

BILL ANALYSIS

Senate Research Center
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S.B. 2501
By: Zaffirini
Jurisprudence
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, indigent persons in family court are appointed an attorney from a list of approved attorneys. This limits person's choice in representation. S.B. 2501 would give indigent parents in child welfare cases filed by the Department of Family and Protective Services the right to choose their own attorney, provided the attorney is licensed and qualified. Selected attorneys would be compensated at the same rate as court-appointed attorneys in the county, ensuring consistent payment. S.B. 2501 gives parents more control over their legal representation while maintaining fairness in attorney compensation.

As proposed, S.B. 2501 amends current law relating to selection of an attorney by an indigent parent for appointment as attorney ad litem for the parent in certain suits affecting the parent-child relationship.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 107.013, Family Code, by adding Subsections (f) and (g), as follows:

(f) Authorizes a parent who the court has determined is indigent for the purposes of Section 107.013 (Mandatory Appointment of Attorney Ad Litem for Parent) to select an attorney who is licensed to practice law in this state and is in good standing with the State Bar of Texas to represent the parent in a suit described by Subsection (a) (relating to requiring the court, in a suit filed by a governmental entity in which termination of the parent-child relationship or the appointment of a conservator for a child is requested, to appoint an attorney ad litem to represent the interests of certain individuals). Requires the court, if the court determined the attorney selected by the parents is otherwise qualified for appointment as attorney ad litem under Section 107.0131 (Powers and Duties of Attorney Ad Litem for Parent), to appoint the attorney selected by the parent as attorney ad litem for the parent under this section and terminate the appointment of any previously appointed attorney ad litem for the parent on the filing of a notice of appearance by the attorney selected by the parent.

(g) Provides that an attorney selected by a parent and appointed as attorney ad litem for the parent under Subsection (f) is subject to all provisions of Chapter 107 (Special Appointments, Child Custody Evaluations) and Subtitle E (Protection of the Child) applicable to an attorney ad litem for a parent, including provisions related to attorney discipline, and is entitled to the compensation provided by Section 107.015 (Attorney Fees).

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2025.