

By: Van de Putte

S.B. No. 1229

A BILL TO BE ENTITLED

1 AN ACT
2 relating to creating an advisory committee on child protective
3 services in the region that includes Bexar County for the
4 Department of Family and Protective Services.

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

6 SECTION 1. Chapter 40, Human Resources Code, is amended by
7 adding Subchapter E to read as follows:

8 SUBCHAPTER E. BEXAR COUNTY CHILD PROTECTIVE SERVICES ADVISORY
9 COUNCIL

10 Sec. 40.121. BEXAR COUNTY CHILD PROTECTIVE SERVICES
11 ADVISORY COUNCIL. (a) The Bexar County Child Protective Services
12 Advisory Council shall be an advisory committee to the department
13 that advises the department on child protective services issues
14 impacting the region that includes Bexar County. The purpose of the
15 Council is to support the realization of the department's mission
16 and goals in the region that includes Bexar County by providing a
17 regular forum for the discussion and resolution of region-specific
18 issues, concerns and recommendations.

19 (b) The Bexar County Child Protective Services Advisory
20 Council consists of:

21 (1) the Bexar County Judges Advisory Council; and

22 (2) the Bexar County Advocates Advisory Council.

23 Sec. 40.122. BEXAR COUNTY JUDGES ADVISORY COUNCIL.

24 (a) The Bexar County Judges Advisory Council consists of:

1 (1) the judge of each court in the county having
2 jurisdiction over child abuse and neglect cases and proceedings;

3 (2) the judge with supervisory authority over the
4 courts in the county having jurisdiction over child abuse and
5 neglect cases and proceedings;

6 (3) the department's director for the region that
7 includes Bexar County;

8 (4) a person or persons designated by the department
9 as having responsibility over and expertise regarding each of the
10 following program areas within the region that includes Bexar
11 county:

12 a) contract monitoring;

13 b) licensing and regulation of child
14 care operations;

15 c) investigations;

16 d) family based safety services; and

17 e) conservatorship and foster care.

18 Sec. 40.123. BEXAR COUNTY ADVOCATES ADVISORY COUNCIL.

19 (a) The Bexar County Advocates Advisory Council consists of seven
20 members residing in Bexar County who are:

21 1) a member of the Bexar County Child Welfare Board;

22 2) actively advocating for foster care youth and child welfare
23 within the region that includes Bexar County;

24 3) a foster care alumnus; or

25 4) a foster care parent.

26 (b) The presiding officer of the Bexar County Judges
27 Advisory Council shall appoint the members of the Bexar County

1 Advocates Advisory Council upon consideration of recommendations
2 made by advocates for foster care youth and child welfare in the
3 region that includes Bexar County.

4 Sec. 40.124. MEETINGS.

5 (a) The first meeting of the Bexar County Judges Advisory
6 Council shall be called no later than December 1, 2009 by the judge
7 with supervisory authority over the courts in the county having
8 jurisdiction over child abuse and neglect cases and proceedings.
9 At the first meeting, the Bexar County Judges Advisory Council
10 members shall elect a presiding officer from its members.

11 (1) The Bexar County Judges Advisory Council shall:

12 (a) meet quarterly at the call of the presiding
13 officer; and

14 (b) adopt bylaws.

15 (b) The Bexar County Advocates Advisory Council shall meet
16 quarterly with the judges on the Bexar County Judges Advisory
17 Council. The purpose of the quarterly meetings is to provide the
18 child protective services advocates in the region that includes
19 Bexar County the opportunity to bring to the attention of the judges
20 on the Bexar County Judges Advisory Council any concerns, questions
21 and recommendations the advocates have regarding the department's
22 policies and procedures that impact foster care youth, foster care
23 providers or other child protective service providers in the region
24 that includes Bexar County.

25 (c) The quarterly meeting between the judges on the Bexar
26 County Judges Advisory Council and the Bexar County Advocates
27 Advisory Council must occur not more than 21 days or less than 14

1 days before the date of the next quarterly meeting of the Bexar
2 County Judges Advisory Council. The information presented to the
3 judges at the meeting must be submitted in writing at least 7 days
4 before the meeting of the Bexar County Judges Advisory Council.

5 (d) The judges on the Bexar County Judges Advisory Council
6 shall present their questions, concerns and recommendations in
7 writing to the other members of the Bexar County Judges Advisory
8 Council at the Bexar County Judges Advisory Council quarterly
9 meeting. The questions, concerns and recommendations shall include
10 those raised by the Bexar County Advocates Advisory Council.

11 (e) The presiding officer of the Bexar County Judges
12 Advisory Council shall coordinate and facilitate all quarterly
13 meetings under this section. The department shall designate a
14 staff person to serve as a liaison to the Council to assist in
15 scheduling the quarterly meetings.

16 (f) The members of the Bexar County Judges Advisory Council
17 shall attend the quarterly meetings of the Judges Advisory Council.
18 Judges serving on the Judges Advisory Council shall also attend the
19 quarterly meetings with the advocates advisory council.

20 (g) The members of the Bexar County Advocates Advisory
21 Council shall attend each quarterly meeting of the advocates
22 advisory council. A member of the Bexar County Advocates Advisory
23 Council who fails to attend a quarterly meeting of the advocates
24 advisory council is considered to have resigned the member's
25 position on the council effective on the date of the meeting unless
26 the member receives prior approval for the member's absence from
27 the presiding officer of the Bexar County Judges Advisory Council.

1 A vacancy created by a resignation under this subsection shall be
2 filled as provided by Section 40.123.

3 (h) Both Councils are subject to any confidentiality
4 requirements imposed by federal or state law.

5 Sec. 40.125. DEPARTMENT'S DUTIES. The department shall
6 consider the issues, concerns and recommendations presented to the
7 department by the Bexar County Judges Advisory Council and respond
8 to those issues, concerns and recommendations not later than the
9 30th day after the date the issue, concern or recommendation is
10 raised in a quarterly meeting of the Council. The department's
11 written response must include the department's rationale for any
12 policy or action taken or not taken by the department. Staff of the
13 department who serve on the Bexar County Judges Advisory Council
14 shall ensure that the concerns and recommendations of the Council
15 are communicated to the appropriate staff within the department
16 with authority to consider these recommendations and determine
17 whether any change in department policy or practices is warranted
18 to effectively address these concerns.

19 SECTION 2. This Act takes effect September 1, 2009.