

Childhood Flies By: Time is of the Essence

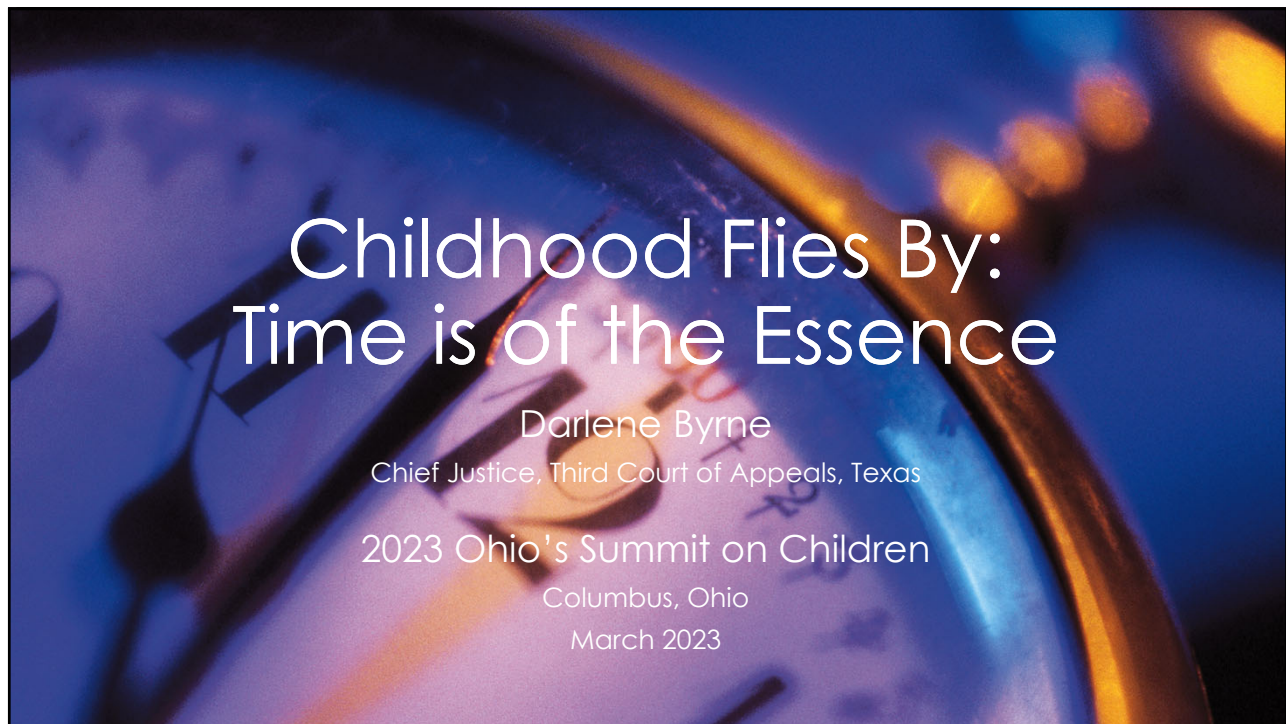
By: Darlene Byrne, Chief Justice, 3rd COA, Texas

2023 Ohio's Summit on Children Case Scenario

Last night on New Years' Eve, Mr. Smith and Ms. Gonzales were having dinner and watching the news at their home in Austin, Texas. Ms. Gonzales' three children were home, Buddy (15), Cherish (14) and a newborn, Darla. Darla is the only biological child of Mr. Smith. Buddy was working on his homework, Cherish was hanging out in the living room, and Ms. Gonzales was feeding Darla. Mr. Smith served active duty in the US Army during wartime, and he was also recently laid off from his job at a restaurant. Ms. Gonzales left her job to care for her children when COVID-19 caused school closures and she has not yet returned to work. The news about recent global conflicts played continuously on TV in the home. When dinner was served, Mr. Smith was upset with the quality and lateness of the dinner.

Mr. Smith became angry and started shouting at Ms. Gonzales. Buddy secretly called 911. When the police arrived, Ms. Gonzales was holding the baby in the kitchen. Ms. Gonzales was crying and had a red mark on her cheek, red dots in her eyes, and marks around her neck. The police report indicated that when interviewing Mr. Smith, he smelled of alcohol and appeared under the influence. Police also observed that Mr. Smith was fidgeting, had scratch marks on his arms and face, and had a hard time focusing. Cherish and Buddy were in Cherish's room, and their eyes appeared to be bloodshot from crying. Cherish had a red mark on her cheek and Buddy's shirt was ripped. The home appeared in disarray and there was an acidic odor.


