

By: Kolkhorst

S.B. No. 1633

A BILL TO BE ENTITLED

AN ACT

relating to a program within the Office of Court Administration of the Texas Judicial System to provide reimbursement for legal representation in certain suits affecting the parent-child relationship.

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

SECTION 1. Subchapter C, Chapter 72, Government Code, is amended by adding Section 72.033 to read as follows:

Sec. 72.033. REIMBURSEMENT PROGRAM FOR PROVIDING LEGAL REPRESENTATION IN CHILD PROTECTION COURTS. (a) In this section, "child protection court" means a court presided over by an associate judge appointed under Subchapter C, Chapter 201, Family Code, and to whom child protection cases are referred in accordance with that subchapter.

(b) The director shall establish a program within the office to reimburse counties for certain attorney's fees paid by the counties for legal representation provided under Part 1, Subchapter B, Chapter 107, Family Code, in suits affecting the parent-child relationship heard in a child protection court. A county may be reimbursed for attorney's fees if:

(1) the attorney who provided representation was on the list maintained by the office under Subsection (c); and

(2) the attorney was paid in accordance with the fee schedule set by the office for attorney's fees under Subsection

1 (c).

2 (c) The office shall:

3 (1) maintain a list of attorneys whose fees may be
4 eligible for state reimbursement to the county under this section;

5 (2) establish minimum standards and qualifications
6 for an attorney to be placed on the list;

7 (3) monitor and audit the legal representation
8 provided by the attorneys whose fees are reimbursed under this
9 section; and

10 (4) set a uniform fee schedule that a county must
11 follow to qualify for reimbursement under this section.

12 (d) The office may use available funding to expand the
13 reimbursement provided to counties other than those with a child
14 protection court for suits affecting the parent-child relationship
15 under Part 1, Subchapter B, Chapter 107, Family Code.

16 (e) Not later than December 31 of each even-numbered year,
17 the office shall report to the legislature:

18 (1) a list of the counties that received reimbursement
19 under this section and the amount received by each county;

20 (2) the number of cases, by county, where attorney's
21 fees were eligible for reimbursement under this section;

22 (3) the average amount per case reimbursed to each
23 county under this section; and

24 (4) a list of the counties with child protection
25 courts that did not receive reimbursement under this section.

26 SECTION 2. This Act takes effect September 1, 2019.