

BILL ANALYSIS

S.B. 1437
By: Watson
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, only the referring court is authorized to hear post-trial motions in a Title IV-D case, even if a party has not requested a de novo review of the associate judge's order or judgment.

As proposed, S.B. 1437 authorizes an associate judge to hear post-trial motions in a Title IV-D case if a de novo review of the associate judge's proposed order or judgment has not been requested.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Section 201.104(e), Family Code, to authorize an associate judge, notwithstanding Subsection (d) (relating to authorizing only the referring court to hear and render an order on a motion for postjudgment relief) and subject to Section 201.1042(g) (relating to prohibiting an associate judge from holding a hearing on the respondent's compliance with conditions), to hear and render an order on a motion for postjudgment relief, including a motion for a new trial or to vacate, correct, or reform a judgment, if neither party has requested a de novo hearing before the referring court. Makes a nonsubstantive change.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2009.

EFFECTIVE DATE

September 1, 2009.