**Schneider: Improving foster care should include juvenile justice reforms**

By Mike Schneider March 17, 2017

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Each child who walks into my courtroom is unique, but most of them have a lot in common. Many have been scarred by childhood neglect and extreme trauma.

Some of these children come to my court by way of Child Protective Services (CPS) and the foster-care system that state lawmakers and Gov. Greg Abbott vowed to transform during the 2017 legislative session. Some of them come to my court by way of the juvenile-justice system. And, unfortunately, many Texas children first appear in court through a CPS case and then end up back in my courtroom as a juvenile offender.

While many children in the care of CPS stay out of trouble, research shows neglected and abused kids are at a much higher risk of getting arrested as a juvenile.

We have limited data on the CPS-juvenile justice connection in Texas, but data from other jurisdictions suggest that most children in the juvenile justice system were previously involved with their state's child protection system due to allegations of neglect or abuse.

So if state leaders want to provide better support to youth in foster care and other kids who experience neglect and abuse, they must include juvenile justice in their legislative plans.

Fortunately, Texas has started to recognize the overlap. State legislators held a hearing last year to explore the connections between the two systems. The state also funds community services explicitly aimed at preventing both juvenile delinquency and child abuse.

Here in Harris County, we recently launched a data-sharing system to improve coordination of services provided to youth through CPS, juvenile probation and the local mental health authority. Some youth were receiving similar, duplicative evaluations and treatment. That complicated their recovery and wasted taxpayer dollars.

Now, as the Legislature gets to work on the challenges at CPS, there are four key steps it should take to build on this foundation:

1. Develop a uniform, statewide, confidential system for collecting and sharing real-time data regarding youth in the juvenile justice and CPS system. The system should improve coordination, save money and evaluate the results we are getting from these services.

2. Create a streamlined process for sealing juvenile records. Children aging out of foster care face enough challenges without a juvenile record keeping them out of college, a job or an apartment. The pro bono record-sealing initiatives we have worked hard to develop in Harris County through a network of volunteer lawyers have helped hundreds of former probationers get a fresh start, but are not available to most children statewide.

3. Stop automatically sending 17-year-olds to the adult criminal justice system when they get in trouble but reserve the option of certifying them as adults. We should deal with 17-year-olds, including those in foster care, through the juvenile system. The juvenile system is safer for teens, better-equipped to provide educational and rehab services, and prevents them from getting tagged with an adult criminal record. Keeping 17-year-olds out of the adult system will also improve public safety and provide relief to sheriffs working to comply with standards to prevent sexual assault in their jails.

4. Ensure children with significant mental health challenges and other high needs have access to effective services in their own communities. When kids in foster care or the juvenile justice system need this support, we should try to avoid confining them to restrictive, institutional placements.

It's great to see state leaders so focused on improving child protection and supporting kids in foster care. However, the tough work of reform will only be complete if they include these four areas where the CPS and juvenile justice systems overlap.

Judge Schneider has presided in the 315th District Court in Harris County since 2006. He is a member of the Texas Supreme Court's Children's Commission and an officer of the Juvenile Law Section of the State Bar of Texas.