

**TEXAS COURT IMPROVEMENT PROGRAM (CIP)**

**BASIC GRANT APPLICATION**

**AUGUST 1, 2007**



By  
The Supreme Court of Texas  
Court Improvement Program  
201 W. 14<sup>th</sup> Street  
Austin, Texas 78701



# The Supreme Court of Texas

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Re: Court Improvement Program Fund Basic Grant Application  
Log No. ACYF-CB-PI-07-09

Dear Ms. Lloyd:

I am pleased to request Federal Fiscal Year 2007 funding for the Texas Court Improvement Program Basic Grant.

This letter also serves as an assurance that the Supreme Court of Texas, through the Supreme Court Task Force on Foster Care, will develop and implement a strategic plan of the programs and activities conducted under the grant.

Sincerely,

A handwritten signature in cursive script that reads "Wallace B. Jefferson".

Wallace B. Jefferson  
Chief Justice

WBJ/tda



## TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

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RE: Court Improvement Program Basic Grant  
ACYF-CB-PI-07-09

Dear Ms Lloyd:

I am pleased to write this letter of support assuring the Texas Department of Family and Protective Services' (DFPS) meaningful and ongoing collaboration with the Texas Supreme Court Task Force on Foster Care. DFPS and the Task Force, in cooperation with the Texas Center for the Judiciary, will identify and work toward shared goals and activities aimed at increasing the safety, permanency and well-being of children in the Texas child welfare system. This on-going collaboration will include scheduling and participating in meetings between the Task Force and DFPS, establishing concrete goals, monitoring and evaluating progress toward the achievement of goals, and jointly creating timelines for goals. The Basic Grant goals and activities submitted herewith are reflective of the collaboration that has occurred throughout the grant application process and that will continue during the period of any grant award.

DFPS supports this grant application and welcomes the opportunity to engage in this on-going collaborative process that will result in institutional and infrastructural changes that lead to measurable improved outcomes for the children and families Texas is serving.

Sincerely,

Joyce James  
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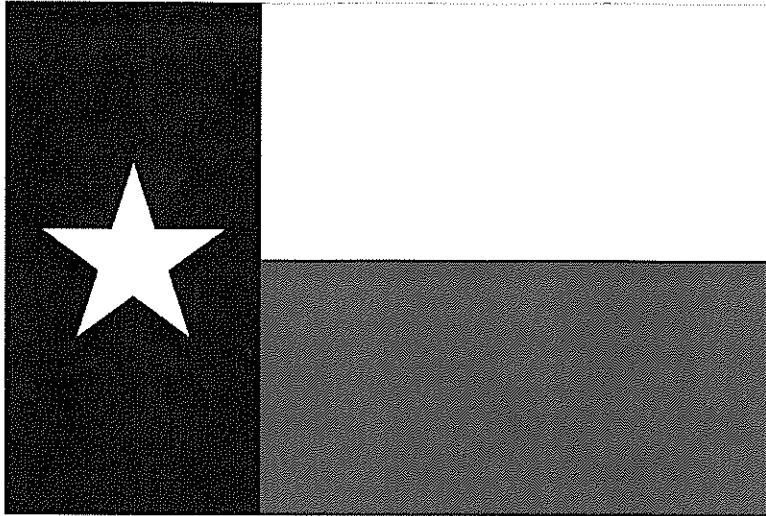
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**TEXAS COURT IMPROVEMENT PROGRAM (CIP)  
BASIC GRANT APPLICATION  
NARRATIVE & STRATEGIC PLAN**

**AUGUST 1, 2007**



By  
The Supreme Court of Texas  
Court Improvement Program  
201 W. 14<sup>th</sup> Street  
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## **I. INTRODUCTION**

The Texas CIP began with the federal program's inception in 1993. The Supreme Court of Texas (Court) appointed a multidisciplinary Task Force on Foster Care ("Task Force") in 1994 to serve as an advisory body and to provide oversight to the CIP. The Task Force membership includes a wide array of stakeholders, including representatives from the Texas Department of Family & Protective Services (TDFPS), the University Of Texas School of Law, Texas CASA, the judiciary, the Court, the State Bar of Texas, and the Texas District and County Attorneys Association. The Honorable Harriet O'Neill, Associate Justice of The Supreme Court of Texas, serves as the Court's liaison to the Task Force.

The Basic CIP, Training, and Data Grants, and the active involvement of the existing staff for both the Court and the Office of Court Administration (OCA), have created the critical mass necessary for ambitious court improvement efforts. Community stakeholders have been actively involved in resolving transition and governance issues while also engaging the broader community of stakeholders, including Texas' three federally recognized Indian Tribes.

Efforts are underway in Texas to create a Permanent Judicial Commission for Children, Youth and Families (Judicial Commission). In May 2007, the Court hired an Executive Director for the Task Force who will serve as the Executive Director of the Judicial Commission once it is formed. The Court anticipates that the Judicial Commission, which will be launched in September 2007, will be the Court-appointed body responsible for overseeing all three of the CIP grants. Many of the Task Force members will continue their highly valued, collaborative involvement in the new Judicial Commission.

The approximately \$2.2 million in Basic, Training and Data grant funds will be used to address the unique challenges faced by courts that serve to protect children and reunite families.

Specifically, the Basic CIP Grant will continue to fund broad, statewide efforts that support the goals of improving safety, permanence, and well-being for children in the child welfare system.

Since September 2005, the Texas Center for the Judiciary (Texas Center), a non-profit organization, has been the grant administrator for the CIP grants pursuant to an agreement with the Court. The 80th Legislature recently changed the Court's method of finance to include CIP in the Court's budget. The change in the Court's budget necessitates that the Court transfer the administrative duties for the CIP grants from the Texas Center to an in-house function.

A Transition Team appointed by the Chief Justice of the Court recommended that the Court hire CIP Staff and implement a transition plan that includes transitioning the CIP administrative duties from the Texas Center at the end of the Federal fiscal year, September 30, 2007. The Court's CIP will receive FY2007 grant funds on October 1, 2007, and the Texas Center will transfer the surplus FY 06 funds on January 01, 2008, to complete the transition. In addition to hiring an Executive Director, the CIP will be staffed with a Grants Administrator, a Financial Officer, and an Executive Assistant under the direction of the Executive Director. The Court also relies on the Staff Attorney for Children and Families and the Court's General Counsel for advice about the CIP.

## **II. THE STRATEGIC PLAN FOR USE OF FY 2007-2011 FUNDING**

### **(1) Overview of the Basic CIP**

Texas may have the single most fragmented assemblage of trial courts in the U.S. There are 231 judges in Texas who hear child protection cases for 254 counties across a staggering diversity of institutional arrangements, legal cultures, and political climates. The CIP Basic grant is an invaluable tool available to the Supreme Court and to the State to affect systemic and behavioral changes in the way child welfare cases are handled by the many professionals and families involved in child abuse and neglect cases.

Per CIP Basic Grant requirements, Texas has conducted periodic CIP Assessments and Reassessments. Texas' original CIP Assessment was conducted in 1995 and the first CIP Reassessment followed in 1999. The latest CIP Reassessment, conducted in 2005, was designed to evaluate Texas courts' overall handling of child abuse and neglect cases and progress towards meeting goals and standards for the timeliness and quality of such court proceedings set by relevant federal and state statutes, national guidelines, and state program improvement plan commitments. The 2005 CIP Reassessment identified current challenges, progress made, pending considerations, and opportunities for improvement.<sup>1</sup>

Texas underwent its first Child and Family Services Review (CFSR) in 2002, and on April 1, 2003, Texas' Program Improvement Plan (PIP) was approved. In 2003, a Title IV-E Foster Care Eligibility Review was conducted and Texas was found in substantial conformity. No Title IV-E PIP was required, however, suggestions were made regarding child specificity and relevant findings in court orders. Texas' most recent Title IV-E Foster Care Eligibility Review was conducted in 2006, and again, Texas was found in substantial conformity. No Title IV-E PIP was required, however, again, suggestions were made regarding child specificity in court orders. The Strategic Plan also includes objectives, activities, responsibilities, outcomes, and indicators to address the requirements of the Federal Program Instructions under ACYF-CB-PI-07-03, ACYF-CB-PI-07-09, and includes references to the CIP Data Collection and Analysis and the CIP Training Grants where appropriate.

### **(2) Issues of Focus for the Basic CIP**

#### **CIP Reassessment Recommendations, CFSR/PIP, and Program Instructions**

The items listed represent recommendations from the most recent CIP Reassessment, the 2002 CFSR and resulting PIP, the 2003 and 2006 Title IV-E, and resulting suggestions, as well as Program Instructions ACYF-PI-07-03, and ACYF-PI-07-09.

#### **CIP REASSESSMENT**

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<sup>1</sup> CIP Reassessment is on file with the Supreme Court of Texas

- 2.1 Assess the impact on counties of Texas Family Code Section 107.013(a), effective September 1, 2005, requiring attorneys *ad litem* for indigent parents who appear in opposition to DFPS' request for Temporary Managing Conservatorship of child.
- 2.2 Limit the number of referrals / investigations / services for a family before their case is brought to the courts attention.
- 2.3 Assess the impact of Texas Family Code Section 263.401, effective September 1, 2005, requiring a finding of extraordinary circumstances for a case to exceed 12 months.
- 2.4 Investigate methods to achieve better and more-timely involvement of non-custodial fathers and their families.
- 2.5 Provide more timely notice and service to non custodial parents, and to incarcerated parents thereby creating opportunities to participate in the child welfare case.
- 2.6 Continue to improve the timeliness of proceedings, including more timely submission of family service plans and more timely and thorough review of plans with parents.
- 2.7 Further increase the consistency and full compliance with statutory requirements and application of best practices.
- 2.8 Balance timely decisions for children and realistic timeframes for parents with substance abuse problems to satisfy their service plan requirements.
- 2.9 Facilitate timely access to services such as drug treatment screening, and placements for parents in treatment programs.
- 2.10 Assess the geographic distribution of foster care and treatment resources against the distribution of children and families requiring services to identify foster care and treatment needs.
- 2.11 Develop a program for judges actively training and experienced in child welfare cases to share their expertise with colleagues in their regions or from similar counties.
- 2.12 Develop a webpage that offers judges, prosecutors, attorneys ad litem, CASA, and parents an overview of the many resources addressing different aspects of child welfare cases.
- 2.13 Promote the establishment of a nonprofit organization to mentor parents involved in child welfare services cases.
- 2.14 Conduct statewide discussion with other stakeholders to identify / develop new tools, practices, etc., that shift workloads away from areas where limited resources create bottlenecks in the process.
- 2.15 Consider establishing a 24 hour hotline for children in foster care.
- 2.16 Develop a stronger relationship with representatives of Native American Tribes in Texas.

#### **CFSR/PIP & TITLE IV-E**

- 2.17 From PIP – P1: Stability of foster care placements (deemed inadequate due to multiple placements being excessive or unnecessary); P1: Permanency inadequate because the permanency goals were inappropriate or not established in a timely manner; P1: Adoption Standards, failed to meet in last CFSR.<sup>2</sup>
- 2.18 From 2003 PIP – Well-being data is not reviewed on a statewide basis. Rather, it is determined from case file review. The 2003 PIP projected 80% conformity by

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<sup>2</sup> Permanency Issues & CIP Strategies included under Tab A

March 2005 in the following areas: Needs and services of child, parents, and foster parents; Child and family involvement in the case plan; Caseworker visits with child; and Caseworker visits with parents.<sup>3</sup>

- 2.19** From 2003 and 2006 Title IV-E Reviews. The 2003 Title IV-E Foster Care Eligibility Review found every case to be in compliance. It identified court-related strengths, including timely and more frequently than required reviews and court orders; well written, child specific court orders; close coordination between the CIP, the DFPS and the judiciary; and a robust Statewide Automated Child Welfare Information System (SACWIS). The 2006 Title IV-E Foster Care Eligibility Review again found every case to be in compliance.

#### **PROGRAM INSTRUCTIONS**

- 2.20** **ACYF-CB-PI-07-03** – Public Law 109-239, **amending SSA 438(a)(1)(E)**, requiring courts to assess their effectiveness in carrying out state laws affecting the Interstate Compact on the Placement of Children.<sup>4</sup>
- 2.21** **ACYF-CB-PI-07-03** – Public Law 109-239, **amending SSA 438(b)(1)**, requiring a rule ensuring that foster parents, pre-adoptive parents, and relative caregivers of a child in foster care are notified of ANY proceedings held with respect to the child.<sup>5</sup>
- 2.22** **ACYF-CB-PI-07-09** – undertake activities that will inform the legal and judicial community about the CFSR and encourage active legal and judicial participation.<sup>6</sup>
- 2.23** **ACYF-CB-PI-07-09** – establish a program to collect and analyze automated and non-automated data to evaluate the quality of court performance and measure the success of court improvement efforts.<sup>7</sup>

### **(3) Status of Current CIP Basic Grant Projects**

**3.1 Judicial Commission** -- In May 2007, the Court hired an Executive Director for the Supreme Court Task Force on Foster Care who will serve as the Executive Director of the Judicial Commission once it is formed. The Court anticipates that the Judicial Commission, which will be launched in September 2007, will be the Court-appointed body responsible for overseeing all three of the CIP grants.

**3.2 Texas CASA** – In FY 2006, CASA expanded their local programs, conducted case supervisor trainings, and recruited volunteers. New programs in 2006-07 included Burleson County to assist Voices for Children, Inc. in Bryan, Texas, and Harrison County to establish a CASA program in Marshall, Texas. Meetings are ongoing with the local judges in Laredo, Texas, to establish a program in that jurisdiction. CASA hosted two major training events related to program development. CASA's magazine *Heartbeat* was published in April 2007 and distributed to approximately 10,000 people across the state. Texas CASA also established a new set of

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<sup>3</sup> Well-being Assessment & CIP Strategies included under Tab B

<sup>4</sup> ICPC Report is included as a separate document under Tab C

<sup>5</sup> Relevant Sections of the Texas Family Code are included under Tab D

<sup>6</sup> Description of Judicial Training in response to ACYF-CB-PI-07-09 under Tab E

<sup>7</sup> Description of Judicial Training in response to ACYF-CB-PI-07-09 under Tab F

standards for local programs and work continues for this group regarding recommended new practices and protocols for quality assurance and monitoring for the new standards.

