

By: Hull

H.B. No. 3519

A BILL TO BE ENTITLED

AN ACT

relating to judicial training requirements regarding family violence.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 22.110(b), Government Code, is amended to read as follows:

(b) The court of criminal appeals shall adopt the rules necessary to accomplish the purposes of this section. The rules must:

(1) require each district judge, judge of a statutory county court, associate judge appointed under Chapter 54A of this code or Chapter 201, Family Code, master, referee, and magistrate to complete ~~[at least 12 hours of the training]~~ within the judge's first term of office or the judicial officer's first four years of service and provide ~~[a method for]~~ certification of completion of at least 12 hours of [that] training that includes:

(A) at [.] At] least four hours [of the training must be] dedicated to issues related to trafficking of persons and child abuse and neglect that cover [and must cover] at least two of the topics described in Subsections (d)(8)-(12),

(B) at [.] At] least six hours [of the training must be] dedicated to the training described by Subsections (d)(5), (6), and (7); and

(C) at least one hour dedicated to the training

1 described by Subsection (d) (13).

2 (2) [~~The rules must~~] require each judge and judicial  
3 officer to complete [~~an additional five hours of training~~] during  
4 each additional term in office or four years of service an  
5 additional five hours of training that includes; and

6 (A) at [~~At~~] least two hours [~~of the additional~~  
7 ~~training must be~~] dedicated to the training described by  
8 Subsections (d) (11) and (12); and

9 (B) at least one hour dedicated to the training  
10 described by Subsection (d) (13).

11 (3) require each judge of a court having primary  
12 responsibility for or giving preference to family law or family  
13 violence matters to complete an additional hour of training  
14 described by Subsection (d) (13) every two years.

15 ~~The rules must exempt from the training requirement of~~  
16 ~~this subsection each judge or judicial officer who files an~~  
17 ~~affidavit stating that the judge or judicial officer does not hear~~  
18 ~~any cases involving family violence, sexual assault, trafficking of~~  
19 ~~persons, or child abuse and neglect.~~

20 (c) In adopting the rules, the court of criminal appeals may  
21 consult with the supreme court and with professional groups and  
22 associations in the state that have expertise in the subject matter  
23 to obtain the recommendations of those groups or associations for  
24 instruction content.

25 (d) The instruction must include information about:

26 (1) statutory and case law relating to videotaping a  
27 child's testimony and relating to competency of children to

1 testify;

2 (2) methods for eliminating the trauma to the child  
3 caused by the court process;

4 (3) case law, statutory law, and procedural rules  
5 relating to family violence, sexual assault, trafficking of  
6 persons, and child abuse and neglect;

7 (4) methods for providing protection for victims of  
8 family violence, sexual assault, trafficking of persons, and child  
9 abuse and neglect;

10 (5) available community and state resources for  
11 counseling and other aid to victims and to offenders;

12 (6) gender bias in the judicial process;

13 (7) dynamics and effects of being a victim of ~~family~~  
14 ~~violence~~, sexual assault, trafficking of persons, or child abuse  
15 and neglect;

16 (8) dynamics of sexual abuse of children, including  
17 child abuse accommodation syndrome and grooming;

18 (9) impact of substance abuse on an unborn child and on  
19 a person's ability to care for a child;

20 (10) issues of attachment and bonding between children  
21 and caregivers;

22 (11) issues of child development that pertain to  
23 trafficking of persons and child abuse and neglect, ~~and~~

24 (12) medical findings regarding physical abuse,  
25 sexual abuse, trafficking of persons, and child abuse and neglect.

26 (13) dynamics of family violence.

27 (d-1) The sponsoring organization for any training on

1 issues related to child abuse and neglect must have at least three  
2 years' experience in training professionals on child abuse and  
3 neglect issues or have personnel or planning committee members who  
4 have at least five years' experience in working directly in the  
5 field of child abuse and neglect prevention and treatment.

6 (d-2) The sponsoring organization for any training  
7 described by Subsection (d) (13) must develop the training in  
8 consultation with a statewide family violence advocacy  
9 organization

10 SECTION 2. (a) Not later than December 1, 2023, the Texas  
11 Court of Criminal Appeals shall adopt the rules necessary to  
12 provide the training required under Section 22.110, Government  
13 Code, as amended by this Act.

14 (b) Notwithstanding Section 22.110, Government Code, as  
15 amended by this Act, a judge, master, referee, or magistrate who is  
16 in office on the effective date of this Act must complete the  
17 training required by Section 22.110, Government Code, as amended by  
18 this Act, as applicable, not later than December 1, 2025.

19 SECTION 3. This Act takes effect September 1, 2023.