

# Teaming Up to Help Texas Children

*Texas Young Lawyers Association and Texas Lawyers for Children permanent managing conservatorship program aims to protect children in foster care*

More than 14,000 children were placed in the permanent managing conservatorship (PMC) of the state, according to the Texas Department of Family and Protective Service's 2008 Databook. Those children remain in the PMC until they are adopted, age out of the system, or are emancipated. While many foster parents do access all of the services that could be made available to those children, in some instances, children are not cared for as they should be. Some children age out of the system without obtaining a driver's license. Others are overly medicated to make them more manageable in foster care.

To help combat such cases, the Texas Young Lawyers Association and Texas Lawyers for Children, a Dallas-based nonprofit organization that provides online resources statewide to judges and attorneys who take on child abuse cases, are partnering to recruit and train Texas lawyers to serve as the attorney or guardian ad litem or co-counsel to neglected and abused children growing up in foster care.

The decision to join TLC's cause was a simple one for TYLA, which considers itself the public service arm of the State Bar of Texas. "I can't think of any other project that is more vital," says TYLA Director **Kristy Sims Piazza**, who is an associate of Koons, Fuller, Vanden Eykel & Robertson, P.C. in Plano. "We're talking about children who don't have anybody looking out for them. If we don't do it, who else will?"

TYLA and TLC decided to partner in the PMC program to ensure that children in PMC have someone to look out for their legal needs. The State Bar Committee on Child Abuse and Neglect is also helping to recruit attorneys. "It's important to keep these children safe," says TLC Director **Barbara Elias-Perciful**. "These children need to have a legal advocate to make sure that everything in their life is going as well as possible."

There are two phases of a case for a child who has been removed from his or her home. The first phase determines where the child will end up. Many complex issues can arise in this phase in areas of law outside the usual expertise of the child's attorney. Attorneys can volunteer to assist a child's attorney in areas such as probate, immigration, and appellate law. The second phase of a case deals with a child's well-being if placed in foster care. Attorneys who volunteer for this phase help to ensure that the child is safe and all of his or her needs are met while in foster care.

Children whose initial court cases are still active are provided a court-appointed attorney and guardian ad litem to ensure

that their best interests and well-being are protected. Once it has been decided that a child will be under the permanent managing conservatorship of the state, Texas Family Code mandates that a judge review the child's living arrangements every six months. In some counties, children are not assigned a court-appointed advocate. Attorneys interested in participating in the PMC program can help in one of two ways: volunteer to be lead counsel in a case where no advocate has been appointed or volunteer as co-counsel. Co-counsel is needed when the lead counsel is not located in the same county as the child.

Volunteers can get free training through a three-hour CLE course, as well as through a series of Ten Minute Mentor videos that will be posted on TYLA's website later this month. The videos will address a variety of issues related to representing a child in PMC, including how-tos on interviewing children and making sure that a child's living arrangements are safe, what kind of services are available to children in the foster system, and information on reviewing a child's medication. Volunteers who participate in the PMC program will receive professional liability coverage.

Piazza emphasizes that volunteer attorneys who participate will have all the tools they need to be successful. "Volunteers will have everything they need, resource-wise. We've got family law attorneys around the state as well as other attorneys who will be mentors. Volunteers are not going to be alone." The TLC website has a wealth of resources for volunteer attorneys, with materials such as forms and case summaries and topically organized information on working with children in the courts. Additionally, the website offers an email network with access to mentors so attorneys with experience in working with children are available to answer volunteers' questions.

TYLA will present a free CLE training to any local bar association that may be interested in recruiting its members for the program.

For more information about the PMC program, contact Kristy Sims Piazza at [Kristy@koonsfuller.com](mailto:Kristy@koonsfuller.com). To sign up, visit [www.texaslawyersforchildren.org](http://www.texaslawyersforchildren.org) and click on the "Pro Bono" tab and then click on "Volunteer for Pro Bono Network." To read details regarding the program, click on "Information for PMC Volunteers." ☺

