

ENTERED

December 07, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

M.D.; bnf STUKENBERG, *et al*,

Plaintiffs,

VS.

GREG ABBOTT, *et al*,

Defendants.

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CIVIL ACTION NO. 2:11-CV-84

ORDER MODIFYING ORDER REGARDING HEIGHTENED MONITORING

Came on this day the Parties’ Joint Motion to Modify this Court’s Order dated March 18, 2020, regarding Heightened Monitoring [ECF 837]. The Court is of the opinion that the motion should be GRANTED.

It is hereby ORDERED that the Order regarding Heightened Monitoring (the “March 18 Order”) [ECF 837] is modified to state that:

Direct approval for placement of a PMC child into a facility on Heightened Monitoring will be done by the Regional Director, including placements made by the Single Source Continuum Contractor. Approval will be made by the Regional Director for that child’s legal county unless the Regional Director is unavailable. Should the Regional Director be unavailable, the placement may be approved by the CPS Director of Field or the CPS Associate Commissioner.

Before approving a PMC child’s placement into a facility on Heightened Monitoring, the Regional Director must consider all required elements as set forth in applicable DFPS policy, including but not limited to reviewing the facility’s history over the previous five years. If the Regional Director approves the placement, he or she will personally document approval of the placement in the comment box within the placement section of IMPACT, will confirm that the


facility's history was reviewed and considered for the past five years, and will document the justification for the approval, which will constitute certification that the Regional Director approved the placement and followed the required DFPS policy.

Caseworkers are to receive notification from DFPS if a prospective placement is on Heightened Monitoring, and caseworkers will ensure those email notifications are documented in IMPACT as a contact.

If a child is placed in an operation on Heightened Monitoring, that child's caseworker will enter the notification of that placement into IMPACT as a contact in the FSU or SUB stage.

To the extent there are any inconsistencies between Order [ECF 837] and this Order on these issues, this Order governs.

SIGNED and ORDERED this 7th day of December, 2020.



Janis Graham Jack
Senior United States District Judge