

House Bill 1315
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 107.016, Family Code, is amended to read as follows:

Sec. 107.016. CONTINUED REPRESENTATION; DURATION OF APPOINTMENT. In a suit filed by a governmental entity in which termination of the parent-child relationship or appointment of the entity as conservator of the child is requested:

(1) ~~[an order appointing the Department of Family and Protective Services as the child's managing conservator may provide for the continuation of the appointment of the guardian ad litem for the child for any period during the time the child remains in the conservatorship of the department, as set by the court;~~

~~[(2)]~~ an order appointing the Department of Family and Protective Services as the child's managing conservator shall ~~[may]~~ provide for the continuation of the appointment of the guardian ad litem and the attorney ad litem for the child, or an attorney appointed to serve in the dual role, as long as the child remains in the conservatorship of the department; and

~~(2)~~ ~~[(3)]~~ an attorney appointed under this subchapter to serve as an attorney ad litem for a parent or an alleged father continues to serve in that capacity until the earliest of:

- (A) the date the suit affecting the parent-child relationship is dismissed;
- (B) the date all appeals in relation to any final order terminating parental rights are exhausted or waived; or
- (C) the date the attorney is relieved of the attorney's duties or

SENATE VERSION (CS)

SECTION 1. Section 107.016, Family Code, is amended to read as follows:

Sec. 107.016. CONTINUED REPRESENTATION; DURATION OF APPOINTMENT. In a suit filed by a governmental entity in which termination of the parent-child relationship or appointment of the entity as conservator of the child is requested:

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~~[(2)]~~ an order appointing the Department of Family and Protective Services as the child's managing conservator:

(A) shall ~~[may]~~ provide for the continuation of the appointment of the guardian ad litem ~~or the attorney ad litem~~ for the child, or an attorney appointed to serve in the dual role, as long as the child remains in the conservatorship of the department; and

(B) may provide for the continuation of the appointment of both the attorney ad litem and the guardian ad litem for the child if both have been appointed, as long as the child remains in the conservatorship of the department; and

~~(2)~~ ~~[(3)]~~ an attorney appointed under this subchapter to serve as an attorney ad litem for a parent or an alleged father continues to serve in that capacity until the earliest of:

- (A) the date the suit affecting the parent-child relationship is dismissed;
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CONFERENCE

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HOUSE VERSION

replaced by another attorney after a finding of good cause is rendered by the court on the record.

SECTION 2. The changes in law made by this Act apply to a suit affecting the parent-child relationship filed before, on, or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2021.

SENATE VERSION (CS)

replaced by another attorney after a finding of good cause is rendered by the court on the record.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

CONFERENCE