

BILL ANALYSIS

Senate Research Center

H.B. 2737
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Widespread feedback from across the state has indicated that persons elected to judicial office are not required to have previous training on certain sensitive issues such as child abuse or trauma or training relating to contributing environmental factors in cases involving children. This has created disparities in individual judges' handling of child protective services and juvenile justice cases. H.B 2737 seeks to remedy this situation by requiring the Texas Supreme Court annually to provide guidance and recommended best practices to judges who preside over such cases.

H.B 2737 amends the Government Code to require the Texas Supreme Court annually to provide guidance to judges who preside over child protective services cases or juvenile cases to establish greater uniformity across the state for issues related to the following, as appropriate:

- placement of children with severe mental health issues;
- changes in placement;
- final termination of parental rights;
- the release of children detained in juvenile detention facilities;
- certification of juveniles to stand trial as adults; and
- commitment of children to the Texas Juvenile Justice Department. The bill requires the court to adopt the rules necessary to accomplish the bill's purposes.

H.B. 2737 amends current law relating to judicial guidance related to child protective services cases and juvenile cases.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Supreme Court of Texas in SECTION 1 (Section 22.0135, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 22, Government Code, by adding Section 22.0135, as follows:

Sec. 22.0135. JUDICIAL GUIDANCE RELATED TO CHILD PROTECTIVE SERVICES CASES AND JUVENILE CASES. (a) Requires the Supreme Court of Texas (supreme court), in conjunction with the Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families, annually to provide guidance to judges who preside over child protective services cases or juvenile cases to establish greater uniformity across the state for:

- (1) in child protective services cases, issues related to:
 - (A) placement of children with severe mental health issues;
 - (B) changes in placement; and
 - (C) final termination of parental rights; and

(2) in juvenile cases, issues related to:

(A) placement of children with severe mental health issues;

(B) the release of children detained in juvenile detention facilities;

(C) certification of juveniles to stand trial as adults;

(D) a child's appearance before a court in a judicial proceeding, including the use of a restraint on the child and the clothing worn by the child during the proceeding; and

(E) commitment of children to the Texas Juvenile Justice Department.

(b) Requires the supreme court to adopt the rules necessary to accomplish the purposes of this section.

SECTION 2. Effective date: September 1, 2019.