

SUBJECT: Allowing certain juvenile justice proceedings to be conducted remotely

COMMITTEE: Juvenile Justice & Family Issues — committee substitute recommended

VOTE: 9 ayes — Dutton, Lujan, Cook, Leo-Wilson, J. Lopez, Martinez Fischer, Smithee, Talarico, Wu

0 nays

WITNESSES: For — Tina Lincoln, Hill County Juvenile Probation Officer; Marc Bittner, Juvenile Probation Department, serving the counties of Blanco, Burnet, Gillespie, Llano, and San Saba; Linette Dury, Medina County Juvenile Probation; William Carter (*Registered, but did not testify*: Laura Nodolf, Midland County District Attorney's Office; Sarah Crockett, Texas CASA; Alycia Castillo, Texas Center for Justice and Equity)

Against — (*Registered, but did not testify*: Joanne Bradley, Kendall County Juvenile Probation; Stephanie Richardson, Tarrant County Criminal District Attorney Phil Sorrells)

On — Jana Jones, Jack Choate, Special Prosecution Unit

DIGEST: CSHB 422 would allow a juvenile court to conduct a hearing or other proceeding remotely without the consent of the parties unless the United States or Texas Constitution required consent. Juvenile courts also could allow or require a party, attorney, witness, court reporter, or any other individual to participate in remote proceedings, including depositions and hearings. The bill also would repeal certain requirements related to video hearings, including requirements for children and their attorneys to agree to a video hearing before such hearings can take place.

The judge of a juvenile court would be required to submit a plan for conducting remote proceedings to the Office of Court Administration that included protocols for handling physical evidence and required an unobstructed view of any party or witness who provided testimony from a remote location.

The bill would take effect September 1, 2023.

**SUPPORTERS
SAY:**

CSHB 422 would encourage efficiency for certain juvenile court hearings by allowing them to be conducted remotely. The bill could reduce the costs and time associated with holding in-person hearings and reduce the potential safety risks associated with transporting youth to in-person hearings. This would be especially helpful for rural counties that often have to transport youth long distances for short proceedings. Parents also could participate more easily if the hearings were held remotely. The bill would give judges sole authority on whether to conduct hearings remotely and would not apply to jury trials.

**CRITICS
SAY:**

The bill should require that all parties consented to remote proceedings to ensure that everyone was in agreement. Remote proceedings also could make it more difficult to determine who was present at the proceeding.