS. Mr. Reynolds also introduced Ann Landeros, an attorney recently hired as the Domestic Violence resource attorney, another grant-funded position. Ms. Landeros has almost completed the first draft of a Bench Book for domestic violence cases.

#### **JURIST IN RESIDENCE REPORT, Judge John Specia**

Judge Specia reported that the recent Harris County Beyond the Bench, held in Galveston, was a great success and he thanked Mari Kay Bickett, TCJ's executive director, and her staff for handling a conference that grew unexpectedly large. He thanked the conference facilitators and noted that the conference itself was the very beginning of a collaborative effort that he hopes will and already is continuing. Some of the court groups have already scheduled further meetings.

Judge Specia described another joint initiative in the Texas Valley that grew from problems identified at a previous Beyond the Bench conference. He and Audrey Deckinga lead a multidisciplinary team that includes representatives of Star Health. The team has personally visited the Valley and has conducted several meetings to address concerns that have resulted in nine specific goals being developed, including increasing the availability of mental health services in the Valley.

Judge Specia recently distributed two Jurist in Residence Letters about the Fostering Connections Act. Judge Specia asked to have Commissioners added to the JIR letter subscription list. He reported on a recent trip to DC where Ms. Deckinga reported to state child welfare administrators on the collaboration in Texas between the judiciary and the department – how the Commission has created new communication channels for problem solving.

Judge Specia recalled how he and Judge Macias and Mr. Reynolds were also there with Justice O'Neill in Minneapolis when she was learned about the importance of judicial leadership in this arena and the idea of creating a Commission in Texas originated. He lauded Justice O'Neill for her incredible skills in laying a foundation with the Commission, and he thanked her for her service. Justice O'Neill thanked Judge Specia and described him as the leader of Texas court improvement efforts.

**APPLESEED PMC PROJECT, Rebecca Lightsey, Texas Appleseed, Inc. Executive Director**

Ms. Lightsey reported that the project's research data collection and has been completed and the final recommendations are being drafted into the report. Ms. Lightsey noted that a common theme about the openness and collaboration the Commission has fostered was also proven to be true in the PMC study, and she again thanked Justice O'Neill for her leadership.

She reported that a tremendous team of experts has been put together to develop the PMC Project's policy recommendations and that they're reaching surprising consensus on them. She handed out a report summary and briefly highlighted some of the report's data, noting that when variations in data were significant, researchers could use the interviews to further investigate and more fully understand influencing variables. For example, much attention has been focused lately on the number of Texas children in PMC who do not have termination of parental rights (TPR). The study showed that in one jurisdiction in Texas, most of the children in PMC did not have TPR. However, that jurisdiction also had the highest rate of reunification in the state. As for number of placements in Texas, the study showed that a child who ages out of foster care in Texas has had an average of 10 placements.

Data on the cost of keeping a child in PMC is extremely difficult to gather, Ms. Lightsey said. The department does not categorize foster care costs by PMC and researchers must survey individual counties. Project researchers have begun efforts to both quantify department data on costs for PMC children as well as survey counties for court system costs. The final report will be completed soon and Ms. Lightsey will return with recommendations to the Commission at its August 2010 meeting.

**ADVOCACY INC., PROJECT UPDATE, Richard Lavallo, Senior Attorney, Advocacy, Inc.**

The Legal Advocacy for Dually Managed Children Project funds two full-time Advocacy, Inc., staff attorneys, Ian Spechler and Dustin Rynders, to represent youth in the TYC System and youth placed in one of the state schools. The attorneys began representing clients this January, and today represent 49 dually managed youth and the project already has been expanded to include some at-risk youth who are not yet in TYC or a state school.

Ian Spechler reported on a case that represents collaboration across systems involving a 13-year-old girl who resides in a state-supported living center. Her disabilities are serious and many. Mr. Spechler and other stakeholders worked together to make a video to introduce her to prospective caregivers. After finally locating a family that was interested in taking her, they encountered hurdles regarding acquiring a referral from the state school. The judge in her case started holding monthly hearings to ensure her case was progressing and now this young girl is just a couple of months away from moving in with the family.

One of the biggest systemic issues already identified at TYC occurs when youth are about to be released and their cases are reviewed by a Release Review Panel. At this hearing, the youths' status as foster kids who do not have a home to which to return is held against them, further delaying their release. Mr. Spechler said they are working to address on the problem including using the new resources from the Permanency Care Assistance Program to find more placements with relatives and/or fictive kin.

Mr. Spechler also reported seeing a lack of trauma therapy in this TYC population, a need for more mental health services for these youth once they are released from TYC, and many youth do not feel safe

in the TYC environment. Also, when youth first reenter the community, they often fail because of unrealistic expectations that they will sit in a room for a month with nothing to do because of a standing TYC order forbids them from leaving the facility to go to work or to go into the community for any reason for 30 days. Because most dually-managed youth are not attending hearings, video conferencing is seen as a good solution to the many logistical problems of getting them physically to court. Lastly, communication between TYC and DFPS in these cases continues to be problematic.

Mr. Lavallo added that no other state has a similar effort underway to provide this kind of legal representation for this specific population.

### **COMMENTS/NEW BUSINESS**

Conni Barker, Director/Government Affairs, DePelchin Children's Center, reported on the work of a task force created as a result of last session's HB 1912 that required a number of things to improve services for youth who are likely to age out of care. The task force is nearing completion of its final report and one recommendation will be for Commission to address the question of how courts can better support youth in care, especially those 14-years-old or older who will likely age out. The task force divided the work into these four subgroups: 1) assessments and circles of support; 2) services for youth with disabilities; 3) improved preparation for independent living; and 4) connecting youth to caring adults before they age out of care.

Gloria Terry, Coalition President, Texas Council on Family Violence (TCFV), invited members to read her report (included in the meeting packet), adding that TCFV received a grant to study the intersection of domestic violence and the public health system. She thanked several in attendance who have contributed to the creation of the upcoming Bench Book. The Court of Criminal Appeals awarded TCFV funds to hold a judicial summit on domestic violence, to which will invite members of this Commission.

Barbara Elias-Perciful, President, Texas Loves Children (TLC), reported on the growth of her project thanks to funding from CIP and The Meadows Foundation and she directed members to her report in the meeting notebook. She gave some examples of how TLC helps distribute information from the Commission to judges and lawyers across the state.

### **NEXT MEETING**

The next two meetings are scheduled for August 20, 2010, and November 12, 2010.

### **ADJOURNMENT**

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**Supreme Court of Texas  
Permanent Judicial Commission for Children, Youth and Families  
Report for August 20, 2010 Meeting**

**MINUTES– April 30, 2010 meeting** (adoption pending), **TAB 1**

**COMMISSION MEMBERSHIP CHANGES**

New Member:

Dr. Octavio Martinez, Executive Director, Hogg Foundation for Mental Health, appointed in 2008, he is a clinical psychiatrist whose academic credentials include a masters degree in public health from Harvard University's School of Public Health, a doctor's degree in medicine from Baylor College of Medicine in Houston, and master's and bachelor's degrees in business administration with a concentration in finance from the University of Texas at Austin.

**STAFF CHANGES**

New Staff:

Mari Aaron, Executive Assistant, Children's Commission

Staff Leaving:

Amy Fitzgerald, Project Manager, Children's Commission

Jessica Lynch, Research Assistant, Children's Commission

**COLLABORATIVE COUNCIL MEMBERSHIP CHANGES**

New Members:

Shannon Ireland, Executive Director, Texas Council of Child Welfare Boards is replacing Susan Boone, former Executive Director TCCWF.

Aaron Williams, Social Services Director, Alabama Coushatta Tribe

**COMMITTEE MEMBERSHIP CHANGES**

Judge Robin Sage added Judge Virginia Schnarr to the Basic Committee.

Judge Bonicoro added D.J. Tessier to the Technology Committee.

**COMMITTEE ACTIVITIES**

**Basic Grant Committee**

The Basic Committee met in person in Austin on July 16. The details of this report include the history and ongoing progress of staff directed and grant funded projects, including updates of events occurring after the July 16 committee meeting. For minutes regarding the full discussion at the July 16<sup>th</sup> meeting, please see the committee minutes in this meeting notebook.

## **Basic Grant Applications / Funding Requests:**

### **Basic Committee Single Year Grants from FY2010**

**1. Harris County Infant and Toddler Court (ITC)** – The Harris County ITC received funding from the Children’s Commission in April 2010 to help create a court docket specifically for CPS cases involving infants and toddlers aged 0 – 3. The project's goals include ensuring a continuum of services, providing education about the issues affecting this population, creating a replicable program, reducing parental recidivism, building local capacity, implementing and utilizing data tracking and utilization models, and identifying cost-saving measures. These goals will be accomplished through improved access to primary and mental health care, access to Early Child Intervention (ECI) services, increased visitation, addiction recovery, family conferencing, and overall use of a collaborative, therapeutic and problem-solving judicial approach. Initial client caseload will start at five families and increase to 20 by June 2011. CIP funds support the expenses for personnel/salary required for start-up activities including development of formal memoranda of understanding, docketing protocols and procedures, agreements with service providers, and implementation and operation of the planning aspects of the project.

### **Basic Grant Applications Continued From FY2010**

At the Basic Committee meeting held on July 16, 2010, the committee considered several renewal requests including:

**1. Texas CASA, Inc.** – At its July 16, 2010 meeting, the Basic Committee voted to recommend that the Commission approve a \$210,000 CIP grant to Texas CASA, Inc. to continue its ongoing training efforts into FY 2011. CASA’s objective is to provide consistent, effective guardian ad litem (GAL) and volunteer advocate services to children in the child protection court system through its local CASA programs in order to enhance the safety, permanency, and well-being of those children. For FY2011, CASA proposes to continue conducting training events, including the training of trainers of new volunteers, of program Directors/Executive Directors on best practices at a Statewide Retreat, basic training for local program supervisors of volunteers and new Executive Director Trainings, and monthly webinars. The FY 2011 grant also continues the Transitional Youth Services program and CASA expansion efforts of one or two additional programs throughout the state.

**2. ChildSafe** – At its July 16, 2010 meeting, the Basic Committee voted to recommend that the Commission approve ChildSafe for its third-year CIP grant in the amount \$45,990 for FY2011. ChildSafe provides counseling, sexual assault medical exams and forensic interviews for children/families who are participating in the Bexar County Drug Court. The project was initiated because historically issues such as substance abuse caused issues of sexual abuse to be overlooked in families. This pilot has focused on addressing the trauma of recent or past sexual abuse at the beginning of the case as it funneled into the drug court. The funds cover a full-time case coordinator, fringe, travel, supplies, and some utilities.

**3. Office of Court Administration (OCA) – Judicial Support** – At its July 16, 2010 meeting, the Basic Committee voted to recommend that the Commission approve a FY2011 grant of \$20,400 to OCA to continue funding the cost of wireless connectivity (air cards/cell phones) for Child Protection Court judges and their staff who travel extensively in multiple rural counties where courthouses often lack sufficient wireless connectivity.

**4. Tarrant County Challenge (TCC)** – At its July 16, 2010 meeting, the Basic Committee voted to recommend that the Commission approve a FY2011 grant of \$55,139 to continue supplementing the salaries of Tarrant County Challenge’s family drug court staff until its transition to Tarrant County funding is completed in 2011. The TCC participates in a family drug court, which is an integrated, court-based collaboration that facilitates court oversight, coordinated services, family-centered treatment and recovery, and placement services. To date, it has served 48 families, including 67 children, with 87% successful completion of drug and alcohol treatment, and 83% success rate (no substantiated CPS referral since graduation).

**5. Texas Foster Youth Justice Project** – At its July 16, 2010 meeting, the Basic Committee voted to recommend that the Commission approve a FY2011 grant of \$125,000 to Texas Rio Grande Legal Aid (TRLA) to enhance and continue its services to youth who have aged-out of the foster care system. The grant funds also finance reprints of its *Texas Foster Youth Guide to Aging Out*. TRLA provides legal information and representation to foster youth whose parental rights have been terminated and whose attorneys ad litem have been dismissed or who have aged out of foster care, provides training for staff of agencies that serve foster youth on foster youth legal rights and resources, serves as a resource to other attorneys representing foster youth, and publishes and maintains the *Texas Foster Youth Guide to Aging Out*. The grant funds cover the salary of the project director, partially contribute to salaries of a staff attorney, a paralegal, an intake worker, and legal secretary, provide fringe for all, and cover travel, equipment, supplies, and professional development as well as one printing of 1000 copies of the *Guide*.

