



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

Senate Interim Charge Hearing
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- Fostering Connections Act and its impact on Texas Judges Handling Child Abuse & Neglect Cases
 - FCA is aimed at achieving better outcomes for children and youth who are at risk of entering or have spent time in foster care.
 - Extends federally funded assistance to age 21
 - Mandates the development of a transition plan for youth aging out of foster care
 - Provides assistance to enable more children to exit care to live permanently with relatives who become legal guardians
 - Requires states to make reasonable efforts to place siblings together
 - Requires states to notify relatives when children and youth are removed
 - Requires states to ensure children and youth in foster care, guardianship or adoptive families are attending school and can remain in their school of origin

- What impact do courts have?
 - Overall, courts serve as powerful conveners of multiple systems to facilitate communication and coordination among agencies, youth, lawyers, and interested parties to ensure elements of the act are implemented timely and appropriately.
 - Courts set expectations about permanency and transition planning, involvement of youth and family, and compliance with the law.
 - Courts help ensure:
 - proper handling of programs such as Permanency Care Assistance,
 - sibling connections are maintained,
 - education needs / services are being provided,
 - notice to family members is provided, and
 - extend jurisdiction beyond age 18 when appropriate.

□ In Texas

- 26,000 kids in legal custody of DFPS (Permanent and Temporary Managing Conservatorship) on any given day.
- 90,000 child abuse and neglect hearings a year.
- 4 to 6 judicial reviews before exiting Temporary Managing Conservatorship.
- Once child enters Permanent Managing Conservatorship, 2 judicial reviews or more each year until the child permanently exits foster care.

Permanency Care Assistance Program:

- Increases options for permanency for youth (a stable, safe, permanent relationship)
- Reduces judicial resources required to oversee PMC cases as judges must ensure:
 - the caregiver is verified
 - the child has been placed with the verified kin at least six months following the date of the verification
 - DFPS has verified that reunification and adoption are not appropriate permanency options for the child
 - DFPS and the kin have signed a PCA agreement and it is on file with the court prior to the award of PMC to the caregiver
- Each judge hearing child abuse and neglect cases in Texas will receive a Q&A about PCA via the Children's Commission's Jurist in Residence Letter

Education Stability and Attendance:

- Education is of critical importance. FCA requires the child welfare agency to ensure educational stability by:
 - Including in the child's case plan assurances that the placement takes into account the appropriateness of the current educational setting and the proximity to the school; and
 - Requiring the Child Welfare Agency to coordinate with appropriate local educational agencies to ensure that the child remains in the school in which the child is enrolled at the time of the placement, unless it would not be in the child's best interest
- Children's Commission Education Committee
 - Being formed in response to plan adopted by state leadership who attended National Judicial Summit in October 2009
 - Committee will work with DFPS and other stakeholders to implement Fostering Connections Education Stability and Attendance portion

- Commission supports implementation of FCA and other requirements of the Texas Family Code in addition to promoting good judicial practice via
 - Jurist in Residence Letters, which are in the form of a Q&A about specific topics such as PCA, sibling placement, and notice to families
 - Sponsorship, planning, facilitating and attending several different judicial training events each year focused on child protection issues. Texas judicial training is now done in partnership with the child welfare agency
 - Conduct workgroup and Round Table meetings with stakeholders to address specific issues that have statewide impact, such as children in foster care who may not exit the system with a good permanency option.



Children's Commission Collaboration and Project Highlights from 2009

- **Committee or workgroup meetings and conference calls were held with over 100 stakeholders**
- **Over 855 collaborative hours claimed for in-kind match**
- **Helped improve judicial and CPS oversight of dually managed youth in Texas**
- **Partnered with Appleseed to focus on kids in long-term care (kids in PMC)**
- **Funded and helped launch cutting-edge technology for court case management**
- **Initiated work on a web-based, interactive CPS Bench Book**
- **Helped improve the quality of legal representation through attorney training**
- **Engaged in a comprehensive study of legal representation in CPS cases**
- **Helped introduce the issue of Disproportionality and implicit bias in judicial decision-making to Texas judiciary**

Court Improvement Project Funds Provide Service to the Community

- **2,475 attorneys and judges served through at least one CIP funded project or training event**
- **586 guardians ad litem (CASA) served through at least one CIP funded project or training event**
- **167 + collaborative agencies participated with Commission and subgrantees**
- **876 county and court personnel, foster youth, school personnel, CPS caseworkers, and community partners served through at least one CIP funded project or training event**
- **418 parents and children served through at least one CIP funded project aimed at this population**
- **60 training events funded with CIP dollars**
- **9,962 Continuing legal or judicial education hours earned by attendees in 2009**



Children's Commission is Raising the Profile of Child Abuse and Neglect Issues

- **Published two annual reports for the year ending 12/31/08.**
- **Published a periodic newsletter called *Better Courts for Kids*.**
- **Developed a Jurist in Residence Letter for judges to help deal with specific issues related to child abuse and neglect cases.**
- **Published an article for the *Texas Bar Journal* entitled "Protecting Texas' Future" that highlighted the work of the Commission.**
- **Published an article for the 2009 Future Trends in State Courts entitled "Commissions Collaborating for Children."**
- **Created an informational video to highlight the Commission's existence, promote ways to strengthen courts that hear child abuse and neglect cases, and encourage support for the mission to improve outcomes of safety, permanency and well-being for foster youth.**
- **Assisted with planning of and hosted the Third National Judicial Leadership Summit for the Protection of Children.**

Brief Overview of DFPS Legal Case Timeline

Day	Legal Event
■ 0	DFPS appointed TMC
■ 14	1st Adversary Hearing
■ 60	Status Hearing
■ 180	1st Permanency Hearing
■ 300	2nd Permanency Hearing
■ Between 300 and 365+	Trial/Final Order*
■ 1st Monday after Day 365+	Dismissal Date; trial on merits commenced unless dismissal date extended
■ Between 365 and 540	Trial/Final Order if dismissal date extended*
■ 420	3rd Permanency Hearing
■ 540	Final Dismissal Date
■	*IF CHILD REMAINS IN FOSTER CARE, HEARINGS, CALLED PLACEMENT REVIEW HEARINGS TO DISTINGUISH THEM FROM PERMANENCY HEARINGS, MUST CONTINUE AT LEAST EVERY 180 DAYS, AND IN SOME CASES MORE FREQUENTLY FOLLOWING THE FINAL ORDER.