

By: Kolkhorst

S.B. No. 560

A BILL TO BE ENTITLED

AN ACT

relating to a plan and report on court-ordered representation for certain suits affecting the parent-child relationship.

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

SECTION 1. Subchapter C, Chapter 71, Government Code, is amended by adding Section 71.0355 to read as follows:

Sec. 71.0355. PLAN AND REPORT ON COURT-ORDERED REPRESENTATION. (a) The council shall develop a statewide plan requiring counties and courts in this state to report information on court-ordered representation for appointments made in suits affecting the parent-child relationship under Part 1, Subchapter B, Chapter 107, Family Code. In developing the plan, the council must consider the costs to counties of implementing the plan and design the plan to reduce redundant reporting.

(b) Not later than November 1 of each odd-numbered year and in the form and manner prescribed in the plan, each district or county clerk serving a court subject to the plan shall prepare and provide to the council:

(1) a copy of all formal and informal rules and forms the court uses to appoint representation in suits affecting the parent-child relationship under Part 1, Subchapter B, Chapter 107, Family Code; and

(2) any fee schedule the court uses for court-ordered representation.

1 (c) Each county auditor, or other individual designated by
2 the commissioners court of a county, shall prepare and send to the
3 council in the form and manner prescribed in the plan information on
4 the money spent by the county during the preceding state fiscal year
5 to provide court-ordered representation in suits affecting the
6 parent-child relationship under Part 1, Subchapter B, Chapter 107,
7 Family Code. The information must include:

8 (1) the total amount of money spent by the county to
9 provide court-ordered representation services; and

10 (2) of the money spent under Subdivision (1), the
11 amount of money spent:

12 (A) for appointments in each district court,
13 county court, statutory county court, and appellate court in the
14 county;

15 (B) for appointments of private attorneys for
16 indigent defendants;

17 (C) for appointments of public defenders for
18 indigent defendants; and

19 (D) for investigation, expert witness, or other
20 litigation expenses.

21 (d) Each district and county clerk serving a court subject
22 to the plan and each county auditor, or other individual designated
23 by the commissioners court of a county, shall provide to the council
24 the information required under the plan and this section.

25 (e) The council annually shall:

26 (1) compile in a report the information submitted to
27 the council under the plan and this section;

1 (2) submit the report compiled under Subdivision (1)
2 to the governor, lieutenant governor, and speaker of the house of
3 representatives; and

4 (3) electronically publish the report compiled under
5 Subdivision (1).

6 SECTION 2. (a) As soon as practicable after the effective
7 date of this Act, the Texas Judicial Council shall develop the plan
8 required by Section 71.0355, Government Code, as added by this Act.

9 (b) Notwithstanding Section 71.0355, Government Code, as
10 added by this Act, a county or court in this state is not required to
11 comply with that section until September 1, 2020, or a later date
12 provided in the plan developed under that section.

13 SECTION 3. This Act takes effect September 1, 2019.