

BILL SUMMARY

1st Session of the 59th Legislature

Bill No.:	SB19X
Version:	CS
Request Number:	54x
Author:	Rep. Wallace and Rep. Martinez
Date:	5/22/2023
Impact:	See Analysis Below

Research Analysis

The CS for SB19X creates the Family Representation and Advocacy Act which creates the Family Representation and Advocacy Program within the Administrative Office of the Courts in order to ensure uniform and high-quality legal representation for children and indigent parents, legal guardians, and Indian custodians in deprived child actions. The central office will work statewide with judicial districts and attorneys by contracting with, training, compensating, and supporting legal counsel for children, indigent parents, legal guardians, and Indian custodians appointed by the court. The Program must ensure that all counsel have the training, support, and access to provide uniform and high-quality legal representation. The central office will not provide direct legal representation to clients except in selected appeals. The measure provides for the hiring of an executive director for the program who will then hire all staff. The Program will have authority to contract with an legal entity and social workers as needed. The existing Offices of Public Offender will continue to provide representation for children in deprived children proceedings and may elect to contract with the Program. The Program will prioritize judicial districts where attorneys are unavailable for court appointments or are minimally compensated and ensure that counsel and interdisciplinary contractors are adequately compensated.

The measure creates a revolving fund designated the Family Representation and Advocacy Program Revolving Fund. The Administrative Office of the Courts will allocate and expend funds from the revolving fund to provide for necessary operating costs of the program. Eligible contracting organizations must maintain books and records in accordance with generally accepted accounting principles. The Administrative Office of the Courts may use up to 2.5% of the funds deposited in any given fiscal year to provide financial support staff, financial data entry staff and facilities, and operating assistance. The measure requires an annual report to be transmitted to Legislature leadership and the Governor no later than December 31 each year.

Prepared By: House Research Staff

Fiscal Analysis

The committee substitute creates a new revolving fund within the Administrative Office Courts to represent families to ensure uniform and high quality legal representation to deprived child proceedings. \$4,600,000 is appropriated to the fund per Section 140 of HB1004X of the 1st Extraordinary Session of the 59th Legislature.

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Other Considerations

None.

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