

BILL ANALYSIS

H.B. 887
By: Dutton
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Texas law currently provides that in a suit affecting the parent-child relationship, a court may order reasonable attorneys' fees as costs and order those fees paid directly to an attorney. Additionally, an award of attorneys' fees may be enforced in the attorney's name by any means available for the enforcement of a judgment for debt.

House Bill 887 authorizes a court to render a judgment for reasonable attorneys' fees and expenses as well as order the judgment and post judgment interest to be paid directly to an attorney.

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. Amends Section 106.002(a), Family Code, to provide that in a suit under this title, the court may render a judgement for reasonable attorneys' fees and expenses and order the court judgment and post judgment interest to be paid directly to an attorney. Amends (b) to provide that a judgment for attorney's fees and expenses may be enforced in the attorney's name by any means available for the enforcement of a judgement for debt.

Section 2. This Act takes effect September 1, 2003, and applies to a suit affecting the parent-child relationship pending in a trial court on that date or filed on or after that date.

EFFECTIVE DATE

September 1, 2003.