Police interviewed members of the household who each denied any incident of violence. The police contacted the Child Abuse Hotline, and the children were removed from the home by DFPS. The first court hearing will occur in 10 to 14 days.



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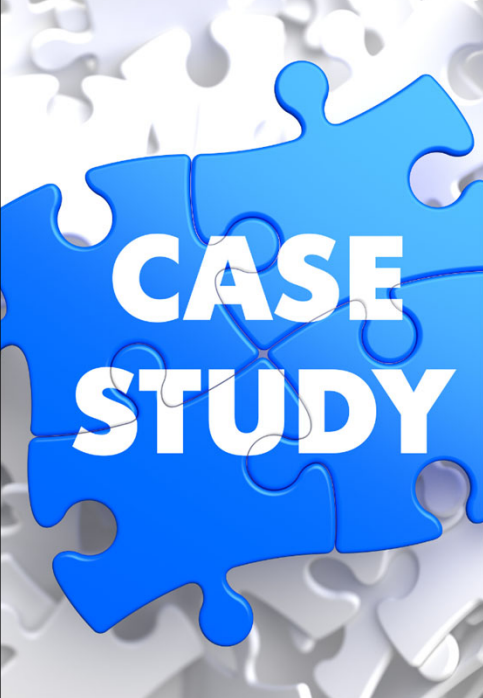
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Learning Objectives

1	Imagine the life of a child during a year of foster care
2	Imagine that same life during a year in a safe, permanent home of healthy family members
3	Urgently develop practices for safety and permanency for a child with family

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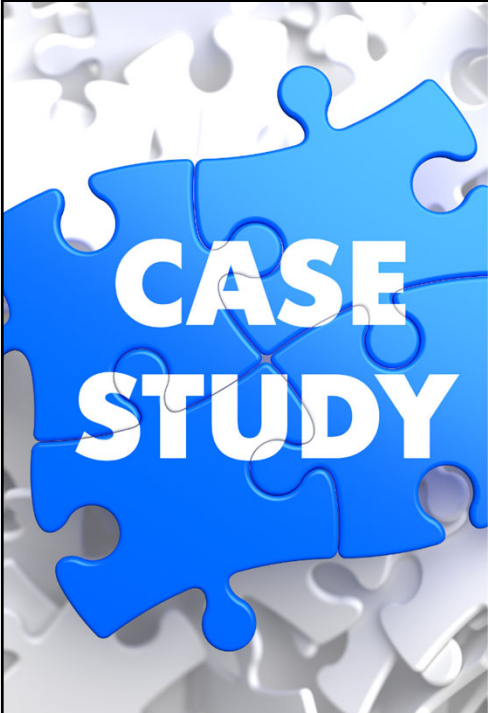
New Year's Eve 2022

- Blended family of five (three children) having dinner
- Dad/step-dad lost job and is an army veteran, mom is a homemaker
- Concerning TV news about Covid and Ukraine on family's TV
- Dad/step-dad is upset with the quality and lateness of the dinner
- Buddy (10-year-old son) calls 911

4



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When the cops arrived

- Mom crying and has a red mark on her cheek and marks around her neck
- Dad/step-dad smells of alcohol and metallic odor in the home
- Dad/step-dad restless, scratches on body and disoriented
- Home in disarray
- Buddy has ripped shirt
- Sister, Cherish, mark on her cheek

6



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01. ➞ JANUARY ➞ 2023						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
01	02	03	04	05	06	07
08	09	10	First Hearing: <ul style="list-style-type: none"> Cherish and Darla with Grandmother Buddy in foster home at a different schools No attorneys have been Rescheduled Hearing: <ul style="list-style-type: none"> Attorney's appointed Parties cannot come to an agreement on sibling visits CASA appointed 		13	14
15	16	17			20	21
22	23	24			27	28
29	30	31	01	02	03	04
		Mom's B'Day!				

8

02. ➞ FEBRUARY ➞ 2023						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
29	30	31	01	02	03	04
05	06	07	08	09	10	11
12	13	14	15	16	17	18
19	20	21	22			25
26	27	28				04

Buddy picked-up by police and taken

Buddy's first JJ hearing:

- CASA, CPS and lawyers not notified and not present
- Judge has no idea what's going on in child welfare case
- Buddy continues to remain in

Buddy at Court

Buddy's JJ review hearing:

- All parties present

Buddy at Court

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03. ➞ MARCH ➞ 2023						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
26			01	02	03	04
05			08	09	10	11
12			15	16	17	18
19			22	23	24	25
26	27	28	29	30	31	01

CPS Review Hearing:

- Buddy still in JJ, order immediately establish a CPS placement
- Develop a sibling visitation plan
- Grants the department's service recommendations – for both kids and parents
- Does not order to provide foster parent training to grandmother
- Does not order department to do any additional relative search for Buddy
- Does not authorize child welfare attorney to attend Buddy's juvenile hearings

Court

Buddy's B'Day!

