

BILL ANALYSIS

Senate Research Center
85R13947 LED-F

C.S.S.B. 539
By: Hinojosa
State Affairs
3/13/2017
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2015, five women were murdered during custody exchanges. Overall, eleven children witnessed the murder of their mothers, highlighting the need for better, safer custody solutions.

Currently, mediators handling suits affecting parent-child relationships (child custody) cases do not have training in domestic violence. Other professionals involved in child custody cases such as parenting time coordinators and child custody evaluators have a statutory requirement of a minimum of eight hours of training on domestic violence. Mediators play a pivotal role in child custody cases and families' lives.

S.B. 539 enhances family safety and well-being by including eight hours of domestic violence training requirement for mediators in child custody cases. Mediators with a base level of domestic violence knowledge can help accomplish safety in the mediation process.

C.S.S.B. 539 amends current law relating to the qualifications for an impartial third party in certain civil disputes.

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 Section 154.052(b), Civil Practice and Remedies Code, as follows:

(b) Requires a person, to qualify for an appointment as an impartial third party under this subchapter in a dispute relating to the parent-child relationship, to complete the training required by Subsection (a) (relating to minimum classroom training for impartial third parties) and an additional 24 hours of training in certain fields, including a minimum of eight hours of family violence dynamics training developed in consultation with a statewide family violence advocacy organization.

SECTION 2. Makes application of this Act prospective to January 1, 2018.

SECTION 3. Effective date: September 1, 2017.