

By: Giddings

H.B. No. 3109

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the duration of an appointment of a guardian ad litem or
3 an attorney ad litem for a child in the conservatorship of the
4 Department of Family and Protective Services.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 107.016, Family Code, is amended to read
7 as follows:

8 Sec. 107.016. CONTINUED REPRESENTATION; DURATION OF
9 APPOINTMENT. In a suit filed by a governmental entity in which
10 termination of the parent-child relationship or appointment of the
11 entity as conservator of the child is requested:

12 (1) an order appointing the Department of Family and
13 Protective Services as the child's temporary managing conservator
14 may provide for the continuation of the appointment of the guardian
15 ad litem or attorney ad litem for the child for any period set by the
16 court; ~~and~~

17 (2) an order appointing the Department of Family and
18 Protective Services as the child's permanent managing conservator
19 shall provide for the continuation of the appointment of the
20 attorney ad litem for the child as long as the child remains in the
21 conservatorship of the department; and

22 (3) an attorney appointed under this subchapter to
23 serve as an attorney ad litem for a parent or an alleged father
24 continues to serve in that capacity until the earliest of:

1 (A) the date the suit affecting the parent-child
2 relationship is dismissed;

3 (B) the date all appeals in relation to any final
4 order terminating parental rights are exhausted or waived; or

5 (C) the date the attorney is relieved of the
6 attorney's duties or replaced by another attorney after a finding
7 of good cause is rendered by the court on the record.

8 SECTION 2. The changes in law made by this Act apply to a
9 suit affecting the parent-child relationship filed before, on, or
10 after the effective date of this Act.

11 SECTION 3. This Act takes effect September 1, 2017.