

**House Bill 930**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 201.007, Family Code, is amended by amending Subsections (a) and (c) and adding Subsection (d) to read as follows:

(a) Except as limited by an order of referral, an associate judge may:

- (1) conduct a hearing;
- (2) hear evidence;
- (3) compel production of relevant evidence;
- (4) rule on the admissibility of evidence;
- (5) issue a summons for the appearance of witnesses;
- (6) examine a witness;
- (7) swear a witness for a hearing;
- (8) make findings of fact on evidence;
- (9) formulate conclusions of law;
- (10) recommend an order to be rendered in a case;
- (11) regulate all proceedings in a hearing before the associate judge;
- (12) order the attachment of a witness or party who fails to obey a subpoena;
- (13) order the detention of a witness or party found guilty of contempt, pending approval by the referring court as provided by Section 201.013;
- (14) render and sign:

(A) a final order agreed to in writing as to both form and substance by all parties;

(B) a final default order; ~~or~~

(C) a temporary order; or

(D) a final order in a case in which a party files an unrevoked waiver made in accordance with Rule 119.

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SECTION \_\_. Section 201.007(a), Family Code, is amended to read as follows:

(a) Except as limited by an order of referral, an associate judge may:

- (1) conduct a hearing;
- (2) hear evidence;
- (3) compel production of relevant evidence;
- (4) rule on the admissibility of evidence;
- (5) issue a summons for the appearance of witnesses;
- (6) examine a witness;
- (7) swear a witness for a hearing;
- (8) make findings of fact on evidence;
- (9) formulate conclusions of law;
- (10) recommend an order to be rendered in a case;
- (11) regulate all proceedings in a hearing before the associate judge;
- (12) order the attachment of a witness or party who fails to obey a subpoena;
- (13) order the detention of a witness or party found guilty of contempt, pending approval by the referring court as provided by Section 201.013;
- (14) without prejudice to the right of appeal under Section 201.015, render and sign:

(A) a final order agreed to in writing as to both form and substance by all parties;

(B) a final default order; or

(C) a temporary order;

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Texas Rules of Civil Procedure, that waives notice to the party of the final hearing or waives the party's appearance at the final hearing; and

(15) take action as necessary and proper for the efficient performance of the associate judge's duties.

(c) An [agreed] order described by Subsection (a)(14) that is[~~, a default order, or a temporary order~~] rendered and signed by an associate judge [under Subsection (a)] constitutes an order of the referring court.

(d) An answer filed by or on behalf of a party who previously filed a waiver described in Subsection (a)(14)(D) shall revoke that waiver.

No equivalent provision.

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(15) take action as necessary and proper for the efficient performance of the associate judge's duties; and

(16) sign a final order that includes a waiver of the right of appeal pursuant to Section 201.015.

SECTION 1. Section 201.007, Family Code, is amended by amending Subsections (a) and (c) and adding Subsection (d) to read as follows:

(a) Except as limited by an order of referral, an associate judge may:

- (1) conduct a hearing;
- (2) hear evidence;
- (3) compel production of relevant evidence;
- (4) rule on the admissibility of evidence;
- (5) issue a summons for the appearance of witnesses;
- (6) examine a witness;
- (7) swear a witness for a hearing;
- (8) make findings of fact on evidence;
- (9) formulate conclusions of law;

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- (10) recommend an order to be rendered in a case;
- (11) regulate all proceedings in a hearing before the associate judge;
- (12) order the attachment of a witness or party who fails to obey a subpoena;
- (13) order the detention of a witness or party found guilty of contempt, pending approval by the referring court as provided by Section 201.013;
- (14) render and sign:
  - (A) a final order agreed to in writing as to both form and substance by all parties;
  - (B) a final default order; ~~[or]~~
  - (C) a temporary order; or
  - (D) a final order in a case in which a party files an unrevoked waiver made in accordance with Rule 119, Texas Rules of Civil Procedure, that waives notice to the party of the final hearing or waives the party's appearance at the final hearing; and
- (15) take action as necessary and proper for the efficient performance of the associate judge's duties.
- (c) An ~~[agreed]~~ order described by Subsection (a)(14) that is~~[, a default order, or a temporary order]~~ rendered and signed by an associate judge ~~[under Subsection (a)]~~ constitutes an order of the referring court.
- (d) An answer filed by or on behalf of a party who previously filed a waiver described in Subsection (a)(14)(D) shall revoke that waiver.

No equivalent provision.

SECTION \_\_. The heading to Section 201.009, Family

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Code, is amended to read as follows:  
Sec. 201.009. COURT REPORTER; RECORD.

No equivalent provision.

SECTION \_\_. Sections 201.009(a) and (c), Family Code, are amended to read as follows:

(a) A court reporter may be provided during a hearing held by an associate judge appointed under this chapter. A court reporter is required to be provided when the associate judge presides over a jury trial or a contested final termination hearing.

(c) Except as provided by Subsection (a), in the absence of a court reporter or on agreement of the parties, the ~~[The]~~ record may be preserved ~~[in the absence of a court reporter]~~ by any ~~[other]~~ means approved by the associate judge.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.

Same as House version.