

By: Wentworth

S.B. No. 271

A BILL TO BE ENTITLED

AN ACT

relating to the qualifications to serve as an associate judge in certain family law proceedings.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 201.002, Family Code, is amended to read as follows:

Sec. 201.002. QUALIFICATIONS. (a) Except as provided by Subsection (b), to [To] be eligible for appointment as an associate judge, a person must meet the requirements and qualifications to serve as a judge of the court or courts for which the associate judge is appointed.

(b) To be eligible for appointment as an associate judge under Subchapter B or C, a person must meet the requirements and qualifications established under those subchapters.

SECTION 2. Section 201.102, Family Code, is amended to read as follows:

Sec. 201.102. APPLICATION OF LAW GOVERNING ASSOCIATE JUDGES. ~~[(a)]~~ Subchapter A applies to an associate judge appointed under this subchapter, except that, to the extent of any conflict between this subchapter and Subchapter A, this subchapter prevails.

~~[(b) An associate judge appointed under this subchapter may reside anywhere within the administrative judicial region in which the court to which the associate judge is appointed is located. An~~

1 ~~associate judge appointed to serve in two or more administrative~~
2 ~~judicial regions may reside anywhere within the regions.]~~

3 SECTION 3. Subchapter B, Chapter 201, Family Code, is
4 amended by adding Section 201.1021 to read as follows:

5 Sec. 201.1021. QUALIFICATIONS. (a) To be eligible for
6 appointment under this subchapter, a person must be:

7 (1) a citizen of the United States and have resided in
8 the administrative judicial region, or a county adjacent to the
9 region, in which the court to which the person is appointed is
10 located for the two years preceding the date of appointment; and

11 (2) licensed to practice law in this state and have
12 been a practicing lawyer or a judge of a court in this state for the
13 four years preceding the date of appointment.

14 (b) An associate judge appointed under this subchapter
15 shall during the term of appointment reside in the administrative
16 judicial region, or a county adjacent to the region, in which the
17 court to which the associate judge is appointed is located. An
18 associate judge appointed to serve in two or more administrative
19 judicial regions may reside anywhere in the regions.

20 SECTION 4. Section 201.202, Family Code, is amended to read
21 as follows:

22 Sec. 201.202. APPLICATION OF LAW GOVERNING ASSOCIATE
23 JUDGES. [~~(a)~~] Except as provided by this subchapter, Subchapter A
24 applies to an associate judge appointed under this subchapter.

25 [~~(b)~~ ~~An associate judge may reside anywhere in the~~
26 ~~administrative judicial region in which the court to which the~~
27 ~~associate judge is appointed is located. An associate judge~~

1 ~~appointed to serve in two or more administrative judicial regions~~
2 ~~may reside anywhere in the regions.]~~

3 SECTION 5. Subchapter C, Chapter 201, Family Code, is
4 amended by adding Section 201.2021 to read as follows:

5 Sec. 201.2021. QUALIFICATIONS. (a) To be eligible for
6 appointment under this subchapter, a person must be:

7 (1) a citizen of the United States and have resided in
8 the administrative judicial region, or a county adjacent to the
9 region, in which the court to which the person is appointed is
10 located for the two years preceding the date of appointment; and

11 (2) licensed to practice law in this state and have
12 been a practicing lawyer or a judge of a court in this state for the
13 four years preceding the date of appointment.

14 (b) An associate judge appointed under this subchapter
15 shall during the term of appointment reside in the administrative
16 judicial region, or a county adjacent to the region, in which the
17 court to which the associate judge is appointed is located. An
18 associate judge appointed to serve in two or more administrative
19 judicial regions may reside anywhere in the regions.

20 SECTION 6. The changes in law made by this Act apply only to
21 the appointment of an associate judge under Subchapters B and C,
22 Chapter 201, Family Code, on or after the effective date of this
23 Act. The appointment of an associate judge before that date is
24 governed by the law in effect on the date the appointment was made,
25 and the former law is continued in effect for that purpose.

26 SECTION 7. This Act takes effect September 1, 2007.