

SUBJECT: Allowing courts to waive certain notices related to a child in DFPS care

COMMITTEE: Human Services — favorable, without amendment

VOTE: 7 ayes — Frank, Rose, Campos, Klick, Manuel, Noble, Shaheen
1 nay — Hull
1 absent — Ramos

WITNESSES: For — (*Registered, but did not testify:* M Paige Williams, Dallas County Criminal District Attorney John Creuzot; Susan Stewart)
Against — None
On — Clint Cox, DFPS

BACKGROUND: Concerns have been raised that alleged fathers who have trafficked the mother can be notified when a child has been placed in Department of Family and Protective Services (DFPS) care. Some have suggested that courts should be allowed to waive the notice in these cases.

DIGEST: HB 2439 would allow a court to waive the written notice required under Family Code sec. 262.109 if the court found that the alleged father committed the offense of trafficking of persons against the child’s mother. The bill also would not require the Department of Family and Protective Services (DFPS) to provide certain information to relatives or other potential caregivers if DFPS was aware of or believed that the alleged father committed the offense of trafficking of persons against the child’s mother.

The bill would take effect September 1, 2023, and would apply only to suits affecting the parent-child relationship filed on or after the effective date.