

Travis County Family Drug Treatment Court:

Parenting In Recovery



**We grow in different directions yet our roots  
in recovery remain as one.**

# Court Ordered Services Cases in Family Drug Treatment Court— The Trauma Informed Approach

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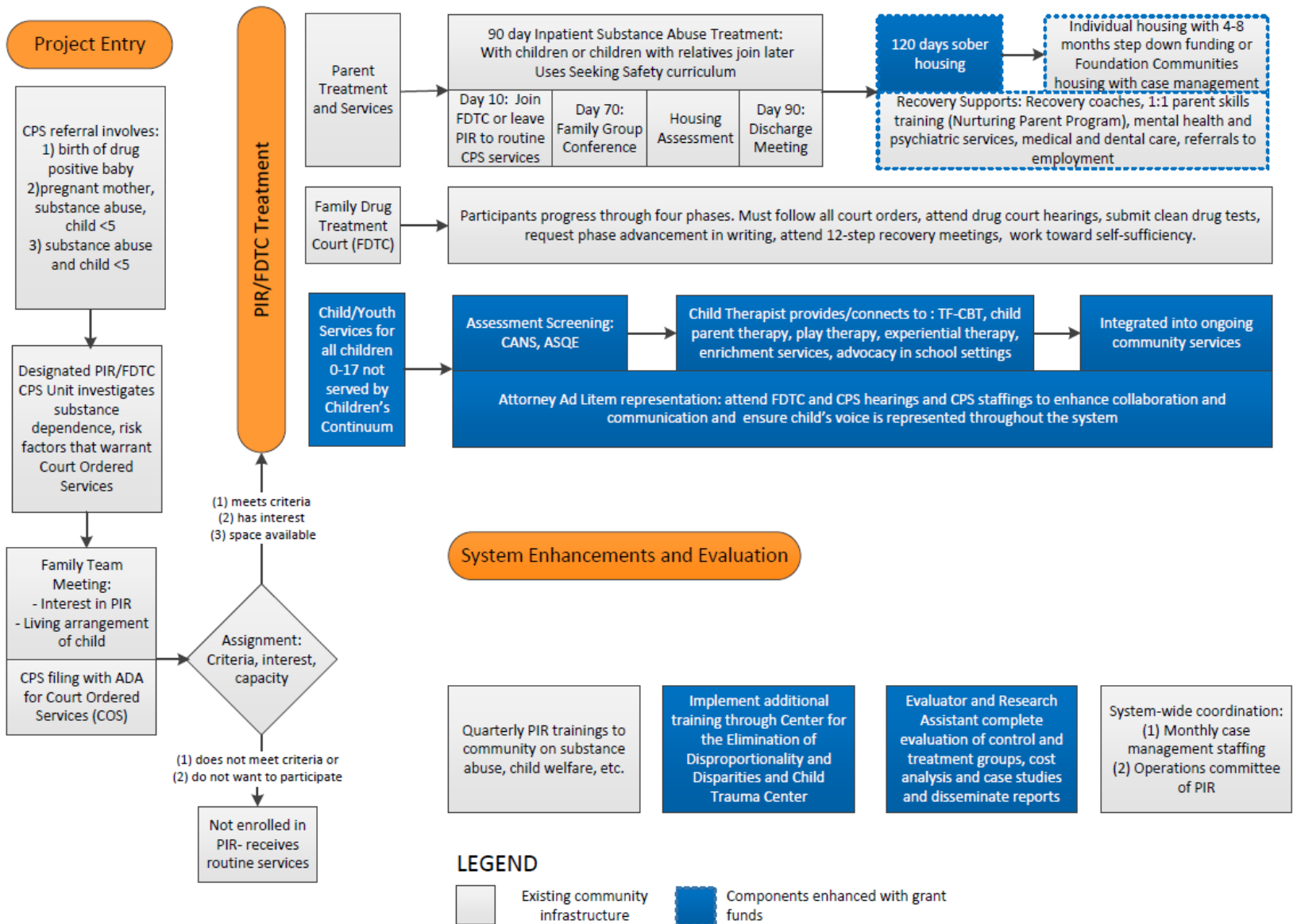
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# Program Overview