Dad's B'Day!

See CASA

10

04.



APRIL



2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
26	27	28	29	30	31	01 See CASA
02	03	04	05	06	07	08
09	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	01	02	03	04	05	06

11

05.

➞

MAY

➞

2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
30	01	02	03	04	05	06 See CASA
07	08	09	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	01	02	03

12

06.

→

JUNE

→

2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
28	29	30	31	01	02	03
04	05	06	07	08	09	10
11	12	13	14	15	16	17
18	19	<div>CPS Review Hearing:<ul style="list-style-type: none">No visitation with parents has been establishedKids are not receiving servicesBuddy has moved to two additional RTCsBuddy has not been convicted and is on deferred prosecutionBuddy has become more withdrawn and combativeParents have not done services</div>		22	23	24
25	26			29	30	01

Court

13

07.

→

JULY

→

2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
25	26	27	28	29	30	01
02	03	04	05	06	07	08
09	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31	01	02	03	04	05

14

08. ➞ AUGUST ➞ 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
30	31	01	02	03	04	05 <i>See CASA</i>
06	07	08	09	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31	01	02

15

09. ➞ SEPTEMBER ➞ 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
27	28	29	30	31	01	02
03	04	05	06	07	08	09
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24 <i>My B'Day!</i>	25	26	27	28	29	30

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10. → OCTOBER → 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
01	02	03	04	05	06	07 <i>See CASA</i>
08	09	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	01	02	03	04

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11. → NOVEMBER → 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
29	Permanency Hearing: <ul style="list-style-type: none"> Plan has changed to TPR Buddy still not in relative placement, still in RTC Intermittent visits with parents and siblings Department set for TPR early Dec Likely rights will be terminated 		01 <i>Court</i>	02	03	04 <i>See CASA</i>
05			08	09	10	11
12			15	16	17	18
19	20 <i>Abuela's Birthday!</i>	21	22	23	24	25
26	27	28	29	30	01	02

18

12. → DECEMBER → 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
26	27	28	29	30	01	02
03	04	05 <i>Court</i>	06 Parental Rights Terminated	07	08	09
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31	01	02	03	04	05	06

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Case Scenario Discussion

- Was anything traumatic here?
- How can you reduce trauma impact?
- How can we prepare for the first hearing
 - Attorneys
 - CPS
 - CASA
 - Judge
- How can you make trauma worse for clients?

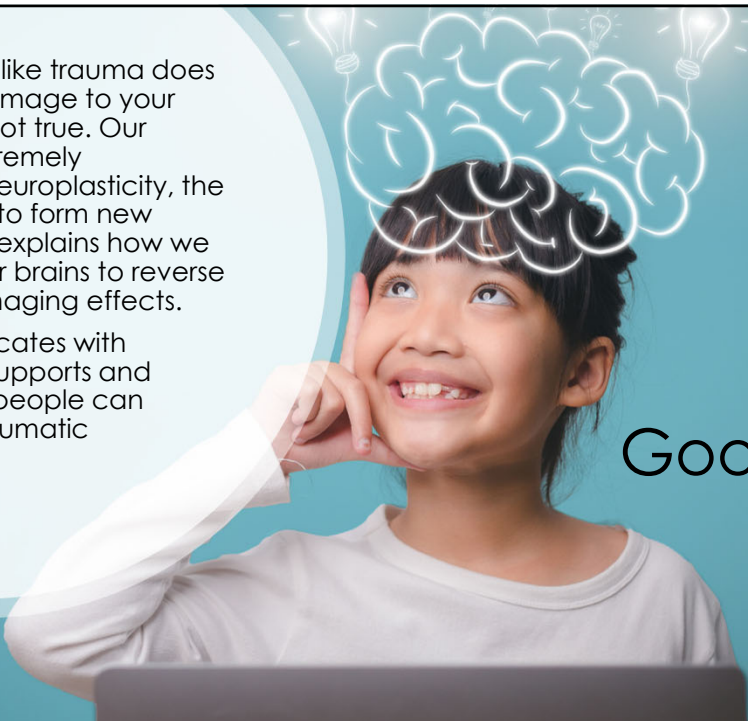


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It might seem like trauma does irreversible damage to your brain—that's not true. Our brains are extremely adaptable. Neuroplasticity, the brain's ability to form new connections, explains how we can rewire our brains to reverse trauma's damaging effects.

