



CPLS Newsletter — Spring 2022

Volume 3, Issue 1 — Spring 2022

CPLS, CLE Committee Successfully Hold 4th Annual Advanced Child Protection Law Course

By CPLS Newsletter Comm. Staff

The State Bar’s Child Protection Law Section held its 4th Annual Advanced Child Protection Law Course in Houston. The event, held on March 24-25, 2022, offered attorneys ten hours of continuing legal education focused on issues facing attorneys practicing child protection law.

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Council members and officers (l-r): Charity Borserine ('25), Richard Deck ('24), Aurora Martinez Jones (2022-23 Secretary), Jacquelyn Wilson ('25) and Mark Briggs (2022-23 Chair-Elect)



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Child Protection Law Section Board —
2022-23 (as of June 1, 2022)

Officers:

Chair: Sandra Hachem

Imm. Past-Chair: Hon. Rhonda Hunter

Chair-Elect: Mark Briggs

Vice Chair: Hon. Bill Harris

Treasurer: Hon. Aurora Martinez Jones

Secretary: Andrea Frye

Council Members (Term Ending):

Alma Benavides ('23)

Charity Borsierine ('25)

Richard Deck ('24)

Barbara Elias-Perciful ('23)

Andrea Frye ('24)

Hon. Derbha Ann Houston Jones ('23)

Michael Kotwal ('25)

Karen Langsley

Hon. Michael Schneider ('24)

Michele Surratt ('24)

Jacquelyn Wilson ('25)

4th Annual Advanced Child Protection Course, cont.

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CPLS Business: Awards and Elections

In addition to the fifteen talks or presentations offered for CLE credit and a non-credit discussion about preparing for the upcoming Child Welfare certification examination, CPLS took care of several other important issues during the seminar.

First, outgoing Chair Rhonda Hunter was honored for her devoted service to the Section. Rhonda's tenure as an officer and leader of CPLS has coincided with the Section's tremendous growth and stability, which is not a coincidence. In addition to her service as an effective, hard-charging leader, Rhonda has chaired or worked within many CPLS committees. Rhonda's drive and energy are palpable. As a token of the Section's heartfelt appreciation, Chair-Elect Sandra Hachem presented Rhonda with a gold pendant bearing the CPLS seal.

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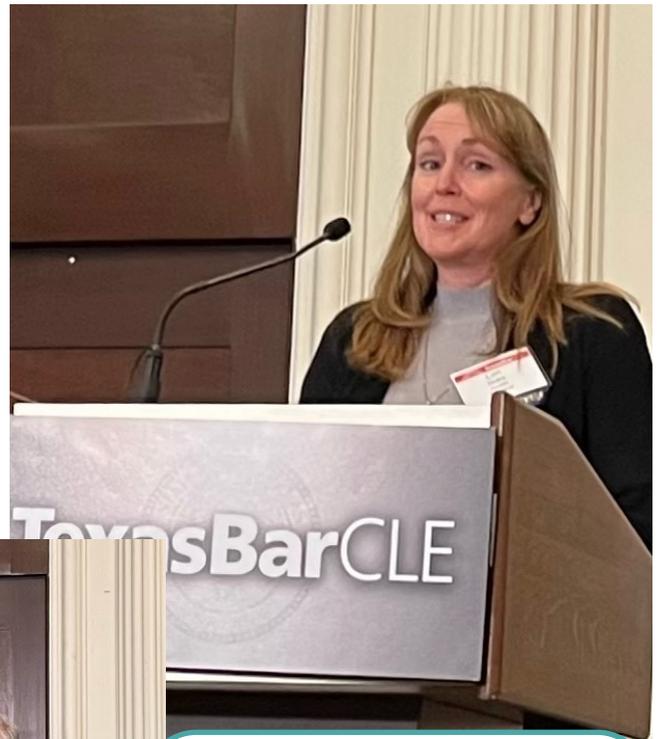


CPLS Chair, Sandra Hachem (right) gives Immediate Past Chair, Rhonda Hunter, a specially-made pendant bearing the CPLS symbol (below)



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Second, Lori Duke received the 2020 Fairy Davenport Rutland Award. Former chair, Tiffany Crouch Bartlett, presented the award to Professor Duke. Crouch-Bartlett explained that Duke received the award “for her distinguished service to children and their families, and for her substantial contributions to the field of advocacy for abused and neglected children.” Duke is the Co-Director and a Clinical Professor at the Children’s Rights Clinic in the University of Texas School of Law.



Prof. Lori Duke receives the 2020 Fairy Davenport Rutland Award (top); Juli Crow, Michele Surratt and Mike Hull comprise a panel discussing representation issues (left); and Rhonda Hunter introduces Richard Orsinger (below);

Third, the membership selected new officers for the year beginning June 1, 2022 when chair-elect Sandra Hachem is seated as chair. Mark Briggs is the new chair-elect, Judge Bill Harris is the vice-chair, Judge Aurora Martinez Jones will take over as treasurer and Andrea Frye will be CPLS’s new secretary. Rhonda Hunter will assume the position of Immediate Past Chair.

Fourth, the Section saw the election of four new Council members at the conference. Richard Deck, a private practitioner in El Paso, will fill a position on the Council that was vacated early and is set to expire in 2024. The other three members will serve full terms that expire in 2025. These new



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Council members are Charity Borserine, a private practitioner in Allen, Michael Kotwal, a Dallas County Assistant District Attorney, and Jacquelyn Wilson, an attorney in the Travis County Office of Parental Representation.

Courses/Speakers Presented

A panel discussion, *Realities of Human Trafficking*, kicked off the seminar. Speakers included three recognized experts in sex trafficking prevention and interdiction, Kyra Doubek, the Executive

Les Shireman (above) discusses issues for non-offending parents; Bob Williams, Rhonda Kuykendall and Kyra Doubek (l-r) discuss human trafficking issues (right); and Mark Zuniga prepares us for removal hearings (below).



Director of Washington Trafficking Prevention; Rhonda Kuykendall, an Anti-Child Trafficking Consultant for Texas CASA, among other things; and Bob Williams, the founder of Ranch Hands Rescue in Denton. The attendees were fortunate to have this esteemed panel discuss such a sobering topic.



The focus of two presentations was the effects of trauma on youth and ways to deal with the aftereffects. Judge Elizabeth Watkins, an associate judge with the Concho Valley Child Protection Court, discussed the “brain science behind the behaviors” caused by trauma “and the best practice approaches to obtaining better outcomes for all those involved in the child welfare case.” And Judge De-

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lia Gonzales, an associate judge in Dallas County’s Child Protection and Permanency Court, discussed how to recognize and work with foster youth that have been exposed to domestic violence and drug abuse.

The last legislative session brought major changes in child protection law, none bigger than HB567. Judge Bill Harris, who presides over the County Court at Law in Lamar County, first addressed the bill. His presentation, entitled, “Family Before Foster Care: A Review of HB 567,” was a nuts-and-bolts breakdown of the changes



Dr. George Kudolo points out issues in drug testing (top); Prof. Lori Duke, Sonja Sims, Ann Draper and Kellie Price plumb the depths of HB 567 (left); Sandra Hachem tackles services issues (below).

wrought by HB 567. The seminar also included a panel that discussed the bill. The panel was moderated by Kellie Price, an attorney with TDFPS. Members of the panel included Ann Draper, a prosecutor with the Dallas County District Attorney’s Office; Lori Duke, a clinical professor and the Co-Director of the Children’s Rights Clinic at the University of Texas School of Law; and Sonja Sims, a private practitioner based in San Antonio.

Dr. George Kudolo, a Professor of Clinical Chemistry and Toxicology at UT Health San Antonio, provided one of the more eye-opening presentations. Dr. Kudolo presented “Race, Eth-

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nicity and Drug Testing,” a discussion of differences in the metabolism of drugs in the organs of people of different races and ethnicities. Dr. Kudolo also pointed out the problem is not solved by testing a person’s hair instead since the growth rate and color of hair affects the amount of drugs deposited in the hair used for testing. Consequently, Dr. Kudolo explained, caseworkers and courts must interpret these results “with extreme caution.”



Rhonda Hunter keeps the Advanced Child Protection Law course on track and on time (top); some of the conference attendees enjoying the post-conference mixer (right and below).



A number of presentations also focused on issues arising during representation in child welfare cases. Judge Lyda Ness, who presides over the 383rd District Court in El Paso, presented “Cultural Awareness and Parent Representation.” Isaac Rowe, the founder of Man In Me, a non-profit serving fathers in the Travis County area, discussed the important role of fathers in the physical and emotional health of growing children, and some of the problems facing fathers and families of lower income and particularly problems facing African-American fathers.

Three CPLS members headed up a panel discussion entitled, “Legal Representation.” The talk

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covered a number of issues faced by prosecutors and attorneys for children and parents. The panel was moderated by Michael Hull, a Senior Assistant Harris County Attorney, Michele Surratt, an attorney with TDFPS based in Lubbock, and Juli Crow, a frequent ad litem for parents and children and an associate judge in Harris County.

The conference also provided child welfare practitioners with many discussions of pertinent legal issues. Bill Connolly, a practitioner from Connolly & Shireman in Houston, presented a child welfare case update. Les Shireman, also from Connolly & Shireman, discussed "Section 262.201 and the Non-Offending Parent," a preview of an article of the same name in the next issue of the CPLS Newsletter.

Richard Orsinger, a renowned practitioner from San Antonio's Orsinger, Nelson, Downing & Anderson, LLP, provided the attendees with an evidence update. Our CPLS chair-elect, Sandra Hachem, another Senior Assistant Harris County Attorney, presented, "Service Issues in CPS Cases." Mark Zuniga, the Managing Attorney with the Travis County Office of Parental Representation, covered issues arising "Before the Removal Hearing."

Judge Peter Sakai, a Senior District Court Judge out of San Antonio, was the focus of a lunchtime interview by Chair Rhonda Hunter. Judge Sakai recounted his experiences with grappling with the insufficient child welfare legal system in San Antonio and his efforts to modernize and improve it. Two



More child protection law revelers at the post-conference mixer. Who let in the seasonally-unemployed Santa Clause (top, right)?

attorneys certified in Child Welfare law by the Texas Board of Legal Specialization, Tammy Moon of the Simien Moon Law Firm, and Jeanice Dawes, an Assistant Harris County Attorney, both of Houston, provided tips for preparing for the upcoming board certification examination.

