

BILL ANALYSIS

C.S.H.B. 3531
By: Jackson, Jim
Judiciary
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In 1989, the 71st Legislature authorized the creation of the Dallas County District and County Courts Administrator and Court Services Department. The purpose of this department was to provide support to the district and county courts through the office of the local administrative judge. In addition, the collection of child support payments and the collection of certain fees related to family cases was included. In Dallas County, these functions are currently performed by the Child Support Office and Family Court Services.

Most other urban counties provide services to families with cases in district courts that give preference to family law matters through a domestic relations office as defined by Chapter 203, Family Code. In order for Dallas County to operate a domestic relations office under this statute, changes need to be made to the sections of the Human Resources Code that impact these services.

Dallas County Commissioners Court and the district judges agree that a domestic relations office will benefit the citizens of Dallas County and jointly support the requested statutory changes.

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.

ANALYSIS

The bill provides that the Dallas County local administrative judge and the district judges giving preference to civil, criminal, family or juvenile matters shall appoint and set the salary of the district and county courts administrator. It further provides that the judges have limited immunity for performing this function. The bill repeals various sections dealing with the duties of the administrator and the court services department.

The bill establishes a domestic relations office in Dallas County and abolishes the Dallas County child support office and family court services department. The judges of the district courts giving preference to family law matters shall appoint the director of the domestic relations office and oversee it. The bill provides limited immunity for judges performing these functions.

The bill adds Section 152.06332 to the Human Resources Code to codify the position of Dallas County Criminal District Courts Administrator. This position currently exists in Dallas County and the intent is to standardize the selection and supervision of this position. This function will be carried out by the criminal district judges of Dallas County, who also receive limited immunity for this function.

The bill repeals three special fees charged in Dallas County in the Local Government Code and repeals and repeals Sections 152.0634 and 152.0635, Human Resources Code, which deal with child support in Dallas County.

EFFECTIVE DATE

October 1, 2005

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute changes the reference to Chapter 264, Family Code in Section 2 of the bill to Chapter 203, Family Code.