

SUBJECT: Establishing a children's advocacy center

COMMITTEE: Juvenile Justice — committee substitute recommended

VOTE: 5 ayes — Goodman, Brady, Naishtat, Puente, Van de Putte
0 nays
4 absent — Cook, H. Cuellar, De La Garza, Williamson

WITNESSES: None

DIGEST: CSHB 2571 would provide for the establishment of Children's Advocacy Centers to serve two or more contiguous counties. A center would assess the needs of child abuse victims and their families, provide needed services and a facility at which a multidisciplinary team would work to facilitate the efficient and appropriate disposition of child abuse cases. It would also coordinate the child abuse investigation and service activities of other governmental entities.

This act would take effect September 1, 1995.

Memorandum of understanding

An execution of a memorandum of understanding would be required prior to center establishment between the Department of Protective and Regulatory Services (PRS) and representatives of county and municipal law enforcement agencies, county or district attorneys and representatives of other governmental entities that participate in child abuse investigations or offer services to child abuse victims.

The memorandum of understanding executed between the parties would be an agreement by the parties to:

- develop a cooperative, team approach to investigating child abuse;
- reduce, to the greatest extent possible, the number of interviews required of a child abuse victim to minimize the negative impact of the investigation on the child; and
- develop and maintain an environment that emphasizes the best interests of children and that provides investigatory and rehabilitative services.

One or more of the participating entities to the memorandum of understanding could provide office space and administrative services necessary for the center's operation.

Board and team activities

The executive officer or board of each participating entity entering into the memorandum of understanding would be required to appoint a member to serve on the governing board of the center. A governing board member would serve at the pleasure of the appointing executive officer or board.

The center's board would be required to appoint a multidisciplinary team consisting of persons who are involved in the investigation or prosecution of child abuse cases or the delivery of services to child abuse victims and their families. This team would review new and pending child abuse cases for purposes of coordinating investigation, prosecution and victim services activities. The team would meet at the call of the board when a new child abuse case is received or a pending case needs attention.

The multidisciplinary team could review a child abuse case in which the alleged perpetrator does not have custodial control or supervision of the child or is not responsible for the child's welfare or care.

An individual would be exempt from civil liability and damages arising from good faith recommendations made or opinions rendered while acting within the scope of their team, board, staff or volunteers. This exemption would not apply to persons whose actions constitute gross negligence.

NOTES:

The committee substitute removed provisions from the original version that would have allowed the state to appropriate funds to offer matching funds for the establishment of 20 centers.

According to the fiscal note, the committee substitute to House Bill 1, the proposed general appropriations act for fiscal 1996-97, includes a rider reserving up to \$1 million in funds appropriated to the Department of Protective and Regulatory Services to match local contributions of up to \$1 million as an incentive to establish 10 new children's advocacy centers during the upcoming biennium.