Research indicates with appropriate supports and interventions people can overcome traumatic experiences.

Good News!



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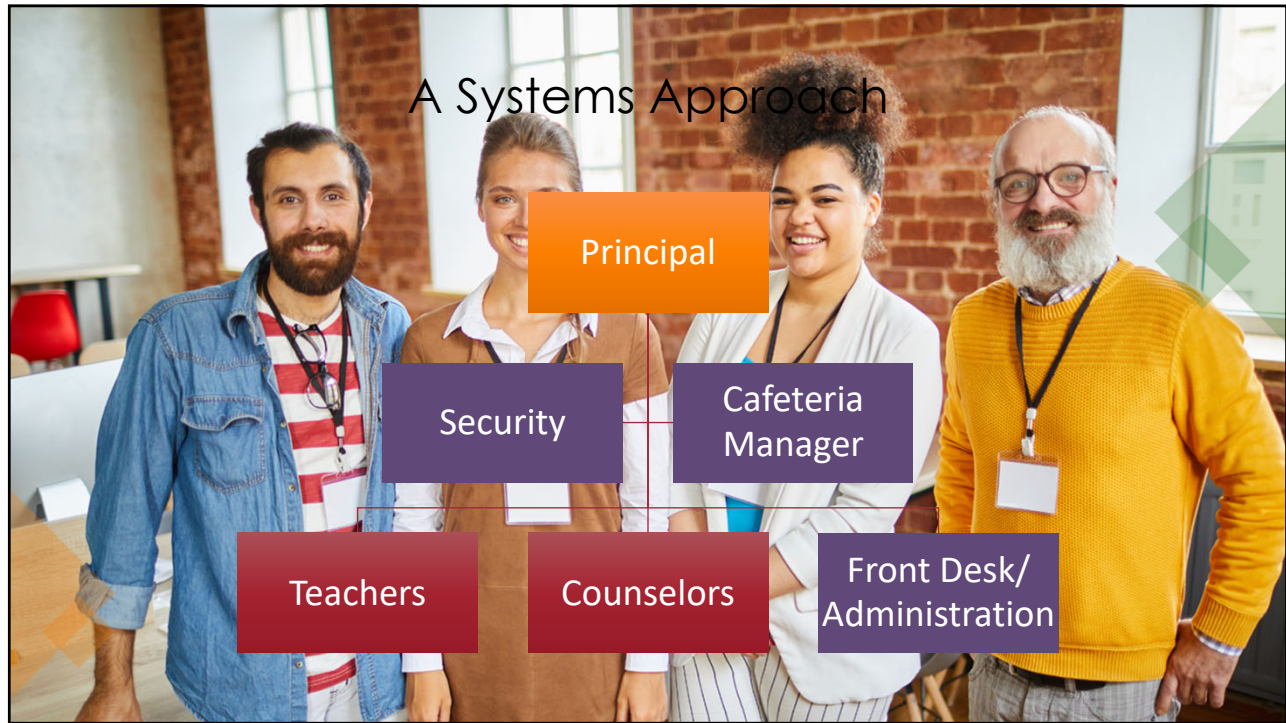
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Eh Wudxp dQqirup hgB

Everyone who works with children and families who may have experienced trauma, including:

Child welfare professionals and advocates	Judges who hear child and family cases
Child welfare and juvenile justice professionals	Teachers and school personnel
Doctors, nurses, and clinic staff	Mental and behavioral health professionals



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Community Collaboration

- No one stakeholder can do this alone
- Build relationships in community
- Establish regular collaborative meetings to support implementation
- Leverage community resources



