

## **BILL ANALYSIS**

C.S.S.B. 61  
By: Zaffirini  
Corrections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The juvenile case manager position was created to address the issues associated with the high volume of juveniles sent to municipal and justice courts for truancy, traffic violations, and other fine-only Class C misdemeanors not covered by the juvenile courts. Observers contend that current statute does not establish minimum education and training standards explicitly for a juvenile case manager. Observers further contend that, with minimum training and educational standards similar to those for a juvenile probation officer, juvenile case managers may be better able to fulfill their intended role and improve the outcomes of youth involved in such juvenile cases.

C.S.S.B. 61 seeks to require the governing body of the governmental entity that employs a juvenile case manager to adopt rules for juvenile case managers that provide a code of ethics, appropriate educational requirements, and training standards.

### **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**

C.S.S.B. 61 amends the Code of Criminal Procedure to authorize the governing body of a governmental entity that employs a juvenile case manager, as an alternative to a court that employs a juvenile case manager, to pay the salary and benefits of the juvenile case manager from the juvenile case manager fund. The bill authorizes the governing body or a court to pay from the fund the costs of training, travel, office supplies, and other necessary expenses relating to the position of the juvenile case manager.

C.S.S.B. 61 requires the governing body of the governmental entity that employs a juvenile case manager, not later than December 1, 2011, to adopt reasonable rules for juvenile case managers that provide a code of ethics and for the enforcement of the code of ethics; appropriate educational preservice and in-service training standards for juvenile case managers; and training in the role of the juvenile case manager, case planning and management, applicable procedural and substantive law, courtroom proceedings and presentation, services to at-risk youth under state law, local programs and services for juveniles and methods by which juveniles may access those programs and services, and detecting and preventing abuse, exploitation, and neglect of juveniles. The bill requires the employing court or governmental entity to implement the rules adopted by the governmental entity's governing body and requires the commissioners court or governing body of the municipality that administers a juvenile case manager fund to require periodic review of juvenile case managers to ensure the implementation of the rules.

C.S.S.B. 61 includes among the limited uses of a juvenile case manager fund the financing of training, travel expenses, office supplies, and other necessary expenses relating to the position of a juvenile case manager and prohibits such a fund from being used to supplement the income of

an employee whose primary role is not that of a juvenile case manager.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.S.B. 61 differs from the original by authorizing the governing body of a governmental entity that employs a juvenile case manager, as an alternative to a court that employs a juvenile case manager, to pay the salary and benefits of a juvenile case manager from the juvenile case manager fund, whereas the original makes no such alternative authorization. The substitute differs from the original by authorizing such a governing body or employing court to pay the costs of training, travel, office supplies, and other necessary expenses relating to the position of juvenile case manager from the fund, whereas the original authorizes such an employing court to pay for the case manager's training from the fund.

C.S.S.B. 61 differs from the original by requiring the rules for juvenile case managers adopted by the governing body of the employing governmental entity to provide appropriate educational preservice and in-service training standards for juvenile case managers and training in certain areas, whereas the original requires the rules to provide minimum education requirements and minimum training standards, including requirements that each case manager receive training in those areas. The substitute differs from the original, in the provisions listing the required areas of training provided by the rules, by including training in applicable procedural and substantive law and services to at-risk youth, whereas the original includes training in juvenile law and law enforcement proceedings. The substitute differs from the original by requiring the rules to provide training in detecting and preventing abuse, exploitation, and neglect of juveniles, rather than of children, as in the original.

C.S.S.B. 61 differs from the original by requiring the employing court or governmental entity to implement rules adopted by the governmental entity's governing body, rather than to enforce such rules, as in the original.

C.S.S.B. 61 differs from the original by including among the limited uses of a juvenile case manager fund the financing of training, travel expenses, office supplies, and other necessary expenses relating to the position of a juvenile case manager, whereas the original includes among such limited uses the training of a juvenile case manager.

C.S.S.B. 61 differs from the original by making nonsubstantive and conforming changes.