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Meet your 2021-22 CPLS Officers

Chair: Judge Rhonda Hunter

Judge Rhonda Hunter: CPLS Chair



Professional Experience: Presiding Judge of the 303rd District Court (Dallas); Administrative Chief of the Juvenile Division in the Dallas County Criminal District Attorney's Office; partner at Farrow Gillespie & Heath; Law Office of Rhonda Hunter

Honors/Professional Designations: Certified by Texas Board of Legal Specialization in both Family Law and Child Welfare Law; Board Member and former President of the Dallas Bar Association; Member of the ABA House of Delegates; former President of J.L. Turner Legal Association and the Dallas Association of Black Women Attorneys; Chair of the Committee for a Qualified Judiciary; former Chair of the Dallas Bar Community Service Fund; former member of the State Bar of Texas Board of Directors, the National Conference of Bar Presidents' Executive Council, the Metropolitan Bar Caucus Committee, the Supreme Court of Texas Board of Disciplinary Appeals, and the American Academy of Matrimonial Lawyers.

You may not know: Rhonda is an experienced dancer, choreographer and teacher; she has served as the choreographer and assistant director for the Bar None variety show.

Chair-Elect: Sandra Hachem

Sandra Hachem: Chair-Elect (becomes Chair June 1, 2022)

Current Committee Titles: Co-Chair of Scope Committee, Chair of Sponsorship/Hospitality Committee; Member: CLE, Legislative and Communication Committees

Prior CPLS Officer Positions: Secretary (2018-19), Vice-Chair (2020)

Professional Activities: Chair of Government Committee of State Bar Appellate Section, Collaborative Council Member of Texas Supreme Court's Judicial Commission for Children, Youth & Families

Honors/Professional Designations: Board Certified in Civil Appellate Law, Recipient of Chair Award of Child Protection Law Section (2021); TBLS Exam Commission for Child Welfare Specialization (2018-2021), Recipient of Fairy Davenport Award of Appreciation (2016); Past Chair of Child Abuse & Neglect Committee of the State Bar of Texas (2007); Past Member Task Force for Post Trial Rules in Cases Involving Termination of the Parental Relationship (HB 906), Order 11-9202 (Tex. 10/5/11); Briefing Attorney, Fourteenth Court of Appeals (1991-92)

Hobbies: Crafting, dancing, partying, and laughing



Vice Chair: Mark Briggs

Mark Briggs: Vice Chair

Professional Experience: Briggs & Associates, PC



Honors/Professional Organizations: Certified Specialist in Child Welfare Law by the National Association of Counsel for Children; Certified by the American Bar Association as a Child Welfare Law Specialist; Member of the Texas Board of Legal Specialization; participated in the drafting of the Child Welfare specialization examination; member of the Texas Supreme Court's SB7 Committee on post-trial practice and procedure; founding member, Child Protection Law Section, State Bar of Texas

Education: JD from Baylor Law School; B.A. from UTEP

You might not know: Mark coached the Cathedral High School Golf Team to a state championship in 1988. Also, Mark looks exactly the same today as this picture, which was taken in the 1990s. Apparently, Mark is a "Highlander."

Treasurer: Judge Bill Harris

Judge Bill Harris: CPLS Treasurer

Professional Experience: Presiding Judge, Lamar County Court at Law (Paris, TX) since 2010; Adjunct Professor, North Texas University Law School; First Assistant Lamar County Attorney; Senior Associate at Germer & Gertz, Assistant United States Attorney

Honors/Professional Designations: Certified by the Texas Board of Legal Specialization in both Criminal Law and Juvenile Law

Education: JD from St. Mary's Univ.; MA in History from Texas A&M Univ.; B.A. in History and Economics from Midwestern State Univ.

You might not know: Bill is a Captain in the Judge Advocate General Corps of the Texas State Guard—but when you see the truck he drives and the haircut—you know



Secretary: Judge Aurora Martinez Jones

Judge Aurora Martinez Jones: Secretary

Professional Experience: Presiding Judge, 126th District Court, presides over the Travis County Family Drug Treatment Court, Parenting in Recovery specialty program and the Crossover Program for Dual-Status Youth; prior Associate Judge in Travis County CPS courts; the Martinez-Jones Law Firm, PLLC

Honors/Professional Designations: Certified by the Texas Board of Legal Specialization in Child Welfare Law; certified Child Welfare Law Specialist by the National Association of Counsel for Children; founded the Child Welfare Race Equality Collaborative in Texas; past Chair for the Texas Children's Justice Act Task Force; past President of the Austin Black Lawyers Association; Secretary for the National Council of Juvenile and Family Court Judges; Texas State Coordinator for the National Association of Counsel for Children

Education: JD from the Univ. of Texas; BA from the Univ. of Texas



Updates and Deadlines on DFPS Financial Aid for Foster Youth and Aged-Out Young Adults in Texas

By **Tiffany Crouch Bartlett**
Immediate Past Chair, CPLS
CROUCH BARTLETT LAW, Round Rock

Unbeknownst to most child welfare attorneys and those practicing in the child protection community in Texas, for the past two years over \$3,000,000 of extra pandemic relief funds, a massive sum, has been made available by the federal government through DFPS to assist *current and aged-out foster youth in Texas, ages 14-20 through August 31, 2022*. These funds are now being held in the general DFPS fund, and the vast majority of it is still unused. The monies come from the Supporting Foster Youth and Families Through the Pandemic law, Division X of the Consolidated Appropriations Act, 2021.

Mary Christine Reed, the Director of the Texas Foster Youth Justice Project with Texas RioGrande Legal Aid has provided a broad array of helpful resources and information for legal practitioners, CASA advocates and their supervisors, social workers and others who are interested in assisting the thousands of foster youths and aged-out young adults up to their 21st birthdays.

But the assistance is only available for approximately four more months. Then, the funds being held by DFPS will no longer be available.

Reed and her staff prepared the attached helpful (and colorful) guide for youths and young adults to highlight the availability of

the funds and the importance of asking their Preparation for Adult Living (PAL) or Transition Support Services (TSS) (formerly After-care) worker for help with financial needs.

If youths reach out for help with specific financial needs to their local PAL worker or TSS worker and are told they cannot receive help or are not getting responses to their request, they can contact the Texas Foster Youth Justice Project for legal assistance.

Youths should contact the Texas Foster Youth Justice Project right away: By telephone at 877-313-3688 — or via e-mail at info@TexasFosterYouth.org.

According to Reed, these funds provide a remarkable opportunity to provide meaningful financial assistance to vulnerable young people. Unfortunately, however, DFPS has provided very limited information about the

availability of the funds, or that more substantive assistance than normal is available. Because of the limited information about the availability of the funds, it is possible that youths seeking

help for similar matters will receive varying responses and some may be improperly turned down.

To help spread the word about the availability of the funds and the importance of seeking help if denied, Reed encourages everyone in this field to share this information with current and aged-out foster youths, and with all who work with these youths.

The document referred to by Tiffany is 126 pages long. Therefore, we have placed the document on the CPLS website.

[Click on this link to go directly to the document](#) (hold Ctrl Key when clicking!)— time is running short!!!

~CPLS~

The Dallas Permanency Court: Putting Children and Young Adults First

By Saedra Pinkerton

TURTON & PINKERTON, PLLC, Dallas

Out of Texas's 254 counties, only two are fortunate enough to have a specialized court dedicated to children in care. In Dallas, the Child Protection and Permanency Court launched in 2019 with the goal of helping youth in the foster care system to achieve positive outcomes as they exit foster care.

Judge Tena Callahan, then Presiding Judge of the Family District Courts in Dallas County, helped to start the Permanency Court. Back in 2016, along with Retired Judge Robin Sage, judicial consultant with the National Center for State Courts and Casey Family Programs, Judge Callahan began investigating ways to address the issue of permanency for Texas children whose parents had their rights terminated.

"All the District Judges and Associate Judges of the Family and Juvenile Courts were invited to meet with Judge Sage to discuss with CPS representatives the issue of children in care who needed permanency," Judge Callahan says. "Several stakeholders from Dallas County, a Family District Judge, Family Associate Judge, Assistant District Attorney, Public

Defender, guardian ad litem, along with representatives from Austin with the Children's Commission, attended a Convocation in Kansas City, Mo. It was there that the team learned about a Permanency Court in Houston that was doing what we thought might work to reduce the kids in care in Dallas County."

The group researched the Houston Court, sent a team to Houston to observe, asked the judge in Houston to come to Dallas and discuss

her court. Soon thereafter, they presented a briefing to the Dallas County Commissioner's Court who approved the creation of the Permanency Court in Dallas County,

Judge Callahan re-members.

Selected to preside over the CPPC, Judge Delia Gonzales left behind a long career in private practice to focus on helping children in care.

"I knew that Delia had the experience, expertise, talent, tenacity and intelligence for this job," Judge Callahan said. "What I was not prepared for was her heart; the heart she gives to the job and that she shows the children who are in her Court. They see a woman of vast intelligence who is driven; driven to

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Judge Delia Gonzales, Associate Judge in the Dallas County Permanency Court, comforts a young woman appearing before Judge Gonzales in the DCPC

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seek justice for these children and for her community. I am humbled to know her and most thankful for her service to our community.”

With a focus solely on kids in care, the Court streamlines services and communication, bringing together all the moving parts in the child’s life (CPS, CASA, Assistant District Attorney, parents, caregivers, etc.). Unlike traditional courts, the CPPC is positioned to offer personalized assistance.

“One thing we do is help family members who need extra financial assistance to get their permanency done – things like getting fire extinguishers, smoke detectors and paying for fingerprints,” Judge Gonzales says. “We helped one family make a car payment and assisted another with paying their rent so they could have extra money to buy Christmas presents – giving that family the integrity and pride of providing gifts for the children. We also get laptops for all graduating seniors and find resources to help youth participate in normalcy activities in addition to specialized therapeutic services they may need. I am fortunate to be in a position to make real change in the lives of kids and families.”

A teenager whose case was referred to the CPPC in 2019, shares his experience: “It’s weird to know a judge who really cares what happens to me,” John* said. “She always remembers me – even little things about me. I can actually talk to her about my problems.”

The CPPC’s work is living up to the goals set by Judge Callahan and others at its inception. “These children present very complex issues and time demands on the court that must be dealt with in such a way that the Family District Court system is not up to the task,” Judge Callahan says. “I hope that the Family Judges who have yet to use the services of the

Permanency Court will reconsider their position. The amount of time this specialized court devotes to these children creates a fertile environment for a prosperous future, creates a bond between that child and the Court, and validates for these children every day that they are loved, worthy, and most importantly, seen.”

One case that stands out is a child we will call Evan*, who came to the CPPC after being in care for 7 years in 11 placements.

