

BILL ANALYSIS

H.B. 890
By: VanDeaver
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Temporary authorization during the COVID-19 pandemic to conduct juvenile hearings remotely has resulted in a significant reduction in the time that juveniles spend in detention facilities. By holding these hearings virtually, parties have been able to participate more easily from multiple locations, leading to cost-savings associated with transportation. The success of these remote hearings for juvenile cases has led to suggestions to permanently continue the practice. H.B. 890 seeks to address the issue by providing for a juvenile court to conduct remote proceedings with assistance and guidance provided by the Office of Court Administration of the Texas Judicial System.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 890 amends the Family Code to authorize a juvenile court to do the following:

- conduct a hearing or other proceeding under the juvenile justice code as a remote proceeding, including through teleconferencing or videoconferencing, without the consent of the parties unless consent is required by the U.S. or Texas Constitution; and
- allow or require a party, attorney, witness, court reporter, juror, or any other individual to participate in a remote proceeding, including a deposition, hearing, or other proceeding under that code.

H.B. 890 requires the Office of Court Administration of the Texas Judicial System (OCA) to provide guidance and assistance to the extent possible to a juvenile court conducting a remote proceeding involving a jury. The bill requires a juvenile court judge to submit to OCA a plan for conducting remote proceedings that includes protocols for handling physical evidence and requires an unobstructed view of any party or witness who provides testimony from a remote location.

H.B. 890 repeals Section 54.012(b), Family Code.

EFFECTIVE DATE

September 1, 2021.