

SUBJECT: Requiring information on court-ordered representation in certain suits

COMMITTEE: Judiciary and Civil Jurisprudence — favorable, without amendment

VOTE: 8 ayes — Leach, Y. Davis, Julie Johnson, Krause, Meyer, Neave, Smith, White
0 nays
1 absent — Farrar

SENATE VOTE: On final passage, April 30 — 30-1 (Creighton)

WITNESSES: For — None
Against — None
On — David Slayton, Office of Court Administration

DIGEST: SB 560 would require the Texas Judicial Council (TJC) to develop a statewide plan requiring Texas counties and courts to report information on court-ordered representation for appointments made in lawsuits affecting parent-child relationships. TJC would have to consider the costs to counties of implementing the plan and design the plan to reduce redundant reporting.

The bill would require local administrative district judges for courts subject to the plan, or individuals designated by the judges, to provide TJC by November 1 of each odd-numbered year with:

- copies of all formal and informal rules and forms the courts used to appoint representation in suits affecting parent-child relationships; and
- any fee schedules the courts used for court-ordered representation.

County auditors or other individuals designated by the commissioners

courts of counties would have to send TJC information about the money spent by their counties in the preceding state fiscal year to provide court-ordered representation in suits affecting parent-child relationships.

The information would include the total amount of money spent by counties to provide court-ordered representation services and what portion was spent on:

- appointments in each district court, county court, statutory county court, and appellate court in the county;
- appointments of private attorneys and public counsel for indigent respondents, including parents, children, and alleged fathers;
- investigations, expert witnesses, or other litigation expenses.

SB 560 would require TJC to compile this information in a report annually; submit it to the governor, lieutenant governor, and House speaker; and publish it online.

Texas counties and courts would not have to report information until September 1, 2020, or a later date specified in TJC's plan.

TJC would be required to implement provisions of this bill only if the Legislature appropriated money specifically for that purpose. If the Legislature did not appropriate money specifically for that purpose, TJC could, but would not be required to, implement provisions using other appropriations available for that purpose.

TJC would be required to develop the plan as soon as practicable after the bill's effective date.

The bill would take effect September 1, 2019.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of \$300,000 to general revenue related funds through fiscal 2020-21.