**3.3 Family Drug Treatment Courts** – FY2006 CIP funds were used to fund a part-time drug court coordinator for Smith County, and sent teams from Smith and Jefferson Counties to the National Association of Drug Court Professionals Conference in Washington D.C. in June 2007.

**3.4 Child Protection Court Support** – FY2006 CIP funds were used to support travel and other administrative costs of child protection courts and to provide annual specialized training for child protection court judges. Wireless connections and cell phone services for CPCs and CPC support staff supported the ability for CPC judges to travel and stay connected with their courts. CIP funds also supported the use of court reporters, which are required in many CPS hearings, but are not available through the county in which the CPC judges preside.

**3.5 Alamo Children's Advocacy Center** – Also known as **ChildSafe**, FY2006 CIP funds were used to provide a medical consultant for CPS cases in Bexar County and to train CPS caseworkers to recognize in children the signs of physical abuse, sexual abuse and neglect. The medical consultant for Bexar County consulted on 357 child abuse and neglect cases and provided sufficient information for analysis on 263 cases. The medical consultant also prepared written statements addressing the probability of neglect or abuse for the reviewing court(s).

**3.6 National Adoption Day Events** – FY2006 funds were used for National Adoption Day expenses such as filing fees and printing costs. Funds used to promote Adoption Day in Tarrant and Smith counties help secure adoptions for 78 children who were in CPS conservatorship.

**3.7 Texas Partnership for Family Recovery** – The Partnership is an inter-agency effort led by the Texas Department of State Health Services to integrate and coordinate substance abuse and mental health services for children and families in the child welfare system. FY2006 funds were used to facilitate CIP Executive Staff participation in collaborative effort to develop a protocol / guide for family drug treatment courts. Accomplishments included an inter-agency Memorandum of Understanding signed by the oversight agencies; a Guide for the development of integrated services and Family Drug Treatment Courts; and support of two pilot sites (Nueces and Tarrant Counties).

**3.8 Texas Center for the Judiciary (TCJ)** -- FY2006 funds were used to sponsor judges, CPS staff, and agency attorneys to attend the 70<sup>th</sup> Annual National Council of Juvenile and Family Court Judges in San Francisco, California, and to attend the 34<sup>th</sup> National Conference on Juvenile Justice in San Diego, California.

**3.9 Cluster Prosecutor Project** – FY2006 funds were used to support a project developed to place a single prosecutor in the Northern Panhandle Child Protection Court (a cluster court project located in northern Texas). The prosecutor handled only child abuse and neglect cases, and covered the following counties: Bailey, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hall, Hartley, Hemphill, Lipscomb, Oldham, Parmer, Roberts, Sherman, and Wheeler. This project proved to be an effective way of providing DFPS legal representation in rural counties where district and county attorneys struggle to find the time and resources to

provide adequate representation. Because the attorneys involved in this pilot program were able to focus solely on child protection cases, more cases were resolved more quickly with more favorable outcomes. For example, while there was an increase in the number of temporary managing conservatorship cases (an increase of 26 cases from the previous year), the project saw a low percentage of 13% extended beyond the one-year dismissal date. Thus 87% of the cases resulted in children achieving permanency within the 12 month deadline.

#### **(4) Projects considered for FY2007 funding**

The following projects represent funding efforts that CIP anticipates renewing based on their history and success with the CIP, and on their potential to advance the overall goal of making institutional and infrastructural changes in the foster care system in Texas. Each of these programs will address one or more of the strategies listed in Section 2. These are indicated in parenthesis at the end of the paragraph describing the project.

- 4.1 Supreme Court Judicial Commission for Children, Youth, & Families** -- The Judicial Commission, once formed will be responsible for overseeing the CIP grants. The Commission will consist of 13 members and meet at least quarterly. CIP Basic funds will be used to fund the expenses associated with the Commission Meetings, Member Travel, and meeting-related expenses. A portion of the Basic Grant funds will also be used to support the activities of the Executive Director (ED) of the Task Force / Judicial Commission. The ED will oversee all aspects of the implementation of the grant funds, conduct site visits, represent Texas courts at conferences, coordinate stakeholder meetings, and disseminate information to the judiciary and stakeholders. Another major responsibility of the ED is to ensure that statewide collaboration on all CIP grants, and beyond, is conducted in a meaningful and ongoing manner. The ED will also advocate for projects that improve court performance and practices throughout the state (Issues: All).
- 4.2 Texas CASA** The mission of Texas CASA is to advocate for abused and neglected children in the court system through the development, growth and support of local CASA programs. Texas CASA works to expand local CASA programs and to develop new CASA programs to provide volunteer advocates for foster children in un-served areas. Texas CASA also provides regional trainings on volunteer recruitment for local CASA programs, works with Texas CASA staff and local CASA programs to improve volunteer recruitment and retention strategies and resources, and provides basic and advanced training for CASA staff. Texas CASA also provides resource development training to empower existing CASA programs to expand services to more children by hiring the staff necessary to recruit, train and supervise additional volunteer advocates. (Issues 2.4, 2.6, 2.7, 2.17, 2.18, 2.20)
- 4.3 Office of Court Administration** – OCA supports the Texas Child Protection Courts (formerly known as Cluster Courts) by providing funding to support travel and other administrative costs of the courts. CIP also funds an OCA-sponsored two-day annual specialized training for child protection court judges. (Issue: 2.7)



- 4.4 **Alamo Children's Advocacy Centers (ChildSafe)** – ChildSafe provides medical consultation for CPS in Bexar County Child Welfare courts. ChildSafe also trains CPS caseworkers to recognize in children the signs of physical and sexual abuse, and neglect. (Issue: 2.2)
- 4.5 **National Adoption Day** – CIP supports National Adoption Day by providing grants for up to 3,000.00 to offset expenses such as filing fees and printing costs (Issue: 2.17).
- 4.6 **Texas Partnership for Family Recovery**–Texas Partnership for Family Recovery is intended to provide assistance to communities seeking to address the problem of child abuse and neglect due to substance abuse/addiction and related mental health disorders by providing Integrated Services in the form of a Family Drug Treatment Court. To that end, the Partnership has developed a Guide for communities to work together to collaboratively develop and integrate child welfare, substance abuse treatment, and the judiciary. (Issues: 2.8, 2.9, 2.10)
- 4.7 **Texas Center for the Judiciary** – The Texas Center uses CIP Basic grant funds to provide scholarships to CPS judges to travel to two national judicial conferences – the National Council of Juvenile and Family Court Judges Conference, and the National Conference on Juvenile Justice. (Issues: 2.6, 2.7, 2.11)
- 4.8 **Family Drug Treatment Court Initiatives** – CIP anticipates receiving grant funding request from many counties in Texas, specifically, Jefferson, Smith, Tarrant, and Nueces that are establishing Family Drug Treatment Courts (FDTC) in an effort to reduce the number of children in out of home placements due to parental substance abuse and related mental health disorders, shorten time in care, and increase the number of children successfully reunited with families by building and sustaining integrated and coordinated substance abuse and mental health services, policies, protocols, and practices that would be coordinated by a FDTC. (Issues: 2.8, 2.9, 2.10)

## **(5) Anticipated CIP Requests for Applications**

The CIP will direct activities, conduct research or provide opportunities to local governments and other interested parties to support some of the following initiatives:

- 5.1 **Office of Parental Representation** – the project would include a requirement that the applicant track data and assess the financial impact of Texas Family Code Section 107.013(a) in the county or region where the Office of Parental Representation will be located. (Issue: 2.1)
- 5.2 **Incarcerated Parent Project** -- with the focus being on how to ensure incarcerated parents receive notice and service of the pending suit and what, if any, opportunities to participate in the child welfare case exist. (Issue: 2.5)

- 5.3 **Establishing a 24-hour legal hotline for children and youth** who are in the Permanent Managing Conservatorship of the Department and who are not represented by an Attorney Ad Litem. (Issue: 2.15)
- 5.4 **Nonprofit organization to mentor parents involved in child welfare cases.**— the project would focus on community-based organizations that would mentor parents involved with child protective services. The Texas Extension Service, local extension councils, local literacy and mentoring programs, and community service organizations will be targeted as potential sources to provide parent mentoring services in urban and rural locations. (Issue: 2.13)
- 5.5 **Videoconferencing between Courts and Regional CAC/CASA Centers** —Request for Applications would target communities with Child Advocacy Centers and / or CASA Offices where video/teleconferencing equipment could be set up for children to testify, attend court hearings, and possibly meet with their attorney, if the child is placed far away in an RTC. Many Texas courts have been adding videoconferencing equipment to encourage party's ability to attend hearings when parties are separated by geography. This would also help ensure compliance with Texas Family Code Sections 263.302, 263.501, and 107.004(d). (Issues: 2.20, 2.21)
- 5.6 **Development of a free or low-cost webpage** that offers judges, prosecutors, attorneys ad litem, CASA and parents an overview of the many resources addressing different aspects of child welfare cases. (Issue: 2.12)
- 5.7 **Assessment of the impact of Texas Family Code Section 263.401**, requiring a finding of extraordinary circumstances for a case to exceed the 12 month deadline. (Issue: 2.3)

## **(6) Other CIP initiatives**

CIP will collaborate with DFPS, its subcontractors, local governments, community service providers, and higher education institutions to support projects aimed at addressing the following issues. Each of these initiatives is aimed at addressing one or more of the strategies listed in Section 2. These are indicated in parenthesis at the end of the paragraph describing the project.

- 6.1 Ways to reduce the number of referrals / investigations / services for a family before their case is brought to the courts attention. (Issue: 2.2)
- 6.2 Efforts to investigate methods to achieve better and more-timely involvement of non custodial fathers and their families. (Issue: 2.4)
- 6.3 Efforts to assess improvements in timeliness of proceedings, including consultation, involvement, and submission of family service plans, including thorough review of the plan with the parents. (Issue: 2.6)
- 6.4 Efforts to assess the geographic distribution of foster care and treatment resources in contrast with the children and families in need of these services. (Issue: 2.10)

## **(7) Key areas Addressed by Proposed Basic Grant Projects for FY2007**

### **7.1 Broad, Ongoing Collaboration:**

The Court, through its CIP, and DFPS will continue to work together toward developing and achieving shared goals and activities such as those detailed in the Grant Application. A commitment to increasing the safety, permanency and wellbeing of children in the child welfare system will be demonstrated by scheduling, planning and participating in the types of meetings and joint efforts stated in Section 9. Timelines for the goals identified have been, and will continue to be jointly established through the methods of communication and collaboration identified. This partnership will result in the institutional and infrastructural changes that will lead to clearly defined, measurable outcomes for children and families.

### **7.2 Safety, Permanency, and Well-being**

CIP commits to develop court programs that increase the safety, permanency and wellbeing of children in the child welfare system consistent with the following core values:

#### **Safety**

- Children are, first and foremost, protected from abuse and neglect; and
- Children are safely maintained in their homes whenever possible and appropriate.

#### **Permanency**

- Children have permanency and stability in their living situation; and
- The continuity of family relationships and connections is preserved for children.

#### **Child and Family Well-Being**

- Families have enhanced capacity to provide for their children's needs;
- Children receive appropriate services to meet their educational needs; and
- Children receive adequate services to meet their physical and mental health needs.

### **7.3 Court-related outcomes:**

CIP will begin funding and encouraging programs that are consistent with the evidence based practices models. CIP will provide courts with information, technology, training, and program support to enhance their decision-making ability. This will assist in addressing child and family specific needs, and in rendering clear, appropriate, and well-considered court orders in a timely manner.

CIP will promote the sharing of information and expertise among judges who are trained and experienced in child welfare proceedings with their colleagues in their counties, regions, and throughout the state. This will be accomplished in various ways such as

Judicial Education (Beyond the Bench), the CIP website, the CIP newsletter, and grant efforts supported in accordance with CIP Initiative 5.6.

CIP will provide courts with information, training, and the opportunity to participate in the State CFSR, Title IV-B, and IV-E Reviews. The Supreme Court, through the Executive Director of the Task Force on Foster Care will collaborate and participate in the Stateside Review, and the upcoming CFSR scheduled for March, 2008. Courts throughout the state will receive training in 2007, and in subsequent years, on two initiatives aimed at involving the courts in the CFSR, Title IV-B, and Title IV-E Reviews. In September 2007, there will be two modules presented at the first-ever, all CPS Judges Training.

## **(8) Specific Data Collection and Analysis and Training Grant Activities**

The Basic Application Program Instruction ACYF-CB-PI-07-09, page 10, requires that the Basic Grant Strategic Plan define the specific data collection and analysis and/or training grant activities that are likely to produce better outcomes for children and families that are tangible, measurable, and time-specific.

### **8.1 *Proposed List of Data Grant Projects for FY2007***

- **Task Force on Foster Care / Judicial Commission**
- **IT Project Manager**
- **Enhance the Texas Specialty Docket Court Management System (SDCMS)**
- **Continue Functional Requirements Study**
- **Provide opportunities for local governments to develop and assess technological improvements**

The activities Texas has envisioned for this grant project will give judges and the TDFPS better tools and information to track case progress. By creating a protocol for exchange and sharing of information, the judiciary and the agency will be able to work in concert to achieve tangible, measurable, and time-specific outcomes.

Determining the functional requirements judges need to track cases in the most efficient manner, coupled with technological improvements that provide for the immediate availability of information will provide judges and caseworkers with access to complete, instructive, and up-to-date information about children and families. Better informed caseworkers and judges can help ensure that orders rendered are considerate of the child and family needs, and are specific enough to direct parties in a clear and meaningful manner. The funding opportunities envisioned by the FY2007 Strategic Plan are also aimed at exploring new ideas of how a court environment can be enhanced in a way that allows judges enough resources to spend the appropriate amount of time on each case. Accurate and thoughtful information combined with adequate time spent will result in well-considered decisions.

When a court renders a clear, well thought-out order that is unequivocal in applicability to the parties, children will experience a greater possibility for safety and stability for their physical

well being, mental health and educational fitness while in foster or relative care. In the short term, greater stability while in care leads to a stronger possibility for permanence in care and upon exiting. This naturally will result in greater wellbeing for the child overall. In the long-term, greater stability, permanency and wellbeing while in care will lead to reunification, adoption or legal guardianship sooner as well.

