

By: Ellis

S.B. No. 2217

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the designation of a judicial district in Harris County
3 as the district court for domestic violence cases in that county.

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

5 SECTION 1. Section 24.112, Government Code, is amended by
6 amending Subsection (b) and adding Subsections (g), (h), (i), (j),
7 (k), and (l) to read as follows:

8 (b) Except as provided by Subsection (g), the ~~[The]~~
9 provisions of this section apply to the 11th, 55th, 61st, 80th,
10 113th, 125th, 127th, 129th, 133rd, 151st, 152nd, 157th, 164th, and
11 165th judicial districts.

12 (g) Subsection (h) applies to the 11th, 55th, 61st, 80th,
13 113th, 125th, 127th, 129th, 133rd, 151st, 152nd, 157th, 164th,
14 165th, 189th, 190th, 215th, 234th, 269th, 270th, 280th, 281st,
15 295th, 333rd, and 334th judicial districts.

16 (h) The judges of the district courts listed in Subsection
17 (g) by agreement shall designate one of the listed district courts
18 as the domestic violence district court for Harris County. In
19 designating the domestic violence district court, the judges shall
20 give preference to a district court:

21 (1) that has a judicial vacancy at the time of the
22 agreement; or

23 (2) for which the sitting judge of the district court
24 has not at the time of the agreement announced a candidacy or become

1 a candidate in the upcoming election for that judicial office.

2 (i) Subject to any jurisdictional limitations, the district
3 court designated under Subsection (h) as the domestic violence
4 district court shall give preference to domestic violence cases,
5 including cases involving:

6 (1) dating violence, as defined by Section 71.0021,
7 Family Code; and

8 (2) family violence, as defined by Section 71.004,
9 Family Code.

10 (j) For the purposes of determining the preference the
11 designated domestic violence district court is required to give
12 cases under Subsection (i):

13 (1) a domestic violence case means:

14 (A) an original application for a protective
15 order under Title 4, Family Code;

16 (B) an original application for a protective
17 order under Title 4, Family Code, that involves both parties and is
18 filed concurrently with an original petition under the Family Code;
19 and

20 (C) any matter involving custody of a minor child
21 if one parent is alleged to have caused the death of another parent
22 and there is a history of domestic violence in the parents'
23 relationship; and

24 (2) subject to judicial discretion and resources, the
25 designated domestic violence district court may also hear divorce
26 and custody cases in which:

27 (A) a court has made an affirmative finding of

1 family violence involving both parties; or

2 (B) a protective order has been issued under
3 Title 4, Family Code, involving both parties.

4 (k) The designated domestic violence district court shall:

5 (1) provide timely and efficient access to emergency
6 protective orders and other court remedies for persons the court
7 determines are victims of domestic violence;

8 (2) integrate victims' services for persons the court
9 determines are victims of domestic violence who have a case before
10 the court; and

11 (3) promote an informed and consistent court response
12 to domestic violence cases to lessen the number of misdemeanors,
13 felonies, and fatalities related to domestic violence in Harris
14 County.

15 (1) The Harris County district clerk shall create a form and
16 establish procedures to transfer a domestic violence case that
17 qualifies for preference under this section to the domestic
18 violence district court.

19 SECTION 2. Not later than October 1, 2009, the judges of the
20 district courts listed in Subsection (g), Section 24.112,
21 Government Code, as added by this Act, shall by agreement designate
22 a listed court as the domestic violence district court for Harris
23 County. If the judges fail to designate a domestic violence
24 district court on or before October 1, 2009, the local
25 administrative judge for the Harris County district courts shall
26 designate a domestic violence court not later than October 5, 2009.

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