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To: Travis County Child Welfare Professionals
From: Judge Aurora Martinez Jones, 126th District Judge-Elect
Date: December 23, 2020
RE: Updates to Court Procedures and Expectations

With the new year comes new transitions for our Travis County CPS Courts. In the new year we will see both my new role on the bench as the newly elected Judge for the 126th District Court and the new appointment of Leigh Mathews Rodriguez to the Associate Court bench. Additionally, these transitions are occurring as the COVID-19 pandemic persists and in-person hearings do not appear to be in the near future. Thus, the following important updates are being shared with all child welfare professionals who appear on both Courts' dockets for Travis County CPS cases and will be implemented as described:

- ❖ **Streamlining Remote Court Processes:** Both the Tuesday and the Wednesday dockets will begin to use more similar procedures for remote hearings. A separate Memo, on behalf of the incoming Associate Judge, outlines changes to the Tuesday docket that will align remote hearing procedures. Advocates on the Tuesday docket should be diligent in reviewing these changes to remote hearing procedures.
- ❖ **Court Reports:** It has come to the Court's attention that Court Reports are still not being filed and provided to parties and the Court timely. Thus, effective immediately, all Court Reports must be submitted, as an attachment, to the following new email address at least 3 business days prior to the hearing for which it is intended: CPSReports@traviscountytx.gov.
 - The subject line of the email must include the following:
Initials of Presiding Judge; Date of Hearing; Time of Hearing; Style of Case; Cause Number
Example: "AMJ; 12/28; 9:00a; ITIO Smith; D-1-FM-20-008080"
 - **Note: Statutory mandates are still applicable for Court Reports to be filed no later than the 10th day before the date of the hearing.**
 - It is not acceptable to send any Court Report to this email address through the e-file system.
 - CASA should also use this process to submit their reports to the Court.
- ❖ **Zoom Hearings for Contested Chapter 262 (Request for TMC) Hearings:** Beginning in 2021, all hearings for Contested requests for TMC, in accordance with Texas Family Code Chapter 262, will be set for 1 hour Zoom hearings, not for the previously allotted 3 hours. Upon request and approval by the presiding judge, additional time may be allowed. This is applicable to both dockets.
 - If an attorney is requesting more than 1 hour for a contested 262 hearing, information must be provided as to why the additional time is needed. Additional time will be granted only upon approval by the presiding judge.
 - Instances in which additional time may be granted include: hearings that require multiple expert witnesses, medical evidence/testimony, interpreters, or the necessity to address more complex issues.
 - The presiding judge will provide details for streamlining contested 262 hearings during the docket call process in an attempt to maximize the 1 hour setting on Zoom.

- ❖ **Race & Ethnicity Information:** Beginning in 2021, the Court will be implementing a new process in which to collect race and ethnicity information while also normalizing conversations about race and ethnicity as we move forward our commitment to anti-racist work, as described in the recently published Model Court Statement Against Racism.¹ The Origin and Race Survey will no longer be used and instead, the following will be the process for confirming race and ethnicity information with the Court:
 - The Court expects that DFPS will be asking parents to self-identify their own and their child/ren's race and ethnicity information, in accordance with DFPS policies, and the Court expects for DFPS to report this self-identified information to the Court in either the Affidavit in Support of Extraordinary Relief or Report to the Court prior to the Show Cause/Chapter 262 hearing.
 - The Court will inquire with parents as to their and their child/ren's race and ethnicity information to assure the information the Court receives is accurate. This discussion will occur, generally, in conjunction with questions on Native American heritage for compliance with the Indian Child Welfare Act (ICWA). Attorneys should let their client's know the Court will initiate this discussion.
 - If a child is old enough to self-identify, the Court would like to know how that child identifies their race and ethnicity and that information can be reported by the Attorney ad Litem or the Court may discuss this if a child speaks with the Court and the Court lacks the information.
 - The Court will collect and record race and ethnicity information that is confirmed by a parent or child.

I look forward to continuing to work with all our advocates and am excited at the opportunities the new year brings. Thanks to all child welfare professionals for working hard on these extraordinarily important cases.

¹ Travis County Model Court for Children and Families—Statement Against Racism, published November 6, 2020: <https://www.traviscountytexas.gov/images/courts/Docs/model-court-statement-against-racism.pdf>