“He was in a residential treatment center where he’d been for a year without much improvement,” Judge Gonzales remembers. “Frankly, his RTC wasn’t really providing him with the therapeutic services necessary. When I first meet Evan, he was pretty angry and very distrusting. He talked about his history in CPS care, his placements and the things that happened to him in care. I set several orders in place to get services for him and started making progress to get him out of the RTC. I had CPS do some case mining to locate family and they located mom. Mom’s rights had been terminated in 2014 and since then she had been able to get stable and she had two other children in her home. We had mom work on some services and engage in therapy. We had Evan engage in family therapy with the mother. During the holidays in 2019 he wrote me a card expressing his heartfelt thanks. In early 2020, Evan was returned to his mother and about six months after the case closed, he and his mother emailed me and sent me some pictures. He told me he was happy, doing well and grateful he didn’t have to grow up in foster care anymore.”

The Permanency Court partners with multiple community groups such as Friends of Foster Kids, Community Partners, Lions Club, and Kiwanis, and has a group that has set up a 501(c)(3) so more nonprofits can contribute.

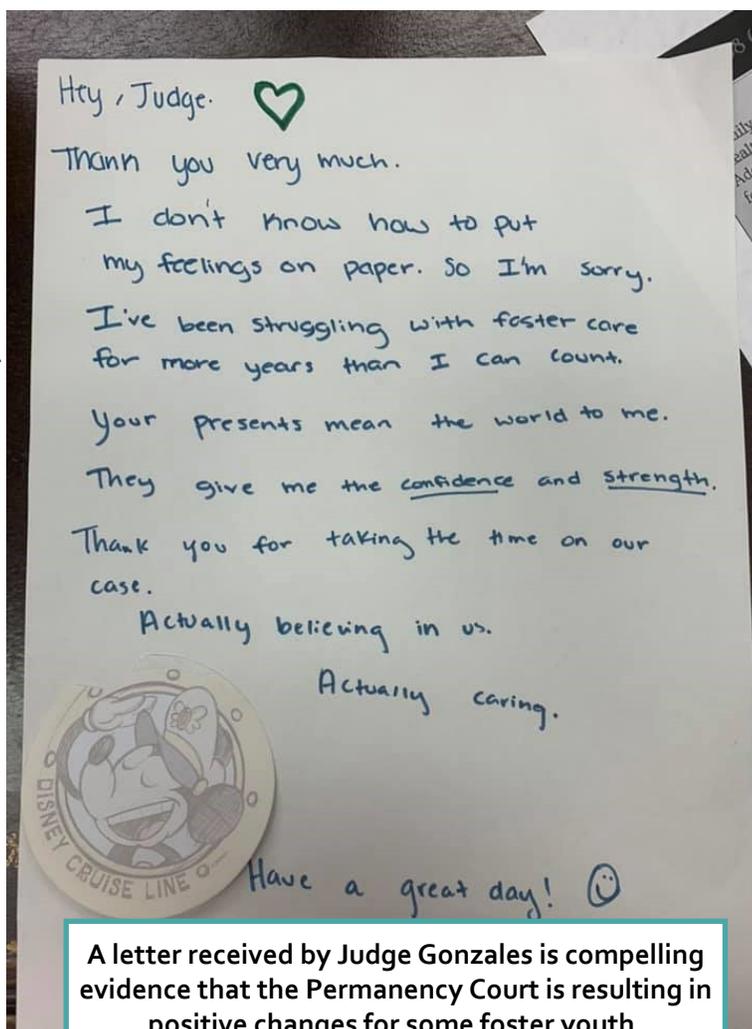
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These organizations donate everything from journals and stuffed animals to money for caregivers in need of financial assistance. Judge Gonzales says that “every child who walks into the Permanency Court leaves with something and knows they are heard. We give monogrammed backpacks for youth who are adopted, regardless of age, and laptops for youth graduating and aging out of care. More importantly, every child who walks in the Permanency Court knows that we are working hard for them.”

“I think the Dallas Permanency Court can serve as a blueprint for other counties,” Judge Callahan says. “In creating the Dallas court, we looked to the permanency court already in operation in Harris County. With similar court structures and population, there were more similarities to draw from in Harris County than differences. In smaller counties, the access to resources and funds may be more limited. But the overall basic structure and mission is universal, and I believe applicable throughout the State.”

Another example of the court’s work involved a child who had been in care since 2009. “When I met Thomas* he had been in a residential treatment center for almost 18 months and frankly no one could tell me why,” Judge Gonzales recalls. “CPS reported that he was moved there because the group home he had been in closed down and they didn’t have a foster home for him, so he went to an RTC. It was the same story, lots of medications, no progress and no real therapeutic treatment and no real answers why. Getting Thomas appropriate educational, psychiatric, and therapeutic services and moving him out of the RTC became a priority. At the time, TEXAS CASA had created the Collaborative Family Engagement Program and we used



that program to locate family and begin the case-mining process. His grandparents, who, unfortunately were struggling with their own issues at the time the termination occurred in 2009, were located and they had reconstructed their life. His grandparents became really involved and they participated and learned about his needs. Thomas lives with them now. On his 16th birthday, he wanted to come visit me, so we had a little party for him with his favorite food – pop tarts. Thomas is sometimes at a loss for words but before he walked out, he looked at me and simply said “Thank you.”

- ♦ All names have been changed to protect children’s privacy.

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New Law: Reinstatement of Parental Rights & TDFPS Perspective; Forms

By **Rocky Hensarling**
Director of Permanency, TDFPS
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House Bill 2926 (87th Regular Session, 2021) amended Texas Family Code (TFC) Section 161 to add “Subchapter D. Reinstatement of Parental Rights After Involuntary Termination.” Former parents whose parental rights were involuntarily terminated under TFC §§ 161.001 or 161.003 may now file a petition seeking reinstatement of parental rights under § 161.302(a). The Department of Family and Protective Services (DFPS), a Single Source Continuum Contractor (SSCC) with responsibility for the subject child, or an attorney ad litem for the child or youth may also file a petition for reinstatement under the new subchapter. TFC § 161.302(a).

A petition can only be filed under this subchapter if the involuntary termination resulted from a suit filed by DFPS and three other conditions are met: (1) At least two years have passed since the trial court rendered its final order terminating the former parent’s parental rights; (2) an appeal is not pending; and (3) the subject child has not been adopted and is not the subject of an adoption placement agreement. TFC § 161.302(b). Furthermore, if it is the former parent who is filing the petition for reinstatement, the parent must provide DFPS notice of their intention by serving DFPS with a required form at least 45 days before the parent files his or her petition for reinstatement. TFC §§ 161.302(b) (5) & 161.302(d).

As required by TFC § 161.302(d), DFPS created [Form K-906-3800 Notice of Intent of Former Parent to Petition Court to Reinstate Parental Rights](#), which includes information re-

quired by § 161.302(c). The form instructs a former parent to provide current identifying and locating information for the former parent and current information about the subject child. The form also requires the former parent to provide information about individuals who participated in the original termination hearing and who have “information relevant to the determination of conservatorship, possession, or of access to the child.” The former parent must provide a summary of the grounds on which the court terminated that parent’s parental rights, and a summary of the facts and evidence that the former parent believes show that they have the capacity and willingness to perform parental duties set forth in TFC Section 151.001.

The former parent must also outline steps that they have taken towards personal rehabilitation since parental rights were terminated, including mental health and substance abuse treatment, employment, or other personal history that demonstrates rehabilitation. If the subject child is 12 years of age or older, the former parent is asked to provide a statement of the child’s intent or willingness to agree to the reinstatement of parental rights. The former parent must also provide a summary of all prior requests or motions for reinstatement of parental rights made by the former parent. Lastly, the parent must sign and date the completed notification form.

DFPS recommends that former parents complete this form on a computer to ensure that as much supporting information as possible can be provided in the appropriate text boxes (which automatically expand as needed) rather than hand-writing the requested information. Each form is child- and parent-

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specific, so multiple forms are required for a sibling group, and each former parent should complete and submit a separate form, despite much of the information being provided regarding each former parent being the same for each child. A copy of the form must be included with the petition seeking reinstatement.

The completed form must be provided via email to DFPSParentalReinstatement@dfps.texas.gov at least 45 days before the petition is filed with the court in which the termination occurred. This mailbox is manned by the Child Protective Services (CPS) Permanency Division, and all notices received are forwarded via email to the Regional Director overseeing the child's legal case. Regional staff will confirm that DFPS still has permanent managing conservatorship of the child and consult with the attorney representing DFPS (or representing the SSCC, if applicable) in the suit affecting the parent-child relationship to discuss the next steps.

CPS Policy 5590 [Reinstatement of Parental Rights](#) outlines the process for former parents seeking reinstatement and for determining when DFPS believes it is appropriate to seek reinstatement of a former parent's parental rights, as well as the process for requesting reinstatement.

The petition for reinstatement of parental rights and notice of hearing on the petition must be served on the child or the child's representative; the county attorney; the child's attorney ad litem; DFPS or SSCC, if applicable; and the former parent whose parental rights are sought to be reinstated, if that former parent is not the petitioner. TFC § 161.302(e). If the child is subject to the Indian

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Issues that may Arise with Parental Reinstatement Statute

By CPLS Newsletter Comm. Staff

We have reviewed the Subchapter D, Chapter 161 of the Family Code. We think we have identified some issues that may arise for practitioners and courts as litigation under the statutes commences. You may wish to prepare your briefing and arguments with these thoughts in mind.

Notice:

Section 161.302(b)(5) provides that a petitioner must provide notice to DFPS under § 161.302(d) "if the petitioner is a former parent whose parental rights are sought to be reinstated."

- Is this notice a jurisdictional requirement? It may be. Section 311.034, Texas Government Code, provides, "Statutory prerequisites to a suit, including the provision of notice, are jurisdictional requirements in all suits against a governmental entity."

Pleading:

Section 161.302(b) provides that a petition "may only be filed ... only if" five elements are satisfied.

- Does the absence of any of these elements deprive a court of subject matter jurisdiction, challengeable through a plea to the jurisdiction?
- Or may an opposing party move to dismiss the petition? Probably not as TEX. R. CIV. P. 91a, the dismissal rule, excepts "a case brought under the Family Code."
- Summary judgment under TEX. R. CIV. P. 166a? Since a trial court has to consider a petition within sixty days, and a MSJ requires notice of at least 21 days before hearing, a respondent may not have the

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Child Welfare Act of 1978 (25 U.S.C. Section 1901, *et seq.*), the petitioner must also serve the designated tribal service agent of the child's tribe and any other person required by federal law.

