

# Children's Justice Act (CJA) 101



# Overview

- Authorizing Legislation – Child Abuse Prevention and Treatment Act (**CAPTA**)
- Federal Crime Victims Fund
- \$17 million available for all states (2011 - \$1.34 million to TX)
- Grant to states' highest executive office

# Purpose

*Develop, establish and operate programs to improve:*

- 1. The assessment and investigation of suspected child abuse and neglect (CAN) cases, including cases of child sexual abuse and exploitation, in a manner which limits additional trauma to the child and child's family**
- 2. The assessment and investigation of suspected child abuse-related or neglect-related fatalities**
- 3. The investigation and prosecution of cases of CAN, including child sexual abuse and exploitation; and**
- 4. The handling of cases involving children with disabilities or serious health related problems who are victims of abuse or neglect.**

# The Task Force

- Law Enforcement
- Criminal Court Judge
- Civil Court Judge
- Prosecuting Attorney
- Defense Attorney
- Attorneys for Children
- CASAs
- Health Professionals
- Mental Health Prof.
- CPS
- Disability Prof.
- Parent Group Rep.
- Adult former victims of child abuse and/or neglect
- Individ. Experienced working with homeless children and youth

# Three-Year Assessment

The Task Force must:

- Conduct a comprehensive review and evaluation of the investigative, administrative and judicial (civil and criminal) handling of cases of child abuse and neglect
- Make training and policy recommendations in each of the three categories

# Three-Year Assessment Categories

Grant funds should be used to implement Task Force recommendations in the following three categories:

1. investigative, administrative, and judicial handling of cases of child abuse and neglect, including child sexual abuse and exploitation, as well as cases involving suspected child maltreatment related fatalities and cases involving a potential combination of jurisdictions, such as interstate, Federal-State, and State-Tribal, in a manner which reduces the additional trauma to the child victim and the victim's family and which also ensures procedural fairness the accused

# Three-Year Assessment Categories

2. experimental, model, and demonstration programs for testing innovative approaches and techniques which may improve the prompt and successful resolution of civil and criminal court proceedings or enhance the effectiveness of judicial or administrative action in child abuse and neglect cases, particularly child sexual abuse and exploitation cases, including the enhancement of performance of court-appointed attorneys and guardians ad litem for children, and which also ensure the procedural fairness to the accused

# Three-Year Assessment Categories

3. reform of State laws, ordinances, regulations, protocols and procedures to provide comprehensive protection for children from abuse, including sexual abuse and exploitation, while ensuring fairness to all affected persons.

# Use of Funds

Pursuant to program instructions, CJA funds should be used to:

- Reform State systems and improve the processes by which States respond to cases of child abuse and neglect.
- Monitor the ongoing implementation of Task Force recommendations and continue interagency collaboration to carry out program's purpose.

# Use of Funds

Restriction on use:

Supporting child abuse prevention programs or treatment services is not an appropriate use of CJA funds.

# Use of Funds

## Period of Use:

- State is encouraged to obligate these funds in one year
- State is required to obligate and liquidate (spend) funds no later than two years after the end of the calendar year in which the funds are awarded
- Negative grant award is issued for funds unobligated or liquidated

# Recap

Operate programs to improve the:

## Purpose

Handling of CAN cases in a manner which limits additional trauma

Handling of CAN related fatalities

Investigation and prosecution of CAN cases

Handling of CAN cases involving children with disabilities or serious health-related problems

## Task Force Directives

Conduct comprehensive study of child abuse and neglect system

Make training and policy recommendations in three areas

## Use of Funds

To implement recommendations or comparable ones

To monitor ongoing implementation and continue interagency collaboration

# Recap

**Purpose**

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**Task Force Recommendations**

