

BILL ANALYSIS

C.S.H.B. 3962
By: Neave
Juvenile Justice & Family Issues
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Domestic relations offices (DRO) offer a number of beneficial services to county constituents in their family district courts, including adoption evaluations, parenting coordination, child possession and access establishment and enforcement, mediation, parent conferences and workshops, child custody evaluations, community supervision, and child support. Currently, DROs may file suits to enforce possession or access orders for a child and enforce or modify child support, but do not have specific authority to modify possession or access orders for a child. When a parent is unable to visit with their child due to an unenforceable court order, they face legal hurdles that can be expensive, emotionally draining, and time-consuming. As a workaroud, DROs may assist as a friend of the court and provide modifications, but this can be a cumbersome and lengthy process. C.S.H.B. 3962 seeks to grant DROs authority to modify possession or access orders and provide clarification regarding the information and services available from DROs to assist parents in understanding their duties and obligations.

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

C.S.H.B. 3962 amends the Family Code to authorize a domestic relations office to modify or clarify a court order for possession of and access to a child. The bill clarifies that a domestic relations office's authority to file a suit and provide information to assist a party in understanding, complying with, or enforcing their duties and obligations under such a suit applies with respect to statutory provisions relating to the parent-child relationship and the suit affecting the parent-child relationship.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3962 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.