CIP will develop usage tracking and impact analysis of all programs funded. Any local project funded will be required to demonstrate program specific deliverables and measures to demonstrate impact. Much of the year two activities will be contemplative in nature. The end result is targeted to improve the ability of judges to make better informed decisions translating into safety, permanence and well being of children in the child protection court system.

## **8.2 Proposed List of Training Grant Projects for FY2007**

- **Judicial Education**
  - Beyond the Bench
  - Associate Judges Training
  - CPS Judges Training
  - Child Protection Court Judges Annual Update
  
- **Legal Representation and Attorney Ad Litem (AAL) Education**
  - Advocate Academy
  - Training Library
  - Best Practices
  - Form State Bar Committee
  - Statewide AAL Meeting by year 5
  - Statewide Child Welfare Certification for Attorneys ad Litem
  
- **Cross-disciplinary Topics – In collaboration with the Child Welfare Agency**
  - Child & Family Services Review Outcomes & Measurements
  - Psychotropic Medications and Best Practices
  - Children's Mental Health Issues
  - Educational Needs of Children in Care
  - Judicial Review of Medical Care
  - Foster Youth & Aging-Out Issues / Permanency Counseling & Adoption
  - Family Drug Courts
  - Immigration Issues
  - Ongoing CPS Organizational and Functional Issues:
    - Caseworker turnover
    - Importance of caseworker visits with child
    - Inexperienced caseworkers and Supervisors
    - Lack of tenure and experience within TDFPS
    - Caseworker Training Efforts
    - Increased numbers of children entering care
    - Local and Statewide Agency Response
    - Judicial Response

Family Group Conferencing  
Ongoing Legislative Updates Following Sessions and in the Interim  
Evidentiary Issues in CPS Cases  
Termination Case Law  
Innovative Practices  
Mediation in CPS Cases

The activities undertaken with the Training Grant funds will improve the Texas state child welfare system. Judges, attorneys and DFPS Staff who participate in the training efforts funded by the CIP Grants will possess more knowledge that will assist them in making better recommendations and decisions for the children and families who come into contact with the child welfare agency. Informed decisions improve overall performance on the CFSR outcomes measures of Safety, Permanency, and Well-being.

CIP will use outputs and outcomes to establish the impact of the trainings offered. For example, outputs could include: number of judges, attorneys, court personnel, and caseworkers trained, number of locations where the training is offered, and subsequent follow up on specific issues, etc. Outcomes would include measurements assessing knowledge increase as determined by pre and post tests, and subsequent surveys indicating usage of information presented at training.

When Judges are trained on issues such as those set out in the strategic plan, they are better informed and become capable of asking better questions of the attorneys and caseworkers who appear in their court on behalf of a child. Attorneys and caseworkers who receive training on relevant and important issues pertinent to this type of case are more capable of providing quality information about their client. Understanding issues such as substance abuse, family violence, and mental health, identifying relative placements, sibling rights, as well as the community resources available to address a myriad of needs is critical in order for attorneys and caseworkers to make appropriate recommendations, and to the judge asking the questions. The advice of well-informed advocates and caseworkers allow an equally educated judge to render clearer and more appropriate orders.

Orders that are based on informed recommendations result in greater safety and stability for a child's physical well being, mental health, and educational fitness. In the short term children experience more stability, which leads to a stronger possibility for permanence while in foster care, and upon exiting. Greater stability and permanence while in care will naturally result in a higher level of child wellbeing overall. Over the long term, children in foster care experience a decrease in time to achieve permanency of reunification, adoption or legal guardianship. For parents, a well-trained attorney, caseworker and judge, can help ensure compliance with family service plans and court orders. This, in the short term, helps ensure the stability of their children while in care, and in the long term, helps reduce the amount of time needed to achieve reunification, adoption or legal guardianship.

### **(9) Collaboration with TDFPS, and other stakeholders to develop and implement the final strategic plan**

Texas has a strong record of Court/Agency collaboration as described below:

- TDFPS and the Court review policy and procedures, share data and case analysis information, and explore opportunities to sponsor joint training activities at quarterly Task Force meetings.
- TDFPS has a standing place on each Task Force meeting agenda to provide training and information regarding the CFSRs and Program Improvement Plans (PIP), and IV-E Reviews.
- Active Task Force membership includes Joyce James, Assistant Commissioner for Child Protective Services, and Gerry Williams, TDFPS General Counsel.
- Task Force Training Committee Membership includes the Assistant Commissioner for CPS, two Judicial Officers, one UT Law Professor, the Texas Center's Executive Director, CIP Executive Staff, and the Supreme Court Staff Attorney for Children and Families.
- TDFPS and the Court jointly participate on regional conference calls in preparation for the CFSR Statewide Assessment, the use of Data in CFSRs, and CFSR On-Site review scheduled for March 2008.
- TDFPS and the Court have invited Texas' recognized Native American Tribes to participate on the Statewide Assessment Task Force and to participate in an interview with the CFSR Federal Team during Texas' last On-Site Review.
- The Court and TDFPS will identify the courts that have jurisdiction in areas where Native American Tribes exist, determine special needs of the courts in dealing with tribes and other issues related to child protection and foster care, develop contact list, and establish regional stakeholder meetings.
- The Court's CIP Executive Staff, TDFPS, Office of Court Administration, and the Texas Center participate in weekly collaboration meetings.
- Judicial Commission Consultative Group membership includes Joyce James.
- TDFPS and the Court jointly participate in initiatives such as Texas Partnership for Family Recovery.
- Joint Court/TDFPS attendance at the National Judicial Leadership Summit in New York, March 8-9, 2007.
- The Court's CIP Executive Staff and TDFPS participate in periodic CFSR conference calls and collaboration meetings.
- TDFPS Staff has invited CIP Executive Staff to participate in the Statewide Assessment, CFSR On-site Review, and the development and implementation of the resulting PIP, and on upcoming Title IV-E Eligibility Reviews.
- Judicial Commission Consultative Group membership includes Joyce James.
- TDFPS and the Court jointly participate in initiatives such as Texas Partnership for Family Recovery.
- Texas has established a Statewide Multidisciplinary Task Force on Case Management and Reporting, which holds quarterly meetings and includes the Assistant Commissioner for CPS, Judicial Officers, a UT Law Professor, the CIP Executive Staff, and the Supreme Court Staff Attorney for Children and Families.

- Ongoing collaboration with the CIP, Associate Judges for Child Protection courts, Presiding Judges of Texas' nine administrative judicial regions, The Supreme Court Task Force on Foster Care and the Task Force on Case Management and Reporting, Child Welfare Agency IT Staff.

**(10) How proposed Basic Grant projects will lead to tangible, measurable, and time-specific improved outcomes for children and families in the child welfare system.**

The activities undertaken with the Basic Grant funds will improve the Texas state child welfare system on many levels.

**10.1 Supreme Court Judicial Commission for Children, Youth, & Families --.** The Judicial Commission, once formed will be responsible for overseeing the CIP grants. The Commission will consist of 13 members and meet at least quarterly. CIP Basic funds will be used to fund the expenses associated with the Commission Meetings, Member Travel, and meeting-related expenses. A portion of the Basic Grant funds will also be used to support the activities of the Executive Director (ED) of the Task Force / Judicial Commission. The ED will oversee all aspects of the implementation of the grant funds, conduct site visits, represent Texas courts at conferences, coordinate stakeholder meetings, and disseminate information to the judiciary and stakeholders. Another major responsibility of the ED is to ensure that statewide collaboration on all CIP grants, and beyond, is conducted in a meaningful and ongoing manner. The ED will also advocate for projects that improve court performance and practices throughout the state (Issues: All).

**10.2 Texas CASA –** The mission of Texas CASA is to advocate for abused and neglected children in the court system through the development, growth and support of local CASA programs. Texas CASA works to increase the number of well-qualified CASA volunteer advocates and the number of children served in CPS cases several ways:

- assisting local CASA programs to expand into unserved counties and helping communities to develop new CASA programs in unserved counties;
- providing regional volunteer recruitment training to local CASA programs statewide;
- engaging professional consultants on volunteer recruitment to train and consult with Texas CASA staff and local CASA program staff on improving volunteer recruitment and retention strategies and resources;
- providing basic and advanced training for CASA supervisory staff that work with CASA volunteers on advocacy and service to children's cases; and
- providing resource development training to local CASA programs to empower them to expand their services to more children by hiring more staff to recruit, train and supervise additional volunteer advocates.

CASA plays an integral role in improving the court process in foster care cases. Currently in Texas, there are 67 CASA programs, with approximately 5,000 volunteers serving about 20,000 children in 201 of Texas' 254 counties. Having a CASA volunteer appointed to a



child's case can help achieve better and more-timely involvement of non-custodial fathers and other family members. CASA volunteers can have a positive impact on the timeliness of hearings and other proceedings such as permanency conferences, family group decision-making and visitation. CASA can also assist with participation in the development of and implementation of family service plans, and a CASA volunteer's presence helps increase the application of best practices. CASA can also assist with identifying barriers to timely Interstate Compact on the Placement of Children (ICPC) placements and can assist relative caregivers and other interested parties in conveying information about a child's wellbeing and needs to a judge in a permanency or placement review hearing. CASA volunteers can assist with a child's participation in court hearings. CASA volunteers are appointed to children in the Permanent Managing Conservatorship of DFPS and work to provide these children connections with adults and options for permanent care other than DFPS. All of these services can help to improve court processes in order to provide placement stability and, ultimately, permanency for a child. (2.4, 2.6, 2.7, 2.17, 2.18, 2.20)

**10.3 Office of Court Administration** – OCA supports the Texas Child Protection Courts(CPC, formerly known as Cluster Courts) by providing funding to support travel and other administrative costs of the courts. CIP also funds an OCA-sponsored two-day annual specialized training for child protection court judges, which promotes the use of best practices in child protection courts. OCA courts are state of the art and uniquely serve the needs of the children and communities they serve. CIP pays for wireless connection and cell phone services for CPCs and their staff. CPC judges and staff travel extensively within their regions, which encompass multiple counties. Cell phones are often the only means for conducting business when not in court. In certain courts, wireless capability has been essential because it allows the court to synchronize case management system data with the OCA networks. (2.7)

**10.4 Alamo Children's Advocacy Centers (ChildSafe)** – ChildSafe provides medical consultation for CPS in Bexar County Child Welfare courts. ChildSafe also trains CPS caseworkers to recognize in children the signs of physical and sexual abuse, and neglect. The data from the 2006 effort shows that a large majority of the cases reported were reviewed for physical abuse, with neglect cases the second most-frequently reviewed. Caseworkers that have consulted with the ChildSafe medical consultant report that their knowledge concerning trauma related injuries has increased, and they have become better able to identified cases in which abuse did not occur. The ability to spot physical and sexual abuse in children can help limit the number of referrals / investigations / services for a family before their case is brought to the courts attention. (2.2)

**10.5 National Adoption Day** – CIP supports National Adoption Day by providing grants for up to 3,000.00 to offset expenses such as filing fees and printing costs. National Adoption Day events promote bringing adoption cases to consummation and recruiting licensed foster and adoptive families. Efforts such as this help promote achieving permanency and wellbeing for children in the child welfare system. In 2006, CIP funds helped promote the adoptions of 78 children in Tarrant and Smith counties. The 80<sup>th</sup> Texas Legislature approved Texas Adoption Day, and increased the adoption subsidy for children who are difficult to adopt to match the rate of foster care reimbursement. CIP and DFPS will

continue to work on increasing adoption awareness and consummation through local efforts such as Heart Galleries, and through judicial support of adoption days. These combined efforts will result in achieving permanency for children in foster care more quickly. (2.17)

- 10.6 Texas Partnership for Family Recovery** –Texas Partnership for Family Recovery is a collaborative partnership working in conjunction with the National Center on Substance Abuse and Child Welfare. Key participants include representatives from DFPS, CIP, community substance abuse treatment providers, the judiciary, guardians and attorneys *ad litem* for children, and attorneys for parents. The purpose of the Partnership is to provide assistance to communities seeking to address the problem of child abuse and neglect due to substance abuse/addiction and related mental health disorders by providing Integrated Services in the form of a Family Drug Treatment Court. To that end, the Partnership has developed a Guide for communities to work together to collaboratively develop and integrate child welfare, substance abuse treatment, and the judiciary. This Guide will assist courts in making timely decisions for children and realistic timeframes for parents with substance abuse problems, and in ordering specific and appropriate services as part of the Family Service Plan. This Partnership will also promote facilitating timely access to services such as drug treatment and screening, and placements for parents in treatment programs. Prompt identification, screening, quality treatment, and aftercare are services that can enhance a family’s ability to provide for their children’s needs while in the home or upon reunification. All of these assistive services to parents while a child is in care can strengthen the stability of a child’s placement in foster care, which promotes permanency while in care, and upon exiting. Greater stability and permanency while in foster care results in greater child wellbeing because the children and families have received appropriate and adequate services to meet their physical and mental health needs. (2.8, 2.9, 2.10)
- 10.7 Texas Center for the Judiciary** – The Texas Center uses CIP Basic grant funds to provide scholarships to CPS judges to travel to two national judicial conferences – the National Council of Juvenile and Family Court Judges Conference, and the National Conference on Juvenile Justice. Educating judges helps ensure court practices that are aimed at improving the timeliness of proceedings for all families and children. It also increases the likelihood of compliance with statutory compliance and the implementation of best practices. Judges in Texas will also benefit from networking with other judges who are trained and experienced in child welfare cases and who share their expertise with colleagues in their regions and similar counties. (2.6, 2.7, 2.11)
- 10.8 Family Drug Treatment Court Initiatives** – CIP anticipates receiving grant funding request from many counties in Texas, specifically, Jefferson, Smith, Tarrant, and Nueces that are establishing Family Drug Treatment Courts (FDTC) in an effort to reduce the number of children in out of home placements due to parental substance abuse and related mental health disorders, shorten time in care, and increase the number of children successfully reunited with families by building and sustaining integrated and coordinated substance abuse and mental health services, policies, protocols, and practices that would be coordinated by a FDTC. Shorter stays in foster care and an increase in the number of

families reunified helps promote a child's safety because of the court's intense involvement with the family; permanency because the child is usually allowed to remain in the home or with relatives; and wellbeing because the families who successfully exit a FDTC program possess an enhanced capacity to provide for their children's needs. Close CIP and Court involvement in this effort will help illuminate whether courts are making specific, measurable and time-specific decisions within realistic timeframes for parents with substance abuse problems. Drug courts will be better able to facilitate timely access to drug treatment screening and programs. (2.8, 2.9, 2.10)

**Other examples of projects that will result in tangible, measurable, and time-specific outcomes for children and families**

Due to limited funding not all of the issues addressed below will be implemented. CIP will coordinate or implement as many programs as possible to achieve outcomes. Some of these issues may be addressed in subsequent grant years.