- Community collaboration began in 2006
- Historical Funding Sources for the Program
  - Federal Regional Partnership Grant
  - Drug Court Grants – Texas Office of the Governor
  - OJJDP – Family Drug Courts Grant
- Strategic and Sustainability planning
- Governing Bodies – Operations and Advisory Committees



# Parenting in Recovery / Family Drug Treatment Court



# Demographics (FY 18)

- Race – 82% Caucasian, 16% African American, 2% Other
- Ethnicity – 28% Hispanic, 72% Non-Hispanic
- Gender – 88% Women, 12% Men
- Average Age – 29
- Mental Health – 86% with DSM-V diagnosis not SUD
- Education – 60% with GED or High School Diploma
- Criminal History – 84%
- Trauma History – 85%
- Drug of Choice – 49% with 3 or more substances
  - 25% Meth, 22% Marijuana, 10% Opiates, 7% Cocaine, 10% Alcohol
- Prior Child Protective Services Involvement – 66% as adult, 31% as child
- Number Served FY 18 – 67 parents, 84 children, 60 families



# Program Support Services

- Substance Use Disorder Treatment
- Child and Family Therapist – Assessment and Services for Children
- Wrap Around Support Services – Gap funding
- Housing – Recovery housing for 3 months
- Mental Health Services
- Domestic Violence Services
- Education/Employment
- Parent Training
- Peer Recovery Coaching
- EMDR Therapy



# Substance Abuse Treatment

- Mother and one child – 90 days of residential treatment at Austin Recovery
- Ongoing communication between treatment team and the Court
  - Austin Recovery representative attends pre-hearing staffing and hearings
  - Reports provided to Drug Court Coordinator each week to write Court reports
- Agreement with CPS that supervision of Mother and child will occur at all times off-site until supervision lifted by CPS
- Austin Recovery's willingness to call CPS if Mother attempts to leave facility ASA



# Parenting In Recovery Guidelines

- Referral involving child under the age of 5 where drugs are the primary issue
- Need to have family that can agree to take child with PCSP or ability to take the child right from hospital into treatment
- Issues requiring Department's intervention have to rise to the level that the Department would be taking TMC if the parent does not engage in drug treatment
- Parent needs to agree to comply with drug court requirements after meeting with an attorney who explains the program



# CPS Identification of Participants

- Cases are identified by the routers as meeting basic initial criteria (substance use, at least one child under 5, professional reporter.)
- Intakes are assigned to Drug Court unit investigators who then assess the family and request any appropriate drug tests.
- Family Team Meetings are scheduled to discuss the concerns of the case and explain Drug Court. Any information about potential parental child safety placement is collected and arrangements are made to have the parents observe Drug Court.





# Lessons Learned



- It's ok to have a mental health diagnosis; however, a parent's ability to manage their mental health is critical to success.
- A parent's cognitive functioning should be considered as to whether participation in services will lead to desired outcomes.
- Always consider the other parent.
- Backup placements are critical to avoid TMC, as relapses are expected.

# Transition: TMC to COS

- 2008 – program provided both Temporary Managing Conservatorship (TMC) and Court Ordered Services (COS) tracks
- By 2010, only COS lawsuits eligible for PIR at initiation
- Conflict between the TMC deadline and full participation in PIR program
- Placement of child(ren) in treatment with Mother was a Return and Monitor with 6 month deadline



# Texas Family Code §264.203

(a) Except as provided by Subsection (d), the court on request of the department may order the parent, managing conservator, guardian, or other member of the subject child's household to:

- (1) participate in the service the department provides or purchases for:
  - (A) alleviating the effects of the abuse or neglect that has occurred: or
  - (B) Reducing the reasonable likelihood that the child may be abused or neglected in the immediate or foreseeable future; and
- (2) permit the child and any siblings or the child to receive the services.

...

(c) If the person ordered to participate in the services fails to follow the court's order the court may impose appropriate sanctions in order to protect the health and safety of the child, including the removal of the child as specified by Chapter 262.



