

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

March 27, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB890 by VanDeaver (Relating to remotely conducting depositions, hearings, and other proceedings in juvenile cases.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Family Code to allow a juvenile court to remotely conduct a hearing or other proceeding under Family Code Title 3 without the consent of the parties unless the US or Texas Constitutions require consent, and allows the court to 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 Title 3.

The bill would require the Office of Court Administration (OCA) to provide guidance and assistance to the extent possible to a juvenile court conducting a remote proceeding involving a jury. The bill would require the judge of a juvenile court to submit to the OCA a plan for conducting remote proceedings under Title 3, which must include protocols for handling physical evidence and require an unobstructed view of any party or witness who provides testimony from a remote location.

The bill would amend the Family Code to permit a detention hearing via interactive video equipment without the consent of the parties unless the US or Texas Constitutions require consent. The bill repeals Family Code Section 54.012(b), which prevents a detention hearing through video equipment unless the video equipment provides for certain two-way communication.

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