

BILL ANALYSIS

H.B. 884
By: Dutton
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In order to encourage Alternative Dispute Resolution (“ADR”), the legislature passed legislation requiring the signing of a statement, agreeing to use alternative dispute resolution. ADR is a means of settling disputes outside the courtroom. ADR typically includes arbitration, mediation, early neutral evaluation, and conciliation. The statement to agree to use ADR is filed with the first pleading in a suit for dissolution of marriage or a suit affecting the parent-child relationship. Today most courts require ADR without the statement, therefore problems arise, due to the extra expense and inconvenience to the client. House Bill 884 would remove the unnecessary requirement of a statement in the content of the pleading, and simplify the filing of a suit for dissolution of marriage or a suit affecting the parent child relationship.

RULEMAKING AUTHORITY

It is the committee’s opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

SECTION BY SECTION ANALYSIS

Section 1. Repeals Sections 6.404 and 102.0085, Family Code.

Section 2. This Act takes effect September 1, 2003, and applies to a suit for dissolution of a marriage or a suit affecting the parent-child relationship filed before, on, or after that date.

EFFECTIVE DATE

September 1, 2003.