

Transcript of Williamson County Commissioners Court discussion of
Agenda Item 46Q:

Subject: Claims of the Texas Association of Children and Families.

Precinct 1 Commissioner Lisa Birkman: Judge before we got to something else, I ask your permission to go to regular Agenda Item 46Q: Claims of Texas Association of Children and Families. They were here earlier.

I just want y'all to know I have sent this to you. I have looked into a Domestic Relations Office. There are several counties that have a domestic relations office. I talked to Travis County about what that is. What that basically is, if do it here, a judge in divorce or child custody case feels like they need to have someone, a professional, help with making decisions as to custody arrangements, the judge appoints someone who interviews the children and all the other people and then reports back to the judge. The way we do it in Williamson County and the majority of counties in Texas, is that an independent person that meets the requirements of whatever the judges they need, a psychologist or a child psychologist or whatever.

However the [Family] Code does allow us to have an office that does that. That's how they do it in Travis County. That office collects child support payments, maintains records of payments, files a suit affecting parent and child relationships, does alternative dispute resolutions, prepares court orders, serves as attorney or guardian ad litem, serves as a friend of the court, provides pre-divorce counseling, community supervision services, and so forth. [Not correct, as Travis DRO does not provide attorneys ad litem]

There's only a few counties that do it that way and it's expensive. And you have to get the judges to agree to it, first of all, jointly, like some other things we've done, like Veterans Court, the judges have to

agree to it and we have to agree to it. So that would be one thing, we couldn't just make it happen.

And then, even in Travis County, the judges don't have to use that office. They get the choice of sending the parents there or say you can go to an outside person. It's totally up the judge to decide.

The cost varies:

In Harris County, which is obviously way bigger than us, they spend \$3.3 million on it and have 42 employees.

Tarrant County, 1.9 million population, they spends \$7.2 million with 83 employees.

Twice as much as Harris County? [Didn't catch who asked.]

I'm just reading what Jennifer found.

Travis County with 1.2 million population, has 51 employees and spends \$3.6 million.

The reason it costs so much is those employees. As mentioned in some of the cases, they do a sliding scale, so it could be as little as zero, or it could be as much as they charge them, up to a certain rate, I can get the exact rate. But what I'm saying is that a lot of the people they don't charge at all.

The way we do it in Williamson County, and most counties in Texas, is the parents bear the cost, instead of the county, it is true and we could do that as an option.

However, I do want to say that I did contact both Judge Lambeth and Judge Brooks and ask them if they were interested in this, and have yet to receive a response. It's been over a month and a half. So I'm not sure if they're interested in doing that. I don't know that I'm interested in doing it. But I just wanted to say that I did look into it.

I do have some experience in this in that I am a guardian ad litem myself for a different kind of case so I'm pretty familiar with it. It is very time consuming, very time consuming. That's why it costs so much money. For each case, if there are multiple children, have to interview all of them, all of their teachers if they're in school. It's not a quick or easy thing to do . Most of these cases drag on for several years and during that time you're making recommendations on how often the child will get to see the parents, those kinds of things.

How's it handled now?

Ashley feel free to jump in if I'm getting this wrong. My understanding of how it's handled now is

Judge Gattis: Judge Brooks came to a budget workshop.

This is not what she was talking about. And Deed's back there and he can jump in. Am I getting this wrong Deed? My understanding is, the way it works is, now when you come in, if the judge feels like it is a complicated case, they don't do it often, but if it's a complicated divorce case with custody issues and there's not a clear-cut answer, sometimes, from what the Travis County people told me, sometimes the parents have agreed in advance, the dad's going to get custody, mom's overseas, whatever, and they don't need to have a .

Other cases it's not clear cut, and there's allegations of misconduct by whomever, they feel like it's in the best interest of the child to appoint someone to basically do an investigation and speak up for the child. Because obviously if they're working for one parent or the other parent, they are not going to be unbiased. It's an unbiased person is going to speak up for the child and say, "This is what I think should happen." They can even get pre-divorce counseling, so you can go into the office and say, can we work this out in mediation, before you even begin to go to divorce. ...

I didn't even realize this was done until it was brought up, but I'll have Ashley send that out, about the costs involved.

But it wouldn't be our decision again, it would be basically the judges, and what I would want if we even considered this, which I'm not suggesting, I'm just giving information, the judges would have to buy into it, because if we hired employees to do it, and then they chose not to use them, then we'll have no choice. Travis County told me that, even with the \$3.6 million they spend, not all the judges use them for all cases.

Precinct 2 Commissioner Cynthia Long: Much like the discussion we've had with JPs, it's up to them to choose. They're independent elected officials.

7:40 on video:

Precinct 3 Commissioner Valerie Covey: I appreciate all that research, that's really helpful to try to understand it. I know we've heard from folks who have come several times to talk to us. But I would need to have a more defined problem that we're trying to solve, by the number of cases that we're talking about, and the judges involved in that discussion to see what is actually happening.

8:10 Long: This is their purview. We would set funding, but it is their [the judges] purview and their decision, and these are issues coming out of their jurisdiction and not ours.

Birkman: But we do have the ability to jointly set this up, it does say that, is that right?

Gattis: But how is this set up in Travis County. Are those positions hired by the commissioners court? In a pool under their administrative?

Birkman: I don't know that but I talked to Melia Graber one of the ladies here before from CASA, she did tell me she does get at least one phone call a week from people that ask for this service, and she explains to them that they only work on CPS cases. CASA provides guardians ad litem for CPS cases and not any case but they do get calls asking for the service. So I'm not denying that may be a need, but we have to like Commissioner Long said, we need to find out from the judges how much of a need it is. I don't know.

I'd like to do some research, since we've heard from this group a lot of times. I'd just wanted to find out what happens there, so that's the research I've found.

Discussion of this item ended at 9:45 minutes on the video for Agenda Item 46Q.

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