

BILL ANALYSIS

H.B. 1972
By: Delisi
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law requires, with some exceptions, that an in-person meeting must occur between the attorney ad litem assigned to the child and the child prior to a hearing in child abuse custody cases. According to a recent Texas Attorney General Opinion (GA-0406 2006), this requirement must be complied with in person in all cases and there is no flexibility for the judge to allow telephone or video conference meetings to occur. This lack of flexibility can create additional costs for county governments, especially in cases where foster care children are placed outside of the county by the Department of Child Protective Services. This legislation would allow a court, with good cause, to permit the required meeting between the child and the attorney ad litem by telephone or video conference.

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

HB 1972 amends the Family Code to allow a court, under certain circumstances, to authorize an attorney ad litem to confer with a child, or other individual, via telephone or video conference.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.