

**SUBJECT:** Authorizing appointment of attorney or guardian ad litem for unborn child

**COMMITTEE:** Judiciary and Civil Jurisprudence — favorable, without amendment

**VOTE:** 5 ayes — Leach, Krause, Middleton, Schofield, Smith

3 nays — Davis, Julie Johnson, Moody

1 absent — Dutton

**WITNESSES:** For — John Seago, Texas Right to Life; Cecilia Wood; (*Registered, but did not testify*: Joe Pojman, Texas Alliance for Life; Jonathan Saenz, Texas Values; Mary Castle, Jonathan Covey, and Gregory McCarthy, Texas Values Action; Jennifer Allmon, The Texas Catholic Conference of Bishops; Don Spraggins; Doris Spraggins)

Against — Blake Rocap, Avow; Rosann Mariappuram, Jane's Due Process; Kendall Bentsen, National Advocates for Pregnant Women; Isabel Ray; (*Registered, but did not testify*: Matt Simpson, ACLU of Texas; Alison Mohr Boleware, National Association of Social Workers - Texas Chapter; Diana Gomez, Progress Texas; Susana Carranza; Idona Griffith; Ash Hall; Vanessa MacDougal; Amber Martinez)

On — Alisha Jackson, Office of the Attorney General

**BACKGROUND:** Family Code sec. 33.003 governs judicial bypass proceedings and allows a pregnant minor to file an application for a court order authorizing the minor to consent to the performance of an abortion without notification to and consent of a parent, managing conservator, or guardian.

**DIGEST:** HB 1171 would allow a court to appoint an attorney ad litem or guardian ad litem to represent an unborn child during a proceeding for a court order authorizing a minor to consent to an abortion.

The attorney general would have to develop and maintain a registry listing the name of and contact information for attorneys qualified to serve as

attorneys ad litem and other individuals qualified to serve as guardians ad litem who voluntarily notified the attorney general of their willingness to serve, or on request by the attorney general consented to serve, as attorneys ad litem or guardians ad litem for an unborn child.

To the extent of any conflict, the bill's provisions would prevail over another act of the 87th Legislature relating to nonsubstantive additions to and corrections in enacted codes.

The bill would take effect September 1, 2021.