**6. Offices of Parental Representation/Child Representation (OPR/OCR)** – At its July 16, 2010 meeting, the Basic Committee voted to recommend that the Commission approve a FY2011 grant of \$50,000 to supplement the budget of Travis County’s Offices of Parental and Child Representation. The Commission awarded each start-up program a \$300,000 grant in FY2009, \$100,000.00 in FY2010, and this third installment of \$50,000.00 in FY 2011. The programs have enjoyed wide community support. The OPR provides legal representation for indigent, primary parents in CPS cases. The office operates under an oversight committee and employs a managing attorney, 3 staff attorneys, a social worker, a paralegal and a legal secretary. From May 2009 – May 2010, OPR was appointed to 158 cases. The OCR provides legal representation for children who are removed for their parents or caregivers. OCR represents clients from age one day to 18 years whose legal cases originate in Travis County. The office employs a managing attorney, 3 staff attorneys, a paralegal, 2 legal secretaries, and a social worker.

**7. Texas Lawyers for Children (TLC) Website** – At its July 16, 2010 meeting, the Basic Committee voted to recommend that the Commission approve a FY2011 grant of

\$250,000 for TLC to continue providing online communication tools and legal resources for judges and attorneys.

Next year TLC plans to update its website graphics to appeal to a broader professional audience and to make the site available to a multidisciplinary user group. The program will:

1. Add web-based, no cost CLE training for attorneys that will add to the current 3-hour hour training requirement and focus on more specific areas. The CIP grant funding will be used to develop and assess the proposed training.
2. Create a Q and A section based on users' interests and specific questions, which will be authored primarily by Charlie Childress, a former University of Texas School of Law Professor and expert on child welfare law.

**8. Adoption Day** – At its July 16, 2010 meeting, the Basic Committee voted to recommend that the Commission approve a FY2011 grant of \$5,000 to continue to fund local National Adoption Day activities. Since its inception, CIP has awarded small grants of up to \$1,200 to support local National Adoption Day events.

### **New Basic Grant Applications for FY2011**

**1. Advocacy Inc., (Study of CPS/TYC Population)** – At its July 16, 2010 meeting, the Basic Committee voted to recommend that the Commission approve a FY2011 grant of \$100,000 to fund its legal representation program for children with disabilities in the managing conservatorship of DFPS who have also been court-committed or who are at risk of being court-committed to the Texas Youth Commission or a State Supported Living Center. Advocacy Inc., currently employs two attorneys who travel around the state to represent their current 67 clients. The CIP grant funds cover, in part, the salary for three attorneys, fringe, travel, equipment, supplies, and miscellaneous expenses such as copying client records.

**2. Lubbock Transition Center** – At its July 16, 2010 meeting, the Basic Committee voted to recommend that the Commission approve a FY2011 grant of \$44,360 to help fund the creation of a foster-youth transition center in Lubbock that will provide an array of services to current and former foster youth in a centralized location.

Baptist Child and Family Services (BCFS) Health and Human Services will provide a one-stop shop for services, including preparation for adult living, Circles of Support, transition planning, case management, after care, and, eventually, services developed through a partnership with the Texas Workforce Commission and Texas Tech University. Currently, youth must access services through numerous providers in a variety of locations, which is very difficult. In addition, Judge Kevin Hart will hold one-on-one transition hearings at the transition center instead of the courthouse. The CIP grant funds will cover supplies and office equipment, rent and utilities and internet expenses associated with conducting transition hearings at the center.

### **Staff Directed Projects under Basic Committee:**

**1. Bench Book** – At its July 16, 2010 meeting, the Basic Committee voted to recommend that the Commission allocate \$30,000 for FY2011 to fund the continued

development, execution and maintenance of the online CPS Bench Book that debuted at the August CPS Judicial Conference. The CPS Bench Book is organized by event (e.g., investigations, removals, adversary, status, permanency, placement, final hearing, appeals, adoption) and topically (ICPC, ICWA, Medical Care, Permanency Care Assistance). It contains links to other websites and resources. It will be accessible via a secure log-in on the Texas Center for the Judiciary (TCJ)'s website, which includes free access without another log-in to specific citations in Lexis/Nexus. It currently contains not only statutory requirements and checklists, but also informative chapters on other important topics such as Disproportionality, STAR Health and the Permanency Care Assistance program, as well as numerous links to helpful guidelines, forms and other websites. Additional content, including caselaw, DFPS policy and best practice tips, will be added over the next year.

**2. *Appleseed Permanent Managing Conservatorship (PMC) Project*** – For this research project on identifying barriers to permanency, all the data has been collected and a team of experts has been developing final recommendations for the report due at the August 20 Commission meeting. At the April 30 commission meeting, Ms. Rebecca Lightsey distributed a summary report and briefly highlighted a few points. For example, the study showed that in one jurisdiction in Texas, most of the children in PMC did not have termination of parental rights. However, that same jurisdiction also had the highest reunification rate in the state.

The study showed that a child who ages out of foster care in Texas has had an average of 10 placements. Ms. Lightsey reported that data on the cost of keeping a child in PMC is extremely difficult to gather because the department does not categorize foster care costs by PMC and researchers must survey individual counties. Project researchers have worked to both quantify department data on costs for PMC children as well as survey counties for court system costs.

**3. *TYC/CPS Project*** – Staff would like recommend this workgroup be repurposed to focus on cross-system youth who are affected by CPS, Juvenile Justice, and Education systems. Will update the Commission in November.

**4. *Round Table Series*** – At its July 16, 2010 meeting, the Basic Committee voted to recommend that the Commission allocate \$15,000 in FY2011 to continue to develop and conduct Round Table Meetings. The well-received discussions bring together subject matter experts, judicial and executive branch leaders and key policy-makers to discuss issues affecting child protection in Texas. The goal is to advance ideas that result in sound executive agency policy, carefully planned legislation, and improved judicial handling of child protection cases. The funds will cover expenses such as those associated with meeting room rental, printing, travel and technical assistance.

In February 2010, the Hon. F. Scott McCown and Jane Burstain, Phd, with the Center for Public Policy Priorities' highlighted jurisdictional and statewide data on permanency indicators, such as the percentage of Texas foster children who are reunified and the percentage who reach permanency within one year. A program that has resulted from PMC Round Table attendee's high interest in the data on permanency measures is the Commission's Judicial Technical Assistance program (details following), where judges may request a similar jurisdiction-specific report for their court.

The request form is on the Resources & Reports page of the Children's Commission's website under the heading Round Table Series at this URL: <http://www.supreme.courts.state.tx.us/children/pdf/JudicialTechAssistantForm.pdf>. An analysis of permanency data has been done for Tarrant and Gregg Counties. The reports are located at these two URLs: <http://www.supreme.courts.state.tx.us/children/pdf/Gregg.pdf> <http://www.supreme.courts.state.tx.us/children/pdf/Tarrant.pdf>

The initial report on the PMC Round Table held February 18, 2010, is available on the Children's Commission website at [www.supreme.courts.state.tx.us/children/pdf/CompletePMCSummary.pdf](http://www.supreme.courts.state.tx.us/children/pdf/CompletePMCSummary.pdf).

**5. Legal Representation Study (LRS)** – The first draft of the study on how legal representation of children and parents in CPS cases is handled around the state has been completed and is undergoing staff rewrites. Its completion and distribution date has been pushed back from August 20 to October 30, 2010.

Similar to Appleseed's PMC study results, the findings of the LRS study do not differ significantly from what many in the child-protection community had anticipated. The study shows that much variation exists in almost every aspect of CPS legal representation in Texas – from the timing and length of appointments to the size of the pool of available, qualified attorneys. While attorney compensation rates, qualification standards and training opportunities also differ from county to county, one constant surfaced. According to the majority of those stakeholders surveyed who are *not* ad litem attorneys – specifically, current or former child and parent clients, CPS caseworkers and CASA volunteers –attorneys for children and parents do not communicate enough or even at all, with other principle parties, including their own clients.

As soon as staff complete their revisions and edits, the report will be circulated first to the LRS workgroup for review and then to the Commission.

**6. CFSR / PIP Child and Family Services Review** – The federal Administration for Children and Families (ACF) approved DFPS's Program Improvement Plan (PIP) this April, and the two-year period to implement the plan began April 1, 2010. The Children's Commission partners with DFPS on the PIP implementation by holding Round Table Discussions and working on various projects as requested by DFPS>

Another Round Table discussion is anticipated late 2010 or early 2011 and will cover how courts can satisfy various state and federal notice requirements to parents and other parties. The As mentioned above, the Commission is also contributing to another collaborative PIP project where courts may request jurisdiction-specific DFPS data – by district, county or region – on permanency outcome measures.

**7. Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families** – At its July 16, 2010 meeting, the Basic Committee voted to recommend that the Commission allocate \$55,000 for FY2011 to this budget category for the following: travel expenses for commissioners, committee members, and collaborative council members and to others, when the travel is not specific to another

CIP project; expenses associated with conducting meetings such as meeting room rentals and printing costs; printing costs for annual reports and other publications; and miscellaneous expenses. This FY2011 budget for Commission-related expenses is increasing partly to accommodate the added costs associated with new projects and additional committee meetings.

**8. *Jurist in Residence*** – At its July 16, 2010 meeting, the Basic Committee voted to recommend that the Commission allocate \$50,000 for FY2011 to fund salary and travel expenses for the Jurist in Residence. As an expert consultant, the JIR (currently Senior District Judge John Specia (ret.)) has provided invaluable project assistance to Children’s Commission, DFPS staff, the judicial community, and individual courts and counties. Commission staff is seeking approval to increase the funding in order to recruit more retired judges with CPS experience to work on projects or with communities and jurisdictions seeking to address specific or systemic problems and to improve collaboration with DFPS and other stakeholders.

**9. *Judicial Technical Assistance*** – At its July 16, 2010 meeting, the Basic Committee voted to recommend that the Commission allocate \$20,000 for FY2011 to continue and expand this service, which provides to requesting judges a report that evaluates their jurisdiction’s performance on permanency outcomes as measured by the DFPS data collected due to federal requirements. The federal ACF uses the data to assess and rate how state child-protection systems perform in child safety, permanency and well-being.

This joint project with the Center for Public Policy Priorities resulted from the well-received February 2010 PMC Round Table. Judges may use the data report to help them identify areas for improvement.

### **Training Grant Committee**

The Training Committee met in person on July 14, 2010 in Austin, Texas. The details of this report include the history and ongoing progress of training committee projects. For minutes regarding the full discussion at the July 14<sup>th</sup> meeting, please see the minutes in this meeting notebook.

The grant application for the federal court improvement program Training Grant is due August 30, 2010. The Training Grant is currently in the last fiscal year of a five-year grant.

### **Training Grant Applications / Funding Requests**

#### **Update on FY2010 Projects**

#### **Attorney Education**

**1. *NACC Child Welfare Law Conference*** – The NACC conference is scheduled for October 20-23, 2010, in Austin. This annual conference offers nationally known expert speakers on multi-disciplinary topics related to legal representation in child

abuse and neglect cases. In January 2009, the Commission approved \$100,000 to sponsor the conference; this includes offering scholarships for attorneys to attend the conference as well as formation of a workgroup to work with the NACC to develop the curriculum for the conference. Two commission members, Carolyne Rodriguez and Fairy Rutland, Gerry Williams, General Counsel at DFPS, and commission staff participated in this workgroup. At its March 2010 meeting, the committee approved adding \$20,000 to the budget for this conference for additional attorney scholarships.

Scholarship applications officially began on March 1, and as of July 1, there are 210 approved attorneys. Registration opened on July 8<sup>th</sup> and as of July 13<sup>th</sup>, 75 attorneys registered using the scholarships. There is sufficient funding for approximately 200. DFPS Deputy Commissioner James will deliver a plenary presentation during the conference on disproportionality, an area in which Texas is gaining national recognition. There are 7-8 Texas speakers and/or sessions relating to Texas efforts in legal representation.

