

By: Rose

H.B. No. 4806

A BILL TO BE ENTITLED

AN ACT

relating to court-appointed volunteer advocates in certain suits affecting the parent-child relationship.

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

SECTION 1. Section 264.601(2), Family Code, is amended to read as follows:

(2) "Volunteer advocate program" means a volunteer-based, nonprofit program that:

(A) provides advocacy services to abused or neglected children with the goal of obtaining a permanent placement for a child that is in the child's best interest; and

(B) complies with recognized standards for volunteer advocate programs.

SECTION 2. Section 264.602, Family Code, is amended by amending Subsection (a) and adding Subsection (f) to read as follows:

(a) The statewide organization with which the attorney general contracts under Section 264.603 shall contract for services with eligible volunteer advocate programs to provide advocacy services to abused or neglected children [~~expand the existing services of the programs~~].

(f) Expenses incurred by a volunteer advocate program to promote public awareness of the need for volunteer advocates or to explain the work performed by volunteer advocates are not

1 considered administrative expenses for the purpose of Section  
2 264.603(b).

3 SECTION 3. Section 264.603(a), Family Code, is amended to  
4 read as follows:

5 (a) The attorney general shall contract with one statewide  
6 organization of individuals or groups of individuals who have  
7 expertise in the dynamics of child abuse and neglect and experience  
8 in operating volunteer advocate programs to provide training,  
9 technical assistance, and evaluation services for the benefit of  
10 local volunteer advocate programs. The contract shall:

11 (1) include [require] measurable goals and objectives  
12 relating to the number of:

13 (A) volunteer advocates in the program; and

14 (B) children receiving services from the  
15 program; and

16 (2) follow practices designed to ensure compliance  
17 with standards referenced in the contract [for expanding local  
18 volunteer child advocate programs to areas of the state in which  
19 those programs do not exist].

20 SECTION 4. Section 264.604(a), Family Code, is amended to  
21 read as follows:

22 (a) A person is eligible for a contract under Section  
23 264.602 only if the person is a public or private nonprofit entity  
24 that operates a volunteer advocate program that:

25 (1) uses individuals appointed as volunteer advocates  
26 or guardians ad litem by the court to provide for the needs of  
27 abused or neglected children;

1           (2) has provided court-appointed advocacy services  
2 for at least six months [~~two years~~];

3           (3) provides court-appointed advocacy services for at  
4 least 10 children each month; and

5           (4) has demonstrated that the program has local  
6 judicial support.

7           SECTION 5. The following provisions of the Family Code are  
8 repealed:

9           (1) Section 264.602(c); and

10           (2) Sections 264.607(b) and (c).

11           SECTION 6. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2009.