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## The Family Helpline Update

Children's Justice Act Task Force Meeting  
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# The Family Helpline

**844-888-6565**

**Helpline hours:**

Monday through Friday

9 AM – 6 PM

A project of Texas Legal Services Center

**Funded by:**

**Children's Commission of the Supreme  
Court of Texas**

**Children's Justice Act**

**Texas Access to Justice Foundation**

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# The Family Helpline Model

- We can speak with anyone who has a question related to CPS, child abuse, or child neglect in Texas.
- Callers are not limited in the amount of time they may speak with attorneys or the number of times they can call back. Call time averages 30-45 minutes.
- No income limitations for callers.
- Callers may remain anonymous.
- We provide free legal information but **not** legal advice.
- We provide resources and referrals to callers.
- We are staffed only by experienced child welfare attorneys.
- Data points are collected.
- We answer live calls and accept voicemails. The phone line is directly answered by attorneys.
- Collaboration within the child welfare community.

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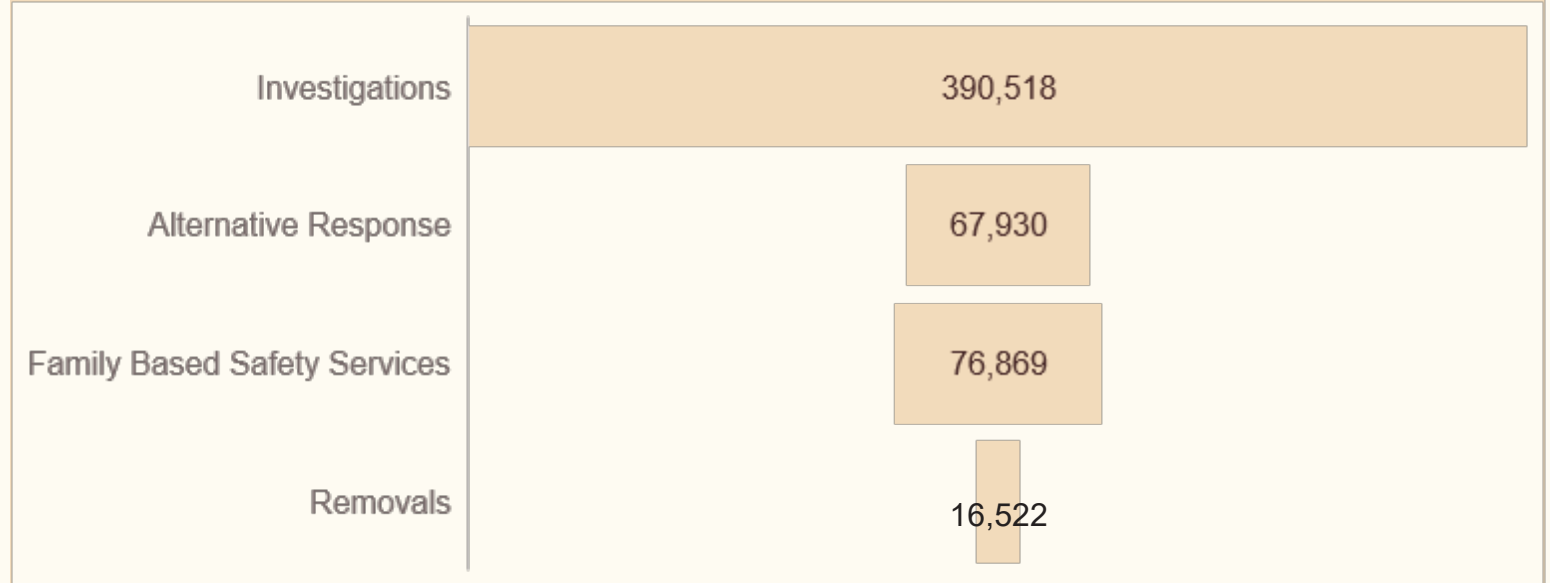
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## WHAT WE DO

# Filling a Need for Families at Risk

- ❑ Prior to the Family Helpline's launch, there was no free statewide legal service aimed at assisting families going through the CPS system.
- ❑ Families going through the investigations and FBSS non-legal processes are not entitled to any court appointed representation.