**2. Scholarships for Child Abuse and Neglect Track at Advanced Family Law (AFL)** – The committee approved funding of \$10,000 at the January 2010 meeting to provide registration scholarships to attorneys for the day-long Child Abuse and Neglect Track at the State Bar of Texas Annual Advanced Family Law Conference on August 11, 2010. Approximately 40 scholarships were awarded. There is interest in conducting the scholarship project again next year.

**3. Attorney scholarships for conferences (other than NACC or AFL)** – The committee approved \$15,000 at the January 2010 meeting to attend conferences other than the NACC Annual Conference or the Child Abuse and Neglect Track at Advanced Family Law. Commission staff encountered challenges regarding reimbursements to attorneys while attempting to implement this project. The \$15,000 approved at the committee’s January meeting will be available in the FY2011 budget for other projects.

**4. Scholarships for DFPS attorneys to attend NACC annual conference in October or Advanced Family Law (AFL) Child Abuse and Neglect Track in August** Committee members approved \$20,000 to provide scholarships for DFPS attorneys who otherwise would not be able to attend legal training to attend either the NACC or the AFL conference. The Commission approved the budget item at the April 30<sup>th</sup> meeting. Subsequently, DFPS submitted two grant applications for the attorney training -- \$15,000 for NACC and \$5,000 for AFL. At the July 2010 meeting, the committee ratified the award statements.

**5. Trial Skills Training** – This committee approved \$40,000 at the January 2010 meeting to identify and send attorneys to NITA trainings this year to create a cadre of NITA-trained faculty members in Texas. One attorney was sent to the Rocky Mountain Child Advocacy Institute; 2-3 more have been identified to attend NITA’s “train the trainer” training in fall 2010. Commission staff will look into options for trial skills training, including NITA and the ABA. The committee discussed providing basic trial skills training to attorneys in 2011 and developing a Texas law and child/parent advocacy component to roll out in 2012. The committee approved using \$40,000 in FY 2011 to fund trial skills training.

**6. Scholarships for National Conferences** – In FY2009, Training Grant funds were used to send Texas attorneys to a national conference on parental representation in CPS cases. The committee approved FY2010 funding to provide scholarships for future national training conferences, such as the American Bar Association (ABA) Parent’s Attorney Conference or Children and the Law Conference, the National Association of Drug Court Professionals Annual Conference, or the Rocky Mountain Child Advocacy Institute. Due to reimbursement issues, this project was not implemented and FY 2011 funds will not be expended for this project.

**7. Child Welfare Law Certification** – In May 2009, the Texas Board of Legal Specialization approved the application of NACC to offer child welfare law certification to qualifying Texas attorneys. Fourteen Texas attorneys applied for the 2010 certification exam and thirteen of the fourteen attorneys sat for the exam. The application deadline for the 2011 exam is August 15, 2010. The committee set aside \$20,000 to support the one-day training for the certification exam and will discuss at the next committee meeting whether to otherwise support attorneys who apply for certification.

In July, the NACC certified 13 Texas lawyers as Child Welfare Specialists.

**8. Prosecutor Training/Roundtable** – At this time, the roundtable is not under development.

### **Judicial Training**

#### **1. The Texas for the Judiciary (TCJ) conferences in 2010 and 2011:**

The Committee approved awarding funding in the amount of \$531,526.90 to the TCJ to continue providing and supporting judicial education in FY 2011, as detailed below.

**NCJFCJ National Conference on Juvenile and Family Law** – This conference was held March 14-17 in Las Vegas. There were more than 80 applicants for 60 judicial scholarships awarded to attend the conference. In 2011, the NCJFCJ National Conference on Juvenile and Family Law will occur in Reno. The committee approved funding scholarships for judges to attend the conference next year.

**Beyond the Bench** – The Beyond the Bench conference brings together a comprehensive list of stakeholders in the child-protection system from a particular region for a two-day multi-disciplinary training that includes open communication and collaboration, brainstorming, and problem solving as well as discussion of best practices. Stakeholders who participate include judges, prosecutors, CASA, CPS, foster parents, educators, mental health/substance abuse professionals, public health professionals, law enforcement, the Texas Workforce Commission, educators, former foster youth, and parents formerly involved with CPS.

The most recent Beyond the Bench conference was held for Harris County courts April 21-23, 2010 in Galveston. In Harris County, twelve elected judges and twelve associate judges handle CPS cases. In all, 12 teams from Harris County attended, bringing together all family and juvenile courts who hear CPS cases in the county. Over the course of the 2-day conference, teams met to discuss ways to improve the child protection court system in Harris County. Many of the recommendations made by the teams included plans to bring together multi-disciplinary teams in the future to continue discussing issues. A follow-up meeting occurred in Harris County on July 26<sup>th</sup>.

The next Beyond the Bench will occur in 2011 and will target courts in Central Texas. TCJ will get planning underway in FY 2011 for a state-wide Beyond the Bench to occur in 2012.

***Implicit Bias in Judicial Decision-Making*** – This judicial conference, the first of its kind in Texas for child protection judges, took place May 10-11, 2010 in Bastrop. The conference addressed implicit bias in judicial decision-making and tools for judges to use to avoid it. Feedback from the training was extremely positive. The next conference regarding implicit bias in judicial decision-making will be held in 2011.

***Associate Judges Conference*** – This conference occurred July 5-7, 2010 in Austin. This annual conference was for Texas associate judges who hear the bulk of child-welfare cases and included IV-D judges. In 2011, this conference will be combined with the CPS Judges Conference. Commission staff is working with OCA to continue training for the IV-D judges, which may include a track as part of the CPS Judges Conference.

***NCJFCJ Annual Conference*** – This national conference was held July 18-21 in San Diego. TCJ offered approximately 60 scholarships to attend this conference, which covered child protection-related topics. In 2011, this conference will be held in New York City. The committee approved funding scholarships for judges to attend this conference.

***CPS Judges Conference*** – This annual conference, held August 4-6, 2010 in San Antonio, is designed specifically for judges who hear child-protection cases and focuses on best practices and cross-disciplinary issues. Commission staff worked with the Texas Center for the Judiciary regarding curriculum for this conference. During the conference, Ms. Amberboy and Judge Robin Sage demonstrated the new CPS Judges' Bench Book. The committee approved funding the CPS Judges Conference in FY 2011.

#### ***Other Judicial Conferences***

Children's Commission staff was approached by judges interested in attending conferences not included in the TCJ budget or which exceeded TCJ's budget for national conferences in 2010. Judges asked specifically about the NACC conference and the NCJFCJ Child Abuse and Neglect Institute. During the March 2010 meeting, committee members approved funding \$10,000 to send judges to training conferences not covered in TCJ's budget. TCJ broadened the scope of

the language in its FY2011 grant application to include conferences held by national organizations other than the NCJFCJ.

**Judicial Technical Assistance** – In March 2010, the committee approved funding for the Texas Center for the Judiciary to work with experts who may provide judicial technical assistance to improve moving children to permanency. In 2010, judicial technical assistance primarily funded analysis of county-level data, particularly looking at permanency outcomes. The committee approved funds requested by TCJ to continue providing judicial technical assistance in FY 2011.

**Funding for Local Training** – The committee in January approved \$10,000 to help local courts bring expert speakers and trainers to their jurisdictions. Beginning FY 2011, as part of its grant award activities, if commission staff approves a grant application of a court for local training, TCJ will handle reimbursement of approved costs incurred for the training. Funding for local training will be included in the award given to TCJ. The committee approved the use of training grant funding for this project in FY 2011.

**2. Office of Court Administration (OCA) Judicial Education** – The Office of Court Administration's training is usually scheduled in October. The CIP Training Grant funds an annual two-day workshop for CPC judges to cover current multi-disciplinary topics. OCA pushed back the training until spring 2011 because of judicial interest in attending the NACC conference in October 2010. Commission staff is working with OCA on the conference agenda. The committee approved funding of \$30,000 for the OCA Annual Conference in FY 2011.

**3. Drug court Training Workgroup** – In January 2010, the committee approved \$40,000 for family treatment drug court training. A planning workgroup, which includes committee members Judge DuBose, Judge Smith, Judge Garcia, Ms. Cockerham, and Ms. Elias-Perciful, as well as other judges and stakeholders, has held meetings in December 2009, and February, April, and June 2010.

The dates are November 3-4 in Austin. The agenda and speakers are identified. Children and Family Futures is providing technical assistance to plan the training and will fund the attendance of several national speakers. Anticipated attendees are existing drug courts and judges interested in creating family treatment drug courts and possibly substance abuse specialists from DFPS.

#### **New FY 2011 Training Grant Projects:**

**1. Local Jurisdiction Disproportionality Training** – Commission staff will partner with Texas CASA and possibly Casey Family Programs for training and outreach to local jurisdictions regarding disproportionality. The committee approved funding of \$30,000 to be used for local jurisdiction disproportionality training in FY 2011.

**2. Mediation Project** – During June 2009, the Commission sponsored a roundtable on CPS mediations. The roundtable provided a good forum for discussion about mediation issues, including the varying levels of mediator qualifications, training,

and experience. Nationally, the Association of Family and Conciliation Courts (AFCC) group is developing guidelines for child welfare mediation. The standards will not be published for another year but are likely to be adopted by other national organizations. Cynthia Bryant, clinical professor at the University of Texas School of Law Mediation Clinic recently wrote a report on the state of CPS mediations in Texas, including review of how cases are referred to mediation, how attorneys are trained to advocate for their clients during mediation, and when in the case timeline mediations are usually conducted. The report, though comprehensive, drew attention to the lack of data regarding mediations and of guidelines for attorneys, mediators, and judges regarding CPS mediations.

Ms. Bryant and Susan Schultz, Center for Public Policy Dispute Resolution at the University of Texas School of Law and potentially the LBJ School of Public Affairs plan to collaborate in the development of a policy research class of law and/or public affairs students to conduct research and produce a report regarding CPS mediations. The committee approved funding of \$25,000 for a mediation project in FY 2011.

**3. *SBOT CAN Committee Multi-disciplinary Training in FY 2011*** – The State Bar of Texas Child Abuse and Neglect Committee plans to put on a multi-disciplinary conference in FY 2011. The committee approved setting aside \$25,000 in the FY 2011 budget to support this conference.

### **Technology Committee Report**

The Technology Committee met in person on July 29 in Austin.

### **Single Year Technology Grant Projects**

**1. *Legal Representation Study*** – For more information, please see the Basic Committee portion of this report.

**2. *Dallas County Video Conferencing*** – Dallas County has received all equipment. The large screen units have been setup and configured. Judge West and Judge Shannon have video units on their desk and the county is waiting on network drops to install additional units. A protocol for the process is still underway, but to date has not been published.

### **Technology Grants Continued from FY2010:**

**1. *CPCMS*** – At its July 29 meeting, the Technology Committee voted to recommend that the Commission approve funding \$92,000 for FY2011 to the Child Protection Case Management System (CPCMS). The CPCMS project team is currently working on version 2.0 and enhancement-related activities. Four releases are scheduled to rollout between June and September. In 2011, OCA staff will continue to develop and implement future (version 3.0) enhancements and provide support and maintenance to the CPCMS system as necessary.

**2. Distribution of CIP Grant Money to distribute CPCMS to other jurisdictions**– At its July 29 meeting, the Technology Committee voted to reallocate \$100,000 that had been budgeted to help counties and vendors implement CPCMS and hold it in the budget to support activities of the new Education Committee.

**3. National Information Exchange Model (NIEM)** – At its July 29 meeting, the Technology Committee voted to recommend that the Commission approve funding \$5,000 in FY2011 for participation in the NIEM workgroup, which meets once or twice a year to develop and define the Information Exchange Packet Documents (IEPD). The TexDECK project manager and Judge Rob Hofmann have participated in prior meetings.

### **New Technology Grant Projects for FY 2011**

**1. Video Conferencing** – At its July 29 meeting, the Technology Committee voted to recommend that the Commission approve funding of up to \$250,000 for FY2011 to acquire and install video conferencing equipment to facilitate the participation of children who are in out of county placements in their permanency and placement hearings. The project would begin with a focus on the clients who are participating in the Advocacy Inc. Legal Representation Project. The committee voted to add this amendment – that the project allow the Commission to obligate up to \$100,000 to hire someone to formulate a plan and present to the committee at a later date. OCA will hire a contractor to develop and manage the project for one year initially with the option to extend the project for FY 2012.