- 10.9** CIP will undertake a pilot project to study the effectiveness of a public defender-type office to handle representation of parents. This will help the CIP evaluate the impact on counties of Texas Family Code Section 107.013(a), which requires an attorney ad litem for indigent parents to appear in opposition to a request for Temporary Managing Conservatorship of a child. (2.1). Parents who are provided legal representation at the outset of a case will experience a greater protection of due process rights, rights to timely notice and service, more timely participation in the case because of awareness regarding their rights, whether a custodial or non custodial parent, and input into the family service plan and the review of those plans prior to review hearings. Earlier appointment of legal counsel may help promote the more-timely involvement of non-custodial fathers and their families because a well-trained attorney can assist their client with Texas Family Code Section 261.307, which requires a parent or person with custody of a child to identify relatives who could provide care, including a non-custodial parent. Legal representation will also help ensure more timely notice and service to non-custodial and incarcerated parents because the attorney of record is a party entitled to notice under Texas Rule of Civil Procedure 21. Legal representation also facilitates the timeliness of proceedings, including participation in the development of the family service plan applicable to their client because a better-crafted service plan that more specifically meets the needs of the parent can result in a more timely resolution of a case. Legal representation also ensures that a parent receives due process, which in turn ensures the integrity of the process and is more likely to result in a less assailable final order. In the short term, legal representation for parents can help ensure the stability of children while in foster care, and in the long term can help reduce the amount of time needed to achieve reunification, adoption or legal guardianship. (2.1, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9)
- 10.10** Supporting an effort to establish a 24-hour hotline for children and youth who are in the Permanent Managing Conservatorship of DFPS and who are not represented by an attorney will help ensure that children are protected from abuse and neglect in foster homes / placements. It will also provide an avenue for legal advice to foster youth who are not

represented, and in turn may result in a relative placement or other legal guardianship for a child other than to DFPS (2.15).

- 10.11** Children will experience greater stability and permanence in their placements when the Interstate Compact for the Placement of Children is identified early, and processed timely and in compliance with the compact rules. CIP will undertake the effort to assess what methods are being employed by courts and identify the barriers to a successful ICPC process. CIP has met with the Texas Interstate Compact Office (TICO) to examine the barriers to more timely ICPC placements and will work with TICO during the FY2007-08 period, to undertake efforts to conduct surveys, interviews, and review case files. (2.20)
- 10.12** Stability and permanency are also augmented when children are allowed to participate in all hearings. Texas Family Code Sections 263.306 and 263.501 require the child to be present at each review and placement hearing, and to be interviewed by the judge in a developmentally appropriate manner. Another project being studied by the CIP is the use of video conferencing between local Child Advocacy Centers and CASA organizations and courts with jurisdiction over a child protection case. Video conferencing capabilities would allow participation by foster children who are unable to attend their court hearing or meet with their attorney due to distance. Children would be able to use the CAC or CASA facility as a safe place to attend their hearing or participate in a meeting without missing school or traveling long distances. This could also be used to facilitate visitation between a child and a parent under appropriate circumstances. (2.21)
- 10.13** A CIP project that supports a review of the impact of Texas Family Code Section 263.401, requiring a finding of extraordinary circumstances to extend a case beyond the 12 month deadline will include an examination of the circumstances regarding when this extension is requested and granted. The results will allow the child welfare agency, courts, and the CIP to determine whether this statute positively or negatively affects permanency and stability of care. This, in turn, will allow courts to make more timely and appropriate decisions about which services to order and how closely a case needs to be monitored, possibly holding more hearings, in order to ensure an extension is granted only when absolutely necessary. (2.3)
- 10.14** An community-based organization established to mentor parents involved with Child Protective Services can help parents gain the skills required to sustain reunification with their children. An organization that can provide information about the child welfare case, and possibly educational opportunities, job training, language skills, and available public services will help parents acquire the fundamental parenting capabilities that will help ensure stability once a child is returned. (2.13)
- 10.15** A CIP supported effort focused on establishing or maintaining a website that provides judges, prosecutors, attorneys ad litem, CASA and parents an overview of the resources addressing different aspects of child welfare cases will help elevate the standards of practice and establish a network of peer to peer consultation and collaboration. This in turn will increase the chances that attorneys will do a better job of representing their clients, and that judges will have other judicial resources from which to ask questions and

gain insight into conventions and practices of how cases are handled in other jurisdictions.  
(2.12, 2.14)

**(11) Court's meaningful and ongoing collaboration with TDFPS and other stakeholders to achieve outcomes, and continued stakeholder involvement with ongoing program implementation and evaluation.**

To truly improve outcomes for children, all stakeholders must have the opportunity meaningfully participate in the development of grant programs. The Court has detailed previously in this application its commitment to institutional collaboration. The collaboration surrounding the activities planned with the Basic Grant will ensure that all stakeholders have such access and that institutional and infrastructural changes will result. The next CFSR, as well as our next IV-E Review will show evidence of improved outcomes.

In addition, the Court will continue to: (1) maintain a statewide multidisciplinary Task Force or Commission; (2) once the Commission is formed, hold regular Commission meetings that will include representatives from the various groups mentioned in Section 9 above; (3) promote active participation by judges, the Task Force / CIP Director, and TDFPS in the CFSR process; and (4) ensure the visible and joint involvement of a Texas Supreme Court Justice and the Assistant Commissioner of CPS.

The Basic Grant will be another vehicle to further institutional collaboration so that it truly becomes the best practice standard for the way child welfare is approached in our state. The judiciary and TDFPS are committed to ongoing communication with continual review and assessment of progress, successes, and barriers.

**(12) Proposed timetables for programs and activities**

***Year One Timetable for Programs and Activities (2007 funds)***

- Supreme Court Judicial Commission for Children, Youth, & Families
- Child Advocacy Support Initiatives (CASA, ChildSafe, Adoption Day, etc.)
- Office of Court Administration
- Texas Partnership for Family Recovery
- Texas Center for the Judiciary
- Family Drug Treatment Court Initiatives
- Office of Parental Representation
- Incarcerated Parent Project
- 24-hour Legal Hotline for Foster Youth
- Video Conferencing Initiative
- Develop / Maintain free or low cost webpage
- Assess the impact of Texas Family Code Section 263.401

***Year Two Timetable for Programs and Activities (2008 funds)***

- Supreme Court Judicial Commission for Children, Youth & Families
- Child Advocacy Support Initiatives (CASA, ChildSafe, Adoption Day, etc.)
- Office of Court Administration
- Texas Center for the Judiciary
- Family Drug Treatment Court Initiatives
- Office of Parental Representation
- Incarcerated Parent Project
- 24-hour Legal Hotline for Foster Youth
- Video Conference Initiative
- Develop / Maintain free or low cost webpage
- Assess the impact of Texas Family Code Section 263.401

***Year Three Timetable for Programs and Activities (2009 funds)***

- Supreme Court Judicial Commission for Children, Youth & Families
- Child Advocacy Support Initiatives (CASA, ChildSafe, Adoption Day, etc.)
- Office of Court Administration
- Texas Center for the Judiciary
- Family Drug Treatment Court Initiatives
- Office of Parental Representation
- Incarcerated Parent Project
- 24-hour Legal Hotline for Foster Youth
- Video Conference Initiative
- Develop / Maintain free or low cost webpage
- Non Profit Organization to Mentor Parents

***Year Four Timetable for Programs and Activities (2010 funds)***

- Supreme Court Judicial Commission for Children, Youth & Families
- Child Advocacy Support Initiatives (CASA, ChildSafe, Adoption Day, etc.)
- Office of Court Administration
- Texas Center for the Judiciary
- Family Drug Treatment Court Initiatives
- Office of Parental Representation
- Incarcerated Parent Project
- 24-hour Legal Hotline for Foster Youth
- Video Conference Initiative
- Develop / Maintain free or low cost webpage
- Non Profit Organization to Mentor Parents

***Year Five Timetable for Programs and Activities (2011 funds)***

- Supreme Court Judicial Commission for Children, Youth & Families
- Child Advocacy Support Initiatives (CASA, ChildSafe, Adoption Day, etc.)
- Office of Court Administration
- Texas Center for the Judiciary
- Family Drug Treatment Court Initiatives

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- Office of Parental Representation
- Incarcerated Parent Project
- 24-hour Legal Hotline for Foster Youth
- Video Conference Initiative
- Develop / Maintain free or low cost webpage
- Non Profit Organization to Mentor Parents

# CIP STRATEGIC PLAN MATRIX

Issue to Be Addressed	Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator
<p><b>Issues identified in 2005 CIP Reassessment</b></p> <p><b>2.1</b> Assess the impact on counties of Texas Family Code Section 107.013(a), effective September 1, 2005, requiring attorneys ad litem for indigent parents who appear in opposition to DFPS request for Temporary Managing Conservatorship of child.</p>	<p>Fund efforts to establish an Office of the Parent Representative to provide legal representation to parents affected by Texas Family Code Section 107.013. (5.1, 10.9).</p> <p>- Project described (5.1)</p> <p>- Outcomes defined (10.9)</p>	<ul style="list-style-type: none"> <li>• CIP</li> <li>• Subgrantees</li> </ul>	<ul style="list-style-type: none"> <li>• 8/30/07 RFA Issued</li> <li>• 9/30/07 Applications Recd</li> <li>• 10/07 – 9/08 Program Implementation</li> </ul>	<ul style="list-style-type: none"> <li>• Applications are reviewed and scored.</li> <li>• Applicants selected</li> <li>• Implementation underway;</li> <li>• Measures tracked and reported to CIP</li> </ul>	<ul style="list-style-type: none"> <li>• A comparison of County spending prior to program implementation</li> <li>• Parents receive qualified attorney sooner.</li> <li>• Measures demonstrate program specific outcomes of how the project meets safety, permanence, and well being.</li> </ul>	<ul style="list-style-type: none"> <li>• Subgrantee tracks data on cases assigned and financial impact in the county or region where OPR is located.</li> <li>• Report identifies whether there is actual change</li> <li>• Specific performance measures reported in CIP Annual Progress Report</li> </ul>
<p><b>2.2</b> Limiting the number of referrals / investigations / services for a family before their case is brought to the courts attention.</p>	<p>Collaborate with &amp; support DFPS efforts to limit the number of referrals before a case is brought before a judge.</p>	<ul style="list-style-type: none"> <li>• DFPS</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing</li> </ul>	<ul style="list-style-type: none"> <li>• Attend meetings and educational opportunities offered by DFPS relevant to the issue and to CIP</li> </ul>	<ul style="list-style-type: none"> <li>• Efforts undertaken should result in limited, more appropriate referrals to CPS</li> </ul>	<ul style="list-style-type: none"> <li>• Tracking will be through DFPS in relation to Investigator workload, education, data collection</li> <li>• Any results reported to CIP submitted to ACF in CIP Annual Progress Report</li> </ul>



Issue to Be Addressed	Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator
(2.2 continued)	Fund Child Advocacy Initiatives - Project described (4.4) - Outcomes defined (10.4)	<ul style="list-style-type: none"> <li>• CIP</li> <li>• Subgrantees</li> </ul>	<ul style="list-style-type: none"> <li>• 8/30/07 RFA Issued</li> <li>• 9/30/07 Applications Recd</li> <li>• 10/07 – 9/08 Program Implementation</li> </ul>	<ul style="list-style-type: none"> <li>• Applications are reviewed and scored.</li> <li>• Applicants selected</li> <li>• Implementation underway;</li> <li>• Measures tracked and reported to CIP</li> </ul>	<ul style="list-style-type: none"> <li>• Measurements will reveal whether the issue is being addressed.</li> <li>• Assessment identifies actual change</li> <li>• Specific measures included in CIP Progress Report</li> </ul>	<ul style="list-style-type: none"> <li>• Impact is identified</li> <li>• Assessment identifies actual change</li> <li>• Specific measures included in CIP Progress Report</li> </ul>
2.3 Assess the impact of Texas Family Code Section 263.401, effective September 1, 2005, requiring a finding of extraordinary circumstances for a case to exceed 12 months	CIP will undertake efforts to assess the impact of Section 263.401 - Project described (5.7) - Outcomes defined (10.13)	<ul style="list-style-type: none"> <li>• CIP</li> <li>• CPS Director of Staff Services</li> <li>• Supreme Court Task Force on Foster Care E.D.</li> <li>• Supreme Court Staff Attorney for Children and Families</li> <li>• DFPS Regional Attorney</li> </ul>	<ul style="list-style-type: none"> <li>• 9/14/07 TF approves project</li> <li>• 10/30/07 Research model selected</li> <li>• 11/30/07 Participants identified</li> <li>• 1/01/08 Research interviews begin</li> <li>• 02/28/08 Research interviews completed</li> <li>• 04/30/08 Draft Report issued</li> <li>• 06/01/08 Final Report issued</li> </ul>	<ul style="list-style-type: none"> <li>• Project Approved</li> <li>• Research contract / relationship established</li> <li>• Information collected</li> <li>• Reports issued</li> </ul>	<ul style="list-style-type: none"> <li>• Final report will indicate whether counties are meeting the statutory requirement of extraordinary circumstances;</li> <li>• Final report will indicate other impacts resulting from application of 263.401.</li> </ul>	<ul style="list-style-type: none"> <li>• Report issued to Judicial Commission</li> </ul>
2.4 Investigate methods to achieve better and more-timely involvement of non-custodial fathers and their families.	Office of Parent Representation – - Project described (5.1) - Outcomes defined (10.9) See Activity for Issue 2.1	<ul style="list-style-type: none"> <li>• CIP</li> </ul>	<ul style="list-style-type: none"> <li>• See Timeline for Issue 2.1</li> </ul>	<ul style="list-style-type: none"> <li>• See Interim Benchmark for Issue 2.1</li> </ul>	<ul style="list-style-type: none"> <li>• Increase in number of non-custodial fathers involved in the child welfare case.</li> </ul>	<ul style="list-style-type: none"> <li>• DFPS records and Court orders</li> <li>• Included in CIP Progress Report</li> </ul>