## DFPS Fiscal Year 2020 – Number of Children Served



Source: DFPS Data Book FY 2020; [https://www.dfps.state.tx.us/About\\_DFPS/Data\\_Book/default.asp](https://www.dfps.state.tx.us/About_DFPS/Data_Book/default.asp)

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### WHAT WE DO

# Filling a Need for Families at Risk

- ❑ Callers may have concerns about the safety of a child where CPS is not involved or where a CPS case has been closed without any action taken.
- ❑ Some callers do not understand the role of CPS and do not know how to make a report of abuse or neglect.
- ❑ Most families do not know their rights when it comes to interacting with a CPI (Child Protective Investigations) caseworker.
- ❑ Significant decisions, including out of home placements, are regularly made during the investigations and FBSS stages.
- ❑ Many CPS cases end without clear expectations or court orders in place.
- ❑ The early stages of a TMC (legal removal) case can be very overwhelming and confusing for a parent.

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# Trends for FY 2020

## TOTAL CALLS COMPLETED

- ❑ 1,992 total calls completed in FY 2020; 1,424 total calls for Q1-Q3 of FY 2021.
- ❑ 9,910 total calls since the program's inception in 2017.

## LOCATION

- ❑ 157 Texas counties in FY 2020.
- ❑ Top 15 counties were Harris, Dallas, Bexar, Travis, Tarrant, Denton, Williamson, Bell, Smith, Nueces, Collin, El Paso, Lubbock, Montgomery and Hidalgo.

## TYPE OF CALLER

- ❑ 894 mothers, 354 fathers, 263 grandparents, 148 extended relatives, 44 unrelated individuals, 41 family friends/fictive kin, 18 stepparents, and 3 minor children.

## CPS STAGE OF CASE

- ❑ 1,632 had an active CPS matter or closed CPS matter; 360 were not involved with CPS in any way.
- ❑ CPS stage in descending order: Investigations, CPS case closed, TMC, FBSS, unknown, PMC, Court Ordered Services, Alternative Response.

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### TRENDS FOR FY 2020

# Top 20 Trending Issues

(Total of 121 different issues were discussed.)

- 1) CPS Investigations
- 2) Modification of SAPCR Orders
- 3) Parent Visitation Issues
- 4) Conservatorship Issues
- 5) Reporting Child Abuse and Neglect
- 6) Substance Abuse
- 7) Safety Plans
- 8) TMC of a Child by CPS
- 9) Conservatorship Rights and Duties
- 10) Domestic Violence
- 11) Original SAPCRs
- 12) Prevention of Child Abuse and Neglect
- 13) Removal of a Child by CPS
- 14) Family Based Safety Services (FBSS)
- 15) Temporary Restraining Orders (TROs)
- 16) Service of Process
- 17) Enforcement of Court Orders
- 18) TMC Placement Issues
- 19) Custodial/Noncustodial Parent Issues
- 20) General Child Placement Issues



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# Court Watch

In each quarter of FY 2021 we aimed to watch approximately 25 courts, representing 30-40 counties. Court watch has become much more accessible in the time of COVID since almost all courts have their hearings available online.

Observations from court watch:

- ❑ Parent attendance at hearings and parent completion of services seems improved due to COVID / more virtual court hearings and virtual services.
- ❑ Some judges are offering more frequent video visitation between parents and children which seems to improve bonding, reduce separation anxiety and trauma, and improve communication between biological and foster parents.
- ❑ In many counties, attorneys for parents may not be appointed until after the adversary hearing. Many parents in these counties do not know to ask for an attorney before the hearing begins, or to ask for a continuance to allow them to meet with their attorney.
  - ❑ Forms to complete to request an attorney seem less accessible due to COVID.
- ❑ In many courts, statutory warnings (i.e. parents' right to attorney; possibility of termination of parental rights) are not routinely given.
- ❑ Many counties utilize draconian measures regarding marijuana use (i.e. no visitation until one or more clean drug tests provided; no reunification if only remaining concern is positive marijuana use)

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# Special Projects

- New referral resource and collaboration partner: Family Defense Project at Texas RioGrande Legal Aid
- Selected to present at the Poverty Law Conference in September
- Collaboration with the Texas Children’s Commission to draft the Pre-Litigation Parent Resource Guide. Expected completion: Fall 2021
- Creation of new *pro se* kits for TexasLawHelp.org:
  - TROs, Temporary Injunctions and Temporary Order for Emergency Protection of a Child
  - Petition for Writ of Habeas Corpus
  - Petition for Intervention in a CPS case

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# **Moving Forward**

- New Practice Area at TLSC: Systemic Issues
- Seek out new funding sources to replace lost grants
- Gauge interest in creating new projects and seek out new referral sources
- Hire additional highly qualified attorneys to staff the project

**Thank you for your support!**

