

Child Protective Services Plan, Collin County

The plan was approved by Emily Miskel on 10/22/2021.

Appointment List(s)

Do you have more than one appointment list for CPS attorneys?

- Yes
 No

If you have more than one, select the types of specialized attorney appointment lists that you have. (Select all that apply.)

- Dual Status Youth (Juvenile and CPS)
 CPS Cases
 CPS Appeals
 Permanent Management Conservatorship
 Court Ordered Services/Motions to participate (Petitions filed under Texas Family Code § 264.203)

List any other specialized lists (if any)

CPS Mediators

Currently, how many attorneys are on the County Appointment List(s)? 52

Qualifications for Attorneys to be on Appointment List(s)

Minimum requirements to be placed on attorney appointment list. (Select all that apply.)

- Be a member in good standing of the State Bar of Texas
 Be certified in Child Welfare Law by the Texas Board of Legal Specialization
 Experience in child welfare law, number of years ___
 A minimum number of hours of child welfare law continuing legal education (CLE) of 20†
 Completion of training program regarding trauma-informed care Texas Family Code § 107.004(b-1) (2)
 Specific CLE courses or trainings that must be completed. If yes, please list
CLE required by Tex. Fam. Code sec. 107.004 and 107.0131.

Are attorneys required to complete a mentorship or apprenticeship prior to being added to list?

- Yes. If yes, please describe

If attorneys do not have CPS experience, they are required to shadow an attorney currently on the wheel and attend at least one of each type of CPS hearing (adversary, status, permanency) before reapplying.

- No

List any other general requirements to be placed on list

Primary office in Collin County, live in Collin County, or 80% of practice in Collin County
Willing to represent parents and children
Attend 2 Collin County CPS Roundtable meetings each year

Can excess CLE hours in one year be carried over to the next year?

- Yes
 No

For the purposes of documenting the required continuing legal education, the reporting period is

- Calendar year
 Bar birthday year
 October 1 - September 30
 If other, describe the reporting period

Describe any additional requirements that might exist for specialized lists (if any are provided above)

To be on the mediator list, attorneys also have to complete the additional requirements to be a mediator under Tex. Civ. Prac. & Rem. Code 154.052 plus a CPS mediation training, and they have to have conducted at least 5 mediations.

†A minimum of three hours on representing children and three hours on representing parents are required by the Texas Family Code, §§ 107.104(b-1), 107.0131(a)(1)(J).

Procedures of Maintaining Appointment List(s)

Procedures to be added to Appointment List

Applications are accepted in July and December each year. Attorneys fill out the application and the CPS judges vote whether to add them to the wheel.

Procedures to be removed from Appointment List

CPS courts generally use the procedures set forth in the county's TFDA felony plan.

Procedures to be maintained on Appointment List each year

Attorneys must reapply each year to remain on the wheel.

Case Loads

Do you have a case load case cap for attorneys on the Appointment list?

- Yes. If Yes, what is the maximum number of cases an attorney may carry? ___
 No

Attorney Selection Procedures

Please indicate primary method of Attorney Selection



- Assigned Counsel (attorneys appointed off a list governed by Chapter 37 of the Texas Government Code.)
- Contract Counsel (attorney or firms contracted to take a certain number of cases.)
- Managed Assigned Counsel (attorneys appoint from a managed assigned counsel program list per Family Code Chapter 107, subchapter H)
- Public Defender Office or Office of Parent or Child Representation authorized by Family Code Chapter 107, subchapter G

If multiple selection methods are used, check all that apply.

- Assigned Counsel – circular assignment
- Assigned Counsel - other
- Contract Counsel
- Managed Assigned Counsel
- Public Defender / Office of Parent or Child Representation

Explain any other types of assignment or special conditions.

Standards for Determining Indigence of Parents

Check the conditions that would qualify a family as indigent



- Family qualifies for means-tested public benefits
- Income does not exceed a specific percent of Federal Poverty Guidelines
 - 80%
 - 100%
 - 110%
 - 125%
 - 150%
 - 175%
 - 200%
- Net income: Indigent if the difference between the family monthly income and reasonable necessary expenses is less than __
- Resides in a correctional or mental health institution
- Liquid assets do not exceed __

Indicate any additional conditions or if multiple conditions are required for classification as indigent.

Timing of Appointments

Temporary Managing Conservatorship Cases:

Timing of attorney appointment for children - See Texas Family Code § 107.012



- Ex Parte Hearing
- Adversary Hearing
- Status Hearing
- Permanency Hearing
- Final Trial

Timing of initial attorney appointment for parents - See Texas Family Code § 107.013

- Ex Parte Hearing
- Adversary Hearing
- Status Hearing
- Permanency Hearing
- Final Trial
- Will appoint attorney between court settings

Court Ordered Services / Motions to Participate

Timing of initial attorney appointment for children - See Texas Family Code § 264.203 (g)

- Ex Parte Hearing
- Initial 264 Hearing
- Court Ordered Services / Motion to Participate Review Hearing

Timing of initial attorney appointment for parents - See Texas Family Code § 264.203 (h)

- Ex Parte Hearing
- Initial 264 Hearing
- Court Ordered Services / Motion to Participate Review Hearing
- Will appoint attorney between court settings

Continued Appointments - see Texas Family Code § 107.016

Appointments for Children:

- Court will continue appointment of an attorney for a child in the Permanent Managing Conservatorship of TDFPS.
- Court will not continue appointment of an attorney for a child in the Permanent Managing Conservatorship of TDFPS.
- Continued appointment of attorney for child in the Permanent Managing Conservatorship of TDFPS depends on the following criteria:

Appointments for Parents:

Permanent Managing Conservatorship of child by TDFPS Cases

- Will continue appointment of an attorney for a parent whose rights have not been terminated.
- Will not continue an appointment of an attorney for a parent whose rights have not been terminated.
- Continued appointment of an attorney for a parent whose rights have not been terminated depends on the following criteria:

Procedures to appoint or continue appointment of an attorney for a parent seeking an appeal - See Texas Family Code § 107.016 (2)

The county maintains a wheel of attorneys who are qualified for appeals. If an indigent parent is appealing, an attorney who is qualified for appeals may be appointed.

Plan Documents

[Collin Affidavit of Indigence.pdf](#) (10/22/2021 8:45:22 AM)

[Collin Attorney Application for Appointment.pdf](#) (10/22/2021 8:41:58 AM)

[Collin Attorney Fee Schedule.pdf](#) (10/22/2021 8:37:20 AM)

[Collin Attorney Fee Voucher.pdf](#) (10/22/2021 8:40:23 AM)