

Supreme Court Hearing: Creating a Commission to Strengthen Child-Protection Courts

The Supreme Court of Texas will consider public comment at a hearing on Tuesday, **September 25, 2007, beginning at 9:00 a.m.** concerning the creation of a permanent judicial commission to help child-protection courts better serve children, youth and families in the foster-care system. The hearing will be held in the **Supreme Court Courtroom, 201 West 14th Street, Austin, Texas 78701.**

Foster care protects children who are not safe in their own homes due to abuse or neglect. On any given day in Texas, approximately 20,000 children live in foster care, with more than 4,000 waiting to be adopted.

“As gatekeepers for families in crisis, courts play a critical role in ensuring these children’s safety and well-being, and seeing that they find permanent homes,” said Justice Harriet O’Neill, the Court’s liaison to the Supreme Court Task Force on Foster Care, which oversees federal court-improvement funds. “Stable kids become responsible adults, but those who fall through the cracks too often wind up in prison or on the streets.”

No child enters foster care, leaves foster care, or does anything significant in between, without a court order. A judge decides when a child should be removed, where the child will live, with whom, and for how long. While the child is in foster care, a judge decides whether he or she will be allowed to see siblings and other family members, how often, and under what circumstances.

“Clearly, courts have a profound impact – and the stakes are exceedingly high,” said Justice O’Neill.

Unlike other cases that follow the traditional adversarial process, child-protection cases require a collaborative, multi-disciplinary approach. Attorneys need specialized training not only in child-welfare law, but also in other areas such as substance abuse, domestic violence and mental illness. And courts must be equipped to respond in a manner that respects the family’s needs while mindful of the child’s need for timely resolution.

Last year, the Court appointed child-protection experts, and community and bar leaders, to advise the Court on the feasibility and structure of a statewide commission. This Consultative Group recommended a commission that would oversee a comprehensive court-improvement effort and foster collaboration among the many stakeholders. The group’s report can be viewed at www.supreme.courts.state.tx.us/cip/tfhome.asp.

The September 25 hearing has been set to gather further public comment. Participants in the child-protection system, and national and state leaders, have been invited to share their knowledge and views on the potential for such a commission. This historic hearing will take place before the Court begins hearing cases in the new term, emphasizing the important role courts play in the lives of children, youth and families in the child-protection system.

If you would like to testify at the hearing or submit written comments, please take a moment to register online at: <http://www.supreme.courts.state.tx.us/cip/onlineform/form.asp>.