

COURT PROCESS FOR TEXAS QRTP PILOT PROGRAM

- I. When children are placed into a QRTP, the courts are required to review the recommendations of the initial QRTP assessment within 60 calendar days of the start of the placement and the court must either approve or disapprove the placement.
 - a. Within 10 calendar days of the initial QRTP placement
 - i. the DFPS caseworker will send notice to all legal parties of a child/youth placed into a QRTP; and
 - ii. the DFPS attorney will file a motion requesting a hearing occur within 45 calendar days of initial placement; and
 - iii. The court will set a hearing date within 45 calendar days of the initial QRTP placement
 - b. Within 30 calendar days of the initial QRTP placement
 - i. the required QRTP assessment will be completed; and
 - ii. the department shall provide the court and all legal parties with the required assessment documents (CANS, YFT clinical review and recommendations and Child's Plan of Service) and any additional documents.
 - c. Within 45 days of the initial QRTP placement, the court shall hold a placement review hearing unless court ruling is made before that time.
 - d. Within 7 calendar days from provision of the QRTP assessment and applicable documents any objection to the placement must be made in writing to the court.
 - i. If an objection is made or the court determines a hearing necessary, the court shall proceed with hearing previously scheduled within 45 calendar days.
 - ii. If no timely objection is made the court may approve or disapprove the placement relying upon the documentation submitted.
 - e. If no objection is timely made, the court has until the date of hearing previously set (under section I. a. iii.) to review and make determination and notify all parties of ruling for approval or disapproval of placement.
 - f. If the placement is approved with or without hearing, no further action is required at that time and caseworker places the signed court order into the child's record upon receipt.
 - g. If the placement is disapproved, then the Department determines next steps from the following:
 - i. a new placement is requested through the Regional Placement Team and discharge planning occurs to move the child out of QRTP placement within 30 calendar days of the disapproval
 - ii. the department will follow proper procedure of the court, including request for rehearing if appropriate;
 - iii. if hearing on reconsideration, both the hearing and decision by court must be completed by 60th day after initial QRTP placement
 - h. The court shall provide a ruling of the decision within 60 days of initial placement.

- II. So long as the child remains in a QRTP, the court must review and approve or disapprove of continued placement at each status review hearing and each permanency hearing held.
 - a. 10 days prior to the scheduled status review hearing or permanency hearing, the DFPS caseworker must file all required assessments, documentation and court reports for consideration of continued QRTP placement which will be heard by the court during the scheduled status review or permanency hearing.
 - b. After reviewing all evidence, the court shall make a finding during each status review or permanency hearing to approve or disapprove continued QRTP placement.
- III. The review of the child's placement into a QRTP may be conducted through a remote proceeding. Remote proceeding means a proceeding before a court in which one or more of the participants, including a judge, party, attorney, witness, court reporter, child or other individual, attends the proceeding remotely through the use of technology and the internet