

BILL ANALYSIS

Senate Research Center
82R1606 AJZ-D

S.B. 209
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Jurisprudence
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The purpose of this legislation is to foster the desired interaction between the judge and juvenile case manager and realize the original intention of case managers in performing a problem-solving role.

Although the use of juvenile case managers has grown since their authorization in 2001, and the creation of the juvenile case manager fund in 2005, the legislative intent behind the creation of these case managers has largely been unrealized.

Juvenile case managers are intended to serve as problem solvers by fostering the interaction between defendants and the judge, integrating social services into the disciplinary process, and cooperating with the juvenile, his or her parents, schools, and courts in order to best serve the interest of the juvenile and the community. However, many juvenile case managers have been relegated to the role of a court clerk and collections agent.

The current Texas Code of Criminal Procedure does not require any interaction between the employing judge and the employed juvenile case manager past that of assigning the manager to a juvenile under the court's supervision.

This bill will require the judge of a court that employs a juvenile case manager to supervise the juvenile case manager. This bill also will ensure that the juvenile case manager's role is not solely focused on administrative needs and that the juvenile case manager fund is not being used to pay for a court clerk.

As proposed, S.B. 209 amends current law relating to the supervision of certain juvenile case managers.

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 Article 45.056, Code of Criminal Procedure, by adding Subsection (f), as follows:

(f) Requires the judge of a court that employs a juvenile case manager under Subsection (a) (relating to approved governmental agencies that are authorized to employ case managers in cases involving juvenile offenders) or (c) (relating to the ability of a county court to employ one or more juvenile case managers) to supervise the juvenile case manager, except that the judge may delegate that duty to another officer of the court who is authorized to conduct hearings under Title 3 (Juvenile Justice Code), Family Code. Prohibits the judge from delegating that duty to the clerk of the court.

SECTION 2. Provides that Article 45.056(f), Code of Criminal Procedure, as added by this Act, applies to the supervision of a juvenile case manager employed by a court on or after the

effective date of this Act, regardless of whether the juvenile case manager began that employment before, on, or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2011.