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Trauma Impacts

Child Development

Emotions

Memories

Behavior

Self-Regulation &

Decision Making

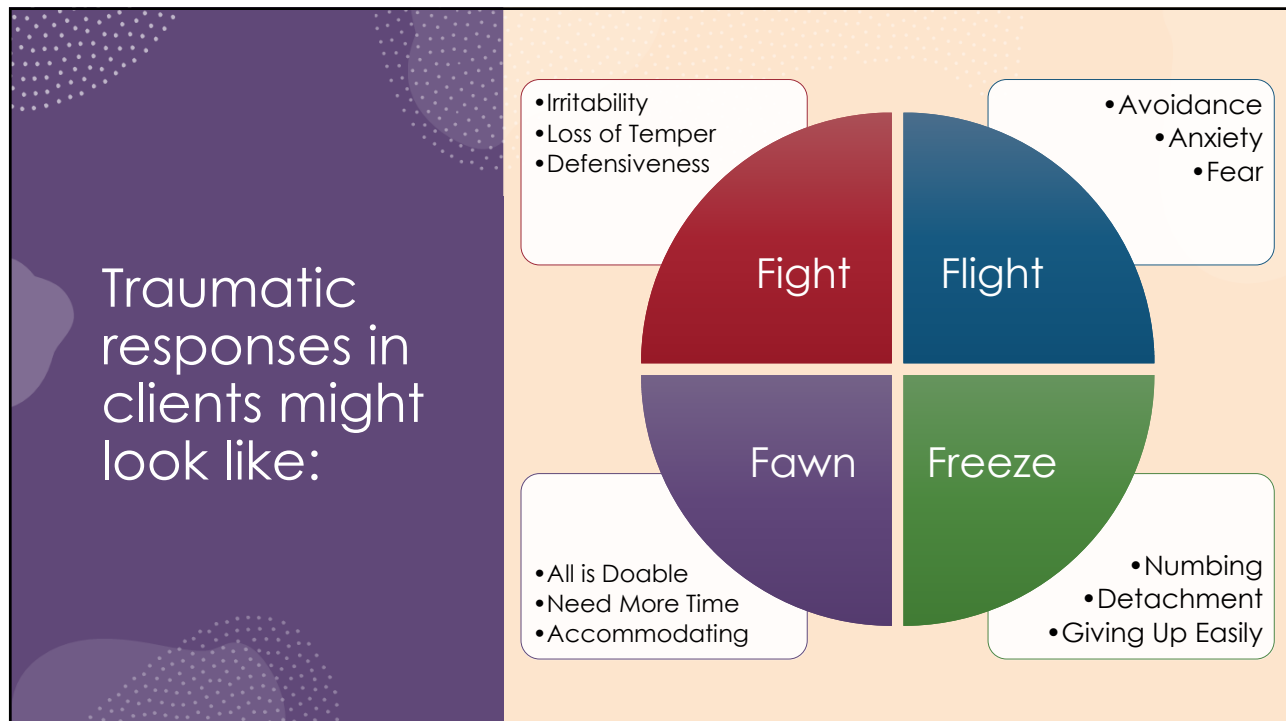
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Without a Trauma Lens

RESPONDING TO BEHAVIORS OF INDIVIDUALS WITH TRAUMATIC RESPONSES MIGHT LOOK LIKE:

- Raised or sarcastic voices
- Belittling them
- Accusing them of not caring
- Suspending them
- Suspending "family time"
- Harsher penalties
- Resetting or delaying proceedings or appointments
- Holding in Contempt: grab, cuff, jail, or detain

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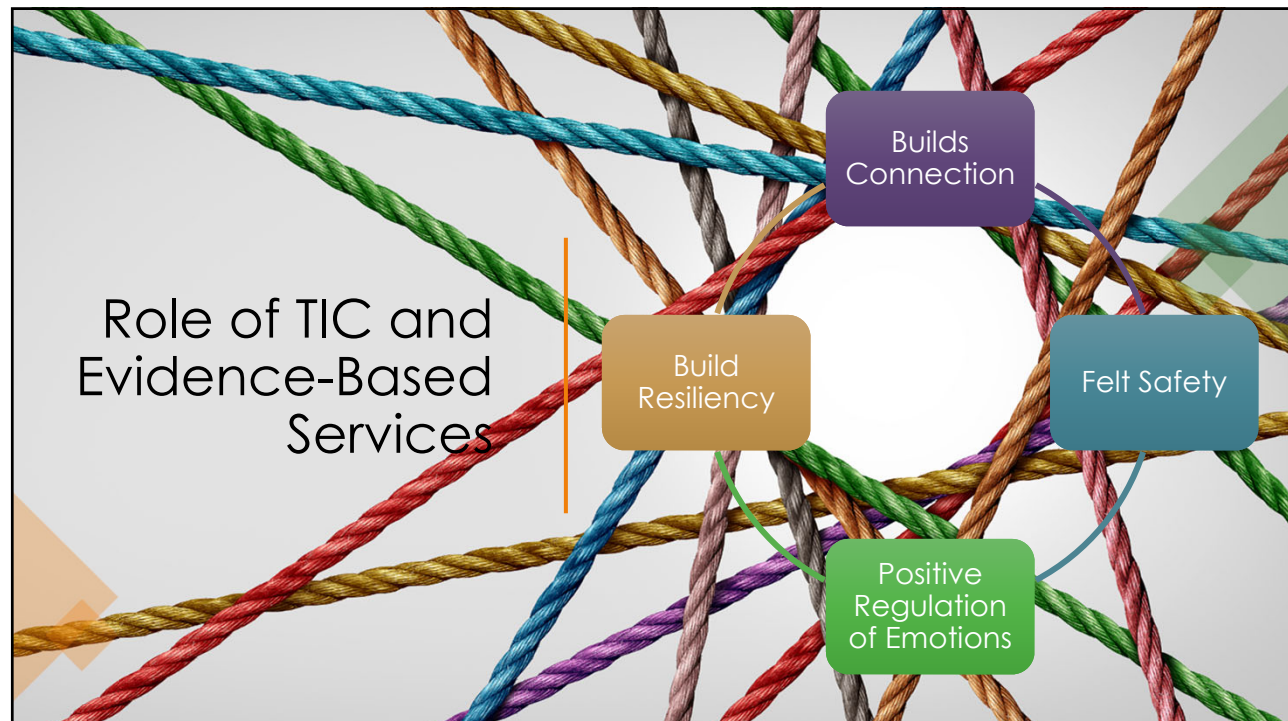


