

By: Zerwas

H.B. No. 4565

A BILL TO BE ENTITLED

AN ACT

relating to parent education and family stabilization courses in certain suits affecting the parent-child relationship.

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

SECTION 1. Sections 105.009(a), (c), (h), (i), and (k), Family Code, are amended to read as follows:

(a) In a suit affecting the parent-child relationship, including an action to modify an order in a suit affecting the parent-child relationship providing for possession of or access to a child, the court may order the parties to the suit to attend a parent education and family stabilization course if the court, after conducting an evidentiary hearing, finds that the parties lack adequate parent education and family stabilization. The court shall specifically state the court's finding as to each deficiency of the parties with regard to parenting education and family stability and state with specificity the areas listed in Subsection (c) to be covered in the parent education and family stabilization course ~~[determines that the order is in the best interest of the child]~~.

(c) A course under this section may ~~[must be at least four hours, but]~~ not exceed ~~[more than]~~ 12 hours~~[,]~~ in length and must be designed to educate and assist parents only with regard to those of the following areas specifically identified in the court's findings under Subsection (a) as necessary ~~[the consequences of divorce on~~

1 ~~parents and children. The course must include information on the~~
2 ~~following issues]:~~

3 (1) the emotional effects of divorce on parents;

4 (2) the emotional and behavioral reactions to divorce
5 by young children and adolescents;

6 (3) parenting issues relating to the concerns and
7 needs of children at different development stages;

8 (4) stress indicators in young children and
9 adolescents;

10 (5) conflict management;

11 (6) family stabilization through development of a
12 coparenting relationship;

13 (7) the financial responsibilities of parenting;

14 (8) family violence, spousal abuse, and child abuse
15 and neglect; and

16 (9) the availability of community services and
17 resources.

18 (h) The course required under this section may be completed,
19 at the party's sole option, by:

20 (1) personal instruction;

21 (2) video recorded [~~videotape~~] instruction;

22 (3) instruction through an electronic medium; or

23 (4) a combination of those methods.

24 (i) On completion of the course, the course provider shall
25 issue a certificate of completion to each participant. The
26 certificate must state:

27 (1) the name of the participant;

- 1 (2) the name of the course provider;
- 2 (3) the date the course was completed; and
- 3 (4) whether the course was provided by:
 - 4 (A) personal instruction;
 - 5 (B) video recorded [~~videotape~~] instruction;
 - 6 (C) instruction through an electronic medium; or
 - 7 (D) a combination of those methods.

8 (k) The court may not order the parties to a suit to attend a
9 course under this section if the parties cannot afford to take the
10 course. If the parties cannot afford to take a course, the court
11 may direct the parties to a course that is offered [~~on a sliding fee~~
12 ~~scale or~~] without charge, if a course of that type is available, or
13 order the Department of Family and Protective Services to pay the
14 cost of the course. [~~A party to a suit may not be required to pay~~
15 ~~more than \$100 to attend a course ordered under this section.~~]

16 SECTION 2. The change in law made by this Act applies to a
17 suit affecting the parent-child relationship that is pending in a
18 trial court on or filed on or after the effective date of this Act.

19 SECTION 3. This Act takes effect September 1, 2009.