# Filing for participation in Court Ordered Services (COS) as a Suit Affecting the Parent Child Relationship (SAPCR)

## Benefits

- Service of one lawsuit.
  - No dismissal and refile for TMC
- Allows for additional findings and orders
  - Custody orders
- Permits appointments of AAL/GAL
- Pleads for TMC relief
  - Makes for smoother transfer from COS to TMC proceedings
  - Allows for parent attorney appointments



## Downsides

- Service
  - Everyone who's even alleged to be a parent gets served
- Attorney Appointments are expensive
- Custody Issues
  - Draws out the proceedings
  - Costs of mediation
- Increased Procedure
  - CCJ and Venue Apply
  - Motions to Modify, transfer and consolidations, AG issues

# Show Cause Order

On this \_\_\_\_ **day of** \_\_\_\_\_, **2014** there was presented to me Petitioner's application for Temporary Orders in the above-entitled and numbered cause. The Court finds that it has jurisdiction of this cause under the provisions of the Texas Family Code, and finds that there is an immediate need for the issuance of Temporary Orders governing the care, control and possession of the Child, AAAA. The said Orders are necessary for the safety and welfare of the subject Child.

**IT IS THEREFORE, ORDERED:**

That BBBB and CCCC, Respondents appear at the Travis County Courthouse on the \_\_\_\_ **day of** \_\_\_\_\_, **2014 at** \_\_\_\_\_, to show cause, if any there may be, why the Petitioner herein should not be named as the Temporary Managing Conservator of the subject Child, AAAA, and why Respondents should not be ordered to pay child support pendente lite, pending further hearing in this cause.

**IT IS FURTHER ORDERED** that the subject Child shall be placed with \_\_\_\_\_ and the parents may **ONLY** visit the subject Child while being supervised by the Department or a Department-approved supervisor.

# Rule 11 Agreement for Placement

## RULE 11 AGREEMENT

Pursuant to Rule 11 of the Texas Rules of Civil Procedure, the undersigned agree to the following safety plan. The safety plan will become effective if the child/ren need to be temporarily removed from Respondent Parent's care as approved by the child advocates:

1.) Oldest Child: \_\_\_\_\_

Name of Caregiver/Placement: \_\_\_\_\_

Caregiver's Address & phone number: \_\_\_\_\_

2.) Second Oldest Child, if applicable: \_\_\_\_\_

Name of Caregiver/ Placement: \_\_\_\_\_

Caregiver's Address & phone number: \_\_\_\_\_

Agreed as to Form and Substance:

### **FDTC Participant/Respondent Parent:**

I understand the circumstances in which this Agreed Safety Plan will become effective and agree to the plan that has been created above. If at any time I wish for this plan to change or end, I understand that my attorney may need to request a hearing.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

### **Respondent Parent:**

I understand the circumstances in which this Agreed Safety Plan will become effective and agree to the plan that has been created above. If at any time I wish for this plan to change or end, I understand that I may need to request a hearing.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

# Drug Court COS vs Other COS

- Services and Supports:
  - Drug Court provides additional supports and more robust services for the family (EMDR! Rent!!)
  - Traditional COS relies heavily on community resources and the limited contracts held by the Department
- Time:
  - Drug Court COS cases run 12-24+ months
  - COS cases are intended to run 6 -9 months
- Court appearances
  - Drug Court parents appear before the Judge on a frequent basis, often weekly.
  - COS parents might see the Court a total of 4 times in a 9 month case.

# Drug Court COS vs Other COS

- Consequences
  - A Drug Court parent's initial relapse is accepted as part of recovery and removal is far less likely
  - A COS parent's initial relapse would be seen as failure, often resulting in a request for TMC and removal of the child
- Resolutions
  - Drug Court cases end relatively cleanly, as the family has been extensively monitored by the Court
  - COS cases that require SAPCR orders with five seats at the table... are a little messier.



# Trauma Informed Family Drug Court

The Substance Abuse and Mental Health Services Administration (SAMHSA) describes the Six Principles of a Trauma-Informed Approach:

1. Safety – ensure the physical and emotional safety of clients and staff
2. Trustworthiness and Transparency – provide clear information about what the client may expect in the program, ensure consistency in practice and maintain boundaries
3. Peer Support – provide peer support from persons with lived experiences of trauma to establish safety and hope and build trust
4. Collaboration and Mutuality – maximize collaboration and the sharing of power with consumers to level the differences between staff and clients
5. Empowerment, Voice and Control – empower clients and staff to have a voice, share in decision making and goal setting to cultivate self-advocacy
6. Cultural, Historical and Gender Issues – move past cultural stereotypes and biases, offer gender- and culturally-responsive services and recognize and address historical trauma



# Questions?

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