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Traumatic responses in clients might look like:

- Perceive that danger is everywhere
- Difficulty belonging and playing well with others
- Impaired self control
- Over-responding or under-responding
- Difficulty regulating after outburst
- Guarded & anxious
- Unable to trust others
- Have difficulty with change & transitions
- Misreading motives, facial expressions, body language
- Chronic or recurrent physical complaints

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Building Healthy Connections

Between Attorney and Child

- Be reliable & on time
- Be honest & transparent, kid friendly without sugar-coating
- Show empathy
- Respect avoidance & resiliency

Assist with Connections Between Child and:

- Family (immediate and extended)
- Court
- Caseworker
- CASA
- School

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Screening and Assessments

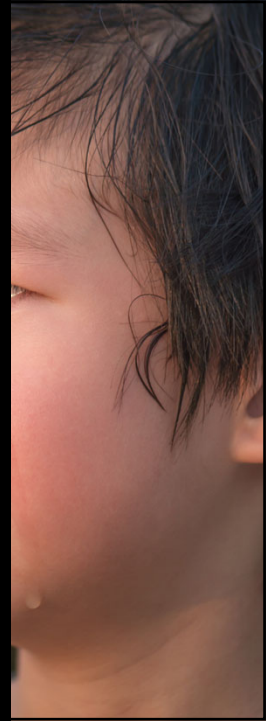
- Screen appropriately for trauma
- Avoid mislabeling trauma as a mental health disorder
- Avoid medication when non-pharmaceutical intervention is appropriate
- Psychological Evaluation
- ACEs Screening
- Commercial Sexual Exploitation Identification (CSE-IT) Tool
- Juvenile Justice Tools
 - GAINS
 - MAYSI-2
 - PACT



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System Re-traumatization

- Child Welfare System
- Juvenile Justice System
- Family Court System
- Mental Health System
- Education System
- Medical System



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Environmental Changes

- Signage welcoming and understandable
- Lobby atmosphere
- Courtroom atmosphere
- Kid friendly, if appropriate



