

BILL ANALYSIS

Senate Research Center

C.S.S.B. 61
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Jurisprudence
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The purpose of this legislation is to establish minimum training and educational standards for juvenile case managers similar to the requirements for juvenile probation officers.

Although the use of juvenile case managers has grown since their authorization in 2001, and the creation of the juvenile case manager fund in 2005, the legislative intent behind the creation of these case managers has largely been unrealized.

Juvenile case managers are intended to serve as problem solvers by fostering interaction between defendants and the judge, integrating social services into the disciplinary process, and cooperating with the juvenile, his or her parents, schools, and courts in order to best serve the interests of the juvenile and the community. However, many juvenile case managers have been relegated to the role of a court clerk and a collections agent.

Current Texas law does not establish any minimum standard of training or education for juvenile case managers. C.S.S.B. 61 seeks to establish minimum training and educational standards for juvenile case managers, including case planning and management; juvenile law; courtroom proceedings and presentation; law enforcement proceedings; local programs and services, including access procedures; code of ethics and disciplinary procedures; and detecting and preventing abuse, exploitation, and neglect of children. This training will create consistency across court systems and enable juvenile case managers to be more effective in their intended role as part court clerk, part probation officer, and part social worker.

C.S.S.B. 61 amends current law relating to juvenile case managers.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Article 45.056, Code of Criminal Procedure, to read as follows:

Art. 45.056. AUTHORITY TO EMPLOY JUVENILE CASE MANAGERS;
REIMBURSEMENT; MINIMUM STANDARDS.

SECTION 2. Amends Article 45.056, Code of Criminal Procedure, by amending Subsection (d) and adding Subsections (f), (g), and (h), as follows:

(d) Authorizes the court (a county or justice court on approval of the commissioners court or a municipal court on approval of the city council), pursuant to Article 102.0174, to pay the salary and benefits and pay for the training of the juvenile case manager from the juvenile case manager fund.

(f) Requires the governing body of the employing governmental entity under this article to adopt reasonable rules for juvenile case managers that provide:

(1) a code of ethics, and for the enforcement of that code;

(2) minimum education requirements; and

(3) minimum training standards, including requirements that each juvenile case manager receive training in: the role of the juvenile case manager; case planning and management; juvenile law; courtroom proceedings and presentation; law enforcement proceedings; 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 children.

(g) Requires the employing court or governmental entity under this article to enforce the rules adopted under Subsection (f).

(h) Requires the commissioners court or governing body of the municipality that administers the juvenile case manager fund under Article 102.0174 to require periodic review of juvenile case managers to ensure enforcement of the rules adopted under Subsection (f).

SECTION 3. Amends Article 102.0174(g), Code of Criminal Procedure, as follows:

(g) Authorizes a fund created under this section to be used only to finance the salary, benefits, and training of a juvenile case manager employed under Article 45.056. Prohibits the fund from being used to supplement the income of an employee whose primary role is not that of a juvenile case manager. Makes a nonsubstantive change.

SECTION 4. Requires the governing body of a governmental entity that employs a juvenile case manager under Article 45.0456, Code of Criminal Procedure, as amended by this Act, not later than December 1, 2011, to adopt the rules required under that article.

SECTION 5. Effective date: upon passage or September 1, 2011.