

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

March 20, 2021

TO: Honorable Victoria Neave, Chair, House Committee on Juvenile Justice & Family Issues

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB852 by Cook (Relating to the powers, duties, and qualifications of an amicus attorney in a suit affecting the parent-child relationship.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Family Code to clarify the powers and duties of amicus attorneys as distinct and separate from the powers and duties of attorneys ad litem for children. The bill would provide that amicus attorneys must perform certain duties and make certain certifications to the court regarding relevant continuing legal education or specialization. The bill would require the order appointing the amicus to include certain duties, prevent the amicus from expressing certain opinions or recommendations to the court or jury, subject the amicus to certain discovery rules, and limit the attorney-client relationship for certain work performed. The bill would require certain conflict of interest disclosures for amicus attorneys and prevent the court from appointing an amicus upon certain disclosures or require the court to remove the amicus upon certain disclosures.

Based on information provided by the Office of Court Administration, no significant fiscal impact to the state court system is anticipated as a result from implementing the provisions of the bill.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Admin

LBB Staff: JMc, DKN, MW, BH