No later than 60 days after the petition is filed, the court must hold a reinstatement hearing. TFC § 161.303(a). The petitioner has the burden of proof, and all parties may call witnesses. TFC § 161.303(b). The court may grant the petition and order the reinstatement of the former parent's parental rights only if the court finds by a preponderance of the evidence that:

- ◆ reinstatement of parental rights is in the child's best interests;
- ◆ at least two years have passed since the order terminating parental rights was rendered and no appeal is pending;
- ◆ the child has not been adopted and is not the subject of an adoption placement agreement;
- ◆ if the child is twelve years of age or older, the child consents to the reinstatement and desires to reside with the parent;
- ◆ the former parent has remedied the conditions that were grounds for rendering the termination order; and
- ◆ the former parent is willing and has the capability to perform parental duties as provided in Section 151.001, including maintaining the child's health, safety, and welfare.

TFC § 161.303(c).

In determining whether to grant the petition, a court may consider the preference of a child if the child is eleven years old or younger as well as "all other relevant factors." TFC § 161.303(d). In considering the child's pref-

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time to pursue an MSJ.

Section 161.302(c)(8) requires a petition to include "a statement of the intent or willingness of the child to consent to reinstatement of parental rights, if the child is 12 years of age or older."

- Is this pleading element excused if a parent does not have access to or contact with the child?

Ad Litem for Parent:

May a court appoint an attorney ad litem to represent the petitioning parent throughout the reinstatement process?

- Almost certainly not. TEX. FAM. CODE § 107.013(a) requires a court to appoint an attorney for an indigent parent, a parent served by publication and some alleged fathers in suits filed by DFPS seeking termination or conservatorship. A petition to reinstate does not come within this provision.
- And § 107.016(2), TFC, states that an ad litem's appointment to represent a parent or alleged father ends on the date DFPS's SAPCR is dismissed or the date all appeals of a termination order are exhausted or waived, whichever comes earliest. In other words, the court should have dismissed the appointed ad litem by the time a petition to reinstate is ripe for consideration.

Service:

Section 161.302(e) requires a petitioner to serve the petition and notice of the hearing on the petition on the child or the child's representative, the county attorney, the child's attorney ad litem, DFPS or the single-source continuum contractor, the former parent whose rights are sought to be reinstated (if

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erence, the court “shall consider the child’s age, maturity and ability to express a preference.” *Id.*

The court may render an order either granting or denying the petition, or it may defer the decision and render a temporary order for 6 months, during which DFPS remains the managing conservator and the former parent is a possessory conservator. TFC § 161.304(a). If the decision is deferred, a DFPS caseworker will monitor the possessory conservatorship as ordered by the court. TFC § 161.304(b)(1). When the temporary order expires, the court must hold another hearing to determine whether to grant or deny the petition. TFC § 161.304(b)(2).

If, following a hearing under Subchapter D, the court renders an order for reinstatement of parental rights, the court shall enter findings in a written order stating that all legal rights, powers, privileges, immunities, duties, and obligations of the former parent regarding the child, including with respect to custody, care, control, and support, are reinstated. TFC § 161.304(c).

If the court denies the petition for reinstatement, it must render a written order that includes “the court’s findings and detailing reasons for denial of the petition.” TFC § 161.304(d)(1). The written order denying the petition must also include “a statement prohibiting the filing of a subsequent petition in regard to the former parent’s parental rights before the first anniversary of the date the order of denial was issued.” TFC § 161.304(d)(2).

Throughout this process, communication between all parties will be vital to ensure accurate information is presented to the court in

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that parent is not the petitioner), and the designated tribal service agent if ICWA applies. This provision creates several unanswered questions.

- How must service be accomplished by the petitioner?
- Must a petitioner serve the documents like any other paper in an already-existing and pending case? If so, TEX. R. CIV. P. 21 and 21a would govern service.
- Or must a petitioner serve the documents like one would serve a new suit? If so, then service is governed by TEX. R. CIV. P. 99-124.
- Under TEX. R. CIV. P. 22, “[a] civil suit in the district or county court shall be commenced by a petition filed in the office of the clerk.” The legislature refers to the reinstatement document as a “petition” throughout the statute, which suggests that it is an original proceeding that must be served under rules 99-124. On the other hand, the suit must be heard within 60 days of filing. While courts presume the legislature was familiar with existing law when enacting a statute—well, we have doubts about this presumption....
- Section 161.302(e)(2) requires a petitioner to serve “the county attorney.” If the attorney representing DFPS in the underlying termination proceeding was not the county attorney, should the petitioner still serve the county attorney or the attorney that represented DFPS in the underlying termination proceeding (DA, CDA)? What if none of the relevant county or district attorneys prosecuted the termination suit—must the petitioner still serve the county attorney?

The Hearing:

Section 161.303(a) requires a court to hold

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making final determinations. DFPS is developing training for caseworkers and leadership regarding this process and how it can be utilized to find positive and safe exits with former parents.

Any questions regarding this process can be emailed to CPS Director of Permanency, Rocky Hensarling, at rocky.hensarling@dfps.texas.gov.

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“Professionalism is knowing how to do it, when to do it, and doing it.”

- David Maister

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the reinstatement hearing within sixty days of the date the petition for reinstatement was filed.

- What if service on the parties required to receive service under § 161.302(e) is not complete at the time of the hearing? May a hearing proceed without service of the petition and notice on the statutory respondents? Maybe this is a good reason for the trial court to extend the hearing date for six months under § 161.304(a)(3).

The reinstatement statute includes no reference to discovery.

- May a respondent engage in discovery? Some or all of the respondents may have no idea whether a parent is capable of safely parenting the child when the petition is filed and may (should?) desire discovery. Can a court abate a hearing to allow limited discovery?
- Furthermore, disclosures are now required by the discovery rules. “A party

must make the initial disclosures within 30 days after the filing of the first answer or general appearance” TEX. R. CIV. P. 194.2(a). But the rules also makes exempt from the disclosure requirement “a child protection action under Subtitle E, Title 5 of the Family Code.” TEX. R. CIV. P. 194.2(d)(5). Is a reinstatement action “a child protection action” exempt from disclosures? It is unclear.

- TEX. R. CIV. P. 194.4 prescribes mandatory pretrial disclosures, as well. “Child protection action[s]” are not exempted from compliance under this rule.

Reinstatement Orders:

Section 161.304(a)(3) provides, if the court defers ruling on the reinstatement for six months, it shall render a temporary order in “which the department remains the managing conservator of the child and the former parent is the possessory conservator.”

- What if DFPS was not the child’s managing conservator at the time the petition is filed? It sounds like the non-DFPS managing conservator now loses PMC during the six-month deferral.
- What if the underlying termination decree (or a subsequent modification) did not name a former parent as a possessory conservator? Apparently, the simple act of filing a petition to reinstate secures the former parent’s possessory conservatorship rights he/she did not have prior to the filing. One would guess that a court could tailor its order to protect the child during the deferral period, if needed, by requiring supervised or online visits only, if in the best interest of the child.

Some of these concerns may amount to nothing. You may identify additional concerns. But to be forewarned is to be forearmed.

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Can You Uncover Experts' Biased Reasoning?

By **John A. Zervopoulos, Ph.D., J.D.,
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Lawyer and Forensic Psychologist
PSYCHOLOGYLAW PARTNERS

Attention to bias in child protection cases is a hot topic—as it should be! Bias-colored reasoning can sway court decisions that affect the well-being of children and their relationships with their parents or other intervening caretakers. Exploring biases that mental health experts may bring to their opinions is challenging, especially since these experts, touting their qualifications and experience, confidently assert that their work and testimony is unbiased.

You can explore experts' biases in your depositions or on direct and cross-examination by asking experts to explain the reasoning that supports their testimony. Of course, experts are vulnerable to the same reasoning flaws that affect us all. Competent testifying experts acknowledge this; incompetent experts do not.

To explore an expert's reasoning, focus on two case law- and research-based lines of questions: First, did the expert actively consider reasonable alternative explanations of their data and case facts? See *E.I. du Pont de Nemours & Co. v. Robinson*, 923 S.W.2d 549, 565 (Tex. 1995) (“An expert who is trying to find a cause of something should carefully consider alternative causes.”); see also FED. R. EVID. 702 advisory committee's note to 2000 amendment (in addition to *Daubert* and other delineated factors, courts may consider “[w]hether the expert has adequately accounted for obvious alternative explanations”). Then, is the expert aware of cognitive biases that

may compromise their opinions?

The most effective strategy experts should use to manage biases is to *actively* consider reasonable alternative explanations of their data and case facts until the best explanation (their opinion) survives—an effortful, critical thinking approach. Psychologist Daniel Kahneman notes, “Sustaining doubt is harder work than sliding into certainty.” DANIEL KAHNEMAN, *THINKING FAST AND SLOW* 114 (2011). Merely acknowledging that alternative explanations exist without purposefully marching their data and case facts through those explanations is insufficient. Unfortunately, too many experts, anticipating their deposition or cross, wait until the day before their questioning before considering alternative explanations of their data and case facts—a rote exercise, at best.

But for experts to *actively* consider reasonable alternative explanations of their data, they also should attend to judgment biases that may infect their reasoning as they develop their opinions. Lawyers can use several judgment biases to test the reliability of experts' reasoning. For example, consider these three biases:

Confirmation bias seeks or recalls information that proves one's view while discounting or ignoring information inconsistent with that view. Confirmation bias often takes hold with two kinds of experts. Some experts, unfamiliar with the professional literature in the subject of their testimony, wouldn't know which reasonable alternative explanations of their data and case facts are available to con-

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“Bias-colored reasoning can sway court decisions that affect the well-being of children”

-Dr. John Zervopoulos

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sider. As a result, they base their opinions on personal experience and intuition. Other experts, testifying to promote an “agenda,” choose not to actively consider alternative explanations of their data and case facts. Instead of the “bottom-up” reasoning-from-the-data approach that case law demands, see *Merrell Dow Pharm., Inc. v. Havner*, 953 S.W.2d 706, 714 (Tex. 1997) (expert’s opinion is unreliable if based on flawed methodology or if “data underlying opinion testimony are unreliable”), these experts adopt a “top-down” approach, spinning their opinions by applying cherry-picked data and case facts to their prematurely-adopted conclusions.

Availability bias occurs when experts are unduly influenced by knowledge that easily comes to mind, such as vivid information highlighted in previously attended webinars or seminars. Or experts, intent on “diagnosing” abuse but unfamiliar with the professional literature on abuse, may uncritically view alarming allegations or case facts as similar to other cases they evaluated. Not inclined towards the hard work of considering alternative explanations of their data and case facts, these experts fall prey to simple answers—overly influenced by the easily recalled “top-of-mind” information.