**2. Data Interface(s) for Data Sharing** – At its July 29 meeting, the Technology Committee voted to recommend that the Commission approve funding \$74,336 in FY2011 to hire a contractor to develop and implement Data Interface(s) for data sharing. Mr. Kennedy reported to the committee on the status of the OCA data interfaces between CPCMS and the Comprehensive Integrated Justice Information Management System (CIJIMS) with the County Information Resources Agency (CIRA) and the 47 participating counties.

**3. Hosting of CPCMS by County Information Resources Agency (CIRA)** – At its July 29 meeting, the Technology Committee voted to recommend that the Commission approve funds for the County Information Resources Agency (CIRA) to Host CPCMS on their servers. For the project, OCA would provide the code and documentation to CIRA. To ensure that the Commission has access to the data, a requirement can be added into the CIRA agreement that specifies they will provide a quarterly report to the Commission.

**4. Improve Network Connectivity at the Child Protection Court Locations** – At its July 29 meeting, the Technology Committee voted to recommend that the Commission approve funding \$160,150 in FY2011 to improve network connectivity at the Child Protection Court Locations with these two conditions: 1) funds be set aside subject to coordination with CIRA; and 2) there is coordination with any other state or federal funded programs already underway in Texas. Committee members discussed the problem of variance in connectivity strength for CPC court staff who use air cards to connect to the internet. Solutions should include non-recurring expenses and efforts

should be coordinated with CIRA's broadband service to ensure that existing service capabilities are optimized.

**5. Temporary Staffing for Data Entry at Child Protection Courts** – At its July 29 meeting, the Technology Committee voted to recommend that the Commission approve funding \$40,000 in FY2011 to hire temporary staff to do data entry of case information into CPCMS at four CPCs. This one-time expenditure will help the court eliminate a current backlog in their data entry and bring them up-to-date.

### **Education Committee Report**

Texas team members at the October 2009 National Judicial Summit developed and adopted a state action plan that included the goals of improving education outcomes for kids in care and keeping foster children closer to their homes. According to national studies, youth in foster care often have poor educational outcomes, especially in comparison with the general child population. Although educational challenges are not unique to foster children, foster children face additional hurdles when trying to succeed academically, including multiple placement and school changes, therapeutic or other needs that must be addressed during school hours, missing school to visit with parents and/or siblings, and in all likelihood, a chaotic educational history prior to entering foster care in the first place. On top of this, foster children who are of school-age find themselves lost in and between two systems – child protection and education – two systems with some overlap but little ongoing and effective communication. Courts and stakeholders informally report that school changes and the subsequent loss of records, credits, services, and support systems greatly hinder the academic success of school-age foster children.

On May 20, 2010, the Supreme Court of Texas signed the *Order Establishing Education Committee of Permanent Judicial Commission for Children, Youth and Families*. Judge Patricia Macias, Commissioner and presiding judge of the 388<sup>th</sup> District Court in El Paso, was named the chair of the committee. The membership of the Education Committee shall reflect the diverse ethnic, gender, legal, and geographic communities in Texas and includes:

- The Honorable Patricia Macias, 388<sup>th</sup> District Court, El Paso
- The Honorable Cheryl Shannon, 305<sup>th</sup> District Court, Dallas
- Judge Rob Hofmann, Child Protection Court of the Hill Country, Mason
- Anne Heiligenstein, Commissioner, the Texas Department of Family and Protective Services, Austin
- Robert Scott, Commissioner of Education, Texas Education Agency, Austin
- James B. Crow, Executive Director, the Texas Association of School Boards, Austin
- Johnny L. Veselka, Executive Director, the Texas Association of School Administrators, Austin
- Joy Baskin, Chair, State Bar of Texas School Law Section, Austin
- Parent's Attorney (yet to be identified)
- Lori Duke, Clinical Professor, Children's Rights Clinic, University of Texas School of Law, Austin

- Estella Sanchez, San Antonio
- Carolyne Rodriguez, Director, Texas Strategic Consulting, Casey Family Programs, Austin, and
- Joe Gagen, Chief Executive Officer of Texas CASA, Austin

The *Order Establishing Education Committee of Permanent Judicial Commission for Children, Youth and Families* directs the committee to:

- Identify and assess challenges to educational success of children and youth in the Texas foster care system;
- Identify and recommend judicial practices to help achieve better educational outcomes for children and youth in foster care;
- Seek to improve collaboration, communication, and court practice through partnerships with the Department of Family and Protective Services, the Texas education system, and stakeholders in the education and child protection community;
- Identify training needs regarding educational outcomes for the judiciary and for attorneys who represent DFPS, children, and parents in child protection cases;
- Seek to develop a collaborative model that will continue systemic improvement of educational outcomes;
- Make recommendations regarding the exchange and sharing of education-related data; and
- Provide the following to the Children’s Commission:
  - 1) Preliminary report regarding the first meeting of the committee and the committee’s structural organization and goals by no later than December 31, 2010;
  - 2) Interim report by no later than August 31, 2011 regarding the progress of the committee; and,
  - 3) Final report by no later than March 31, 2012 regarding the progress of the committee and specific recommendations for further progress.

(To view the order in its entirety, please see:  
<http://www.supreme.courts.state.tx.us/miscdocket/10/10907900.PDF>)

The first meeting of the Education Committee will occur September 30-October 1, 2010, during which time the committee will determine its structure, including sub-committees, and goals.

The Education Committee will receive invaluable technical assistance from Kathleen McNaught, the Assistant Director for Child Welfare at the American Bar Association Center on Children and the Law as well as the Project Director for the Legal Center for Foster Care and Education, a national technical assistance resource and information clearinghouse on legal and policy matters affecting the education of children in the foster care system.

**Strategic Planning Committee**

**Report:** At its April 30 meeting, the Commission directed the three standing committees to review the existing strategic plan and submit their comments or proposed changes to the Strategic Planning Committee that will meet on August 19. The committee is chaired by Harper Estes and membership includes chairs of each committee (Basic - Robin Sage, Technology - Karin Bonicoro, Training - Camile DuBose, Education – Patricia Macias, Legislative – Dean Rucker), Commission Vice Chair Darlene Byrne, and Audrey Deckinga, the DFPS Assistant Commissioner for CPS. A verbal report to the Commission will be delivered at the August 20 meeting. Recommendations from the July committee meetings include:

**Basic Committee Recommendations:**

1. Judicial Leadership/Judicial Education – Possible development of judicial best practices (note: careful evaluation of the approach to any recommendation having to do with training for or establishing standards or judicial best practices is warranted).
2. Examining and weighing in on how judicial resources are allocated to Family Court dockets within a county or jurisdiction.
3. Whether there should be a mandate for special training for CPS judges.
4. Juvenile Justice/Crossover – Issue was proposed, but there was no strong consensus that the strategic plan be amended to include a specific strategy regarding juvenile justice issues or crossover or dually managed youth.
5. Disproportionality – promote efforts to educate judges on the effects of disproportionality in local child protection systems / and state systems.
6. Mental Health – Committee discussed the scarcity of resources to provide mental health services for children in the rural counties. A legislative solution could address the issue by providing scholarships or student loan forgiveness for mental health professionals / social workers who agree to practice in rural areas. Note from Executive Director: Octavio Martinez, Exec Director of the Hogg Foundation has been appointed to the Children’s Commission. Dr. Martinez is interested in collaborating to address the lack of mental health services for foster youth and families. Also, beginning in 2014, Medicaid will cover healthcare services for adults.

**Training Committee Recommendations:**

1. Web-based training for attorneys
2. Partnering with the State Bar of Texas
3. Disproportionality
4. Standards of representation and elevating the area of practice
5. Education issues of foster youth
6. Legal representation issues
7. Judicial education and leadership
8. Judicial Technical Assistance

**Technology Committee Recommendations:**

1. Expanding the Commission's role in identifying areas where the law should be amended or new law created would be beneficial to stakeholders in child well-being.
2. Specific efforts to develop and optimize a relationship with the legislature

### **Education Committee**

At its July 16<sup>th</sup> meeting, the Basic Committee voted to recommend that the Commission approve allotting \$25,000 from the FY2011 Basic Grant to fund member travel expenses and other meeting-related costs. The Education Committee is scheduled to meet in September. The Supreme Court has ordered that the Education Committee shall:

1. Identify and assess challenges to educational success of children and youth in the Texas foster care system;
2. Identify and recommend judicial practices to help achieve better educational outcomes for children and youth in foster care;
3. Seek to improve collaboration, communication, and court practice through partnerships with the Department of Family and Protective Services, the Texas education system, and stakeholders in the education and child-protection community;
4. Identify training needs regarding educational outcomes for the judiciary and for attorneys who represent DFPS, children, and parents in child protection cases;
5. Seek to develop a collaborative model that will continue systemic improvement of educational outcomes;
6. Make recommendations regarding the exchange and sharing of education-related data.
7. Provide periodic reports to the Commission regarding the committee's progress.

**Basic Budget for FY 2011**

**Estimate from 2010 454,971.00**

**CIP Deposit (Approximate) 770,000.00**

**Total Available for 2011 Projects 1,224,971.00**

**APPROVAL**

Opr Budget	55,000.00	_____
JIR	50,000.00	_____
Tx CASA	210,000.00	_____
OCA Judge	20,400.00	_____
TLC	250,000.00	_____
ChildSafe	45,990.00	_____
TRLA	125,000.00	_____
Tarrant County	55,139.00	_____
OCR	50,000.00	_____
OPR	50,000.00	_____
Adoption Day	5,000.00	_____
Advocacy Inc	100,000.00	_____
Lubbock Transition	44,360.00	_____
Bench Book	30,000.00	_____
Round Table	15,000.00	_____
JTA	20,000.00 *	_____
Education Committee Operating Exp	25,000.00	_____
Overhead x12 mo	127,020.00	_____
Supreme Court Services/Support fee	30,000.00	_____

**Total for 2011 1,287,909.00**

**Ongoing for 2012 (62,938.00)**

\*20K for JTA is included in the Texas Center for the Judiciary grant.

### Training Budget for FY2011

<b>Estimated from 2010</b>	<b>554,450.86</b>	
<b>CIP Deposit (Approximate)</b>	<b>565,000.00</b>	
<b>Total Available for 2011 Projects</b>	<b>1,119,450.86</b>	
<b>APPROVAL</b>		
TCJ	531,526.90	
CPS Judicial, Beyond the Bench		
National Conferences, Implicit Bias		
Judicial TA		
OCA Judge Training	30,000.00	
AFL Scholarships	5,000.00	
CWL Certification	20,000.00	
CPS Mediation	25,000.00	
Local Dispro Training	30,000.00	
SBOT Conf	25,000.00	
Trial Skills	40,000.00	
CIP Overhead for 12 months	127,020.00	
<b>Total for 2011</b>	<b>833,546.90</b>	
<b>Ongoing for 2012</b>		<b>285,903.96</b>

**Technology Budget for FY 2011**

**Estimated from 2010** **711,205.48**

**CIP Deposit (Approximate)** **565,000.00**

**Total Available for 2011 Projects** **1,276,205.48**

		<b>APPROVAL</b>
CPCMS Enhancements	92,000.00	_____
NIEM	5,000.00	_____
CIRA Partnership	100,000.00	_____
Video Conferencing	250,000.00	_____
Judicial Connectivity Support	160,150.00	_____
Staffing for Region 2	40,000.00	_____
CPCMS Interface with CIJIMS	74,336.00	_____
Data Project with PPRI to Support Ed Committee work	100,000.00	_____
OCA Project Manager	113,912.00	_____
CIP Overhead for 12 months	127,020.00	_____
<b>Total for 2011</b>	<b>1,062,418.00</b>	
<b>Ongoing for 2012</b>		
		<b>213,787.48</b>

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

**Basic Committee Meeting Minutes**  
**July 16, 2010**  
**Location: AT&T Conference Center**  
**1900 University Avenue**  
**Austin, TX 78705**

**Members in attendance:**

<b>Name</b>	<b>Status</b>	<b>Method Attending</b>
The Honorable Robin Sage	Chair	In Person
The Honorable Elma Salinas Ender	Member	In Person
The Honorable Cheryl Lee Shannon	Member	In Person
The Honorable Doug Warne	Member	In Person
Mr. Joe Gagen	Member	In Person
Ms. Colleen McCall	Member	In Person

**Members not in attendance**

The Honorable Bonnie Hellums	Member
The Honorable Mickey Pennington	Member
The Honorable Peter Sakai	Member
The Honorable Olen Underwood	Member
Ms.Carolyn Rodriguez	Member

**Staff and Guests in attendance**

Ms. Tina Amberboy	Staff	In Person
Ms. Teri Moran	Staff	In Person
Ms. Tiffany Roper	Staff	In Person
Ms. Mari Aaron	Staff	In Person
Mr. David Halpern	Guest/Collaborative Council Member	In Person
Ms. Lisa Thompson	Guest/Development Director – Texas RioGrande Legal Aid	In Person

**I. Call to Order and Roll Call**

This meeting was held at 10:00 a.m. on April 16, 2010, at the AT&T Conference Center in Austin, Texas. Judge Robin Sage, chair, called the meeting to order at 10:01 a.m. The members and guests present introduced themselves. Judge Sage turned the meeting over to Ms. Amberboy.

