

BILL ANALYSIS

Senate Research Center
76R5308 CMR-D

S.B. 609
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Jurisprudence
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As Filed

DIGEST

Currently, an attorney representing ad litem a child must interview individuals with significant knowledge of the condition of the child. The Texas Family Code (TFC) outlines duties of court-appointed attorneys, with the clear intent of Subsection 107.0114(b)(2), TFC, to require the attorney to become familiar with the child's background, in order to guarantee that the attorney gathers sufficient information regarding the client's case prior to court representation. Nevertheless, under the present TFC guidelines the attorney does not have a specific requirement to interview the child's caregiver such as a foster family or substitute family. S.B. 609 would require an attorney ad litem representing a child to interview the child's caregiver as well as individuals with significant knowledge of the child's history and condition.

PURPOSE

As proposed, S.B. 609 requires an attorney ad litem to interview a child's caregivers.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 107.014(b), Family Code, to require an attorney ad litem appointed to represent a child to interview the child's caregivers within a reasonable time. Makes conforming changes.

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.