

By: Wentworth

S.B. No. 271

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the qualifications to serve as an associate judge in  
3 certain family law proceedings.

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

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

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

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

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

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

21 [~~(b) An associate judge appointed under this subchapter may~~  
22 ~~reside anywhere within the administrative judicial region in which~~  
23 ~~the court to which the associate judge is appointed is located. An~~  
24 ~~associate judge appointed to serve in two or more administrative~~

1 ~~judicial regions may reside anywhere within the regions.]~~

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

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

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

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

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

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

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

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

1 ~~may reside anywhere in the regions.]~~

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

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

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

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

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

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

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