**II. Adoption of Minutes from April 7, 2010 , meeting**

Minutes from the April 7, 2010 meeting were submitted to the Commission and approved. Judge Sage asked for a motion to ratify the April 2010 minutes, Mr. Gagen made a motion, Ms. McCall seconded, and the motion passed unanimously.

David Halpern joined the meeting

### **III. Review Grant Expenditures/Applications**

Ms. Amberboy provided information for the committee on the projects funded by the Basic grant with the 2010 allocation and expenditures through the end of FY 2010 and the proposed 2011 projects for the committee to consider and authorize for FY2011 at this meeting. Since this is the third year of the funding, all pilot project grant applicants have been informed that this is the last year (by convention the Commission has funded the non-partnership projects for 3 years) in order to make money available for other projects. Some applicants can adjust their projects to allow continued funding, but some will no longer be funded and will need to seek funding from another source and 3 of the current projects will be picked up by sponsoring counties (Travis County will pick up two and Tarrant County will pick up one). The Commission staff will make efforts to assist applicants to secure other funding. She also provided information regarding the 3 partnership grants (OCA, TCJ and CASA). Ms. Amberboy provided an overview of the Basic grant budget.

#### **Grant Applications Continued From FY2010**

##### **CASA**

Mr. Gagen provided information to the committee on the 3 pilot programs to expand CASA's training programs for 2011. He provided detail regarding how the quality of the services to children and parents in the child protection court system are augmented by the funding. Volunteer recruitment in Texas has been increasing, and CASA expects to meet the legislative goal of 1,200 new volunteers by the end of the next fiscal year and now has 6,200 volunteers throughout the state. An update on the existing CASA programs was provided and emphasized the success of the volunteer education training efforts on volunteer retention as well as the benefits of internal staff / supervisory training and the resulting increase in collaboration and sharing of best practices, aligned with CASA's standards.

**ACTION:** Judge Sage asked for a motion to approve funding of \$210,000 for the CASA programs for FY2011, Judge Warne made a motion, Judge Salinas-Ender seconded, and the motion passed.

Mr. Gagen abstained.

##### **ChildSafe**

Ms. Amberboy provided information to the committee on the status of the project. Judge Sakai has provided a letter of support for the program. Issues with personnel have been resolved and the program is successfully serving the participating children and families. Ms. Amberboy will provide the numbers on families served to date to interested committee members. The preliminary evidence indicates that, like the Tarrant County Drug Court, as a problem-solving court this program provides positive outcomes for the families involved in the system. Ms. Amberboy provided an explanation to Judge Sage's general inquiry regarding sufficient funding for the FY2011 funding for individual requests. Ms. Amberboy explained that funds can be transferred from the Technology and Data grants to the Basic grant to cover items that are shared among the programs. Ms. Amberboy also reported to the committee that during a meeting she attended last week in Dallas, she became aware of a consortium of several foundations in Dallas who have expressed interest in funding projects that the Commission deems deserving. The committee returned to the discussion about ChildSafe with regard to measurement of the ChildSafe's success and longevity evaluation procedures. Ms. Amberboy will follow up with ChildSafe upon receipt of their annual report in November.

**ACTION:** Judge Sage asked for a motion to approve funding of \$45,990 for the third year for the ChildSafe program, Ms. McCall made a motion, Judge Shannon seconded, and the motion passed unanimously.

#### **OFFICE OF COURT ADMINISTRATION-JUDICIAL SUPPORT**

Ms. Amberboy provided a history of the project to the committee. The funding has allowed wireless connectivity (air cards / cell phones) for CPC's and their staff who travel extensively in the multiple rural counties within their regions whose courthouses do not have sufficient cell signal strength. The project may move to the Technology grant since many of these courthouses do not have sufficient signal to enable web-connectivity, which is crucial for judges to utilize the CPCMS docket system. The determination will be made in August.

**ACTION:** Judge Sage asked for a motion to approve funding of \$20,400 for the Office of Court Administration-Judicial Support for FY2011, Judge Salinas-Ender made a motion, Ms. McCall seconded and the motion passed unanimously.

#### **TARRANT COUNTY CHALLENGE**

Ms. Amberboy reported to the committee that Tarrant County Challenge will transition to Tarrant County funding in FY2011. The funding requested today will assist with program continuity during the transition phase.

**ACTION:** Judge Sage asked for a motion to approve funding of \$55,139 for the Tarrant County Challenge for FY2011, Ms. McCall made a motion, Judge Salinas-Ender seconded and the motion passed unanimously.

#### **TEXAS FOSTER YOUTH JUSTICE PROJECT**

Ms. Amberboy and Ms. Thompson provided information to the committee on the activities of the program. Ms. Thompson provided details on the history of the project and explained the reasons for the increase in funding request. The funding will enhance the follow-up efforts that provide services to the aged-out youth and youth in the foster care system and fund a printing of the *Texas Foster Youth Guide to Aging Out*, a publication provided to youth and partner agencies throughout the state.

**ACTION:** Judge Sage asked for a motion to approve funding of \$125,000 for the Texas Foster Youth Justice Project for FY2011, Judge Salinas-Ender made a motion, Judge Shannon seconded and the motion. Prior to the vote, the committee discussed options for additional funding; Ms. Amberboy noted that this project will be included in those recommended to the Dallas foundation consortium. The committee noted that the project serves youth statewide and that there will be ongoing need for the services provided. The motion passed unanimously.

#### **OFFICE OF PARENTAL REPRESENTATION**

Ms. Amberboy reported to the committee that the Office of Parental Representation will transition to Travis County funding to cover the bulk of the program expense at the end of this year. The program has the support of the local community, parents and judges. The committee discussed whether the legal representation study should include a recommendation to implement the model statewide. Ms. Amberboy noted that while the Commission cannot specifically make that recommendation, the study report will provide information that will strongly support statewide

implementation of models applicable to cluster counties and rural counties in addition to other urban counties.

**ACTION:** Judge Sage asked for a motion to approve funding of \$50,000 to cover a portion of the FY2011 budget for the Office of Parental Representation, Judge Shannon made a motion, Mr. Gagen seconded and the motion passed unanimously.

#### **OFFICE OF CHILD REPRESENTATION**

Judge Sage provided information to the committee on the amount of funding requested by the Office of Child Representation. As reported for the Office of Parental Representation, Travis County will provide the bulk of program expense for this program at the end of the year.

**ACTION:** Judge Sage asked for a motion to approve funding of \$50,000 to cover a portion of the FY2011 budget for the Office of Child Representation, Judge McCall made a motion, Judge Salinas-Ender seconded and the motion passed unanimously.

#### **TEXAS LAWYERS FOR CHILDREN WEBSITE**

Ms. Amberboy reported to the committee on the status and services provided by this project that facilitate communication networks for judges and attorneys. TLC plans in 2011 include an update of the current website graphics to appeal to a broader professional audience, and make the site available to a multidisciplinary user group. The program will:

1. Add web-based, no cost CLE training for attorneys that will add to the current 3 hour training requirement and focus on more specific areas. The funding will be used to develop and assess the proposed training.
2. Create a Q and A section to provide a resource based on list serve responses and include Charlie Childress' responses to address acceptable responses to specific questions.

The committee discussed possible coordination with CASA's volunteer website. Judge Sage commented on the unsuccessful efforts in the last legislative session to secure a statutory mandate to require maintenance of this service. These efforts will be revisited in the upcoming legislative session and if successful, the project will be eligible for partnership funding through the CIP. The service provides a valuable resources and other funding sources are being investigated.

**ACTION:** Judge Sage asked for a motion to approve \$250,000 for Texas Lawyers for Children Website for FY2011, Ms. McCall made a motion, Mr. Gagen seconded and the motion passed unanimously.

#### **ADOPTION DAY**

Ms. Amberboy reported to the committee on the history of the project activities. It is possible that the funding for this project will continue beyond the conventional 3 year funding period.

**ACTION:** Judge Sage asked for a motion to approve \$5,000 for Adoption Day for FY2011, Ms. McCall made a motion, Judge Salinas-Ender seconded and the motion passed unanimously.

**BREAK** – 11:40 a.m.

Judge Sage reconvened the meeting at 12:02 p.m.

Ms. Amberboy provided two clarifications to the committee regarding the ChildSafe budget figures; the amount of \$45,990 voted on earlier in the meeting is the correct amount; regarding Tarrant County Challenge, the budget handout contained a typo; the amount of \$55,139 was requested and voted on.

**IV. Grant Applications New For FY2011  
ADVOCACY INC. (STUDY OF CPS/TYC POPULATION)**

Ms. Amberboy provided background to the committee on Advocacy Inc. Funding for the project was approved by the committee last year, but the money was returned because additional funds were obtained from private sources (Meadows Foundation and Rees Jones). It was noted that caseworkers are providing positive feedback regarding the program.

**ACTION:** Judge Sage asked for a motion to approve \$100,000 for Advocacy Inc. (Study of CPS/TYC Population) for FY2011, Ms. McCall made a motion, Judge Shannon seconded and the motion passed unanimously.

**LUBBOCK TRANSITION CENTER**

Ms. Amberboy reported to the committee on the status of the project. She noted that Judge Hart will conduct hearings at the transition center and not in the courtroom and the committee engaged in discussion. Ms. Amberboy commented that the Meadows Foundation will provide additional funding. The CIP funds will support the court-related part of the project. Ms. Amberboy responded to a question from Ms. McCall regarding whether an evaluation and feedback for the court component is built in to the application; she will clarify with Judge Hart.

**ACTION:** Judge Sage asked for a motion to approve \$44,360 for Lubbock Transition Center for FY2011, Judge Warne made a motion, Judge Salinas-Ender seconded and the motion passed unanimously.

**EDUCATION COMMITTEE OPERATING EXPENSE**

Ms. Amberboy provided background to the committee on the education committee. The Supreme Court established the committee to study educational outcomes for youth in foster care.

**ACTION:** Judge Sage asked for a motion to approve \$25,000 for the Education Committee Operating Expense budget for FY2011, Judge Salinas-Ender made a motion, Judge McCall seconded and the motion passed unanimously.

**STAFF DIRECTED PROJECTS**

**SUPREME COURT PERMANENT JUDICIAL COMMISSION FOR CHILDREN, YOUTH AND FAMILIES**

Ms. Amberboy reviewed the components of the Commission operating budget for the committee. She provided background to the committee regarding the increase to \$45,000 requested in February. Subsequent to receiving that increase the decision was reached to conduct 3 in-person committee meetings and an in-person strategic planning committee meeting. The associated travel and meeting expenses will require the additional \$10,000 requested at this meeting. Judge Sage spoke in support of in-person annual committee meetings. Ms. Amberboy requested that the committee make corrections to the annotated agenda figures – To-date change approximate expenditure figures to \$43,000 and change the request for FY2011 to \$55,000.

