

## **BILL ANALYSIS**

Senate Research Center  
82R10627 EES-D

H.B. 3314  
By: Carter (Nelson)  
Jurisprudence  
5/10/2011  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 3314 amends current law relating to a requirement that an attorney ad litem appointed for a child file a statement with the court regarding the attorney ad litem's meeting with the child or other specified person.

### **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 107.004(d), Family Code, as follows:

(d) Requires an attorney ad litem appointed for a child in a proceeding under Chapter 262 (Procedures in Suit by Governmental Entity to Protect Health and Safety of Child) or 263 (Review of Placement of Children Under Care of Department of Protective and Regulatory Services), except as provided by Subsection (e) (relating to an attorney ad litem appointed for a child in a proceeding under Chapter 262 or 263 being not required to comply with Subsection (d) before a hearing under certain conditions), to:

(1) meet before each court hearing with:

(A) the child, if the child is at least four years of age; or

(B) the individual with whom the child ordinarily resides, including the child's parent, conservator, guardian, caretaker, or custodian, if the child is younger than four years of age; and

(2) if the child or individual is not present at the court hearing, file a written statement with the court indicating that the attorney ad litem complied with Subdivision (1).

SECTION 2. Effective date: September 1, 2011.