Issue to Be Addressed (2.4 continued)	Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator
	Texas CASA - Project described (4.2) - Outcomes defined (10.2)	<ul style="list-style-type: none"> <li>CASA</li> </ul>	<ul style="list-style-type: none"> <li>10/07 – 09/08</li> </ul>	<ul style="list-style-type: none"> <li>CASA volunteer survey “methods to find non-custodial fathers”</li> </ul>	<ul style="list-style-type: none"> <li>CASA will help identify non custodial fathers and encourage their involvement in the child welfare case.</li> </ul>	<ul style="list-style-type: none"> <li>CASA summary of findings</li> <li>Included in CIP Progress Report</li> </ul>
	Grant Opportunities for Local Governmental and non governmental organizations - Project described (6.2) - Outcomes defined (10.2, 10.9)	<ul style="list-style-type: none"> <li>CIP</li> <li>Subgrantees</li> </ul>	<ul style="list-style-type: none"> <li>8/30/07 RFA Issued</li> <li>9/30/07 Applications Recd</li> <li>10/07 – 9/08 Program Implementation</li> </ul>	<ul style="list-style-type: none"> <li>Applications are reviewed and scored.</li> <li>Applicants selected</li> <li>Implementation underway;</li> <li>Measures tracked and reported to CIP</li> </ul>	<ul style="list-style-type: none"> <li>Projects meeting CIP strategy are funded</li> <li>The project descriptions are reflective of CIP intent.</li> <li>The measures demonstrate that non custodial fathers are involved in the child welfare case sooner and to a greater extent than before.</li> </ul>	<ul style="list-style-type: none"> <li>Subgrantee issues report that documents change</li> <li>Report is submitted to ACF as part of CIP Annual Progress Report</li> </ul>
<b>2.5 Providing more timely notice and service to non custodial parents, and to incarcerated parents thereby creating opportunities to participate in the child welfare case.</b>	Office of Parent Representation - Project described (5.1) - Outcomes defined (10.9) See Activity for Issue 2.1	<ul style="list-style-type: none"> <li>CIP</li> <li>Subgrantees</li> </ul>	<ul style="list-style-type: none"> <li>See Timeline for Issue 2.1</li> </ul>	<ul style="list-style-type: none"> <li>See Interim Benchmark for Issue 2.1</li> </ul>	<ul style="list-style-type: none"> <li>Projects meeting CIP strategy are funded</li> <li>The project descriptions are reflective of CIP intent.</li> <li>The measures demonstrate that non custodial and incarcerated parents are involved in the child welfare case sooner and to a greater extent.</li> </ul>	<ul style="list-style-type: none"> <li>Subgrantee issues report that documents change</li> <li>Report is submitted to ACF as part of CIP Annual Progress Report</li> </ul>

Issue to Be Addressed	Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator
(2.5 continued)	Collaboration with DFPS, subcontractors, local governments, community service organizations, and higher education institutions to support projects that focus on focus on notice and service to incarcerated parents, and opportunities to participate in the child welfare case. (6.2)	<ul style="list-style-type: none"> <li>DFPS</li> </ul>	<ul style="list-style-type: none"> <li>1/01/08 Set up meeting with TDCJ and DFPS to discuss strategies, develop stakeholder lists to launch research effort.</li> <li>Develop strategies for identification, notification of non custodial and incarcerated parents and their families.</li> </ul>	<ul style="list-style-type: none"> <li>Meeting held</li> </ul>	<ul style="list-style-type: none"> <li>A formal process and policies are in place in TDCJ.</li> <li>Courts are notified and overall increase in incarcerated and non custodial involvement is indicated.</li> </ul>	<ul style="list-style-type: none"> <li>DFPS / other stakeholder issues report that documents change</li> <li>Report is submitted to ACF as part of CIP Annual Progress Report</li> </ul>
2.6 Continuing to improve the timeliness of proceedings, including more timely submission of family service plans and more timely and thorough review of plans with parents.	Texas CASA - Project described (4.2) Outcomes defined (10.2)	<ul style="list-style-type: none"> <li>CIP</li> <li>Subgrantees</li> </ul>	<ul style="list-style-type: none"> <li>10/07 – 09/08</li> </ul>	<ul style="list-style-type: none"> <li>CASA program will survey whether CASA involvement improves the timeliness of family service plans and whether parents are afforded the opportunity to participate in development and review prior to court hearings.</li> </ul>	<ul style="list-style-type: none"> <li>Increase number of parents involved in process earlier.</li> </ul>	<ul style="list-style-type: none"> <li>Subgrantee submits report to CIP</li> <li>CIP includes results in CIP Annual Progress Report.</li> </ul>
Texas Center for the Judiciary (4.7, 10.7)	Texas Center for the Judiciary (4.7, 10.7)	<ul style="list-style-type: none"> <li>CIP</li> <li>Subgrantees</li> </ul>	<ul style="list-style-type: none"> <li>8/30/07 RFA Issued</li> <li>9/30/07 Applications Recd</li> <li>10/07 – 9/08 Program Implementation</li> </ul>	<ul style="list-style-type: none"> <li>Applications are reviewed and scored.</li> <li>Applicants selected</li> <li>Implementation underway;</li> <li>Measures tracked and reported to CIP</li> </ul>	<ul style="list-style-type: none"> <li>Projects meeting CIP strategy are funded</li> <li>The project descriptions are reflective of CIP intent.</li> <li>The measures demonstrate that the judiciary is trained on the importance of more timely submission of family services plans and of parental involvement in preparation and review prior to court hearings.</li> </ul>	<ul style="list-style-type: none"> <li>CIP awards grants</li> <li>Programs demonstrate actual change</li> <li>Send program specific performance measures to ACF.</li> </ul>

Issue to Be Addressed (2.6 continued)	Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator
	Office of Parent Representation See Activity for 2.1 -Project Described (5.1) -Outcomes Defined (10.9)	<ul style="list-style-type: none"> <li>• CIP</li> <li>• Subgrantees</li> </ul>	<ul style="list-style-type: none"> <li>• See Timeline for Issue 2.1</li> </ul>	<ul style="list-style-type: none"> <li>• See Interim Benchmark for Issue 2.1</li> </ul>	<ul style="list-style-type: none"> <li>• Timeliness and parental involvement is tracked.</li> <li>• Areas needing improvement are identified.</li> </ul>	<ul style="list-style-type: none"> <li>• Subgrantee submits report to CIP</li> <li>• CIP submits results as part of CIP Annual Progress Report.</li> </ul>
	Collaborative effort with DFPS to assess improvements in timeliness and review of the family service plan (6.3)	<ul style="list-style-type: none"> <li>• CIP / DFPS</li> </ul>	<ul style="list-style-type: none"> <li>• 5/08 hold meeting to identify barriers to participation.</li> </ul>	<ul style="list-style-type: none"> <li>• Report to judiciary on methods to improve timeliness of service plans.</li> </ul>	<ul style="list-style-type: none"> <li>• More timely service plans</li> <li>• Increase in parental participation and review prior to court hearings.</li> </ul>	<ul style="list-style-type: none"> <li>• DFPS / CIP data collected</li> <li>• CIP submits results as part of CIP Annual Progress Report.</li> </ul>
<b>2.7 Further increase the consistency and full compliance with statutory requirements and application of best practices.</b>	Texas CASA -Project described (4.2) -Outcomes defined (10.2)	<ul style="list-style-type: none"> <li>• CIP</li> <li>• Subgrantees</li> </ul>	<ul style="list-style-type: none"> <li>• 10/07 – 09/08</li> </ul>	<ul style="list-style-type: none"> <li>• CASA program expansion and volunteer presence helps increase use of best practice standards</li> </ul>	<ul style="list-style-type: none"> <li>• Use of best practice standards is increased</li> </ul>	<ul style="list-style-type: none"> <li>• Subgrantee submits report to CIP</li> <li>• CIP includes results in CIP Annual Progress Report.</li> </ul>
	Office of Court Administration -Project described (4.3) -Outcomes defined (10.3)	<ul style="list-style-type: none"> <li>• CIP</li> <li>• Subgrantees</li> </ul>	<ul style="list-style-type: none"> <li>• 10/07 – 09/08</li> </ul>	<ul style="list-style-type: none"> <li>• Child Protection Court judges are trained on best practices</li> <li>• Child Protection Court judges receive technological and staff support</li> </ul>	<ul style="list-style-type: none"> <li>• Judges employ best practices</li> <li>• Judges conduct business while traveling from court to court.</li> </ul>	<ul style="list-style-type: none"> <li>• Report from OCA indicating use of best practices by judges.</li> </ul>

Issue to Be Addressed	Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator
<p>2.8 Balancing timely decisions for children and realistic timeframes for parents with substance abuse problems to satisfy their service plan requirements.</p>	<p>Texas Partnership for Family Recovery -Project described (4.6) -Outcomes defined (10.6)</p>	<ul style="list-style-type: none"> <li>CIP</li> </ul>	<ul style="list-style-type: none"> <li>10/07 – 09/08</li> </ul>	<ul style="list-style-type: none"> <li>Prompt identification, screening, treatment and aftercare are promoted</li> <li>More timely access to treatment programs is achieved</li> <li>Assistive services are provided to parents</li> </ul>	<ul style="list-style-type: none"> <li>Treatment enhances opportunity for reunification</li> <li>Parents acquire capabilities to provide for children's needs</li> <li>Reunification is stable</li> <li>Permanency is ensured.</li> </ul>	<ul style="list-style-type: none"> <li>DFPS statistics regarding reunification and substance abuse</li> <li>Timeliness to reunification</li> <li>Stability of reunification</li> </ul>
	<p>Family Drug Treatment Court Initiatives -Project described (4.8) -Outcomes defined (10.8)</p>	<ul style="list-style-type: none"> <li>CIP</li> </ul>	<ul style="list-style-type: none"> <li>8/30/07 RFA Issued</li> <li>9/30/07 Applications Recd</li> <li>10/07 – 9/08 Program Implementation</li> </ul>	<ul style="list-style-type: none"> <li>Applications are reviewed and scored.</li> <li>Applicants selected</li> <li>Implementation underway;</li> <li>Measures tracked and reported to CIP</li> </ul>	<ul style="list-style-type: none"> <li>Projects meeting CIP strategy are funded</li> <li>The project descriptions are reflective of CIP intent.</li> <li>The measures demonstrate program specific outcomes of how the project meets safety, permanence, and well being.</li> </ul>	<ul style="list-style-type: none"> <li>Programs demonstrate actual change</li> <li>CIP includes results in CIP Annual Progress Report</li> </ul>
	<p>Office of Parent Representation -Project described (5.1) -Outcomes defined (10.9)  See Activity for Issue 2.1</p>	<ul style="list-style-type: none"> <li>CIP</li> <li>Subgrantees</li> </ul>	<ul style="list-style-type: none"> <li>See Timeline for Issue 2.1</li> </ul>	<ul style="list-style-type: none"> <li>Substance abuse treatment issues are identified sooner</li> <li>Guidance for parent is in place</li> <li>More timely resolution of legal case is noted</li> </ul>	<ul style="list-style-type: none"> <li>Parents complete substance abuse treatment</li> <li>Legal rights are protected</li> <li>Family reunification occurs</li> <li>Parents are capable of maintaining stability and permanency for their children</li> </ul>	<ul style="list-style-type: none"> <li>OPR Program demonstrate actual change</li> <li>CIP includes results in CIP Annual Progress Report</li> </ul>

Issue to Be Addressed	Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator
<p>2.9 Facilitating timely access to services such as drug treatment screening, and placements for parents in treatment programs.</p>	<p>Texas Partnership for Family Recovery -Project described (4.6) -Outcomes defined (10.9)</p>	<ul style="list-style-type: none"> <li>CIP</li> </ul>	<ul style="list-style-type: none"> <li>10/07 – 09/08</li> </ul>	<ul style="list-style-type: none"> <li>Prompt identification, screening, treatment and aftercare are promoted</li> <li>More timely access to treatment programs is achieved</li> <li>Assistive services are provided to parents</li> </ul>	<ul style="list-style-type: none"> <li>Treatment enhances opportunity for reunification</li> <li>Parents acquire capabilities to provide for children's needs</li> <li>Reunification is stable</li> <li>Permanency is ensured.</li> </ul>	<ul style="list-style-type: none"> <li>DFPS statistics regarding reunification and substance abuse</li> <li>Timeliness to reunification</li> <li>Stability of reunification</li> </ul>
	<p>Family Drug Treatment Court Initiatives -Project described (4.8) -Outcomes defined (10.8)</p>	<ul style="list-style-type: none"> <li>CIP</li> </ul>	<ul style="list-style-type: none"> <li>8/30/07 RFA Issued</li> <li>9/30/07 Applications Recd</li> <li>10/07 – 9/08 Program Implementation</li> </ul>	<ul style="list-style-type: none"> <li>Applications are reviewed and scored.</li> <li>Applicants selected</li> <li>Implementation underway;</li> <li>Measures tracked and reported to CIP</li> </ul>	<ul style="list-style-type: none"> <li>Projects meeting CIP strategy are funded</li> <li>The project descriptions are reflective of CIP intent.</li> <li>The measures demonstrate program specific outcomes of how the project meets safety, permanence, and well being.</li> </ul>	<ul style="list-style-type: none"> <li>Programs demonstrate actual change</li> <li>CIP includes results in CIP Annual Progress Report</li> </ul>
	<p>Office of Parent Representation -Project described (5.1) -Outcomes defined (10.9)  See Activity for Issue 2.1</p>	<ul style="list-style-type: none"> <li>CIP</li> <li>Subgrantees</li> </ul>	<ul style="list-style-type: none"> <li>See Timeline for Issue 2.1</li> </ul>	<ul style="list-style-type: none"> <li>Substance abuse treatment issues are identified sooner</li> <li>Guidance for parent is in place</li> <li>More timely resolution of legal case is noted</li> </ul>	<ul style="list-style-type: none"> <li>Parents complete substance abuse treatment</li> <li>Legal rights are protected</li> <li>Family reunification occurs</li> <li>Parents are capable of maintaining stability and permanency for their children</li> </ul>	<ul style="list-style-type: none"> <li>OPR Program demonstrates actual change</li> <li>CIP includes results in CIP Annual Progress Report</li> </ul>