**ACTION:** Judge Sage asked for a motion to approve \$55,000 for the Supreme Court Permanent Judicial Commission for Children, Youth and Families for FY2011, Ms. McCall made a motion, Judge Salinas-Ender seconded and the motion passed unanimously.

### **JURIST IN RESIDENCE**

Ms. Amberboy provided background to the committee on the activities performed by Judge Specia on behalf of the Commission. The committee discussion supported the invaluable service provided by the program.

**ACTION:** Judge Salinas-Ender made a motion to approve the \$50,000 for the Jurist in Residence program for FY2011, Judge McCall seconded and the motion passed unanimously.

### **CPS JUDGES BENCH BOOK**

Ms. Amberboy reported to the committee on the status of the Bench Book. There will be a rollout presentation at the CPS Judges Conference in San Antonio in August. Expense for the contract with Lexis is anticipated for next year's funding request.

**ACTION:** Judge Sage asked for a motion to approve \$30,000 for the CPS Judges Bench Book project for FY2011, Judge Shannon made a motion, Mr. Gagen seconded and the motion passed unanimously.

### **ROUND TABLE MEETINGS**

Ms. Amberboy reported to the committee on the planning for a fall Round Table meeting.

**ACTION:** Judge Sage asked for a motion to approve \$15,000 for Round Table Meetings, Judge McCall made a motion, Judge Warne seconded and the motion passed unanimously.

Judge Sage asked why the Children in Long-Term Care Study/Appleseed and CPS/TYC Workgroup projects have no funding requested for FY2011. Ms. Amberboy explained that this committee oversees these projects and that is the reason they are included on the project list. The CPS/TYC Workgroup has not met recently. Advocacy, Inc. is addressing the issues that were identified. The study on Children in Long-Term Care is due in August. Appleseed has submitted no request for funding.

### **JUDICIAL TECHNICAL ASSISTANCE**

Ms. Amberboy and Judge Sage provided background to the committee on the aggregate data provided to 2 selected counties and how judges can utilize the reports for reference and assessment of areas in need of improvement. Ms. Amberboy will send a letter to courts and include the sample report and invite any interested judges to request the analysis for their county. The committee discussed aspects of the program. Judge Salinas-Ender noted that Judge Gallegos has requested information on the immigration status of children entering the system. Ms. Amberboy commented that CPPP is currently performing analysis of immigration status.

**ACTION:** Judge Sage asked for a motion to approve \$20,000 for Judicial Technical Assistance for FY2011, Judge Salinas-Ender made a motion, Ms. McCall seconded and the motion passed unanimously.

**BREAK FOR LUNCH:** 12:45 p.m.

**MEETING RESUMED** Judge Sage resumed the meeting at 1:40 p.m.

**V. NEW BUSINESS**

Ms. Amberboy will contact Judge Gallegos concerning Judge Salinas-Ender's items for new business.

**VI. COMMITTEE CHANGES**

Judge Sage added Judge Virginia Schnarr to the committee. Judge Warne indicated that he wants to remain on the committee.

**VII. COMMISSION STRATEGIC PLAN**

Ms. Amberboy provided background to the committee on the development of the Strategic Plan and the five goals established. The next Strategic Planning Committee meeting will be held in August. Ms. Amberboy wants this committee to provide feedback on any issues or proposed changes to the plan to take to the August meeting.

**Judicial Leadership/Judicial Education**

The committee engaged in an extended discussion on possible development of judicial best practices and the challenges associated with achieving consistent buy-in from judges. The influence of peers in the judicial community is significant and is a significant factor in setting expectations. Texas judges value independence and careful evaluation of the approach to any recommendation having to do with training for standards or judicial best practices is warranted. Judge Warne wants the issue of how judicial resources are allocated to Family Court dockets within a county or jurisdiction brought to the Strategic Planning meeting. Discussion continued as to whether there should be a mandate for special training for judges who hear CPS cases.

**Juvenile Justice**

The committee discussed the issues associated with addressing juvenile justice from a policy perspective in the strategic plan. The committee acknowledged that the current status does not break the cycle for these youth. Judge Salinas-Ender noted that the legislature's focus on quantifying and tracking statistics results in courts not receiving meaningful services. She is advocating for a specialized judge just to hear juvenile cases in Laredo.

**Mental Health**

The committee discussed the scarcity of resources to provide mental health services for children in the rural counties. A legislative solution could address the issue by providing scholarships or student loan forgiveness for mental health professionals / social workers who agree to practice in rural areas.

**Disproportionality**

The existing plan goals must promote efforts to help judges become educated about disproportionality. The issue must be woven throughout the plan to provide a framework of reference. The Commission is working on data for judges to put the associated issues in context.

**Education Committee**

The Strategic Plan will address the Education Committee goals and issues.

### **Legal Representation**

The committee discussed issues regarding how to include improvements to legal representation in the plan. The pending legal representation study will include suggestions to improve certain areas of representation. There is currently no requirement for attorneys who represent parents to receive specialized training. The Commission will recommend changes in this area. The discussion touched on certification for attorneys and economic issues that influence attorney participation in CPS training. Judge Sage observed that a smaller group of well-trained attorneys will enhance CPS representation.

### **Judicial Leadership**

Judge Sage commented that a joint statement with the conduct commission to provide guidance to judges regarding their off the bench role in child protection issues in their community would be beneficial in encouraging judicial leadership. Mr. Gagen noted that Senator Wentworth offered to introduce a modification to the judicial conduct rule in the last session. The court's general counsel may be able to provide advice as to the current status of the proposed modification. Ms. Amberboy will follow up with Ms. McAfee regarding court rules.

**NEXT MEETING** is scheduled for October 13, 2010 12:00 noon and will be a Conference Call.

Judge Sage adjourned the meeting at 3:02 p.m.

The following chart is included in the minutes for federal grant matching purposes (hourly rates are estimates and may not reflect actual hourly rate of committee members):

**THE PERMANENT JUDICIAL COMMISSION  
FOR CHILDREN, YOUTH AND FAMILIES**

**TRAINING COMMITTEE**

**July 14, 2010, Meeting Minutes  
Children's Advocacy Centers of Texas Training Room  
1501 West Anderson Lane  
Austin, TX 78757**

**Attendees:** Judge Ellen Smith, Acting Chair on behalf of Judge Camile DuBose, Cathy Cockerham, Mari Kay Bickett, Debra Emerson, Pam Parker, Alice Emerson, Barbara Elias-Perciful, Joyce James, Judge Lamar McCorkle, Judge Richard Garcia, Tracy Harting

**Members not in attendance:** Judge Camille DuBose, Fairy Rutland, Shaneka Odom

**Staff:** Tiffany Roper, Teri Moran, Tina Amberboy (afternoon session), Mari Aaron

**CALL TO ORDER**

Judge Smith called the meeting to order at 10:14 a.m.

**OVERVIEW OF CHILDREN'S COMMISSION STRATEGIC PLAN**

The committee members were asked to consider whether the training goals spelled out in the Commission's Strategic Plan have been met and if there were recommendations for the Strategic Planning Committee regarding those goals. Judge Smith reviewed the items noted in the Strategic Plan that most directly relate to the current activities and projects of the training committee: Goal 1 Item #4, Goal 2 Item #1, and Goal 4 Item #2.

**APPROVAL OF MARCH 2010 MEETING MINUTES**

Judge Smith asked for a motion to ratify the March 2010 meeting minutes. Judge Garcia made a motion, Ms. James seconded, and the motion passed unanimously.

**UPDATE ON FY 2010 ATTORNEY TRAINING PROJECTS**

**NACC Annual Child Welfare Law Conference 2010** - The National Association of Counsel for Children conference will be held in Austin on October 20-23, 2010. As of July 1, 210 attorneys were approved for a registration scholarship to the conference and 75 attorneys had registered as of July 13. Applicants have 30 days to register or will lose the scholarship opportunity to the next applicant on the waiting list. Ms. James will deliver a plenary presentation on disproportionality during the conference and several Texas attorneys and/or judges will make presentations during the break-out sessions.

**Child Abuse and Neglect Track at Advanced Family Law** - Ms. Roper reported that 27 applications have been received as of the date of this meeting; the deadline to submit applications is 5:00 p.m. on July 21.

**Attorney Scholarships for Conferences (Not NACC or AFL)** - There are impediments to awarding these scholarships due to state restrictions on reimbursement of individuals who are not commission, committee, or workgroup members. The \$15,000 approved at the January meeting can be rolled over and will be available for projects funded in FY 2011.

**DFPS Attorney Training** - DFPS submitted a grant application for the attorney training; \$15,000 was requested to cover lodging/travel for attorneys who attend NACC and \$5,000 for attorneys who attend Advanced Family Law.

**ACTION:** Judge Smith asked for a motion to ratify the grant award statements. Barbara Elias-Perciful made a motion, Mari Kay Bickett seconded, and the motion passed unanimously.

#### **UPDATE ON TCJ CONFERENCES IN 2010**

**Harris County Beyond the Bench, April 21-23** - Representatives from all nine family courts and the three juvenile courts participated. Participation in the conference improved awareness of docketing and other issues in Harris County. A follow-up meeting is scheduled in Harris County on July 26.

**Implicit Bias in Judicial Decision-Making, May 10-11, Bastrop** - Post-meeting feedback from the administrative judges was extremely positive. Future training on the issue is under consideration in FY 2011.

**Associate Judges, July 5-7, Austin** - The conference received good feedback and was well attended. In FY 2011, this conference will be rolled into the existing CPS Judges Conference.

**NCJFCJ Annual Conference, July 18-21, San Diego** - Approximately 60 judges and others from Texas will attend, including several committee members.

**CPS Judges, August 4-6, San Antonio** - Registration numbers and the agenda are very good. The committee discussed the benefits of the conference and the quality of presentations scheduled, including the roll out of the new CPS Bench Book.

#### **UPDATE ON OTHER JUDICIAL CONFERENCES**

The committee approved funding for judicial scholarships to attend the NACC conference or other conferences not covered by the TCJ FY2010 grant. TCJ broadened the scope of language in its FY2011 grant application to include national conferences or conferences held by national organizations other than the NCJFCJ.

#### **UPDATE ON OCA CHILD PROTECTION COURT JUDGES CONFERENCE**

The scheduling for this conference is moving to Spring 2011 because of the NACC conference. Ms. Roper has been involved in meetings regarding the conference agenda.

#### **UPDATE ON DRUG COURT TRAINING**

The training dates are November 3-4 in Austin. The agenda and speakers are nearly finalized. Children and Family Futures will provide technical assistance to plan the training and will fund

several speakers. The training will include existing family treatment drug courts and courts who are interested in starting one.

## **UPDATE ON OTHER FY 2010 TRAINING GRANT PROJECTS**

**Trial Skills Training** - Ms. Harting provided feedback on Rocky Mountain Child Advocacy Institute and described the process of the training. Judge Byrne will conduct ABA Trial Skills in August that will provide context for comparison.

**Training Grants for Local Jurisdictions** - In FY 2011, this will be included in TCJ grant award because of speaker reimbursement issues.

**Prosecutor Roundtable** - Not currently developed or scheduled.

**Child Welfare Law Certification** – Thirteen Texas lawyers took the certification exam in 2010 and are awaiting the results. The committee discussed NACC certification, the lack of a Texas component, and the need to elevate the standard of practice in the field and the feasibility of developing an alternative.

**ACTION:** Judge Smith asked for a motion to set aside \$20,000 to support Redbook training and discuss expenditures for certification at a later date. Ms. Elias-Perciful made a motion to support Redbook training and have further discussions about how the money should be used at a later date and Alice Emerson seconded. Prior to the vote, a request to clarify the motion on the floor was put forth. Judge McCorkle proposed an amendment that the committee pay for the Redbook training and carry the issue of reimbursing those people who pass the test to the October meeting; Ms. Elias Perciful agreed. Judge McCorkle's motion passed unanimously.

## **CIP GRANT UPDATE**

A one-year grant renewal of the CIP Training Grant is pending before the U.S. Congress. The grant applications are due on August 30, 2010 for FY2011 funding authorization. The estimate of FY2011 funding of \$560,000 is based on previous funding levels.

