

## **BILL ANALYSIS**

H.B. 1502  
By: Plesa  
Juvenile Justice & Family Issues  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

There are many Texas children involved in cases in which the family-child relationship is being considered for termination or in which the placement of a child in the conservatorship of the Department of Family and Protective Services (DFPS) is being determined. Children in DFPS conservatorship proceedings have unique needs and coping strategies that may be intimidating or misperceived by those who aren't trained to identify and respond to these critical situations. Attorneys representing DFPS and the judges involved in these cases are not always fully versed in the unique needs, experiences, and circumstances such children face. While virtually all of these judges and attorneys demonstrate a commitment and great care to the welfare of these children, there remains a lack of uniform training among them, which is needed to ensure that all parties are knowledgeable about best practices when interacting with such children. H.B. 1502 seeks to address this issue by providing for judicial training related to the problems of childhood trauma and requiring each attorney employed or under contract with DFPS who is involved in a case seeking the termination of the parent-child relationship or appointment of conservatorship to complete a trauma-informed care training.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1502 sets out training and instruction requirements for certain attorneys and judges regarding trauma-informed care. The bill amends the Family Code to require the Department of Family and Protective Services (DFPS) to ensure that each attorney whom DFPS employs or contracts with to represent the state in an applicable suit completes a training program regarding trauma-informed care and the effect of trauma on children in DFPS conservatorship. An applicable suit is a suit filed by a governmental entity seeking termination of the parent-child relationship or the appointment of a conservator for a child. The bill sets out the required content of the training, requires an attorney to complete the training before the attorney may represent the state in such a suit, and requires an attorney employed by or under contract with DFPS on the bill's effective date to complete the training not later than September 1, 2024.

H.B. 1502 amends the Government Code to require the Texas Supreme Court to provide judicial training related to the problems of childhood trauma, which also must include information about issues related to adverse childhood experiences. The bill requires the Texas Court of Criminal Appeals to assure that judicial training related to childhood trauma is provided to applicable

judges and judicial officers and requires associated instruction to include specified information about childhood trauma and adverse childhood experiences. The bill revises requirements for court of criminal appeals rules regarding the judicial training in the following manner:

- includes instruction on childhood trauma and adverse childhood experiences as one of the optional topics in certain training required for judges and judicial officers in the first term of office or first four years of service, as applicable;
- requires a judge of a court with jurisdiction over cases involving children in DFPS conservatorship or children in the juvenile justice system to complete at least three hours of such instruction as part of the training required during the judge's first term of office; and
- requires a judge of such a court to complete at least one hour of such instruction as part of the additional training required during each additional term in office.

H.B. 1502 requires an applicable judge or judicial officer who is in office on the bill's effective date to complete the training required by the bill not later than December 1, 2025.

**EFFECTIVE DATE**

September 1, 2023.