

**HOUSE OF REPRESENTATIVES  
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Juvenile Justice & Family Issues  
For HB 1499

Compiled on: Wednesday, April 12, 2023 10:07 PM

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Hearing Date: April 12, 2023 10:30 AM - or upon final adjourn./recess or bill referral if permission granted

Phil Crowley, Taylor County Judge  
Taylor County  
Abilene, TX

Good Afternoon Honorable Representatives, I am writing you to express my concerns about proposed House Bill (HB) 1499 authored by the Honorable Representative Campos. HB 1499 would apply in any suit filed by the Texas Department of Family and Protective Services (DFPS) under Chapters 263 or 264 of the Texas Family Code. Every case currently filed in the Child Protection Court of Taylor County, Texas would be impacted by this bill because they are all either 263 or 264 suits.

Taylor County has approximately three hundred cases filed by DFPS that involve roughly five hundred children. Our Court appointment list has only twelve attorneys willing to accept representation for parents in these three hundred cases. We currently have eighteen attorneys willing to accept representation as attorneys and guardians for about five hundred children. Five of the eighteen attorneys on the Court appointment list to represent children are also on our parent list, which creates difficulties in avoiding conflicts.

House Bill 1499 would require attorney and guardian ad litem in Child Protective Services (CPS) cases to interview within seven business days after the date of appointment their client, all parties, and each person who has significant knowledge of the child's history including educators, service providers and foster parents. Further, an attorney ad litem for a child must meet with their client seventy-two hours before each statutory hearing and must determine if the child's educational goals are being met before each statutory hearing. In addition, the attorney for a child must review the child's safety and well-being and take appropriate action at least once each month, including requesting additional hearings. So, this proposed statute would require appointed attorneys and guardians to travel to potentially multiple locations interviewing children, family, parents, educators, etc. all within seven business days of appointment. The statute as currently written gives ad litem "reasonable time" to accomplish the tasks of interviewing their client, parties or others with significant information.

The attorneys on our list have extremely busy practices and often practice in other counties as well. Taylor County also has Court-Appointed Special Advocates (CASAs) who are unpaid community volunteers who serve as guardian ad litem on many of our cases. Many attorneys and CASA volunteers will not have time to meet all the new requirements in seven days and pay stop taking these cases. I believe there are good intentions behind this proposed legislation and it may not be as horrendous an issue in counties with large metropolitan communities saturated with lawyers, but it is an issue for West Texas and Taylor County. Point-blank: if there are insufficient numbers of attorneys to serve the cases, the system fails.

Please contact me if you would like any clarification or have any questions or concerns.

Thank you very much for your time and consideration.