## **BREAK FOR LUNCH**

Judge Smith announced the lunch break at 11:45 am.

## **MEETING RESUMED**

Judge Smith resumed the meeting at 12:29 pm.

## **FY 2011 TRAINING PROJECTS -- CONTINUING GRANT APPLICATIONS**

### **OCA**

Funding will be used for the annual Child Protection Court Judges conference and to send CPC judges to other child protection related training.

**ACTION:** Judge Smith asked for a motion to approve funding of \$30,000 for OCA training in FY 2011. Ms. James made a motion, Ms. Emerson seconded, and the motion passed unanimously.

## **TCJ**

**Beyond the Bench** - One Beyond the Bench Conference will be held for courts in Central Texas during 2011 and planning will commence for a state-wide Beyond the Bench Conference to be held in 2012.

**Implicit Bias in Judicial Decision-Making** - One conference planned in May 2011.

**CPS Judges** - The Associate Judges Conference and CPS Judges Conferences will be combined in FY 2011 and more family law content will be added to the agenda. OCA may be able to partially fund a IV-D track. The conference is scheduled for July 2011.

**National Conferences** - There will be a reduction on general conference funding, but money remains for judges to attend NCJFCJ and other national conferences.

**Local Jurisdictional Training Grants** - Judges may request reimbursement for speakers coming to their counties for local jurisdiction training. Commission staff will approve the applications and TCJ will handle reimbursement.

**Judicial Technical Assistance** - This includes analysis of county-level data, particularly regarding permanency outcomes. The data helps counties in the state identify areas where they are doing well in addition to areas where additional review is indicated. Funding for this project may cover other judicial expert assistance.

**ACTION:** Judge Smith asked for a motion to approve funding of an award statement to TCJ in the amount of \$531,526.90 in FY 2011. Judge McCorkle made a motion, Ms. Debra Emerson seconded, and the motion passed unanimously.

## **PROJECTS REQUIRING APPROVAL/PLACEHOLDER FOR FUNDING IN FY 2011:**

**Local Jurisdiction Disproportionality Training** - The committee discussed providing funding to local jurisdictions for a disproportionality workshop/Undoing Racism training. Texas CASA and Casey expressed willingness to partner. An undetermined financial contribution may be included.

**ACTION:** Judge Smith asked for a motion to approve funding of \$30,000 for local jurisdiction disproportionality training in FY 2011. Ms. James made a motion, Ms. Bickett seconded, and the motion passed unanimously.

**Mediation Project** - Nationally, the Association of Family and Conciliation Courts (AFCC) group has produced standards for child welfare mediation. The standards will not be published for another year. A recent report on the state of CPS mediations in Texas identified numerous

issues with mediation. More data is needed; a review of county-level data is required before developing best practices. The mediation project will include research and a report conducted by UT Law and LBJ students. The Center for Public Policy Dispute Resolution will apply and be the fiscal agent for the project. The Commission will work with them to assess outcomes/analysis.

**ACTION:** Judge Smith asked for a motion to approve funding of \$25,000 for a mediation project in FY 2011. Judge McCorkle made a motion, Judge Garcia seconded, and the motion passed unanimously.

### **Trial Skills Training**

**ACTION:** Judge Smith asked for a motion to approve funding of \$40,000 to set aside funding for trial skills training in the budget for FY 2011. Ms. Harting made a motion, Ms. Bickett seconded, and the motion passed unanimously

**SBOT CAN Committee Multi-disciplinary Training in FY 2011** - The State Bar of Texas Child Abuse and Neglect Committee plans to hold a multi-disciplinary conference in 2011.

**ACTION:** Judge Smith asked for a motion to approve funding of \$25,000 to set aside funding for multidisciplinary training in the budget for FY 2011. Ms. Parker made a motion, Ms. Harting seconded, and the motion passed.

### **RECOMMENDATIONS TO THE COMMISSION'S STRATEGIC PLANNING COMMITTEE REGARDING TRAINING GOALS**

The committee reviewed the strategic plan and how each of the 5 goals has been implemented. The committee was asked if there are any changes they would like to see with regard to overall strategy. The committee discussed incorporating some of the following into the strategic plan: web-based training for attorneys, partnering with the State Bar of Texas, disproportionality, standards of representation, education issues of foster youth, legal representation issues, judicial education and leadership, and judicial technical assistance. Judge Smith asked the committee to send any ideas on how to beef up current goals to Ms. Amberboy or Ms. Roper to take to the August Strategic Planning Committee meeting.

### **COMMITTEE MEMBERSHIP CHANGES IN 2010**

Judge Smith reviewed the committee purpose and objective. Committee members whose terms expire in 2010 were asked to contact commission staff about interest in continuing on the committee with another 3-year term.

**ACTION:** Ms. Harting made a motion to have 2 foster youth on the Training Committee who will serve 2-year terms that are staggered and Ms. Elias-Perciful seconded. The motion passed unanimously.

### **NEXT MEETING**

The next meeting scheduled on October 26, 2010 at 12:00 p.m. will be a conference call.

**ADJOURN**

The meeting adjourned at 2:20 p.m.

The following chart is included in the minutes for federal grant matching purposes (hourly rates are estimates and may not reflect actual hourly rate of committee members):

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

**Technology Committee Meeting Minutes**

**July 29, 2010**

**Location: AT&T Conference Center  
1900 University Avenue  
Austin, TX 78705**

<b>Name</b>	<b>Status</b>	<b>Method Attending</b>
Judge Karin Bonicoro	Chair	In Person
Ms. Catherine Babbitt	Member	In Person
Ms. Elizabeth Cox	Collaborative Council Member / Guest	Telephone
Mr. Kevin Cox	Member	Telephone
Mr. Jason Hassay	Member	In Person
Mr. Robert Nolen	Member	In Person
Ms. Linda Uecker	Member	In Person
G. Allan Van Fleet	Member	Telephone
Mr. Bryan Wilson	Member	In Person
Ms. D.J. Tessier	Guest	In Person
Ms. Shannon Ireland	Guest	In Person
Ms. Tina Amberboy	Staff	In Person
Mr. Tim Kennedy	OCA Staff	In Person
Mr. Bruce Hermes	OCA Staff	In Person
Ms. Mari Aaron	Staff	In Person

Not in Attendance: The Honorable Gil Jones, Judge Oscar Gabaldon, Ms. Liz Kromrei, Carl Reynolds,

**I. Call to Order**

Judge Karin Bonicoro, chair called the meeting to order at 10:06 a.m.

**II. Roll Call/ Introductions**

Judge Bonicoro called roll and introduced everyone. The committee agreed to review all agenda items among the members present and call for the vote following the review so that the committee members participating in the meeting by telephone could call in for casting of the vote if they were unable to remain on the line for the discussion of individual agenda items. Bryan Wilson confirmed that this procedure was within the meeting rules of the committee and the participation by members voting by telephone constituted a quorum.

**III. Adoption of Minutes**

Judge Bonicoro confirmed that the committee reviewed the minutes and requested any comments.

#### **IV. Review of 2010 Grant Application Project Information**

##### **a. Child Protection Case Management System (CPCMS)**

Mr. Kennedy reported on the status of the CPCMS project to the committee. Currently, the project team is engaged on version 2.0 activities and enhancement-related activities. Four releases are scheduled to rollout between June and September. The committee discussed the functional requirements of the system and the ongoing challenges of developing a system that can integrate with the legacy systems utilized in the 254 counties in Texas. The goal of getting all counties to agree on the same number of functional requirements to track was discussed in relation to the intent to produce standardized reporting. Judge Bonicoro reminded the committee that there are substantial federal dollars linked to case outcomes / CSFR annual review and the committee should consider being a starting-point for statewide coordination. The committee should prioritize the issue and consider adding a 5-year plan to the Strategic Plan.

##### **b. Video Conferencing**

Ms. Amberboy led the discussion with the committee members regarding the project. She reported that the cost was a placeholder at this time pending determination of the actual expenses to ensure a successful implementation of the project and a determination of the most efficient method to utilize the video conference capability. Ms. Uecker commented that Kerr County is utilizing videoconferencing in all courts and courtrooms and she will determine who the grant funding entity is. The committee discussed several factors affecting video conferencing for youth in the system including confidentiality issues and associated technology issues with regard to reliability for connectivity among multiple locations and the need for additional levels of equipment and support. Ms. Ireland will provide a report to Mr. Hermes for reference regarding telemedicine confidentiality information. She and Mr. Hassay agreed to report back to the committee on the confidentiality issue.

**BREAK** – 11:15 a.m.

Judge Bonicoro reconvened the meeting at 11:30 a.m.

##### **c. National Information Exchange Model (NIEM)**

Ms. Amberboy reported to the committee that this data work group meets one or two times each year to develop and define the Information Exchange Packet Documents (IEPD). OCA participation is voluntary. The TexDECK project manager and Judge Rob Hoffman have participated in prior meetings.

##### **d. Distribution of CIP Grant Money**

The Children's Commission may allocate funds to vendors and local entities for the implementation of FRS 2.0 functional requirements or the implementation of the OCA child protection case management system (CPCMS) for improvement of child protection case management. OCA staff will provide technical support and assistance to the Commission for distribution of funds. Following discussion by the committee, the decision was reached to pull back the distribution and reallocate to work that would support the Education Committee, but that the funding would be held in the budget until additional direction for the project can be determined.

- e. **Education Outcomes and Disciplinary Data on CPS/TYC/CIPC School Population**  
Funding for this issue will be considered at a later date when direction / details of a project are more clearly identified.

## **V. Review of 2011 Grant Application Project Information**

### **a. Data Interface(s) for Data Sharing**

Mr. Kennedy reported to the committee on the status of the OCA data interfaces between CPCMS and CIJIMS with CIRA and the 47 participating counties. A report is due to CIRA in August and will include data from 21 of the 47 participating counties. The committee discussed how the other 26 counties are gathering their data and whether there is detail on the parameters. Judge Bonicoro proposed that there could be a funding requirement for CIRA to select specific measures. Mr. Hermes will identify the measures that CIRA requires. Additional discussion addressed maintenance issues (upgrades). To ensure that the Commission has access to the data, a requirement can be added into the CIRA agreement that specifies they will provide a quarterly report to the Commission. **OCA learned following this meeting that CIRA may not pursue grant funding for this project. This item will be included on the agenda for the next meeting of this committee for discussion.**

### **b. Hosting of CPCMS by County Information Resources Agency (CIRA)**

Judge Bonicoro asked the committee to provide a definition of hosting. For the project, the code and documentation is provided to CIRA to utilize in their role as service provider. The funding will enable the build of hardware and start-up expenses to augment the roll-out of CPCMS. Additional discussion addressed maintenance issues (upgrades). To ensure that the Commission has access to the data, a requirement can be added into the CIRA agreement that specifies they will provide a quarterly report to the Commission. **OCA learned following this meeting that CIRA does not plan to request grant funding to host CPCMS. This item will be included on the agenda for the next meeting of this committee for discussion.**

### **c. Improve Network Connectivity at the Child Protection Court Locations**

Judge Bonicoro led the discussion with the committee and addressed the variances in connectivity for air card access used by court staff across the state. The solutions should include non-recurring expenses. Mr. Wilson noted the need to determine if there is coordination with CIRA's broadband to ensure that existing service capabilities are optimized. Mr. Hassay requested coordination with any other state or federal funded programs already underway in Texas.

### **d. Temporary Staffing for Data Entry at CP Courts**

The committee discussed issues pertaining to maintenance of data entry for the child protection courts. This one-time expenditure will assist 4 courts with eliminating a current backlog in their data entry. The idea being that a temporary agency will be hired to provide data entry for Region 2 courts to bring them up-to-date with their data entry.

## **VI. FRS Study V2**

Mr. Kennedy led the committee in discussion on the status of the study and provided a detailed data diagram and guideline information for reference. Judge Bonicoro asked for the committee to vote to adopt the FRS Study V2, Mr. Wilson made a motion, Ms. Babbitt seconded, and the motion passed unanimously.

**VII. Adoption of Minutes from April 8, 2010 Meeting**

**ACTION:** The minutes were approved by unanimous consent.

**VIII. Vote on 2010 and 2011 Grant Application Projects**

**ACTION:** Judge Bonicoro asked for a motion to approve funding of \$92,000 for the Child Protection Case Management System (CPCMS) project for FY2011, Ms. Babbitt made a motion, Ms. Uecker seconded, and the motion passed unanimously.