Hindsight bias compromises the reliability of an expert’s testimony when it glosses over the realities of a case’s key, past events. Life is messy; stuff happens. As a result, we often seek tidy answers to explain past happenings. Hindsight bias leads to judging the quality of a decision by whether the outcome was good or bad (e.g., the mother’s parenting was deemed negligent when she “should have known” that her toddler child would sustain a burned hand from the stove) rather than by whether the decision in the event’s circumstances was understandable (when the child burned his

hand on the stove, the mother had run from the kitchen to check on her suddenly shrieking infant in the bedroom).

How can you improve your depositions or direct or cross-examinations by addressing experts’ reasoning? First, ask the expert to identify what reasonable alternative explanations they considered from the beginning of their evaluation process. Then ask how the expert *actively* considered alternative explanations of their data and case facts as they reached the explanation that became their opinion. If you’re unsatisfied with the expert’s responses, offer your own alternative explanation(s) for the expert to address. Finally, ask the expert to identify and define biases that could infect their reasoning and to explain how they managed those biases while they considered their alternative explanations.

Challenge experts on their reasoning as well as on their methodology to address the admissibility and quality of their testimony. Case law requires it. So should we.

John A. Zervopoulos, Ph.D., J.D., ABPP is a lawyer and forensic psychologist who directs PSYCHOLOGYLAW PARTNERS, a forensic consulting service that assists lawyers to critique and use psychology-related issues, materials, and testimony in their cases. He has written two ABA-published books: *How to Examine Mental Health Experts: A Family Lawyer’s Handbook of Issues and Strategies—2nd ed.*, and *Confronting Mental Health Evidence—2nd ed.* In addition, Dr. Zervopoulos writes *PsychologyLaw Brief*, a twice-per-month email that offers lawyers practice tips on managing mental health experts, their work, and their testimony. Dr. Zervopoulos is online at www.psychologylawpartners.com and can be contacted by email at jjerv@psychologylawpartners.com.

~CPLS~

Perspective: A New Lawyer's Preparation for her First Jury Trial

By **Minna Nashef**
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My heart sank when I saw it. A parent's attorney filed a jury demand mere moments after our mediation reached an impasse. Suddenly, I had to start preparing for my first jury trial, nearly five years into my career and one year into the COVID-19 pandemic.

My first trial as an assistant county attorney was held over Zoom. The learning curve – to not only learn how to conduct a bench trial, but also to do it virtually during a state of disaster – was steep and rocky. Sixty-one Zoom bench trials later, the only way I have offered exhibits into evidence has been paperless and within the very limited time constraints that courts have imposed by necessity. My home turf was not a courtroom, where I knew where to stand, or with a judge with whom I had many interactions before the pandemic; it was in a room at my home with a small camera and a large window.

The facts of this case were straightforward enough: a one-year-old ingested so much oxycodone that doctors at Texas Children's Hospital needed two doses of Naloxone (Narcan) to revive her. When confronted by hospital staff, both parents denied knowing how the child could have been exposed to oxycodone and instead suggested that the child stopped breathing due to asthma. When social workers discovered that the par-

ents had a prior termination case involving five other children under the same circumstances, they notified the Department. By the time that we went to mediation, the child had been at her current placement for nine months along with her five, now-adopted siblings. The child's parents were not making the changes necessary to have her returned to them.

Chaos in the Courts

What was not straightforward, however, was the time in which the case occurred. The second half of March 2020, in addition to changing life as we knew it, created chaos on the courts' dockets. In Harris County, the juvenile courts, the courts that carry the largest CPS caseload in the county, cancelled all dockets into April 2020, and then they had to scramble to commence trials with imminent dismissal dates.

My colleagues and I in the Office of the Harris County Attorney scrambled to file COVID extensions pursuant to the Texas Supreme Court's first

emergency order before the trial courts lost jurisdiction over pending cases that could not be heard in time.¹ Although my case had been filed in late-February 2020, the trial court did not hold an adversary hearing until June 2020.²

1 First Emergency Order Regarding the COVID-19 State of Disaster, Misc. Docket No. 20-9042, 596 S.W.3d 265 (Tex. Mar. 13, 2020).

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“Suddenly, I had to start preparing for my first jury trial, nearly five years into my career and one year into the COVID-19 pandemic.”

-ACA Minna Nashef

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² TEX. FAM. CODE § 262.201(a) (14-day window in which to hold adversary hearing).

Further, in the first months of the pandemic, multiple units of Child Protective Investigations shut down because so many investigators had contracted COVID-19. Unfortunately, this prevented the Department from completely vetting potential placements due to the absence of so many personnel in a short amount of time. Therefore, when the child in my case was not placed immediately with her siblings, but rather with a parent's cousin, her siblings' adoptive parents filed an intervention and convinced the court to order the child placed with the adoptive parents soon thereafter.

Moreover, a total of ten attorneys were involved in the case during its pendency. By the time that the jury demand was filed, seven attorneys were working on the case (one each for the Department, the child, the intervenors, plus the licensed intervenor and a licensed caseworker, in addition to each indigent parent having separately appointed attorneys).³ Seemingly overnight, every hearing became unduly complicated and dramatic due solely to the sheer number of attorneys involved.

³ See TEX. FAM. CODE §§ 107.012 (Mandatory Appointment of Attorney Ad Litem for Child) and § 107.013 (Mandatory Appointment of Attorney Ad Litem for Parent).

Diplomacy is one of the most important skills that an attorney should learn. When attorneys work together to find areas of compromise, so much can be accomplished. Conversely, one of the greatest injustices to so many children in our system occurs when attorneys fight each other for the sake of

fighting. Thankfully, most of the attorneys on my case were willing to work together.

Jury Trial Preparation

Within this context, I was tasked with preparing for my very first jury trial. The very first thing that I did was to calendar all deadlines, including the dismissal date, discovery period deadline, and the last day to amend pleadings, among others.⁴ I Jedi-mind-tricked myself by putting them all one week before the actual deadline; that way, if I needed to do something before the deadline, I still had time to complete it. Next, I scheduled two-hour blocks of time dedicated to preparation. I have found that it is much easier to budget my time when I actually budget it, rather than just setting useless reminders that I end up snoozing. This time-budgeting occurred about three months before my original trial setting.

⁴ See TEX. FAM. CODE § 263.401 (dismissal dates); TEX. R. CIV. P. 190.1-190.4 (discovery period deadline); TEX. R. CIV. P. 63 (deadline to amend pleadings).

Before doing anything else, it is important to review your live pleadings because pleadings define the scope of the issues. In my case, my pleadings needed to include the parties, grounds for termination, and all conservatorship requests. Now that a jury trial was on the horizon, I needed my pleadings to be accurate in order to support the requests that I would be making in my jury charge.⁵

⁵ TEX. R. CIV. P. 271-279.

Looking back, it would have been better for me to think about my jury charge earlier. My case preparation, described below, would have been much easier had I had a clear summary of the elements that I needed to prove

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and the elements of any defenses that my opposing counsel would have to prove. The more I think about it, I would probably draft my charge before I did anything else to start preparing for trial.

Instead, I focused on a number of other tasks. I confirmed that all necessary parties were named and had been served properly. I had heard horror stories of appellate courts overturning terminations because service was ineffective.⁶ This was not the kind of precedent that I wanted to add to our jurisprudence (or to which I wanted my name attached).

⁶ See *In re E.R.*, 385 S.W.3d 552, 566 (Tex. 2012) (“A complete failure of service deprives a litigant of due process and a trial court of personal jurisdiction; the resulting judgment is void and may be challenged at any time.”).

Next, I began working on my proof charts for each parent in the case. I made a table where I inserted each ground for termination that I had pleaded in my petition. In the first column, I broke each ground down into its discrete elements. Then, I put the facts of my case supporting each element into the column next to each ground. Initially, I only wrote down facts that I could recall from memory. The next column was for the exhibits that I would use to prove up each element of each ground. The last two columns contained case law supporting the ground and a place to check off each element after I proved it in trial. My proof charts also included the best interest factors enumerated in *Holley v. Adams* and the Family Code.⁷

⁷ See *Holley v. Adams*, 544 S.W.2d 367 (Tex. 1976); TEX. FAM. CODE § 263.307.

I then reviewed all of the discovery from the current case, and from the parents’ prior CPS cases. In the meantime, I assigned my client homework in the form of timelines of various aspects of the case. I asked my caseworker to send me documentation regarding the parent-child visits, dates various assessments occurred, dates on which the parents attended therapy sessions, and instances when they did (or did not) appear for drug testing. I added all of this information to my proof charts. While I reviewed the discovery, I took notes that included the page numbers and a brief description of what I found that was important so that I could incorporate my findings into my proof charts. This made gathering exhibits for trial much more efficient because I did not have to search for the document again; the time savings was significant.

Another thing that I will do differently next time is consider who I will call as witnesses earlier in the preparation process. As a newer attorney, I failed to consider the importance of discovery *for* trial. The whole purpose of discovery is for parties to gather information so that justice can be done.⁸ Failing to disclose expert or fact witnesses, or documents, in discovery can result in not being able to offer them as evidence at trial, and can subject an attorney to sanctions.⁹ Would I need a witness to prove up a document or to establish a fact? If so, these witnesses should have been disclosed as soon as possible. Moreover, knowing early in the process what I can or cannot achieve through putting on a particular witness, or whether a witness will be available to testify or needs to be deposed ahead of trial, are important to know in case I need to find a different witness or a different way to meet my burden. Surprises are frowned upon in litigation and for good reason.

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⁸ TEX. R. CIV. P. 176, 190 - 205, 215; see also *Gutierrez v. Dallas ISD*, 729 S.W.2d 691, 693 (Tex. 1987).

⁹ Tex. R. Civ. P. 193.6; Tex. R. Civ. P. 215 (Sanctions).

