

BILL ANALYSIS

Senate Research Center

S.B. 567
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Jurisprudence
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Domestic relations offices (DRO) offer a number of beneficial services to county constituents in their family district courts, including: adoption evaluations, parenting coordination, possession and access establishment/enforcement, mediation, parent conferences, child custody evaluations, community supervision, child support, parenting workshops and more.

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 workaround, DROs may assist as a Friend of the Court and provide modifications, however, this is a cumbersome and lengthy process.

In addition, DROs have specific authority to provide parents with information about their duties and obligations related to paternity, child support, and possession/access. However, Family Code Section 203.004 infers that this authority extends to other services listed in the Family Code, such as alternative dispute resolutions services.

S.B. 567 seeks to amend Family Code Chapter 203 to grant DROs authority to modify possession or access orders and provide clarification regarding the information and services available to assist parents in understanding their duties and obligations under the Family Code. These statutory changes will help DROs better assist numerous Texas families.

As proposed, S.B. 567 amends current law relating to the powers and duties of a domestic relations office.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 203.004(a), Family Code, as follows:

Sec. 203.004. POWERS AND DUTIES. (a) Authorizes a domestic relations office to:

(1) and (2) makes no changes to these subdivisions;

(3) file a suit under Title 5 (The Parent-Child Relationship and the Suit Affecting the Parent-Child Relationship), rather than file a suit, including a suit to establish paternity, and to enforce, clarify or modify a court order for child support or for possession of and access to a child, rather than enforce a court order for child support or for possession of and access to a child and modify or clarify an existing child support order;

(4)-(9) makes no changes to these subdivisions;

(10) provide information to assist a party in understanding, complying with, or enforcing the party's duties and obligations under this Code, rather than under Subdivision (3);

(11)-(13) makes no changes to these subdivisions.

SECTION 2. Effective date: September 1, 2021.