

## **BILL ANALYSIS**

Senate Research Center  
77R9394 QS-D

C.S.S.B. 941  
By: Lindsay  
Jurisprudence  
4/10/2001  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Under current Texas statutes, certain former or retired probate judges are authorized to both practice law and sit as a visiting judge. This allows for a potential conflict of interest. C.S.S.B. 941 amends the conditions of eligibility for assignment as a visiting judge to include the requirement that the judge certify to the presiding judge a willingness to accept certain conditions.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 25.0022(x), Government Code, to add certifying to the presiding judge, both, a willingness not to appear and plead as an attorney in any court in the judge's county of residence or a contiguous county for a period of two years and a willingness not to accept appointment as a guardian ad litem, guardian of the estate of an incapacitated person, or guardian of the person of an incapacitated person in any court in the judge's county of residence or a contiguous county for a period of two years to the conditions required of a former or retired judge of a statutory probate court in order to be eligible for assignment under this section.

SECTION 2. Effective date: September 1, 2001.  
Makes application of this Act prospective.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1. Differs from the original by amending previously proposed changes to provisions regarding eligibility of certain former or retired judges for assignment as a visiting judge.

SECTION 2. No change.