

1-1 By: Wentworth S.B. No. 271
1-2 (In the Senate - Filed January 23, 2007; January 30, 2007,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 February 13, 2007, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 4, Nays 0;
1-6 February 13, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 271 By: Wentworth

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the qualifications to serve as an associate judge in
1-11 certain family law proceedings.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 201.002, Family Code, is amended to read
1-14 as follows:

1-15 Sec. 201.002. QUALIFICATIONS. (a) Except as provided by
1-16 Subsection (b), to [To] be eligible for appointment as an associate
1-17 judge, a person must meet the requirements and qualifications to
1-18 serve as a judge of the court or courts for which the associate
1-19 judge is appointed.

1-20 (b) To be eligible for appointment as an associate judge
1-21 under Subchapter B or C, a person must meet the requirements and
1-22 qualifications established under those subchapters.

1-23 SECTION 2. Section 201.102, Family Code, is amended to read
1-24 as follows:

1-25 Sec. 201.102. APPLICATION OF LAW GOVERNING ASSOCIATE
1-26 JUDGES. ~~[(a)]~~ Subchapter A applies to an associate judge
1-27 appointed under this subchapter, except that, to the extent of any
1-28 conflict between this subchapter and Subchapter A, this subchapter
1-29 prevails.

1-30 ~~[(b) An associate judge appointed under this subchapter may~~
1-31 ~~reside anywhere within the administrative judicial region in which~~
1-32 ~~the court to which the associate judge is appointed is located. An~~
1-33 ~~associate judge appointed to serve in two or more administrative~~
1-34 ~~judicial regions may reside anywhere within the regions.]~~

1-35 SECTION 3. Subchapter B, Chapter 201, Family Code, is
1-36 amended by adding Section 201.1021 to read as follows:

1-37 Sec. 201.1021. QUALIFICATIONS. (a) To be eligible for
1-38 appointment under this subchapter, a person must be:

1-39 (1) a citizen of the United States and have resided in
1-40 the administrative judicial region, or a county adjacent to the
1-41 region, in which the court to which the person is appointed is
1-42 located for the two years preceding the date of appointment; and

1-43 (2) licensed to practice law in this state and have
1-44 been a practicing lawyer or a judge of a court in this state for the
1-45 four years preceding the date of appointment.

1-46 (b) An associate judge appointed under this subchapter
1-47 shall during the term of appointment reside in the administrative
1-48 judicial region, or a county adjacent to the region, in which the
1-49 court to which the associate judge is appointed is located. An
1-50 associate judge appointed to serve in two or more administrative
1-51 judicial regions may reside anywhere in the regions.

1-52 SECTION 4. Section 201.202, Family Code, is amended to read
1-53 as follows:

1-54 Sec. 201.202. APPLICATION OF LAW GOVERNING ASSOCIATE
1-55 JUDGES. ~~[(a)]~~ Except as provided by this subchapter, Subchapter A
1-56 applies to an associate judge appointed under this subchapter.

1-57 ~~[(b) An associate judge may reside anywhere in the~~
1-58 ~~administrative judicial region in which the court to which the~~
1-59 ~~associate judge is appointed is located. An associate judge~~
1-60 ~~appointed to serve in two or more administrative judicial regions~~
1-61 ~~may reside anywhere in the regions.]~~

1-62 SECTION 5. Subchapter C, Chapter 201, Family Code, is
1-63 amended by adding Section 201.2021 to read as follows:

2-1 Sec. 201.2021. QUALIFICATIONS. (a) To be eligible for
2-2 appointment under this subchapter, a person must be:

2-3 (1) a citizen of the United States and have resided in
2-4 the administrative judicial region, or a county adjacent to the
2-5 region, in which the court to which the person is appointed is
2-6 located for the two years preceding the date of appointment; and

2-7 (2) licensed to practice law in this state and have
2-8 been a practicing lawyer or a judge of a court in this state for the
2-9 four years preceding the date of appointment.

2-10 (b) An associate judge appointed under this subchapter
2-11 shall during the term of appointment reside in the administrative
2-12 judicial region, or a county adjacent to the region, in which the
2-13 court to which the associate judge is appointed is located. An
2-14 associate judge appointed to serve in two or more administrative
2-15 judicial regions may reside anywhere in the regions.

2-16 SECTION 6. The changes in law made by this Act apply only to
2-17 the appointment of an associate judge under Subchapters B and C,
2-18 Chapter 201, Family Code, on or after the effective date of this
2-19 Act. The appointment of an associate judge before that date is
2-20 governed by the law in effect on the date the appointment was made,
2-21 and the former law is continued in effect for that purpose.

2-22 SECTION 7. This Act takes effect September 1, 2007.

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