

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 5, 2021**

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

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: SB2049** by Menéndez (Relating to guardians ad litem for children who are in the juvenile justice system and the child protective services system.), **Committee Report 2nd House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Family Code to add definitions for “dual-system child” and “dual-status child.” The bill would also provide that a juvenile court may appoint the guardian ad litem under Family Code Chapter 107 for a child in a suit affecting the parent-child relationship filed by the Department of Family and Protective Services (DFPS) to serve as the guardian ad litem for the child in a proceeding under Title 3 of the Family Code. The bill would prevent a non-attorney guardian ad litem in a case involving a dual-system child from investigating any charges involving a dual-status child that are pending with the juvenile court and from offering testimony concerning the guilt or innocence of a dual-system child.

The bill would amend the Family Code to provide that the court may appoint the person appointed as guardian ad litem for the child under Family Code Section 51.11 to also serve as the guardian ad litem under Section 107.011.

Based on the analysis of the Office of Court Administration and DFPS, it is assumed that duties and responsibilities associated with implementing the bill could be accomplished utilizing existing resources. In addition, no significant fiscal impact to the state court system is anticipated with the implementation of the bill.

**Local Government Impact**

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

**Source Agencies:** 212 Office of Court Admin, 530 Family & Protective Services

**LBB Staff:** JMc, DKN, BH, AKI