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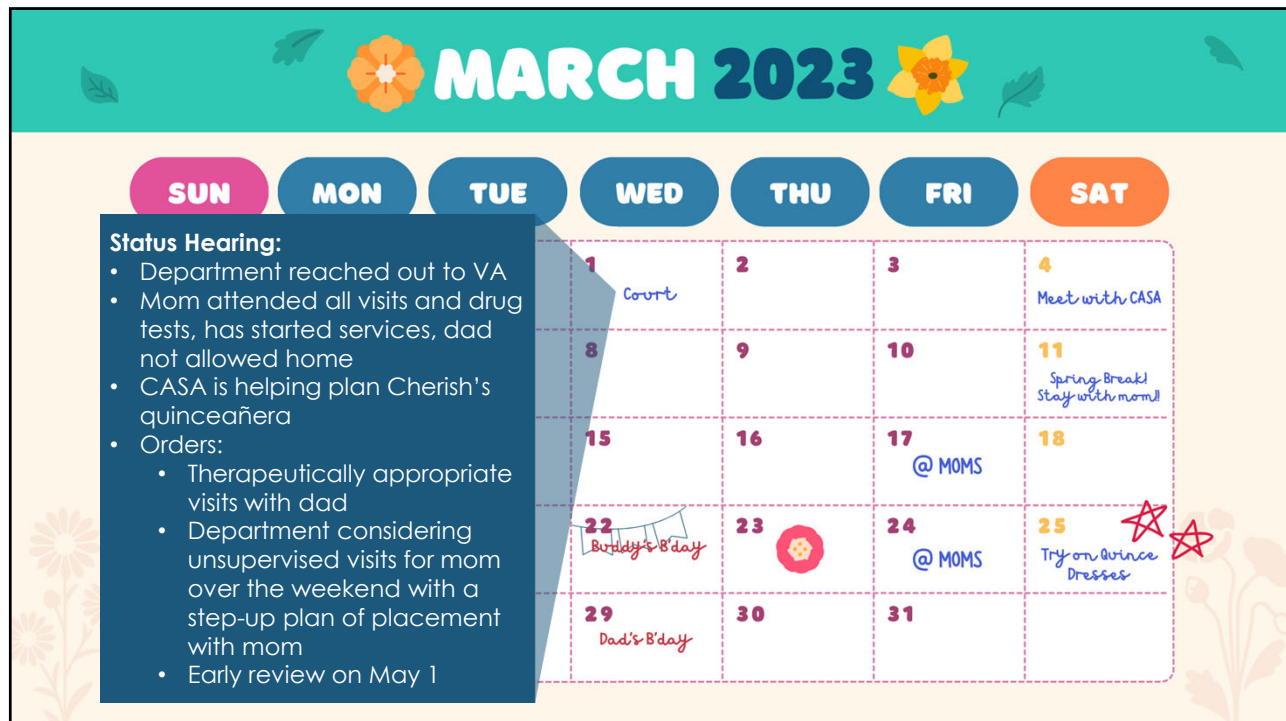
JANUARY 2023

SUN	MON	TUE	WED	THU	FRI	SAT
1	First Hearing: <ul style="list-style-type: none"> Relatives, neighbors, and supportive friends in court. CASA's completed family finding. Discuss reunification plan with mom All kids in the Lawyers and CASA appointed Provided relatives with information about becoming official placements so they can receive support. Visited with relative supervisors regarding Dad's visits Orders <ul style="list-style-type: none"> Family strength and needs assessment for mom and dad to happen in 30 days. Bus passes for kids and mom have been secured Order to develop plan of service for parents Drug tests completed 				6	7 <i>Meet with CASA</i>
8					13	14
15					20 <i>Court</i>	21
22					27	28
29						

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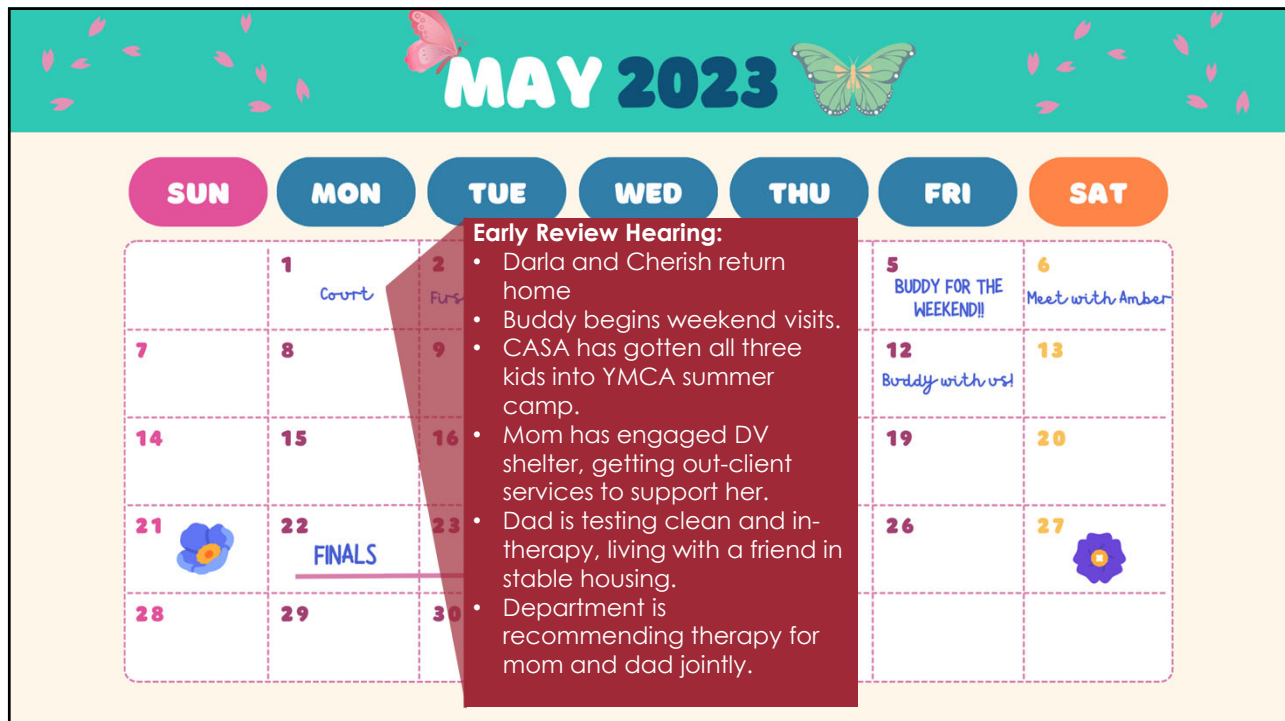
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Availability of Trauma-Informed Services