Issue to Be Addressed	Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator
<p>2.10 Assess the geographic distribution of foster care and treatment resources against the distribution of children and families requiring services to identify foster care and treatment needs.</p>	<p>Texas Partnership for Family Recovery -Project described (4.6) -Outcomes defined (10.9)</p>	<ul style="list-style-type: none"> <li>CIP</li> </ul>	<ul style="list-style-type: none"> <li>10/07 – 09/08</li> </ul>	<ul style="list-style-type: none"> <li>Treatment needs identified</li> <li>Resources identified</li> </ul>	<ul style="list-style-type: none"> <li>Geographic inadequacy identified</li> </ul>	<ul style="list-style-type: none"> <li>CIP Reports findings</li> </ul>
	<p>Family Drug Treatment Court Initiatives -Project described (4.8) -Outcomes defined (10.8)</p>	<ul style="list-style-type: none"> <li>CIP</li> </ul>	<ul style="list-style-type: none"> <li>8/30/07 RFA Issued</li> <li>9/30/07 Applications Recd</li> <li>10/07 – 9/08 Program Implementation</li> </ul>	<ul style="list-style-type: none"> <li>Applications are reviewed and scored.</li> <li>Applicants selected</li> <li>Implementation underway;</li> <li>Measures tracked and reported to CIP</li> </ul>	<ul style="list-style-type: none"> <li>Projects meeting CIP strategy are funded</li> <li>The project identifies treatment and foster resource inadequacies</li> </ul>	<ul style="list-style-type: none"> <li>Programs demonstrate actual change</li> <li>CIP includes results in CIP Annual Progress Report</li> </ul>
	<p>Collaborative efforts with DFPS to assess the geographic distribution resources</p>	<p>CIP / DFPS</p>	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>	<ul style="list-style-type: none"> <li>Attend meetings and educational opportunities offered by DFPS relevant to the issue and to CIP</li> </ul>	<ul style="list-style-type: none"> <li>Efforts undertaken should result in identification of inadequate resources in geographic areas studied.</li> </ul>	<ul style="list-style-type: none"> <li>DFPS tracks data</li> <li>CIP Annual Progress Report</li> </ul>
<p>2.11 Develop a program for judges actively training and experienced in child welfare cases to share their expertise with colleagues in their regions or from similar counties.</p>	<p>Judicial Education Scholarships -Project described (4.7) -Outcomes defined (10.7)</p>	<ul style="list-style-type: none"> <li>CIP</li> <li>Subgrantees</li> </ul>	<ul style="list-style-type: none"> <li>8/30/07 RFA Issued</li> <li>9/30/07 Applications Recd</li> <li>10/07 – 9/08 Program Implementation</li> </ul>	<ul style="list-style-type: none"> <li>Applications are reviewed and scored.</li> <li>Applicants selected</li> <li>Implementation underway;</li> <li>Measures tracked and reported to CIP</li> </ul>	<ul style="list-style-type: none"> <li>Projects meeting CIP strategy are funded</li> <li>The project descriptions are reflective of CIP intent.</li> <li>The measures demonstrate program specific outcomes of how the project meets safety, permanence, and well being.</li> </ul>	<ul style="list-style-type: none"> <li>Programs demonstrate actual change</li> <li>CIP includes results in CIP Annual Progress Report</li> </ul>

Issue to Be Addressed	Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator
<p><b>2.12</b> Develop or maintain a webpage that offers judges, prosecutors, attorneys ad litem, CASA, and parents an overview of the many resources addressing different aspects of child welfare cases</p>	<p>Development or maintenance of a webpage            -Project described (5.6)            -Outcomes defined (10.15)</p>	<ul style="list-style-type: none"> <li>• CIP</li> <li>• Subgrantees</li> </ul>	<ul style="list-style-type: none"> <li>• 8/30/07 RFA Issued</li> <li>• 9/30/07 Applications Recd</li> <li>• 10/07 – 9/08 Program Implementation</li> </ul>	<ul style="list-style-type: none"> <li>• Applications are reviewed and scored.</li> <li>• Applicants selected</li> <li>• Implementation underway;</li> <li>• Measures tracked and reported to CIP</li> </ul>	<ul style="list-style-type: none"> <li>• Projects meeting CIP strategy are funded</li> <li>• The project descriptions are reflective of CIP intent.</li> <li>• The measures demonstrate program specific outcomes of how the project meets safety, permanence, and well being.</li> </ul>	<ul style="list-style-type: none"> <li>• Programs demonstrate actual change</li> <li>• CIP includes results in CIP Annual Progress Report</li> </ul>
<p><b>2.13</b> Promote the establishment of a nonprofit organization to mentor parents involved in child welfare services cases.</p>	<p>Fund a community-based effort that would establish a service to mentor parents in CPS cases            -Project described (5.4)            -Outcomes defined (10.14)</p>	<ul style="list-style-type: none"> <li>• CIP Grant Administrator</li> <li>• Subgrantees</li> </ul>	<ul style="list-style-type: none"> <li>• September 2007 – Applications submitted, Fair and neutral review process, performance measures are reported periodically.</li> <li>• October 2007 – September 2008 implement program</li> </ul>	<ul style="list-style-type: none"> <li>• Applications are reviewed and scored.</li> <li>• Programs begin serving courts and operate</li> <li>• Measures are able to be reported.</li> </ul>	<ul style="list-style-type: none"> <li>• Projects meeting CIP strategy are funded</li> <li>• The project descriptions are reflective of CIP intent.</li> <li>• The measures demonstrate program specific outcomes of how the project meets safety, permanence, and well being.</li> </ul>	<ul style="list-style-type: none"> <li>• CIP awards grants</li> <li>• Programs demonstrate actual change</li> <li>• Send program specific performance measures to ACF.</li> </ul>
<p><b>2.14</b> Conduct statewide discussion with other stakeholders to identify / develop new tools, practices, etc., that shift workloads away from areas where limited resources create bottlenecks in the process.</p>	<p>Ongoing and meaningful collaboration with DFPS and other stakeholders (Section 9)</p>	<p>CIP Program</p>	<p>On-going</p>	<p>Quarterly Task Force meetings            Weekly CIP/DFPS Mtgs            CFSR/PIP Participation, Review and PIP</p>	<p>Judges will have opportunity to change case management processes to improve outcomes for children</p>	<p>Report with recommendations will be generated to judiciary            Training Curriculum            Committee will incorporate finding into new and on-going training programs</p>



Issue to Be Addressed	Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator
<p><b>2.15</b> Consider establishing a 24 hour hotline for children in foster care.</p>	<p>Fund the establishment of a 24 hour hotline for children in the PMC of DFPS -Project described (5.3) -Outcomes defined (10.10)</p>	<ul style="list-style-type: none"> <li>• CIP</li> <li>• Subgrantees</li> </ul>	<ul style="list-style-type: none"> <li>• 8/30/07 RFA Issued</li> <li>• 9/30/07 Applications Recd</li> <li>• 10/07 – 9/08 Program Implementation</li> </ul>	<ul style="list-style-type: none"> <li>• Applications are reviewed and scored.</li> <li>• Applicants selected</li> <li>• Implementation underway;</li> <li>• Measures tracked and reported to CIP</li> </ul>	<ul style="list-style-type: none"> <li>• Projects meeting CIP strategy are funded</li> <li>• The project descriptions are reflective of CIP intent.</li> <li>• The measures demonstrate program specific outcomes of how the project meets safety, permanence, and well being.</li> </ul>	<ul style="list-style-type: none"> <li>• Programs demonstrate actual change</li> <li>• CIP includes results in CIP Annual Progress Report</li> </ul>
<p><b>2.16</b> Develop a stronger relationship with representatives of Native American Tribes in Texas.</p>	<ul style="list-style-type: none"> <li>• Identify the courts that have jurisdiction in areas where Native American Tribes exist.</li> <li>• Catalog needs of tribal courts in child welfare cases.</li> <li>• Develop contact list</li> <li>• Establish regional stakeholder meeting</li> </ul>	<ul style="list-style-type: none"> <li>• CIP Executive Assistant</li> </ul>	<ul style="list-style-type: none"> <li>• 04/08 – Identify courts</li> <li>• 06/08 – Contact courts with survey and needs assessment</li> <li>• 09/08 -- set meeting with regional stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>• List of courts with contact information.</li> <li>• Document indicating survey results and needs assessment results.</li> <li>• Contact list</li> <li>• Meeting held</li> </ul>	<ul style="list-style-type: none"> <li>• Improved coordination between the CIP and the tribes.</li> </ul>	<ul style="list-style-type: none"> <li>• Summary report detailing events and applicability to state courts that may have contact with tribe members in child welfare context.</li> </ul>

Issue to Be Addressed	Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator
<p>Issues identified in 2003 PIP</p> <p>2.17 From PIP</p>						
<p>P1 re: Stability of FC placements</p>	<p>CIP Collaboration with DFPS to resolve placement crisis in Texas; Support implementation of step down rate; Support implementation of increased foster care reimbursement</p>	<ul style="list-style-type: none"> <li>• CIP</li> <li>• DFPS</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing</li> </ul>	<ul style="list-style-type: none"> <li>• Step Down Rate is implemented</li> <li>• Foster Care reimbursement rate is implemented</li> </ul>	<ul style="list-style-type: none"> <li>• Meaningful and ongoing collaboration between CIP and DFPS is demonstrated</li> </ul>	<ul style="list-style-type: none"> <li>• Stability of Foster Care Placements</li> <li>• Appropriateness of Permanency Goals</li> <li>• Adoption Standards</li> </ul>
<p>P1 re: Permanency goals inappropriate or not established in a timely manner</p>	<p>Collaborate with DFPS to study large PMC population as part of CIP study of T.F.C. 263.401</p>			<ul style="list-style-type: none"> <li>• PMC Study is completed</li> </ul>		<p>CFSR Standards are achieved in subsequent Reviews</p>
<p>P1 re: Adoption Standards</p>	<p>Support DFPS efforts to implement increased adoption subsidy for children who are difficult to adopt; Support efforts to increase adoption awareness and consummation through local, regional, and statewide efforts.</p>			<ul style="list-style-type: none"> <li>• Adoption subsidy for difficult to adopt children is implemented</li> </ul>		

Issue to Be Addressed	Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator
<b>2.18 From PIP</b>  <b>Wellbeing:</b>  Needs and services of child, parents, foster child;  Child and family involvement in the case plan;  Caseworker visits with child;  Caseworker visits with parents	CIP will support DFPS efforts to employ Family Group Decision Making  CIP will support DFPS efforts to involve all parents (custodial, non-custodial, incarcerated) to participate  CIP will support DFPS efforts to ensure monthly visits between caseworker and child/family	<ul style="list-style-type: none"> <li>• CIP</li> <li>• DFPS</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing</li> </ul>	<ul style="list-style-type: none"> <li>• Continued periodic stakeholder meetings</li> </ul>	<ul style="list-style-type: none"> <li>• FGDM is used</li> <li>• All parents are involved</li> <li>• Caseworkers visit with children and their families</li> </ul>	<ul style="list-style-type: none"> <li>• Child and Family Wellbeing standards are achieved on subsequent CFSRs</li> </ul>
<b>2.19 From IV-E</b>  Each review listed child specificity in court orders as a suggested area of improvement	CIP will fund judicial education efforts and collaboration with CIP Training Committee to address this issue	<ul style="list-style-type: none"> <li>• CIP</li> <li>• Texas Center for the Judiciary</li> <li>• CIP Training Committee</li> <li>• DFPS</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing</li> </ul>	<ul style="list-style-type: none"> <li>• Continued periodic and documented Training Committee Meetings.</li> </ul>	<ul style="list-style-type: none"> <li>• Child specific court orders</li> </ul>	Title IV-E Reviews will not include suggestions for improvement regarding child specificity in court orders.

<p>Issues identified in Program Instructions PI-07-03</p>	<p>2.20 PI 07-03</p> <p>Public Law 109-239 requiring courts to assess their effectiveness in carryout state laws that :</p> <p>Require courts in different States to cooperate in sharing information</p> <p>Authorize courts to obtain information and testimony from agencies and parties without requiring interstate travel by the agencies and parties</p> <p>Permit the participation of parents, children, other necessary parties and attorneys in ICPC cases without requiring interstate travel</p>	<p>CIP has made an initial assessment on each element, which is found under Tab C of this CIP Application.</p>	<p>CIP</p>	<p>10/07 - 09/08</p>	<p>Assessment of whether the methods set out in Tab C are being employed</p> <p>Will have identified barriers in coordination with Texas Interstate Compact Office (TIC)</p>	<p>Report of the assessment, including strategy and recommendations to implement improvements needed</p>	<p>Report submitted to ACF by June 30, 2008.</p>
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<p><b>2.21 Public Law 109-239</b> requiring that foster parents, pre-adoptive parents, and relative caregivers of a child in foster care are notified on any proceedings held with respect to the child</p>	<p>CIP has included a copy of the Texas Family Code Statutes 263.302 and 263.501 which provides for the child's attendance at each hearing and notice to the listed parties for each hearing. (5.5, 10.12)</p>	<p>CIP Program</p>	<p>Ongoing</p>	<p>Children will attend hearings; Judges will consult with children 4 an older about permanency plan</p>	<p>Children will be involved in court hearings / child welfare case and process Children will be involved in their permanency plan</p>	<p>Permanency plans and goals will be more collaborative and enduring.</p>
<p><b>2.22</b> Undertake activities that will inform the legal and judicial community about the CFSR and encourage active legal and judicial participation</p>	<p>CIP / Texas Center for the Judiciary / DFPS will sponsor educational efforts that include: Fostering Court Improvement Building a Better Court See Tab E</p>	<p>CIP / Texas Center / DFPS</p>	<p>September 2007 – CPS Judicial Conference 10/07 – 09/08 Additional CPS Judicial Conferences and other legal personnel trainings (court personnel, staff, attorneys)</p>	<p>Training conducted</p>	<p>Judges are aware of the CFSR and participation is increased Judges implement at least one positive court change learned from training</p>	<p>The number of judges participating in the review increases over last review. Follow-up documenting changed behavior</p>
<p><b>2.23</b> Establish a program to collect and analyze data to evaluate the quality of court performance and measure the success of court improvement efforts.</p>	<p>Functional Requirements Survey and modifications to SDCMS (See CIP Data Grant Application for full description) See Tab F</p>	<p>CIP / Office of Court Administration</p>	<p>Ongoing</p>	<p>Study completed</p>	<p>Judges have more information available from DFPS.</p>	<p>Judges cite DFPS data in rulings.</p>

## **TAB A: CIP Permanency Strategies**

**P1: Stability of foster care placements deemed inadequate due to multiple placements being excessive or unnecessary**

Response: CIP will continue to collaborate with and support DFPS efforts to resolve the placement crisis in Texas. As Texas moves toward its second CFSR, the issue of foster care stability will again be uncertain. Texas has a capacity crisis, primarily affecting children who are being discharged from psychiatric hospitals. The 80<sup>th</sup> Legislature approved a new “step down” rate, which is a specialized rate for children who have experienced multiple psychiatric hospital placements. Because there is already a short of foster homes available, frequent moves are often the norm for this difficult and needy population. The 80<sup>th</sup> Legislature also approved a reimbursement rate increase, which should have a positive effect on the availability of foster homes.

