

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 24, 2017

TO: Honorable John T. Smithee, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3785 by Capriglione (Relating to associate judges and court reporters for certain family law cases and proceedings.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Family Code to allow a resident of a county served by certain associate judges to file a petition for removal of that judge with the State Commission on Judicial Conduct and authorizes the commission to terminate the employment of the associate judge if the commission finds the associate judge abused the judge's discretion or acted in bad faith against a party. The bill also places additional requirements on associate judge courts for judges appointed under Chapter 201 of the Family Code for record keeping of court hearings. Based on the analysis of the Office of Court Administration and the Office of the Attorney General, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

According to OCA, to the extent that a county utilizes an associate judge appointed under Chapter 201 of the Family Code and does not currently use the services of a court reporter or an electronic audio recording device, the county may have costs to employ a court reporter or purchase an electronic audio recording device. However, since a court could utilize an electronic audio recording device and the cost is minimal, OCA presumes that a county would choose this option rather than employing a court reporter unless the county has existing resources to hire a court reporter. Therefore, no significant fiscal impact to the local courts is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General

LBB Staff: UP, LBO, GDz