**ACTION:** Judge Bonicoro asked for a motion to approve funding of \$250,000 for the Video Conferencing project for FY2011, Mr. Van Fleet made a motion, Ms. Babbitt seconded. During discussion by the committee, Judge Bonicoro asked for clarification on the Video Conferencing. Mr. Wilson made a friendly amendment and moved that the motion for improving the Video Conferencing project allow the Commission to obligate up to \$100,000 to hire someone to formulate a plan and present to the committee at a later date, Mr. Nolen seconded. The motion as amended passed unanimously.

**ACTION:** Judge Bonicoro asked for a motion to approve funding of \$5,000 for the National Information Exchange Model (NIEM) workgroup for FY2011, Ms. Uecker made a motion, Mr. Wilson seconded, and the motion passed unanimously.

**ACTION: Judge Bonicoro asked for a motion to approve de-allocation of \$100,000 for CPCMS Distribution and hold aside for Education Outcomes and Disciplinary Data on CPS/TYC/TIPC/School Population pending a determination of direction for the project. Ms. Uecker made a motion, Mr. Hassay seconded, and the motion passed unanimously.**

**ACTION:** Judge Bonicoro asked for a motion to approve funding of \$74,336 for Data Interface(s) for data sharing for FY2011, Mr. Hassay made a motion, Ms. Uecker seconded, and the motion passed unanimously.

**ACTION:** Judge Bonicoro asked for a motion to approve funding of \$100,000 for Hosting of CPCMS by County Information Resources Agency (CIRA) for FY2011, Mr. Hassay made a motion, Mr. Wilson seconded, and the motion passed unanimously.

**ACTION:** Judge Bonicoro asked for a motion to approve funding of \$160,150 to Improve Network Connectivity at the Child Protection Court Locations for FY2011, Mr. Wilson made a motion subject to 2 conditions: a) funds be set aside subject to coordination with CIRA; b) Mr. Hassay's condition that there is coordination with any other state or federal funded programs already underway in Texas. Mr. Hassay seconded Mr. Wilson's amended motion, and the motion passed unanimously as amended.

**ACTION:** Judge Bonicoro asked for a motion to approve funding of \$40,000 for Temporary Staffing for Data Entry at CP Courts for FY2011, Ms. Uecker made a motion, Mr. Hassay seconded, and the motion passed unanimously.

**BREAK FOR LUNCH:** 12:40 p.m.

**MEETING RESUMED:** 1:07 p.m.

## **IX. Committee Changes**

An announcement was made to the committee that Ms. Susan Boone is leaving the Collaborative Council. Ms. Shannon Ireland will assume her place on the Council. Judge Bonicoro added Ms. D.J. Tessier to the Technology Committee.

## **X. Commission Strategic Plan**

Ms. Amberboy led the committee in discussion regarding the Strategic Plan and announced that the next meeting of the Strategic Planning Committee will be held on August 19th. Feedback from the committee was requested that will address strategies that fit within the plan and align with Goal 5. A brief overview of suggestions put forth by the members of the Training and Basic committees was presented. Mr. Hassay commented that an emphasis on coordination of efforts with existing resources is needed. In addition, efforts to develop a stronger relationship with the legislature should be considered. Expanding the Commission's role in identifying areas where the law should be amended or new law created would be beneficial to stakeholders in child well-being. He would like to have an initiative to optimize efforts with the legislature added to the Strategic Plan.

## **XI. New Business**

Ms. Amberboy reported to the committee on the CIP Annual Conference held in Washington, D.C. She confirmed that the additional year of CIP grant funding authorization passed as part of the unemployment benefit extension legislation.

Judge Bonicoro led a discussion with the committee on hosting a website for children who are aging-out of foster care. There is a need for transition center websites in the state of Texas to provide current information to effectively serve this aging-out population and to include updated resource directories. Coordination of hyperlink posting is underway by DFPS. The benefit of coordinating information that results in no-cost solutions to this issue was discussed in addition to ongoing efforts to promote web-based notification and outreach.

Ms. Amberboy provided an update to the committee on Permanency Care Assistance (PCA) that will become effective on October 1.

**Next Meeting:** An announcement of the next meeting will be sent to the committee.

Judge Bonicoro adjourned the meeting at 1:50 p.m.

The following chart is included in the minutes for federal grant matching purposes (hourly rates are estimates and may not reflect actual hourly rate of committee members):

## COLLABORATIVE COUNCIL REPORT – AUGUST 20, 2010, MEETING

### I. Update on Texas Lawyers for Children

Texas Lawyers for Children (“TLC”) created and operates an online resource center (the “Online Center”) for Texas judges and attorneys handling child abuse cases. The Online Center, which receives funding from the Commission, includes a wealth of legal, medical, and psychological materials covering more than 1100 topics and also provides private, secure communication tools for judges and attorneys, respectively, to discuss pertinent issues and share their expertise.

#### **New Services and Features for the Upcoming Year**

TLC is seeking funding from the Commission to continue operating the Online Center, as in the past grant periods, and to add new services and features which would include, among others:

- **Add Video Streaming Functionality and the Ability to View Online CLE Programs and Other DVD or Video Programs:** TLC will create the functionality that would allow online viewing of such programs. This functionality will be completed by the end of the new grant period. In the current economy, funds for travel to legal training conferences are extremely limited. Creating a way to view child abuse training programs online would ensure that legal professionals in the child abuse field have more affordable access to training and would open the doors for many new training opportunities for those who can no longer afford to travel to live training programs. Making training accessible is of paramount importance in the child abuse field, where budgets were already tight even before the economic downturn.
- **Add Communication Tools for Attorneys Handling Juvenile Delinquency Cases:** TLC will add an email network, document vault, and discussion board to the Online Center for attorneys handling juvenile delinquency cases. This would enable attorneys who represent abused children/youth who are also involved in the juvenile justice system to share their ideas and strategies on how to best meet the needs of these vulnerable youth. TLC will invite attorneys with special expertise in this area, such as the attorneys from Advocacy, Inc., who are working on the Commission’s project of representing these youth who are dually managed in both systems, to share their expertise and insights with others in the field, and thereby bring their knowledge and special skill to attorneys throughout the state.
- **Create Email Networks for Multidisciplinary Groups:** TLC will create up to 10 email networks that can be used without logging into the Online Center by multidisciplinary groups that help abused children. This would facilitate greater collaboration among all professionals involved in the child protection system and would enable a larger pool of professionals working to protect children to provide input and share ideas on court improvement. It would also enable those in the child protection system to create new approaches and solutions by giving them the opportunity to brainstorm with each other to solve problems. For example, TLC just launched an email network for the participants of a recent training on “Undoing Racism” sponsored by Casey Family Programs and the Children’s Justice Act Project. Providing a way for participants to have ongoing dialogue as a group about what they learned and how they are incorporating it into their work will allow them to generate more new ideas than they otherwise would have because they can hear what others are doing to combat racial disproportionality in the child welfare system.

- **Add New Resource Type -- Questions and Answers:** TLC will create the functionality for a new resource called "Questions and Answers". TLC will select 15 of the past Colleague Connection—Attorney email strings which contain relevant information. Those emails would have identifying information redacted, then be integrated into the topical search system, and placed into the new category "Questions & Answers" in TLC's resource section so that the information would then be pulled up when attorneys search by topic or by this resource type. This would increase the number of attorneys with access to this key information and would provide attorneys with practical expertise when they are researching related topics. For example, noted family law specialist Charles Childress answers some of the more difficult questions that arise in the email network, and this new feature would ensure that his expertise is available to more attorneys needing expert guidance.

## **II. Children's Advocacy Centers of Texas, Inc.**

CACTX officially launched their first ever statewide public awareness campaign focused around the issue of child sexual abuse and the vital role CACs play in providing services to these most vulnerable victims. The "One With Courage" campaign began statewide on August 10. A seed grant from the Office of the Attorney General provided start up funding for the project and helped secure generous corporate sponsorship from Blue Cross Blue Shield of Texas and Blue Bell Creameries. Time Warner Cable and CBS Outdoor have provided media sponsorship through in kind donations. The campaign will run through the Thanksgiving holiday and will utilize cable, radio, internet banner advertising, billboards and print media

**Permanent Judicial Commission on Children, Youth & Families**  
**Strategic Plan**  
**2008-2011**

The mission of the Permanent Judicial Commission for Children, Youth & Families is to strengthen courts for children, youth, and families in the Texas child-protection system and thereby improve the safety, permanency, and well-being of children.

**Goal 1: Promote judicial leadership to improve the administration of justice in child protection cases.**

1. Encourage each jurisdiction to designate judges who are committed to ongoing improvement in the administration of justice in child protection cases.
  - a. Increase awareness about the need for judicial leadership in child protection cases.
  - b. Develop strategy for designating child protection judges that assures on-going improvement in the administration of justice in child protection cases.
2. In each jurisdiction, encourage judges to be leaders of collaboration among partners in the child protection community, including, when appropriate, development of needed services for children and families.
3. Investigate a Model Court designation to recognize and exemplify judicial leaders in child protection cases.
4. Develop and promote training for judges responsible for child protection cases that includes:
  - a. A “Beyond The Bench” multidisciplinary approach for judges and their partners in the local child protection community.
  - b. Effective judicial leadership and administration of justice in child protection cases.
  - c. Substantive legal issues and related significant issues affecting child protection cases.
  - d. The use of data and case management tools to inform judicial practice.

**Goal 2: Identify and promote best practices to improve outcomes affecting safety, permanency, and well-being in child protection cases.**

1. Develop and deploy on request a team of judicial experts to provide technical assistance for local courts.
2. Identify and promote best practices for courts that are responsible for child protection cases.
  - a. Identify and promote efforts of courts to use family-friendly facilities.
  - b. Identify and promote efforts of courts to use current technology, such as videoconferencing, that reduce costs and improve access

- to courts for children, litigants, and witnesses in child protection cases.
- c. Identify and promote efforts of courts to use alternative dispute resolution in child protection cases.
3. Develop and deploy a Bench Book for judges to implement best practices.
  4. Identify and make available legal resources and related information that supports effective judicial decision-making and effective representation of litigants in child protection cases.
    - a. Provide access to existing useful electronic resources to judges and lawyers in child protection cases.
    - b. Create and disseminate new information to assure that judges and lawyers remain abreast of cutting-edge legal issues.

**Goal 3: Improve awareness about the need to strengthen courts for children, youth, and families in child protection cases.**

1. Collaborate with the executive and legislative branches and with partners in the child protection community to strengthen courts that are responsible for child protection cases.
2. Improve awareness and involvement among the judiciary and the Bar, through traditional judicial and legal publications and electronic media.
3. Improve awareness and involvement among the business community and the philanthropic community.
4. Develop a marketing strategy to create and promote a consistent approach to improving awareness to all groups.
5. Create and maintain a user-friendly website to provide information about the work of the Commission to the public.

**Goal 4: Improve the quality of legal representation in child protection cases.**

1. Resolve barriers to timely appointment of counsel for parents and children in child protection cases.
2. Develop and promote continuing legal education on child protection issues for attorneys who represent the Department, parents, and children in child protection cases.

**Goal 5. Promote accountability for improvements in courts that administer justice in child protection cases.**

1. Require that improvements proposed and adopted in Texas courts that are responsible for child protection cases be evidence-based, data-driven, and outcome-focused.
  - a. Require that any efforts funded by the Commission are documented and that measurable outcomes are reported.
  - b. Foster collaboration with law schools, medical schools, and higher education institutions to identify, support, and document improvements in the administration of justice in child protection cases.

2. Support and promote the use of consistent case data and case management by courts responsible for child protection cases, including data on needed but unavailable services.
3. Support and promote the use of outcome measures to improve courts responsible for child protection cases.
4. Oversee the administration of designated funds, including the Court Improvement Project grants, and maximize federal funds available for court improvement in child protection cases.
5. Investigate the creation and funding of a separate foundation to strengthen and improve the administration of justice in child protection cases.
6. Provide an annual progress report to the Supreme Court.