

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 11, 2019

TO: Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB2803 by Murr (Relating to associate judges for guardianship proceedings and protective services proceedings in certain courts.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code concerning the appointment of associate judges to assist certain courts in conducting guardianship proceedings or protective services proceedings. The bill would permit the presiding judge of an administrative judicial region, after conferring with certain courts, to determine whether those courts require the appointment of an associate judge to assist those courts in conducting guardianship proceedings or protective services proceedings and sets out the qualifications of the judge and process for that appointment or a reappointment. Any such appointed associate judge would be entitled to a salary that is 90 percent of the salary paid to a district judge as set by the General Appropriations Act. The bill establishes the duties and powers of these associate judges.

The bill would require the Office of Court Administration (OCA) to assist the presiding judges in monitoring appointed associate judge's compliance with job performance standards, adopted uniform practices, and state and federal law and policies. The bill requires OCA to develop caseload standards for these associate judges.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

The bill does not require the adoption and implementation of an associate judge program to assist in guardianship and protective order cases, and OCA anticipates that no associate judges would be appointed without sufficient funding being available for this purpose from federal, state, or local sources. While the associate judge's host county must provide courtroom, furniture, utilities, phone, equipment, and other personnel assisting the associate judge, OCA anticipates that no associate judge would be appointed unless the host county had sufficient funds to provide the facility and these services. Therefore, no significant fiscal impact to local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: WP, SLE, DA, CMa, GDz