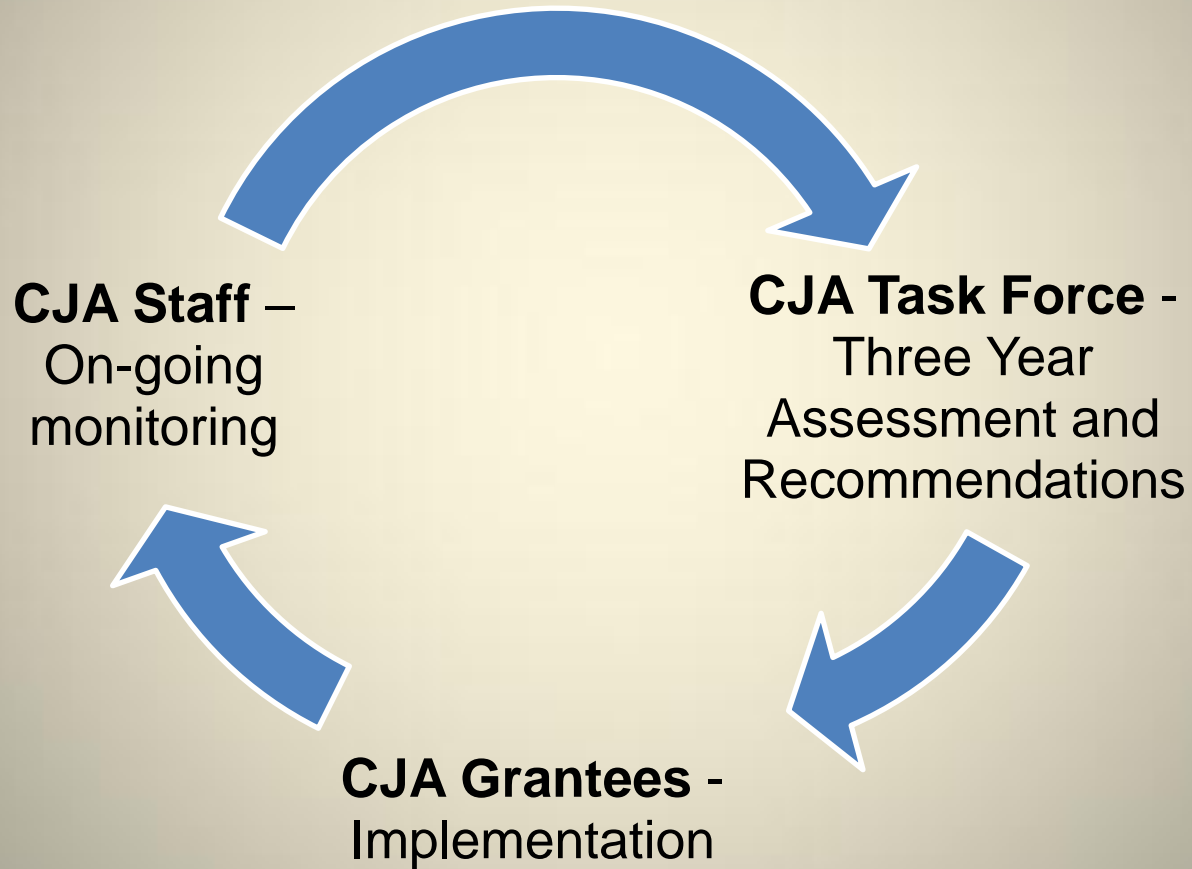
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**Use of Funds  
(Projects w/ SSL Impact)**

# **Children's Justice Act Grant**

## **CJA in Texas**

# The Big Picture

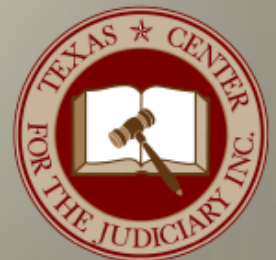


# A Brief History...

- July 1989 – Gov. authorized Texas Dept. of Human Services to apply for and receive the state's CJA grant
- September 1992 – CJA transferred to newly established Texas Department of Protective and Regulatory Services (PRS)
- Summer 2005 – CJA transferred to the Texas Center for the Judiciary (TCJ)