Another thing that would have helped me is to have understood the purpose of filing a motion *in limine*.¹⁰ An amazing colleague sent me a boilerplate motion and order *in limine* so that all I had to do was change the formatting a bit and make sure that all the names were correct. Or so I thought. It is only now that I realize that I did not need to subject my judge to twenty-two *in limine* requests (since we're being honest here, it was really fifty-seven if you count all the subparts). In reality, only fifteen of these requests were relevant to my specific case. The rest of them were little more than vague attempts to get an order from the court requiring that the parties follow the rules of evidence and procedure. I know now that this was completely unnecessary, and likely annoyed the court. Essentially, all I was asking in my motion *in limine* was for the judge to agree, in advance, that the Texas Rules of Civil Procedure and the Texas Rules of Evidence would apply in the case (duh!) and that the judge would enforce the rules. Do not misunderstand me. Motions *in limine* absolutely serve an important purpose and should be used when appropriate, but I should have focused on the actual issues in the case. I understand now that an order granting a motion *in limine* means nothing more than that a lawyer is required to approach the bench before discussing a particular subject or offering a particular piece of evidence. On the other hand, the rules apply with or without a *limine* order. I would add that trying to keep track of my fifty-seven *limine* requests, in addition to those of the other lawyers, adds another layer of difficulty to

an already-difficult trial.¹¹

¹⁰ The purpose of a motion *in limine* is to prevent the jury from being exposed to potentially prejudicial information before a ruling on admissibility can be obtained, *Hartford Accident & Indem. Co. v. McCardell*, 369 S.W.2d 331, 335 (Tex. 1963), and to avoid the injection into trial of matters that are irrelevant, inadmissible, and prejudicial, *Wilkins v. Royal Indem. Co.*, 592 S.W.2d 64, 66 (Tex. Civ. App.—Tyler 1979, no writ).

¹¹ Sorry, Judge!

My case involved volumes of medical records. I made a summary of these records wherein I literally copied and pasted the relevant information into a table. My summary table also included the page numbers and descriptions of what I did not include, so that I would be able to find that information again should it become relevant in the future.

I used the summaries for medical records, drug test results, visitation logs, and services that were completed by the parents (or not) to finalize my proof charts.

Next, I moved on to gathering and marking my trial exhibits. Because my summary and discovery logs included page numbers, I found it very easy to find the perfect exhibit for the particular termination ground and best interest element. The time I saved by organizing the evidence allowed me to complete the process a full two months before trial. This provided ample time for me to obtain any necessary business record affidavits and to file them with the court. The proof charts also allowed me to organize my trial exhibits and exhibit list in an organized, logical way so that the jury would be able to easily look through my exhibits while they deliberated each

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ground or element.

Once I finalized my trial exhibits and exhibit list, I then began drafting the jury charge. I only included instructions, definitions and questions for grounds for which I had evidence. As stated previously, I should have prioritized the drafting of my jury charge and drafted the charge when I was finalizing my pleadings. Nevertheless, one of the benefits of working in a large office is it provided me with access to experienced appellate attorneys. These attorneys reviewed the charge and provided helpful feedback despite the timing. Asking for help from knowledgeable attorneys can feel scary and intimidating, but it is something that less experienced attorneys should become comfortable doing. There is no need to reinvent the wheel.

When trial was about six weeks away, I began organizing my witness list and scheduling time to discuss the case with each anticipated witness. We discussed what exhibits each would need to be familiar with and the importance of reviewing all the exhibits together so that they understood where they fit into the whole story. I had trouble getting in contact with many non-party witnesses, and even when I did, many were hesitant to speak with me. A few doctors that I subpoenaed were seemingly never available. Not until I spoke with their case manager and explained why I needed their cooperation and testimony was I allowed to speak with these physicians. I have also found that explaining the basic rules of evidence to the witnesses provides some comfort, and gives them context for their role and importance in the case.

One major challenge that I faced was tying everything together into a story that I could tell to a jury. I felt like I was at a huge disad-

vantage since my only previous trial experience had been thirty-minute bench trials over Zoom. No longer did I have the benefit of the judge knowing everything that had happened leading up to trial. No longer was I presenting the facts and evidence to a judge who had handled scores, if not hundreds, of these types of cases. Instead, I now had to tell the child's story to an audience who would be hearing everything for the first time and who likely did not have any experience with this type of case.

The purpose of developing a "theory" and "theme" of a case is to establish a framework for the jury. A well-developed case theory and theme will give the jury the information that they need to do their job in a logical and more digestible manner, and it is a great way for newer attorneys to organize their thoughts about how they will present their case-in-chief. I knew that some attorneys like to use a hook to draw the jury in, but for me that approach did not feel right in this case. Everything that I came up with seemed hollow for what I was tasked to do. I was asking the jury to inflict the "death penalty of family law" on two parents by permanently severing their ties to a young child. In my mind, this was not the kind of case to come up with something clever or snarky; it seemed too disrespectful to all involved. Instead, I planned to emphasize throughout the trial that this case was the State's last resort to protect the child, and that it was something that the State had no choice but to proceed, and that termination was absolutely in the child's best interest, unfortunately.

I finished preparing for my jury trial just before I left for winter break, about five weeks before we were supposed to show up at NRG Arena for *voir dire*.¹² I recall a fellow attorney on the case exclaiming, "You are so prepared for this trial. It's scary." But to be

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Child Protection Law Section's Resource Compendium

Even the most experienced practitioners need help from time to time. One may need a form and some idea of how to handle a new issue. You may want to see how others have raised or argued your issue ... or possibly how another has challenged your issue. Or maybe one wants to search for legal updates ... or more?

The Newsletter staff, practitioners ourselves, share your concerns and your needs.

With the help of three authors and regular contributors to CPLS, the Newsletter Committee is publishing two lists of child welfare law resources.

The first is a list of resources provided by the Supreme Court's Children's Commission.

The author is Dylan Moench, the Legal Representation Director with the Commission. Dylan is your best resource for any questions or concerns regarding the Commission.

Secondly, how many readers are aware of the vast amount of resources and help available for free from Texas Lawyers for Children? The answer is, "All of you," now that Barbara Elias-Perciful and Kristen Bell have thoroughly compiled a list and description of those resources. Barbara is the Director and Kristen is the Director of Operations for Texas Lawyers for Children. Again, they are great resources should you have any questions.

We encourage you to review these resources and use them freely. Good luck and good law!

Children's Commission Resource List

By *Dylan Moensch*
Legal Representation Director
Tex. Sup. Ct.'s Children's Comm'n

[Bench Book](#) (All clickable links; hold Ctrl Key when clicking with mouse)

The Children's Commission publishes a Texas Child Protection Law Bench Book ("Bench Book") that outlines the state and federal statutory requirements for judges handling child welfare cases. The Bench Book includes topical sections, as well as statutory and case law citations, which are linked online. Bench Cards provide this information through easy-to-use checklists that outline relevant laws at different stages of a child

welfare case, as well as by topic (i.e., education, human trafficking).

[87th Regular Session Legislative Report](#)

The 87th Regular Legislative Session was a transformative one for child welfare law. Legal procedures specific to a Suit Affecting Parent-Child Relationship (SAPCR) filed by the Department of Family and Protective Services (DFPS) were significantly revised. The statutes governing the definitions of abuse and neglect, investigations, emergency removals, adversary hearings, permanency hearings, termination proceedings, and hearings conducted after final orders all saw substantial

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Children's Comm'n Res.. List, cont.

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revisions. New legislation overhauled the Court Order Services/Motion to Participate statute and established the development of pilot programs that specifically utilize the resources of the federal Family First Prevention Services Act (FFPSA) to allow families to remain together during a Family Code, Chapter 262 proceeding.

[Tool Kit for Attorneys Representing DFPS in Child Protection Cases](#)

This tool kit covers essential legal basics at a glance, including pleadings, motions, evidentiary issues, hearing checklists, and related federal law issues. The tool kit also covers concurrent and special issues related to child welfare cases, including establishing paternity, placement, visitation, relative and kinship support, reasonable efforts, and support for children and older youth in foster care. The tool kit is updated at the conclusion of each legislative session for publication in the spring of the following year.

[Tool Kit for Attorneys Representing Parents and Children](#)

This tool kit covers essential legal basics at a glance, including pleadings, motions, evidentiary issues, hearing checklists, and related federal law issues. The tool kit also covers concurrent and special issues related to child welfare cases, including child well-being, normalcy, dual status, incarceration, and trauma-informed advocacy. The tool kit is updated at the conclusion of each legislative session for publication in the spring of the following year.

[Pamphlet: What does a Parent's Attorney Do?](#)

[Pamphlet: What does an Attorney for a Child in a CPS Case Do?](#)

These pamphlets explain the responsibilities of an attorney for a parent or child towards their client, including how to resolve issues between the attorney and the client. The pamphlets are intended to be shared with parents and foster parents in child welfare cases, and may be helpful for judges to have available in the courtroom and/or a courthouse library or information center.

[Coloring Book: Sam and the Search for Spots – How your Lawyer Can Help You](#)

The Children's Commission Legal Representation Committee has created a coloring book designed to help children aged 6-12 understand the role of a child's attorney ad litem and the attorney client relationship. The coloring book was developed by a work group that included law professors, board-certified child welfare law experts, and youth formerly in foster care, and is designed to help children and caregivers discuss what makes an attorney different from other people in the child's life and how the attorney can help the child through counseling and advocacy.

[Parent Resource Guide](#)

The Parent Resource Guide is a handbook designed to help parents understand the Texas child welfare system, their roles and responsibilities when involved in a Child Protective Services case, and the roles and responsibilities of others.

[Scholarships for Attorneys](#)

The Children's Commission regularly offers scholarships to qualifying attorneys to attend state and national conferences. Scholar-

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Want Free Resources and Quality Training for Child Protection Law?

By **Barbara Elias-Perciful, Director**
Kristen Bell, Dir. of Operations
Texas Lawyers for Children

Did you know that there is a *free* resource for Texas judges and attorneys where you can find case law, statutes, timely research, articles, and news about recent developments in the field? And in addition to quality training, you can find pro bono attorneys, and paralegals who are willing to help you in your cases? What about opportunities for judges and attorneys to ask questions and share ideas with your respective colleagues? The Texas Lawyers for Children Online Legal Resource and Communication Center (“TLC Online Center”) offers all of these things and more.

Over 3,300 Texas judges and attorneys are registered to use the TLC Online Center. If you are not part of the TLC Online Center, you can sign up today by going to www.texaslawyersforchildren.org and completing the registration process. Even if you are already registered, you may learn new ways that the TLC Online Center can help you in your practice.

Case Law, Statutes, Relevant Articles, and News at Your Fingertips, 24/7, on Any Mobile Device.

The TLC Online Center is now mobile-friendly, allowing you to find answers to your questions and support for your arguments whenever you need them. With over 10,000 resources, all searchable by topic, TLC has skillfully curated and organized the resources to help you quickly find the information you need in just two clicks. TLC’s Senior Research Attorney, Beecher Threatt, who has been in the field of child protection law in

Texas for over 30 years, continuously reviews new cases decided in Texas and sends a monthly case law update to legal professionals registered with the TLC Online Center, allowing you to stay up to date on case law as it develops.