**P1: Permanency goals were inappropriate or not established in a timely manner**

Response: In 2007-08, CIP will collaborate with DFPS to study the large PMC population in Texas as part of a study to examine the effect of Texas Family Code Section 263.401 (extraordinary circumstances to extend past 12 months). This statute will also be examined in relationship to resolving cases that involve substance abuse.

**P1: Adoption Standards – Texas failed to meet in the last CFSR**

Response: The 80<sup>th</sup> Legislature approved Texas Adoption Day, and increased the adoption subsidy for children who are difficult to adopt. CIP and DFPS will continue to work on ways to increase adoption awareness and consummation through local efforts such as Heart Galleries, and through judicial support of adoption days.

## **TAB B: 2003 PIP Outstanding Issue on Child & Family Well-being**

From 2003 PIP – Well-being data is not reviewed on a statewide basis. Rather, it is determined from case file review. The 2003 PIP projected 80% conformity by March 2005 in the following areas: Needs and services of child, parents, and foster parents; Child and family involvement in the case plan; Caseworker visits with child; and Caseworker visits with parents. Texas proposed six strategies and 16 actions steps for Well-being 1. Texas has addressed all six strategies, however, Texas is so large and the initiatives so wide-spread that positive results are diluted.

Family Group Decision Making Initiative is aimed at increasing the use of FGDM to engage families to create realistic and family-based permanency goals, as well as strategies to successfully achieve them. Challenges: creating a process that will result in successful, measurable outcomes for families. It is labor intensive and has benefited from technical assistance from multiple states, extensive training, dedicated staff positions, development of community and stakeholder support, and the creation of an evaluation mechanism. An initial evaluation has been completed and is on the DFPS website at [www.dfps.state.tx.us](http://www.dfps.state.tx.us)

DFPS policy about involving fathers in case planning is clear and the follow through regarding fathers is re-emphasized in the FGDM model. In March 2004, DFPS distributed PSA 04-082 and PSA 04-074, "Services to Parents Across Regional Lines. CIP will provide support and collaboration with DFPS to provide more timely notice and service to non-custodial parents, and to incarcerated parents in order to increase the opportunities to participate in the child welfare care case. CIP efforts are described in Section 5.2 of the Basic Grant application.

Involving incarcerating parents in the service or case planning process has been addressed in part by the distribution of PSA 04-074 "Parents Who Are Incarcerated." DFPS has hired a Parent Program Specialist who has made incarcerated parents and father involvement a high priority. CIP's effort described in Section 5.1 could also advance parental participation, as will CIP's continued funding of CASA, per Section 4.2.

Improving monthly visits by caseworker with children was addressed by DFPS in Fall 2006 by evaluating weekly how often a caseworker actually visited their clients. This strategy had a tremendous impact on improving frequency of contact.

Face to Face Contact with caseworkers is being analyzed by Regional Case Analysts who will document the results of their study. CIP will support and collaboration with DFPS to achieve more frequent (and required) face to face caseworker/client contact.

**TAB C: Per Program Instruction ACFY-CB-PI- 07-03, courts are required to assess their effectiveness in carrying out State laws that:**

**1. Require courts in different States to cooperate in sharing information**

There is no Texas law that requires or prohibits the sharing of information between states. Logically, courts will not share data in either direction unless the ICPC process has been properly initiated. Prudent practice would demand that safeguards regarding identity and confidential information exist to protect the child who is the subject of the suit. Part of an assessment should include checking to make sure this has been done. Information can be shared by phone, teleconferencing or even emailing between courts or between one court and a judge in the other jurisdiction (like a chat-type exchange). The problem is coordination of schedules between the courts.

**2. Authorize courts to obtain information and testimony from agencies and parties without requiring interstate travel by the agencies and parties.**

Courts are authorized to obtain information and testimony from agencies and parties, and must obtain information specific to the children and families involved in the case pursuant to Texas Family Code Sections 263.306, 263.501, and 263.503, including information with respect to a child's placement within the state of jurisdiction, and for a child placed outside of the state. Information from other agencies and parties involved can be transmitted through the in-state caseworker appearing before the court holding the hearing, as well as other parties such as the attorney ad litem, volunteer advocate, therapist, foster parent, or relative care giver. Information can be conveyed to the court through letters, a written report, a court report from the caseworker or a volunteer advocate, or a sworn affidavit. There is no rule that prohibits a court from considering written or oral testimony from agencies and parties other than an objection that it may be hearsay, a final ruling of which is within the reviewing court's discretion.

**3. Permit the participation of parents, children, other necessary parties, and attorneys in interstate placement cases without requiring interstate travel.**

Participation of parents, children, foster parents, pre-adoptive parents, the agency, a relative providing care, the director of a group home or institution in which the child resides, a possessory conservator or guardian, the child's attorney ad litem and guardian ad litem, if appointed, is authorized by Texas Family Code Sections 263.306, and 263.501. Other parties or any other person in the relevant sending or receiving state can participate in the hearing if they have an interest in the child per 263.501(d)(6). Interstate travel is not required in any situation, and a judge can consider many types of information as described in #2 above. The problem is how to coordinate the hearings between the sending and receiving states. Teleconferencing is obviously one



way that participation can be facilitated. Another method is written submissions such as a court report or a sworn affidavit or email.

**In preparation for the Report due June 30, 2008,** CIP will undertake the effort to assess whether these methods are being employed by courts and what the barriers to participation are. CIP has met with the Texas Interstate Compact Office (TICO) to examine the barriers to more timely ICPC placements. CIP will work with TICO during the FY2007-08 period, and will undertake efforts to conduct surveys, interviews, and review case files. CIP will include an assessment and recommendations to implement improvements with the CIP application for FY2008 funding due June 30, 2008.

§ 263.306. PERMANENCY HEARINGS: PROCEDURE. (a) At each permanency hearing the court shall:

(1) identify all persons or parties present at the hearing or those given notice but failing to appear;

(2) review the efforts of the department or another agency in:

(A) attempting to locate all necessary persons;  
(B) requesting service of citation; and  
(C) obtaining the assistance of a parent in providing information necessary to locate an absent parent, alleged father, or relative of the child;

(3) review the efforts of each custodial parent, alleged father, or relative of the child before the court in providing information necessary to locate another absent parent, alleged father, or relative of the child;

(4) return the child to the parent or parents if the child's parent or parents are willing and able to provide the child with a safe environment and the return of the child is in the child's best interest;

(5) place the child with a person or entity, other than a parent, entitled to service under Chapter 102 if the person or entity is willing and able to provide the child with a safe environment and the placement of the child is in the child's best interest;

(6) evaluate the department's efforts to identify relatives who could provide the child with a safe environment, if the child is not returned to a parent or another person or entity entitled to service under Chapter 102;

(7) evaluate the parties' compliance with temporary orders and the service plan;

(8) determine whether:  
(A) the child continues to need substitute care;  
(B) the child's current placement is appropriate for meeting the child's needs, including with respect to a child who has been placed outside of the state, whether that placement continues to be in the best interest of the child; and  
(C) other plans or services are needed to meet the child's special needs or circumstances;

(9) if the child is placed in institutional care, determine whether efforts have been made to ensure placement of the child in the least restrictive environment consistent with the best interest and special needs of the child;

(10) if the child is 16 years of age or older, order services that are needed to assist the child in making the transition from substitute care to independent living if the services are available in the community;

(11) determine plans, services, and further temporary orders necessary to ensure that a final order is rendered before the date for dismissal of the suit under this chapter; and

(12) determine the date for dismissal of the suit under this chapter and give notice in open court to all parties of:

(A) the dismissal date;  
(B) the date of the next permanency hearing;

and

(C) the date the suit is set for trial.

(b) The court shall also review the service plan, permanency report, and other information submitted at the hearing to:

- (1) determine:
  - (A) the safety of the child;
  - (B) the continuing necessity and appropriateness of the placement;
  - (C) the extent of compliance with the case plan; and
  - (D) the extent of progress that has been made toward alleviating or mitigating the causes necessitating the placement of the child in foster care; and
  - (E) whether the department has made reasonable efforts to finalize the permanency plan that is in effect for the child; and
- (2) project a likely date by which the child may be returned to and safely maintained in the child's home, placed for adoption, or placed in permanent managing conservatorship.

Added by Acts 1995, 74th Leg., ch. 20, § 1, eff. April 20, 1995.  
Amended by Acts 1995, 74th Leg., ch. 751, § 114, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 600, § 16, eff. Jan. 1, 1998; Acts 1997, 75th Leg., ch. 603, § 11, eff. Jan. 1, 1998; Acts 1997, 75th Leg., ch. 1022, § 89, eff. Jan. 1, 1998; Acts 1999, 76th Leg., ch. 1390, § 47, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 306, § 3, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 849, § 7, eff. Sept. 1, 2001.

§ 263.503. PLACEMENT REVIEW HEARINGS; PROCEDURE. At each placement review hearing, the court shall determine whether:

(1) the child's current placement is necessary, safe, and appropriate for meeting the child's needs, including with respect to a child placed outside of the state, whether the placement continues to be appropriate and in the best interest of the child;

(2) efforts have been made to ensure placement of the child in the least restrictive environment consistent with the best interest and special needs of the child if the child is placed in institutional care;

(3) the services that are needed to assist a child who is at least 16 years of age in making the transition from substitute care to independent living are available in the community;

(4) other plans or services are needed to meet the child's special needs or circumstances;

(5) the department or authorized agency has exercised due diligence in attempting to place the child for adoption if parental rights to the child have been terminated and the child is eligible for adoption; and

(6) the department or authorized agency has made reasonable efforts to finalize the permanency plan that is in effect for the child.

Added by Acts 1997, 75th Leg., ch. 600, § 17, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 603, § 12, eff. Jan. 1, 1998; Acts 1997, 75th Leg., ch. 1022, § 90, eff. Jan. 1, 1998. Amended by Acts 2001, 77th Leg., ch. 849, § 9, eff. Sept. 1, 2001.

TAB D

S.B. No. 75

AN ACT

relating to certain requirements relating to permanency hearings and placement review hearings for children under the care of the Department of Family and Protective Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 263.302, Family Code, is amended to read as follows:

Sec. 263.302. CHILD'S ATTENDANCE AT HEARING. The child shall attend each permanency hearing unless the court specifically excuses the child's attendance. The court shall consult with the child in a developmentally appropriate manner regarding the child's permanency plan, if the child is four years of age or older and if the court determines it is in the best interest of the child.

Failure by the child to attend a hearing does not affect the validity of an order rendered at the hearing.

SECTION 2. Section 263.501, Family Code, is amended by amending Subsections (d) and (e) and adding Subsection (f) to read as follows:

(d) The following are entitled to not less than 10 days' notice of a placement review hearing and are entitled to present evidence and be heard at the hearing:

- (1) the department;
- (2) the foster parent, preadoptive parent, relative of the child providing care, or director of the group home or institution in which the child is residing;
- (3) each parent of the child;
- (4) each possessory conservator or guardian of the child;
- (5) the child's attorney ad litem and volunteer advocate, if the appointments were not dismissed in the final order; and
- (6) any other person or agency named by the court as having an interest in the child's welfare.

(e) The licensed administrator of the child-placing agency responsible for placing the child is entitled to not less than 10 days' notice of a placement review hearing.

(f) The child shall attend each placement review hearing unless the court specifically excuses the child's attendance. The court shall consult with the child in a developmentally appropriate manner regarding the child's permanency or transition plan, if the child is four years of age or older. Failure by the child to attend a hearing does not affect the validity of an order rendered at the [The court may dispense with the requirement that the child attend a placement review] hearing.

SECTION 3. The changes in law made by this Act apply only to a permanency hearing or a placement review hearing conducted under Chapter 263, Family Code, on or after the effective date of this Act. A permanency hearing or a placement review hearing conducted before the effective date of this Act is governed by the law in effect on the date the hearing was conducted, and the former law is

continued in effect for that purpose.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.

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President of the Senate

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Speaker of the House

I hereby certify that S.B. No. 759 passed the Senate on March 28, 2007, by the following vote: Yeas 30, Nays 0; May 21, 2007, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 24, 2007, House granted request of the Senate; May 26, 2007, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 0.

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Secretary of the Senate

I hereby certify that S.B. No. 759 passed the House, with amendments, on May 16, 2007, by the following vote: Yeas 146, Nays 0, one present not voting; May 24, 2007, House granted request of the Senate for appointment of Conference Committee; May 26, 2007, House adopted Conference Committee Report by the following vote: Yeas 145, Nays 0, two present not voting.