# Texas Center for the Judiciary

- 501(c)(3)
- Provider of judicial education in TX
- Entity designated by Gov's Office to apply for and receive the state's CJA grant
- Provides staff support for CJA activities



# Task Force Governance

- **Sept. 2007 – Adopted Task Force Bylaws**
  - Revised July 2011
- **Officers**
  - Hon. Dean Rucker, Chair
  - Cathy Crabtree, Vice Chair
  - Chair-Elect will be added July 2012
- **Standing Committees**
  - Legislative
  - Grants
  - Membership

# **Activities– Art. III**

# Task Force Member Responsibilities

- Acts as Advisory Committee
- Participate in 3 year assessment process
- Determine priorities to inform grant-making
- Make recommendations regarding legislative or policy issues
- Monitor the effectiveness of grantees
- Disclose actual and potential conflicts of interest
- Attend Task Force meetings

# Task Force Member Responsibilities

- Serve on committees and attend relevant professional development programs
- Approve grant projects and funding-related decisions – but shall not communicate with applicants or grantees about pending applications or matters related to grant administration

# CJA Staff

The CJA Program Director and CJA Grant Administrator will:

- Coordinate and provide support for Task Force and subcommittee meetings
- Prepare the annual federal application and performance report
- Develop processes for implementing Task Force recommendations, i.e. grant and scholarship solicitations
- Perform daily administrative functions of grant, including programmatic and fiscal monitoring

# CJA Staff

- Provide updates to Task Force members on grant activities
- Develop and maintain Task Force budget
- Maintain CJA website
- Act as liaisons with our federal program officers
- Create and distribute quarterly newsletter

# **Membership– Art. IV**

# Membership

- 18-30 members
  - As of October 2011, 26 members
- Mandatory & Discretionary Categories of Representation
- Ex-Officio Membership Positions for executive-level representatives:
  - Child Protective Services
  - Children's Advocacy Centers of Texas
  - Texas CASA

# Term Limits

- Serve up to 3 consecutive, 2-year terms
- May be re-elected after 1-year hiatus
- Ex-officio members are not subject to term limits

# Elections

- Held annually at last meeting of fiscal year, usually July
- Special elections may be held at any time to fill vacancies in required membership category
- Membership committee presents slate of candidates

# **Task Force Officers – Art. V**

# Officers

- Chair, Vice-Chair, Chair-Elect (2012)
- Serve up to 2, 1-year terms
- Ex-officio members are not eligible
- Membership committee presents slate of candidates for officer positions

# **Task Force Committees – Art. VI**

# Legislative Committee

## Scope of Work

- Identify, review, and report to full Task Force on relevant Interim Session activity
- Identify, review and report to the full Task Force on any relevant policy changes within DFPS, the AG's office or other state agencies
- Make recommendations regarding legislative position or other policy considerations for approval by the Task Force

# Grants Committee

## Scope of Work

- Oversee annual grant process
- Review grant applications
- Make final recommendations regarding grant funding to the Task Force

# Membership Committee

## Scope of Work

- Recruit and recommend potential candidates to serve as Task Force members and officers
- Develop and implement necessary training for new and existing Task Force members

# **Meetings– Art. VII**

# Meetings

- CJA Task Force meets quarterly
- Networking Breakfasts
- Networking Receptions/Happy hours
- Committee and Working Group Meetings as needed

# **Conflicts of Interest– Art. VIII**

# Conflict of Interest

- Shall disclose personal interest in matter pending before Task Force and refrain from discussion on matter
- Shall not derive personal profit from participation except as agreed to by majority of Task Force
- Identify and disclose affiliation with grantees and prospective grantees – refrain from decision
- Shall disclose annual on Conflict of Interest Disclosure Form and report conflicts arising during year to Chair and CJA Grant Director

# **Confidentiality – Art. IX**

# Confidentiality

Task Force members shall not disclose sensitive information obtained as a result of the grant award and monitoring process or the content of Task Force deliberations regarding grant approval. CJA staff shall act as sole contact with grantees and prospective grantees regarding pending applications and approved grant activities.