TLC also provides notices of new resources added to the Online Center – to help you stay updated on topics that are relevant to child protection law – and statutory updates after each legislative session. Additionally, Barbara Elias-Perciful, TLC’s Director, who serves on several statewide and national committees, creates regular *recent news* announcements that are sent via email to all TLC Online Center registrants. These updates allow you to understand issues affecting children in the child protection system throughout Texas and the nation, while providing legislative alerts and opportunities for you to get involved or receive training.

Opportunities to Share Questions and Ideas with Other Judges or Attorneys.

When you register for the TLC Online Center, you can also register for either the Judicial Colleague Connection Email Network or the Attorney Colleague Connection Email Network, depending on your profession. The Judicial Colleague Connection is moderated by Honorable Rob Hofmann, and only judges are allowed to be part of the network to keep communications completely private and separate from attorneys.

Both Colleague Connections allow you to be part of an email network where you can ask a question to your respective judicial or attorney colleagues throughout the state, and

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you will often get answers to those questions within minutes. Judges have received answers while they are on the bench and attorneys have received answers while arguing their cases in court. Some other examples of ways legal professionals have used Colleague Connection include: asking about others' experiences with a particular placement facility, finding assistance in another county, and sharing briefs and motions. If you are new to this area of law, new to your role as a judge, or facing a new issue, Colleague Connection is an invaluable tool that gives you immediate access to decades of experience within the child protection field.

Additionally, the TLC Online Center recently added two Discussion Boards to promote solutions and facilitate systemic change for issues affecting abused and neglected children throughout Texas. One board focuses on Trauma-Informed Care and Services and the other is for Innovative Practices and Pilot Projects.

Legal Professional Trauma Training and Training on a Variety of Other Topics.

TLC is extremely proud to have developed a comprehensive Legal Professional Trauma Training Program and to have trained over 1,000 legal professionals in 85% of Texas counties over the last three years. Participants who complete the entire Legal Professional Trauma Training can earn 15 hours of CLE or CJE Family Violence credit (with 3.25 hours of ethics included). The training is now entirely online through a Legal Professional Trauma Training Portal, which has been added to the TLC Online Center. The training meets all the requirements of SB 904.

This training allows judges who make decisions and court-appointed attorneys who rep-

resent children or parents in DFPS cases to have a deep understanding of the impact of trauma on children, and shows ways in which they can minimize harm and promote healing for these child-victims. Participants who attend the training also have access to the "Trauma Training Toolkit," which includes resources created by TLC regarding the impact of trauma on children, as well as links to other resources about how to advocate for abused and neglected children impacted by trauma. In addition, participants will have the opportunity to receive advanced training related to trauma-informed advocacy.

The feedback to the training has been outstanding, with 4 out of 5 respondents giving the training the highest rating of "excellent" out of five ratings (and more than 90% ranking the training as very good or excellent). Several attorneys who have practiced between ten to twenty years have said this is the best training they have ever attended, and feedback consistently recommends that this training be required for everyone who works with children in our state's foster care system. One attorney, who has been both a foster parent and a court-appointed attorney for abused children, said this about our training:

I have waited for a training like this to be released for about 15 years, since I first became a trauma-informed parent. I changed my law practice from intellectual property law to children's law when my adopted child showed me and taught me what trauma was all about. As I tried to explain these concepts to schools, caseworkers, and others, they looked at me like I was crazy. Even in court all these years later, I see such a huge lack of trauma knowledge among attorneys and even some caseworkers. THIS is the training I wish I had been given before adopting my daughter, so she didn't

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have to teach me, through her behavior and suffering, about trauma. THIS is the training I hoped I could give teachers, social workers, therapists, friends, and family 15 years ago to support our family and could not. THIS is the trauma training attorneys need. It would change the lives of children everywhere if those in the system could understand these concepts. I have been to hundreds of hours of trauma training and conferences but, if I had to pick just one training for everyone to see, this would be THAT training.

TLC also provides training on other topics through the TLC Online Center. These trainings are usually free to judges and are offered at a very low cost to attorneys who work on child protection cases. TLC develops training topics based on issues arising in the child protection field, and recently has provided free webinars that have been attended by hundreds of legal professionals. Some examples of training topics include –

- ◆ advocating for children’s educational needs, including during the time of COVID-19;
- ◆ ensuring children are not misdiagnosed and/or receiving inappropriate psychotropic medication;
- ◆ accessing services for extended foster care and education and training vouchers;
- ◆ recognizing racial disparity in child protection cases; and
- ◆ learning practical ways to improve client representation in child protection cases.

In addition to the training provided by TLC, the Online Center also includes an updated conference calendar, which is a place for you to quickly see statewide and national conferences that are relevant to your work.

Pro Bono Attorneys and Paralegals Willing to Help You in Your Cases.

Have you ever had a tricky immigration, probate, or appellate issue arise in one of your cases? The TLC Online Center includes a list of attorneys who work in each of these (and many other) areas of law to help guide you in the right direction, or to even serve as co-counsel on one of your cases. In addition, there are other child protection attorneys who are willing to serve pro bono to check on a child in one of your cases if the child has been placed out of county. Finally, paralegals have registered to serve pro bono to help with discovery or trial preparation. All pro bono attorneys and paralegals are searchable by area of practice and by location within the state, although for many areas of law a pro bono attorney or paralegal can help even if you are not in the same area. You are encouraged to seek out the help of one of these professionals – it will give them the opportunity to have a positive impact on a child’s life, and it can help lighten your load and improve your advocacy efforts.

The tagline on the TLC Online Center reads – “Because every child needs a champion.” The attorneys and staff at Texas Lawyers for Children know that that champion is most likely you – the judge making decisions on the child’s behalf or the attorney advocating to protect the child’s legal rights. It is TLC’s mission, therefore, to support you in your efforts to improve case and life outcomes for the children and families you serve. Please go to the TLC Online Center today, at www.TexasLawyersforChildren.org, to register and make use of TLC’s numerous resources. Let’s all work together to make Texas a state where children in the child protection system are safe, find healing, and can thrive.

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Children's Comm'n Resource List, cont.

(Continued from page 27)

ships typically reimburse attorneys for conference registration fees, and occasionally, for travel-related expenses.

[Trial Skills Training](#)

The Children's Commission's Trial Skills Training (TST) is a unique, realistic, and effective interactive training designed to improve the litigation skills of Texas child welfare law attorneys in order to raise the caliber of legal services offered to children and families in child welfare cases across the state.

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A New Lawyer's First Jury Trial, cont.

(Continued from page 25)

honest, I did all this work ahead of time because I was scared. Not only would I have to overcome the learning curve of doing my first in-person hearing in nearly two years, but I would have to do my first *voir dire* "rodeo" in the actual rodeo grounds! And I was scared that doing anything but my best might increase the chance that the child remained in a harmful environment.

¹² Because of the COVID-19 pandemic, the Harris County District Clerk requisitioned NRG Arena for jury assembly and *voir dire* since it provided much more social-distancing between prospective jurors, attorneys, court staff and the judges. NRG Arena is one of the facilities that host the Houston Livestock Show and Rodeo.

(Not so Thrilling) Conclusion

Ultimately, the parents executed and filed affidavits of relinquishment twelve days before trial.¹³ And as quick as it came, my jury trial went away.

¹³ TEX. FAM. CODE § 161.103.

I was somewhat frustrated at first. I had logged over eighty hours of time preparing for this jury trial. But the time spent on preparing for the jury trial was not wasted time. I learned more than I was able to describe in this essay. I tackled some tasks that were new to me. I learned the importance of organization. More importantly, I made some mistakes, but I have learned from those mistakes. Learning how to prepare for court is the whole game, whether it be for a jury trial or for a status hearing.

As a child welfare lawyer, our jobs are to help families in need and to protect children. At some point, my role as a prosecutor requires me to erase the parent-child relationship. This is very serious and heart-rending business. And thinking about things in these ways, I recognize that there is no way I could have done less. I could not call myself a professional had I done less.

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"I'm a success because I had a friend who believed in me and I didn't have the heart to let him down."

- Abraham Lincoln

4th Annual Advanced Child Prot. Course, cont.

(Continued from page 7)

Finally, Kennedy Quintanilla, the Partnership Coordinator for the Texas Network of Youth Services, hosted a panel comprised of former foster care youth to discuss their experiences with transitioning out of foster care. The young ladies who participated in the panel included Cameren Collins and Montoya Thomas of Houston and Elizabeth Madrigal of San Marcos. The women provided some heart-breaking and frustrating stories, but parts of the talk were heartening. The entire talk was, however, elucidating.

Copies of the papers prepared by some of the presenters are available online at the State Bar of Texas's Online CLE Library. The Bar's CLE website also permits those interested to view the oral presentations.

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“Every generation inherits a world it never made; and, as it does so, it automatically becomes the trustee of that world for those who come after. In due course, each generation makes its own accounting to its children.”

- Robert Kennedy

“It’s not about working hard, it’s about working together. You have to care more about the team than you do about yourself.”

- John Calipari

CPLS Member Benefit: Online CLE Video Library

- ◆ Need some additional CLE?
- ◆ Just want to satisfy an itch to learn something new?

CPLS provides its members an online library of short presentations from the recent past. The videos are available at all times. They are free to members. And you may claim CLE credit (if not claimed already).

You can find the library on the CPLS website under “CLE Video Library,” or [click on this link](#) to open a page directly. If you are a member, please use the following password (without quotation marks) when logging in: “member.cpl”

CPLS Committees – Your Participation is Needed!

Committees are the backbone of an organization like the CPLS. Committees provide the needed expertise and legwork needed to make CPLS a success and achieve its goals.

CPLS currently has nine chaired and staffed committees. The staff has set out the types of projects handled by the CPLS committees

Many current CPLS members serve on several committees. You can do the same, or you may only have interest in one. Either way, your help is wanted. Your help is needed.

CLE Committee

Chair: Andrea Frye

Contact: afrye@dallascounty.org

Duties: Charged with putting on relevant, informative and engaging continuing legal education programs for all legal professionals, but focusing on topics and law important to child welfare law practitioners. These programs are presented in stand-alone seminars or courses, as part of a larger State Bar course, or may be a stand-alone in-person or online presentation.

Current/Upcoming Projects: Puts on an annual Advanced Child Welfare Course every spring. The Committee's next project is the Advanced Family Law Workshop on August 10, 2022 in San Antonio, held during the Advanced Family law Course. The CLE Committee recognizes the need for additional training for attorneys for parents and children, and is looking into creating specific training for these attorneys. The Committee hopes to offer several standalone webinars in the coming year.

Multiculturalism Committee

Chair: Judge Aurora Martinez Jones

Contact:

Aurora.MartinezJones@traviscountytx.gov

Duties: The Multicultural Committee's purpose is to identify, discuss, and provide recommendations on issues that impact the children and families involved in the Texas child welfare system, with a focus and acknowledgement of the cultural diversity of these families.

