

BILL ANALYSIS

S.B. 560
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the increase in recent years of costs paid by counties for the appointment of attorneys to represent children and indigent parents in child protective services cases and regarding a lack of accurate data to determine how much counties are currently spending on these attorneys. S.B. 560 seeks to address these concerns by requiring the Texas Judicial Council to develop and report on a statewide plan requiring counties and courts in Texas to report information on court-ordered representation for appointments made in certain suits affecting the parent-child relationship.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 560 amends the Government Code to require the Texas Judicial Council (TJC) to develop a statewide plan requiring counties and courts in Texas to report information on court-ordered representation for appointments made in suits filed by a governmental entity affecting the parent-child relationship under the Family Code. The bill requires the TJC, in developing the plan, to consider the costs to counties of implementing the plan and design the plan to reduce redundant reporting. The bill requires each local administrative district judge for a court subject to the plan, or the person designated by the judge, to prepare and provide the following to TJC not later than November 1 of each odd-numbered year and in the form and manner prescribed in the plan:

- a copy of all formal and informal rules and forms the court uses to appoint representation in applicable suits affecting the parent-child relationship; and
- any fee schedule the court uses for court-ordered representation.

S.B. 560 requires each county auditor, or other individual designated by a county commissioners court, to prepare and send to the TJC, in the form and manner prescribed in the plan, information on the money spent by the county during the preceding state fiscal year to provide court-ordered representation in applicable suits affecting the parent-child relationship and sets out the required components of that information. The bill requires each local administrative district judge for a court subject to the plan, or the person designated by the judge, and each county auditor, or other individual designated by a county commissioners court, to provide to the TJC the information

required under the plan and the bill's provisions. The bill requires the TJC to do the following annually:

- compile in a report the information submitted to the TJC under the plan and the bill's provisions;
- submit the report to the governor, lieutenant governor, and speaker of the house of representatives; and
- electronically publish the report.

S.B. 560 requires the TJC to develop the plan as soon as practicable after the bill's effective date but does not require a county or court in Texas to comply with the bill's provisions until September 1, 2020, or a later date provided in the plan. The bill establishes that the TJC is required to implement a provision of the bill only if the legislature appropriates money specifically for that purpose and if not, that the TJC may, but is not required to, implement such a provision using other appropriations available for that purpose.

EFFECTIVE DATE

September 1, 2019.