

- SUBJECT:** Using juvenile case manager fund for training, travel, office supplies
- COMMITTEE:** Corrections — committee substitute recommended
- VOTE:** 9 ayes — McReynolds, Madden, England, Hodge, Kolkhorst, Marquez, Martinez, Ortiz, Sheffield
- 1 nay — Dutton
- 1 absent — S. Miller
- WITNESSES:** For — Berta Mejia, City of Houston Municipal Court; (*Registered, but did not testify*: Justin Marlin, Texas Care for Children)
- Against — None
- BACKGROUND:** Code of Criminal Procedure, art. 45.056 gives county courts, justice courts, municipal courts, school districts, juvenile probation departments, and other governmental entities the authority to employ managers to assist in cases involving juvenile offenders. The employment of case managers must be done with approval of the governing entity of the court, district, or department.
- County and justice courts, with approval of the commissioners court, or a municipal court, with approval of the city council, can employ one or more full-time juvenile case managers to assist the court in administering the court's juvenile docket and in supervising its orders in juvenile cases.
- Code of Criminal Procedure, art. 102.0174 authorizes cities to create juvenile case manager funds and to require defendants convicted of fine-only offenses in municipal court to pay a juvenile case manager fee of up to \$5. Commissioners courts also can create a juvenile case manager fund and can require defendants convicted of fine-only misdemeanors in a justice court, county court, or count court at law to pay a juvenile case manager fee of up to \$5. Judges must be authorized to waive the fee in cases of financial hardship.

Under 102.0174 (g), a juvenile case manager fund can be used only for salary and benefits for the case managers. Under art. 45.056(d), courts are authorized to pay salary and benefits from the fund.

DIGEST: CSHB 3880 would expand the uses of the juvenile case manager fund to include payment for training expenses, travel expenses, office supplies, and other operating and maintenance costs of juvenile case managers.

The bill would take effect September 1, 2009.

SUPPORTERS SAY: CSHB 3880 would be a reasonable extension on the current use of the juvenile case managers fund that would help courts fund these positions properly. Currently, some justice and municipal courts and other entities employ case managers to help judges with juvenile offenders. The managers perform similar duties to juvenile probation officers. They visit with juveniles and their families, monitor juveniles' participation in programs, help access social services, and more. Courts have found the managers very helpful in coordinating their interactions with juvenile offenders.

However, current law limits use of the case manager fund to salaries and benefits. Courts have had to use their general revenue to fund support for the case managers, which must then compete with other revenue uses. CSHB 3880 would help alleviate pressure on these general funds by expanding the uses of the case managers fund to support additional activities of the managers, such as travel to conferences, training, and office supplies. These uses would be in line with the goal of the fund, which is to aid courts in their supervision and rehabilitation of juveniles.

CSHB 3880 would not raise current fees, and would not burden defendants because under existing law, judges must be authorized to waive fees in cases of financial hardship.

OPPONENTS SAY: It would be best to keep the current restrictions on the uses of the case manager fund. The fund was created to pay only for the core cost of a case manager — salary and benefits. Expanding the uses of the fees could lead to moves to raise fees, something that would put even more pressure on defendants.

NOTES: The committee substitute deleted licensing expenses from the list of costs that could be paid out of the case manager fund.