Current Projects: The Committee engages in statewide projects and collaborations to improve outcomes for all Texas children and families, particularly focused on systemic barriers to equitable policies and practices in the child welfare legal field. Educational efforts by this Committee include increasing awareness and knowledge of relevant data, issues impacting bias (both implicit and explicit), as well as regional differences across the state. The Committee also provides a forum for investigation, analysis, discussion, and education of the many multicultural barriers to families involved in the child protection system. Such education should include increasing awareness regarding bias issues that improperly impede on the proper implementation of processes in the child protection system, as well as appropriate practices to address those biases.

In particular, the Committee is actively working to promote and recruit more diverse attorneys to court appointment lists across the state. It is also partnering with and supporting efforts of other organizations to recruit more diverse foster families.

Website Committee

Chairs: Hon. Michael Schneider and Amy Strickling

Contact:

mschneider@bergplummer.com
Amelia.Strickling@cao.hctx.net

Duties: The Website Committee coordinates the format and implementation of the CPLS website. Its primary goal is to keep CPLS members and the public informed. It does this by ensuring that the CPLS website is kept current, including the purpose of CPLS, its membership information, current officers and council members, elections, election processes, awards, award processes, committee information, activities, events, and matters of particular interest to child protection lawyers.

Current Projects: The Committee is in the process of updating the CPLS website. Suggestions regarding materials posted or ease of access or the like are always welcome!

Membership Committee

Chair: Mark Briggs

Contact: Mark@briggslaw.org

Duties: Promote CPLS among non-members to increase CPLS membership.

Current Projects: The Committee is looking at ways to increase membership in larger areas where membership numbers are lowest. It is attempting to develop a plan to make contact with non-members who practice child welfare law, particularly in rural regions. The Committee is considering the development of regional training/CLE sessions to increase exposure to CPLS and to recruit new members.

Newsletter Committee

Chair: Michael Hull

Contact: Michael.Hull@cao.hctx.net

Duties: The Newsletter Committee's goal is to produce two, high-quality newsletters per year. It attempts to include in each issue news of the Section and its committees. The Committee seeks to include at least three articles discussing child protection law issues, as well one or more articles that are more oriented toward the people who take part in these cases, e.g., attorneys, judges, parents or children.

Current Projects: The Committee plans to put out the second 2022 issue of its newsletter in Fall 2022.

Positions Available: In any given year, the Committee may need an Editor-in-Chief, at least two Articles Editors who act as liaisons between the authors and the Committee, two Section-Update Editors who compile information and stories about the work and events of CPLS and its Committees, two Staff Editors whose job requires them to edit the articles and put them in publishable form, and at least one Technical Editor who puts the news and edited articles in publishable form for circulation. All who wish to contribute, however, are welcome to join!

Articles or Suggestions for Articles: Anyone who wishes to publish an article, legal or otherwise, is urged to contact the Committee. Further, all ideas/suggestions for articles or coverage are welcome—even if you do not wish to be an author.

Any committee is only as good as the most knowledgeable, determined and vigorous person on it. There must be somebody who provides the flame.

- Lady Bird Johnson

Publications Committee

Chair: Judge Rhonda Hunter

Contact: rfhunter@hotmail.com

Duties: The goal of the Publications Committee is to publish materials useful to child welfare lawyers. One reason for doing so is to generate revenue for CPLS. A second reason is to provide child welfare practitioners in Texas accurate and timely legal publications to assist them in their practices.

Current Projects: Considering ideas such as a tool kit or bench cards for use by child welfare practitioners.

Scope Committee

Chairs: Sandra Hachem and Mark Briggs

Contact: Sandra.Hachem@cao.hctx.net
Mark@briggslaw.org

Duties: The Scope Committee provides evaluation and planning to ensure that the Child Protection Law Section meets its goals.

Current Projects: The Committee is currently tackling several issues, including the creation and implementation of an appointment/reappointment form to use in evaluating current appointees and those members applying for appointments. It plans future CPLS retreats. It evaluates and considers proposed events.

Communications Committee

Chairs: Barbara Elias-Perciful and Judge Delia Gonzales

Contact:

Barbara@texaslawyersforchildren.org
Delia.Gonzales@txcourts.gov

Duties: The Committee's mission is to ensure timely and effective communication between the Section and membership on all issues important to the members and CPLS. The Committee's goals are to provide information to 1) improve representation in the child welfare system; 2) improve judicial decision-making; and 3) improve the child welfare system as a whole.

Current Projects: The Committee is planning to send a series of informational emails about the Children Without Placement ("CWOP") crisis.

Ideas/Prospective Members: The Committee is always looking for new members. The Committee would also welcome any ideas regarding topics you would like the Committee to address.

Sponsorship/Hospitality Committee

Chair: Sandra Hachem

Contact: Sandra.Hachem@cao.hctx.net

Duties: The Committee's mission is to coordinate sponsorships to fund CPLS events and services. The Committee also coordinates hospitality at CPLS events.

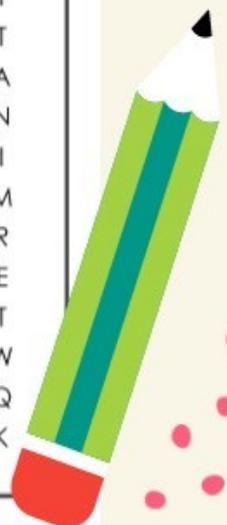
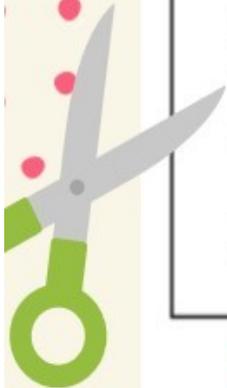
Current Projects: In the coming year, the Committee will plan and coordinate sponsorship opportunities and hospitality at all CPLS events and receptions, the two biggest of which will occur in August 2022 and Spring 2023.



Important CPLS Acronyms



R	P	S	W	A	G	V	I	T	A	L	S	T	A	T	I	S	T	I	C	S	F	Y
N	E	R	A	I	C	U	A	K	Z	D	H	X	G	N	T	D	Z	P	O	E	F	Y
N	N	A	O	F	T	K	A	H	Q	M	P	R	Z	B	U	E	S	B	U	V	U	N
T	O	Z	S	T	E	H	N	R	Z	G	D	N	K	I	O	P	E	C	Y	I	H	O
E	Y	N	A	O	E	T	O	O	D	M	E	Z	C	O	D	A	R	I	C	R	R	I
M	T	S	O	M	N	C	Y	U	W	I	Y	K	X	G	E	R	A	T	N	H	O	T
P	A	U	F	F	A	T	T	S	T	L	A	I	Q	X	L	T	F	S	E	T	T	A
O	Y	P	Q	A	F	N	O	I	E	P	E	N	K	P	U	M	L	O	N	O	A	N
R	H	P	K	K	F	E	A	B	O	R	L	D	A	F	R	E	E	N	A	T	V	I
A	K	O	R	W	G	N	N	G	E	N	V	A	G	D	T	N	W	G	M	E	R	M
R	N	R	R	I	Z	Z	A	D	I	L	V	I	C	E	L	T	L	A	R	R	E	R
Y	Y	T	U	S	J	G	X	K	I	N	I	J	C	E	M	I	G	I	E	U	S	E
R	A	D	V	O	C	A	T	E	B	N	G	E	H	E	M	E	T	D	P	L	N	T
I	D	P	L	A	C	E	M	E	N	T	G	E	V	R	S	E	N	E	X	I	O	W
S	N	O	I	T	A	P	I	C	I	T	R	A	P	E	K	T	N	T	M	A	C	Q
V	L	Q	Z	N	P	M	P	O	R	T	A	B	I	L	I	T	Y	T	B	F	C	K



Decipher each acronym below. Write the word that corresponds to the underlined letter(s) in the blank beside the acronym. Find the words in the word search.

- | | | | |
|------------------|------------|----------------|-------|
| <u>A</u> O P | _____ | I <u>C</u> W A | _____ |
| B <u>V</u> S | _____ | <u>N</u> O P | _____ |
| C <u>A</u> S A | _____ | P <u>C</u> S P | _____ |
| <u>C</u> W O P | _____ | <u>P</u> H | _____ |
| <u>D</u> F P S | Department | <u>P</u> I S | _____ |
| <u>D</u> S M | _____ | P <u>M</u> C | _____ |
| F <u>B</u> S S | _____ | <u>R</u> O | _____ |
| F <u>S</u> P | _____ | <u>R</u> T B | _____ |
| <u>F</u> T T | _____ | <u>S</u> M C | _____ |
| <u>G</u> A L | _____ | <u>T</u> M C | _____ |
| H <u>I</u> P A A | _____ | <u>T</u> P R | _____ |
| I <u>C</u> P C | _____ | | |



**CPLS Newsletter
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Please let us know:

- If you are interested in contributing an article to the CPLS newsletter;
- If you have an idea or suggested topic for the newsletter;
- If you have any relevant dates or information that you think might be helpful or interesting to our CPLS members;
- And how we're doing!

Thank You!!!

Dates to Remember:

June 2-3, 2022: SBOT, Innovations: Breaking Boundaries in Custody Litigation, Chicago (live)

June 9-10, 2022: SBOT, State Bar of Texas Annual Meeting, Houston (live)

June 17, 2022: SBOT, Special Ed., Child Welfare and the Juvenile Justice System, Austin (live)

August 7, 2022: SBOT, Family Law 101, San Antonio (live)

August 8-11, 2022: SBOT, Advanced Family Law, San Antonio (live)

August 10, 2022: SBOT Advanced Family Law Child Abuse Workshop, San Antonio (live)

Sept. 21-23, 2022: TDCAA, Annual Criminal & Civil Law Conference, Corpus Christi (live)

Sept. 21-23, 2022: SBOT, Advanced Family Law, Dallas (video replay)

Sept. 23, 2022: SBOT, Advanced Family Law Child Abuse Workshop, Dallas (video replay)

Oct. 5-7, 2022: SBOT, Advanced Family Law, Houston (video replay)

Oct. 7, 2022: SBOT, Advanced Family Law Child Abuse Workshop, Houston (video replay)

Oct. 12-14, 2022: SBOT, Advanced Family Law, South Padre Island (video replay)

Oct. 14, 2022: SBOT, Advanced Family Law Child Abuse Workshop, South Padre Island (video replay)

Dec. 1-2, 2022: SBOT, Advanced Trial Skills for Family Lawyers, New Orleans (live)