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Chief Clerk of the House

Approved:

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Date

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Governor

**TAB E: BUILDING A BETTER COURT and  
FOSTERING COURT IMPROVEMENT**

Building a Better Court focuses on measuring and improving court performance and judicial workload in child abuse and neglect cases. The goal of Building a Better Court is for courts to have the tools to improve their own performance, which will in turn, improve outcomes for kids by rendering better court orders that fit the needs of the children and families. Building a Better court outlines a process that a court can use to measure court performance and judicial workload, and these measures are complementary to the Child and Family Service Reviews. The court performance measures cover four basic outcomes: Safety, Permanency, Due Process, and Timeliness. (2.21)

Fostering Court Improvement Fostering Court Improvement, which uses existing AFCARS (Adoption and Foster Care Analysis and Reporting System) data which is collected by DFPS, and submitted to the federal government and links it together to create information that can be used to assess child outcomes from the time of removal to the time of discharge. Fostering Court Improvement is web-based and free of charge, and can be password protected so that it is only accessible by courts and child welfare agencies. The report can be reviewed at the county, judicial district, or child welfare region, or on a macro level – the entire state. The presentation will demonstrate how to access the data, how to interpret it, and how to use it to implement changes that will impact the lives of children in foster care. (2.21)

**TAB F: PROGRAMS TO COLLECT AND ANALYZE  
AUTOMATED AND NON-AUTOMATED DATA TO EVALUATE  
THE QUALITY OF COURT PERFORMANCE AND MEASURE  
THE SUCCESS OF COURT IMPROVEMENT EFFORTS**

**Functional Requirements Study (FRS)**

This will involve processing the data collected from the stakeholder interviews in year one. The contractors will collate and analyze requirements identified in the interviews and field observations. They will then send the information back to the stakeholders for reviews and comments. A summary of the information will be provided. The TexDECK project also will survey the Child Protection Courts to verify interest in modifications of the SDCMS (FY2006 project) to meet the requirements deemed most important as a result of the Functional Requirements Survey.

**Improving Court Performance in child protection cases -- to analyze performance regarding child safety, permanency, and wellbeing –**

CIP will fund efforts to measure court performance in child abuse and neglect cases. Evaluation of court performance measures, such as those included in the Packard Guide and Toolkit, can establish methods to address increasing court accountability through enhanced performance measurements, and by assessing judicial workloads to ensure that judges have enough time to make timely, thorough, and well-considered decisions for children and families. Also, developing and using specific tools and automating court functions, such as electronic filing, creation and printing of documents, electronic transmission of information to parties

**CIP will collaborate** on efforts that include trainings such as Building a Better Court and Fostering Court Improvement Fostering Court Improvement, which uses existing AFCARS (Adoption and Foster Care Analysis and Reporting System) data which is collected by DFPS, and submitted to the federal government and links it together to create information that can be used to assess child outcomes from the time of removal to the time of discharge. Fostering Court Improvement is web-based and free of charge, and can be password protected so that it is only accessible by courts and child welfare agencies. The report can be reviewed at the county, judicial district, or child welfare region, or on a macro level – the entire state. The presentation will demonstrate how to access the data, how to interpret it, and how to use it to implement changes that will impact the lives of children in foster care.



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AN ACT

relating to certain requirements relating to permanency hearings and placement review hearings for children under the care of the Department of Family and Protective Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 263.302, Family Code, is amended to read as follows:

Sec. 263.302. CHILD'S ATTENDANCE AT HEARING. The child shall attend each permanency hearing unless the court specifically excuses the child's attendance. The court shall consult with the child in a developmentally appropriate manner regarding the child's permanency plan, if the child is four years of age or older and if the court determines it is in the best interest of the child. Failure by the child to attend a hearing does not affect the validity of an order rendered at the hearing.

SECTION 2. Section 263.501, Family Code, is amended by amending Subsections (d) and (e) and adding Subsection (f) to read as follows:

(d) The following are entitled to not less than 10 days' notice of a placement review hearing and are entitled to present evidence and be heard at the hearing:

- (1) the department;
- (2) the foster parent, preadoptive parent, relative of the child providing care, or director of the group home or

1 institution in which the child is residing;

2 (3) each parent of the child;

3 (4) each possessory conservator or guardian of the  
4 child;

5 (5) the child's attorney ad litem and volunteer  
6 advocate, if the appointments were not dismissed in the final  
7 order; and

8 (6) any other person or agency named by the court as  
9 having an interest in the child's welfare.

10 (e) The licensed administrator of the child-placing agency  
11 responsible for placing the child is entitled to not less than 10  
12 days' notice of a placement review hearing.

13 (f) The child shall attend each placement review hearing  
14 unless the court specifically excuses the child's attendance. The  
15 court shall consult with the child in a developmentally appropriate  
16 manner regarding the child's permanency or transition plan, if the  
17 child is four years of age or older. Failure by the child to attend  
18 a hearing does not affect the validity of an order rendered at the  
19 [The court may dispense with the requirement that the child attend a  
20 placement review] hearing.

21 SECTION 3. The changes in law made by this Act apply only to  
22 a permanency hearing or a placement review hearing conducted under  
23 Chapter 263, Family Code, on or after the effective date of this  
24 Act. A permanency hearing or a placement review hearing conducted  
25 before the effective date of this Act is governed by the law in  
26 effect on the date the hearing was conducted, and the former law is  
27 continued in effect for that purpose.

S.B. No. 759

1           SECTION 4. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2007.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 759 passed the Senate on March 28, 2007, by the following vote: Yeas 30, Nays 0; May 21, 2007, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 24, 2007, House granted request of the Senate; May 26, 2007, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 759 passed the House, with amendments, on May 16, 2007, by the following vote: Yeas 146, Nays 0, one present not voting; May 24, 2007, House granted request of the Senate for appointment of Conference Committee; May 26, 2007, House adopted Conference Committee Report by the following vote: Yeas 145, Nays 0, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

**Application for Federal Assistance SF-424**

Version 02

<b>* 1. Type of Submission:</b> <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	<b>* 2. Type of Application:</b> <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Revision	<b>* If Revision, select appropriate letter(s):</b> <input type="text"/> <b>* Other (Specify)</b> <input type="text"/>
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<b>* 3. Date Received:</b> Completed by Grants.gov upon submission.	<b>4. Applicant Identifier:</b> N/A
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<b>5a. Federal Entity Identifier:</b> N/A	<b>* 5b. Federal Award Identifier:</b> <input type="text"/>
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**State Use Only:**

<b>6. Date Received by State:</b> <input type="text"/>	<b>7. State Application Identifier:</b> <input type="text"/>
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**8. APPLICANT INFORMATION:**

**\* a. Legal Name:** Supreme Court of Texas

<b>* b. Employer/Taxpayer Identification Number (EIN/TIN):</b> 74-60000163	<b>* c. Organizational DUNS:</b> 010634140
---	---

**d. Address:**

**\* Street1:** 201 West 14th Street  
**Street2:**   
**\* City:** Austin  
**County:** Travis  
**\* State:** Texas  
**Province:**   
**\* Country:** U.S.  
**\* Zip / Postal Code:** 78701

**e. Organizational Unit:**

<b>Department Name:</b> Texas Court Improvement Program	<b>Division Name:</b> <input type="text"/>
--	---

**f. Name and contact information of person to be contacted on matters involving this application:**

**Prefix:** Ms. **\* First Name:** Tina  
**Middle Name:**   
**\* Last Name:** Amberboy  
**Suffix:**

**Title:** Executive Director, Supreme Court Task Force on Foster Care

**Organizational Affiliation:**  
Supreme Court of Texas

**\* Telephone Number:** 512-463-9352 **Fax Number:** 512-936-2308

**\* Email:** tina.amberboy@courts.state.tx.us

**Application for Federal Assistance SF-424**

Version 02

**9. Type of Applicant 1: Select Applicant Type:**

State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

**\* 10. Name of Federal Agency:**

U.S. Department of Health & Human Services: ACF

**11. Catalog of Federal Domestic Assistance Number:**

93-586

CFDA Title:

State Court Improvement Program

**\* 12. Funding Opportunity Number:**

ACYF-CB-PI-07-09

\* Title:

Court Improvement Program Fund Basic Grant

**13. Competition Identification Number:**

Title:

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

Primarily affects state courts with jurisdiction over child abuse and neglect cases, including the judges, attorneys, child welfare personnel, and other court personnel involved.

**\* 15. Descriptive Title of Applicant's Project:**

Court Improvement Program

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

\* a. Applicant TX-ALL

\* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

17. Proposed Project:

\* a. Start Date: TX-ALL

\* b. End Date:

18. Estimated Funding (\$):

* a. Federal	\$803,052.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	\$265,007.00
* f. Program Income	
* g. TOTAL	\$1,068,059.00

\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?

- a. This application was made available to the State under the Executive Order 12372 Process for review on .
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)

Yes  No

21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

\*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Ms. \* First Name: Tina  
Middle Name:  
\* Last Name: Amberboy  
Suffix:

\* Title: Executive Director, Supreme Court Task Force on Foster Care

\* Telephone Number: 512-463-9352 Fax Number: 512-936-2308

\* Email: tina.amberboy@courts.state.tx.us

\* Signature of Authorized Representative: *Tina Amberboy* \* Date Signed: 7/20/07

**BUDGET INFORMATION - Non-Construction Programs**

SECTION A - BUDGET SUMMARY						
Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. State Court Improvement	93-586	\$	\$	\$ 803,052.00	\$ 265,007.00	\$ 1,068,059.00
2.						0.00
3.						0.00
4.						0.00
5. Totals		\$ 0.00	\$ 0.00	\$ 803,052.00	\$ 265,007.00	\$ 1,068,059.00
SECTION B - BUDGET CATEGORIES						
Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY (3)					
	(1) State Court Improvement	(2)	(3)	(4)	(5)	Total (5)
a. Personnel	\$ 41,667.00	\$	\$	\$	\$	\$ 41,667.00
b. Fringe Benefits	11,376.00					11,376.00
c. Travel	9,000.00					9,000.00
d. Equipment	3,586.00					3,586.00
e. Supplies	500.00					500.00
f. Contractual	736,923.00					736,923.00
g. Construction	0.00					0.00
h. Other	0.00					0.00
i. Total Direct Charges (sum of 6a-6h)	803,052.00		0.00	0.00	0.00	803,052.00
j. Indirect Charges						0.00
k. TOTALS (sum of 6i and 6j)	\$ 803,052.00	\$	\$ 0.00	\$ 0.00	\$ 0.00	\$ 803,052.00
7. Program Income		\$	\$	\$	\$	\$ 0.00

Authorized for Local Reproduction



SECTION C - NON-FEDERAL RESOURCES				
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8. Court Improvement	\$ 803,052.00	\$	\$ 265,007.16	\$ 1,068,059.16
9.				0.00
10.				0.00
11.				0.00
12. TOTAL (sum of lines 8-11)	\$ 803,052.00	\$ 0.00	\$ 265,007.16	\$ 1,068,059.16

SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
	13. Federal	\$ 803,052.00	\$ 166,532.25	\$ 216,532.25	\$ 216,532.25
14. Non-Federal	265,007.00	66,251.75	66,251.75	66,251.75	66,251.75
15. TOTAL (sum of lines 13 and 14)	\$ 1,068,059.00	\$ 232,784.00	\$ 282,784.00	\$ 282,784.00	\$ 269,707.00

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT				
(a) Grant Program	FUTURE FUNDING PERIODS (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16. Court Improvement	\$ 803,052.00	\$ 803,052.00	\$ 803,052.00	\$ 803,052.00
17.				
18.				
19.				
20. TOTAL (sum of lines 16-19)	\$ 803,052.00	\$ 803,052.00	\$ 803,052.00	\$ 803,052.00

SECTION F - OTHER BUDGET INFORMATION	
21. Direct Charges:	
22. Indirect Charges:	
23. Remarks: See attached narrative.	

## Texas CIP Basic Grant Budget Narrative

	Total	Attributed to Federal Basic Grant
<b>a Personnel</b>		
Grant Administrator	\$71,400.00	\$23,799.98
Executive Assistant (Match \$42,817)	\$0.00	\$0.00
Financial Analyst	\$55,000.00	\$18,333.32
<b>Total Admin Personnel</b>	<b>\$126,400.00</b>	<b>\$41,667.00</b>
<b>b Fringe (27%)</b>	<b>\$34,128.00</b>	<b>\$11,376.00</b>
<b>c. Travel</b>		
GA 5 Site visits/ year @\$500 ea	\$2,500.00	\$2,500.00
GA 2 Program Development Trips	\$1,000.00	\$1,000.00
GA 1 National Trip	\$2,000.00	\$2,000.00
1 GA Training	\$1,500.00	\$2,500.00
FA 1 Site visits@\$500 ea	\$500.00	\$500.00
1 FA Training	\$1,500.00	\$1,500.00
<b>Total for Admin Related Travel</b>	<b>\$9,000.00</b>	<b>\$9,000.00</b>
<b>d Equipment</b>		
Computer, printers, misc hardware and software		\$3,586.00
<b>e Supplies</b>		
Paper, office supplies, and misc office expenses	\$500.00	\$500.00
<b>f Contractual</b>		
CIP ED 1/3	\$81,600.00	\$27,199.97
Director Fringe	\$21,216.00	\$7,071.99
Director Travel		
6 site visits*\$500		\$3,000.00
<b>Total for Director Attributed to Basic Grant</b>		<b>\$37,271.97</b>
<b>FY2007 Projects</b>		
Supreme Court Judicial Commission for Children, Youth, & Families		\$48,000.00
Texas CASA		\$200,000.00
Office of Court Administration		\$27,600.00
Alamo Children's Advocacy Centers		\$50,000.00
National Adoption Day		\$5,000.00
Texas Partnership for Family Recovery		\$5,000.00
Texas Center for the Judiciary		\$150,000.00
Foster Care Child Hotline		\$30,000.00
County Drug Treatment Court Initiatives		\$35,000.00
CIP Reassessment Issues		\$149,051.03
<b>Total for Projects</b>		<b>\$699,651.03</b>
<b>Total Contractual</b>		<b>\$736,923.00</b>
<b>g. Construction</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>h. Other</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>i Total Direct</b>		<b>\$803,052.00</b>

## CERTIFICATION REGARDING LOBBYING

### Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.


(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

  
\_\_\_\_\_  
Signature  
Exec. Director of Task Force on Foster Care  
\_\_\_\_\_  
Title  
Supreme Court of Texas  
\_\_\_\_\_  
Organization