

By: Miller

H.B. No. 1637

A BILL TO BE ENTITLED

AN ACT

1
2 relating to required training regarding trauma-informed care for
3 certain judges and attorneys.

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

5 SECTION 1. Subchapter A, Chapter 22, Government Code, is
6 amended by adding Section 22.0111 to read as follows:

7 Sec. 22.0111. TRAINING RELATED TO TRAUMA-INFORMED CARE.

8 (a) Each attorney representing the state in a suit filed by a
9 governmental entity under Subtitle E, Title 5, Family Code, seeking
10 termination of the parent-child relationship or the appointment of
11 a conservator for the child, each judge of a court with jurisdiction
12 over such suits, and each associate judge appointed under
13 Subchapter C, Chapter 201, Family Code, shall, as an official duty,
14 complete a training program regarding trauma-informed care and the
15 effect of trauma on children in the conservatorship of the
16 Department of Family and Protective Services.

17 (b) The supreme court shall adopt rules to provide for the
18 training required under this section. In adopting the rules, the
19 court shall consult with the Texas Center for the Judiciary, the
20 Supreme Court of Texas Permanent Judicial Commission for Children,
21 Youth, and Families, and the Child Protection Law Section of the
22 State Bar of Texas.

23 (c) Not later than the first anniversary of the date a judge
24 takes office or the date an associate judge is appointed and

1 qualifies for office, the judge or associate judge shall complete
2 the training required by this section.

3 (d) An attorney shall complete the training required by this
4 section before the attorney may represent the state in a suit
5 described by Subsection (a).

6 (e) The training required by this section must include
7 information regarding:

8 (1) the impact that trauma has on a child, including
9 how trauma may affect a child's memories, behavior, and
10 decision-making;

11 (2) attachment and how a lack of attachment may affect
12 a child;

13 (3) the role that trauma-informed care and services
14 can have in helping a child build resiliency and overcome the
15 effects of trauma and adverse childhood experiences;

16 (4) the importance of screening children for trauma
17 and the risk of mislabeling and inappropriate treatment of children
18 without proper screening, including increasing the use of
19 psychotropic medication;

20 (5) the potential for re-traumatization of children in
21 the conservatorship of the Department of Family and Protective
22 Services; and

23 (6) the availability of:

24 (A) research-supported, trauma-informed,
25 non-pharmacological interventions; and

26 (B) trauma-informed advocacy to increase a
27 child's access, while the child is in the conservatorship of the

1 Department of Family and Protective Services, to:

2 (i) trauma-informed care; and

3 (ii) trauma-informed mental and behavioral
4 health services.

5 SECTION 2. Section 22.110, Government Code, is amended by
6 adding Subsection (b-1) to read as follows:

7 (b-1) A judge or associate judge who completes the training
8 required by Section 22.0111 may count the hours of training
9 completed under that section to satisfy the training requirement of
10 Subsection (b).

11 SECTION 3. Subchapter H, Chapter 81, Government Code, is
12 amended by adding Section 81.1131 to read as follows:

13 Sec. 81.1131. CONTINUING LEGAL EDUCATION CREDIT. The state
14 bar shall count the hours of training an attorney licensed in this
15 state completes under Section 22.0111 toward the minimum continuing
16 legal education requirements of the state bar for the reporting
17 year in which the training is completed.

18 SECTION 4. Subchapter B, Chapter 40, Human Resources Code,
19 is amended by adding Section 40.044 to read as follows:

20 Sec. 40.044. TRAINING FOR ATTORNEYS. The department shall
21 ensure that each attorney who represents the department in a suit
22 affecting the parent-child relationship filed under Subtitle E,
23 Title 5, Family Code, receives the training required by Section
24 22.0111, Government Code.

25 SECTION 5. (a) Not later than December 1, 2019, the Supreme
26 Court of Texas shall adopt the rules necessary to provide the
27 training required by Section 22.0111, Government Code, as added by

1 this Act.

2 (b) A judge who is in office on the effective date of this
3 Act must complete the training required by Section 22.0111,
4 Government Code, as added by this Act, not later than September 1,
5 2020.

6 SECTION 6. This Act takes effect September 1, 2019.