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### Texas' First Family Reunification Cases Move Forward

*Parents Who Regained Custody Via 2021 Legislation Will Spend Holidays with Children*

**(AUSTIN, TX)** – Soon, two Texas families will be reunited with their children after regaining custody this fall. The reunification is possible thanks to HB 2926, a bipartisan bill signed into law following the 87th(R) Texas Legislative Session, which created a pathway for parents who have lost their parental rights to petition the court to reinstate them.

On November 10, 2022, a judge in Amarillo ruled in favor of the Martinez family, who lost rights to custody of their children four years ago. In the years since, the family has worked to strengthen their parenting through therapy and classes in order to create a safe and stable home for their child. Theirs was the first parent-initiated petition that resulted in a trial hearing. After several days of compelling and heartbreaking testimony, including the expressed desire of their young child to be reunited with his family, the Martinez family achieved a favorable outcome.

“For too many years, children have suffered in foster care when they have loving parents they could return home to,” said Cynthia Simons, Grant Me The Wisdom Foundation Women’s Fellow at the Texas Center for Justice and Equity (TCJE), a policy and advocacy organization that fought to pass the new law. “Now, Texas has the opportunity to make things right, and we hope to see more families benefit from the new law that allows them to petition the court for reinstatement.”

The first parent-led petition that was filed without pushback from parties involved in the case was that of TCJE Policy Analyst & Community Outreach Coordinator, Maggie Luna. In Luna’s case, there was an agreement on the petition from all parties, including her child. Luna, who was an advocate for the new family reunification law during the 2021 legislative session, will be with her son for the holidays.

“Many of the children who end up in Texas’ foster care system were removed from their families not as a result of abuse or neglect, but as a result of their parents’ absence during a term of incarceration,” Simons said.

“Additionally, the culture in the Department of Family Protective Services (DFPS) has resulted in Black and brown children being removed at disproportionate rates—stemming from implicit bias, a lack of cultural knowledge, and misperceptions of what poverty and neglect look like. All of these unwarranted reasons result in the same intergenerational trauma that serves as a catalyst for mass incarceration.”

Over the coming months, additional family reunification cases are expected to proceed through Texas’ legal system, with more parents who lost custody as a result of incarceration and inequitable circumstances expected to regain the rights to their children. In 2023, TCJE and partners will host a series of clinics in Central Texas to provide resources to parents and connect them with pro bono legal assistance. Interested parents can sign up to receive more information, including dates and eligibility criteria, with [this form](#).

To learn more about HB 2926 and TCJE’s ongoing family reunification work, visit [www.texascje.org/family-reunification-texas](http://www.texascje.org/family-reunification-texas).

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*The Texas Center for Justice and Equity (formerly the Texas Criminal Justice Coalition) advances solutions and builds coalitions to end mass incarceration and foster safer Texas communities.*