

BILL ANALYSIS

C.S.S.B. 209
By: Zaffirini
Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Current law allows certain courts to hire juvenile case managers to provide services in juvenile cases. While the use of juvenile case managers has grown since this authorization was granted, some believe the legislative intent behind the creation of these case managers has largely been unrealized. In some courtrooms, juvenile case managers report to clerks rather than the judge of the court and fill an administrative role instead of a problem-solving role. Requiring juvenile case managers to timely report to the appropriate judge may create a more effective management structure that will foster more interaction between the judge and juvenile case manager.

C.S.S.B. 209 seeks to require a juvenile case manager to timely report to the appropriate judge information or recommendations relevant to assist the judge in making certain decisions in the case and requires certain consultation between judges and juvenile case managers.

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. 209 amends the Code of Criminal Procedure to include a municipality in the alternative to a county commissioners court as an entity that approves the employment of juvenile case managers by a county or justice court and removes the specification that such case managers are employed full-time. The bill requires a juvenile case manager to give priority to, rather than to work primarily on, cases involving truancy and a parent's contribution to a child's truancy. The bill requires a juvenile case manager to timely report to the judge who signed the order or judgment and, on request, to the judge assigned to the case or the presiding judge any information or recommendations relevant to assisting the judge in making decisions that are in the best interest of the child. The bill requires the judge who is assigned to the case to consult with the juvenile case manager who is supervising the case regarding the child's home environment; the child's developmental, psychological, and educational status; the child's previous interaction with the justice system; and any sanctions available to the court that would be in the best interest of the child. The bill exempts from its reporting and consultation requirements a part-time judge or a county judge of a county court that has one or more full-time magistrates appointed to hear matters alleging a truancy violation.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.S.B. 209 contains provisions not included in the original including a municipality as an entity that approves the employment of a juvenile case manager, removing the specification that

such case managers are employed full-time, and requiring such case managers to give priority to truancy-related cases.

C.S.S.B. 209 contains provisions not included in the original requiring a juvenile case manager to timely report to certain judges involved in a juvenile case any information or recommendations relevant to assisting the judge in making decisions that are in the best interest of the child in the case, requiring the judge assigned to the case to consult with the juvenile case manager regarding certain matters relating to the child, and exempting certain judges from those requirements.

C.S.S.B. 209 omits a provision included in the original requiring the judge of a court employing a juvenile case manager to supervise the case manager and authorizing the judge to delegate that duty to certain other court officers, excluding the clerk of the court. The substitute differs from the original in nonsubstantive ways.