- **Superior Health Plan STAR Health resources**
 - Main site: www.fostercaretx.com
 - Find a provider sites
 - <https://www.fostercaretx.com/for-members/find-a-provider.html>
 - <https://findaprovider.fostercaretx.com/location>
 - **Service Management team** - Assists caseworkers with TIC provider location
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Children's Commission Resources

www.TraumaInformedTexas.com

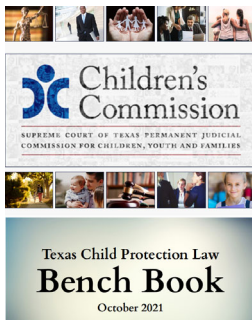
- Trauma-Informed Blueprint
- Definitions adopted into TAC
- Role-specific training resource pages
- 2021 Judicial Trauma Institute replays & materials (CLE credit available)

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Children's Commission Resources cont.

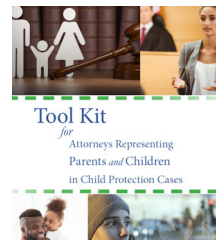
Texas Child Protection Law Bench Book, TIC Chapter:

<http://texaschildrenscommission.gov/for-judges/bench-book/>



Tool Kit for Attorneys Representing Parents & Children in CPS Cases:

<http://texaschildrenscommission.gov/our-work/legal-practice-process/legal-representation-committee/>



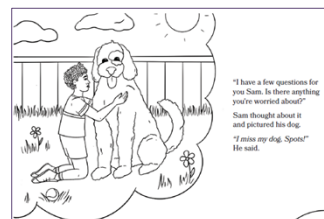
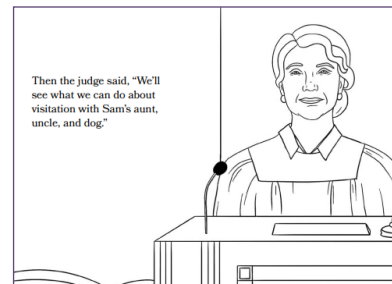
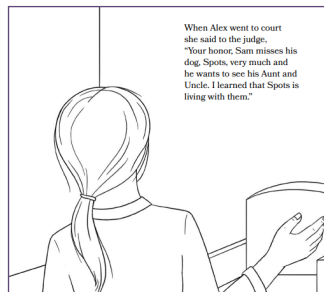
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Children's Commission Resources cont.

Coloring Book: Sam and the Search for Spots – How Your Lawyers Can Help You

- [English Version](#)
- [Spanish Version](#)

<http://texaschildrenscommission.gov/our-work/legal-practice-process/legal-representation-committee/>



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Additional Resources

- Child Mind Institute: <https://childmind.org/>
 - Harvard Center for the Developing Child: <https://developingchild.harvard.edu/>
 - National Childhood Traumatic Stress Network: <https://www.nctsn.org/>
 - TCU Karyn Purvis Institute for Child Development: <https://child.tcu.edu/#sthash.9kPeVPAY.dpbs>
 - The Hackett Center Trauma and Grief Center: <https://mmhpi.org/work/trauma-grief-center/>
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Questions?

Darlene Byrne
Third Court of Appeals
Austin, Texas
Darlene.Byrne@txcourts.gov
512.463.1733