

BILL ANALYSIS

H.B. 3314
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Many times, an attorney ad litem is appointed by a court to represent a child in certain suits relating to the health and safety of a child. The requirements that a child attend each hearing and that a court-appointed attorney meet with the child to ensure that the attorney can represent the child's best interests are not always strictly followed and many times are not followed at all.

H.B. 3314 seeks to ensure that persons involved in such cases are held accountable for their responsibilities under the law by requiring an attorney ad litem to file a written statement confirming that he or she met with the child before the proceeding if the child is not present at the hearing.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3314 amends the Family Code to require an attorney ad litem appointed for a child in a proceeding in a suit by a governmental entity to protect the health and safety of the child or the review of the placement of a child under the care of the Department of Family and Protective Services to file a written statement with the court indicating that the attorney ad litem met with the child or the individual with whom the child ordinarily resides, depending on the child's age, before the court hearing if the child or individual is not present at the hearing.

EFFECTIVE DATE

September 1, 2011.