

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

February 10, 2003

TO: Honorable Terry Keel, Chair, House Committee on Criminal Jurisprudence

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB65 by Wise (Relating to certain rights in a criminal or juvenile justice proceeding afforded to a child victim.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Article 56.02, Code of Criminal Procedure (Crime Victims Bill of Rights), to provide additional rights to crime victims who are younger than 16 years of age by entitling them to the appointment of a guardian ad litem or special advocate, as well as other rights that would ensure the child is assisted in understanding all aspects of the criminal justice proceedings and having certain family members present if the child is required to testify. The bill would take effect September 1, 2003 and would apply only to criminal proceedings or juvenile court hearings occurring on or after the effective date.

Local Government Impact

According to information provided by the Texas District and County Attorneys Association, an ad litem attorney is paid at an average rate of \$100 per hour. Assuming a minimum of 10 hours is required to assist the young victim, the cost to the court for providing an ad litem attorney would be \$1,000 per applicable case. Although child advocates serve on a volunteer basis at no cost, there are a limited number of child advocate volunteers available and some counties do not have any such volunteers. The actual number of victims that would be eligible for an ad litem attorney or child advocate would vary by county. Based on an estimated number of crime victims under the age of 16 statewide in fiscal year 2001, if all of those victims had received an ad litem attorney at a rate of \$1,000 per case, the cost to counties statewide would have been \$7.5 million.

Source Agencies: 302 Office Of The Attorney General, 304 Comptroller Of Public Accounts

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