

**SUBJECT:** Relating to child custody by DPRS

**COMMITTEE:** Juvenile Justice and Family Issues — favorable, without amendment

**VOTE:** 7 ayes — Goodman, A. Reyna, P. King, Menendez, Morrison, Naishtat, Nixon  
0 nays  
2 absent — E. Reyna, Tillery

**WITNESSES:** For — William Cox, Harris County Attorney's Office, Children's Protective Division  
Against — None  
On — Charles Childress, Texas Department of Protective and Regulatory Services, Legal Division

**BACKGROUND:** Family Code, Section 161.003 establishes that a court may order the termination of the parent-child relationship in a suit filed by the Department of Protective and Regulatory Services (DPRS) if the court finds that:

- ! the parent has a mental or emotional illness that makes the parent unable to care for the child;
- ! DPRS has been the temporary or sole managing conservator of the child for the six months preceding the filing of the petition to terminate the relationship;
- ! DPRS has made reasonable efforts to return the child to the parent; and
- ! the termination is in the best interest of the child.

**DIGEST:** HB 1377 would amend the terms of a court-ordered termination of the parent-child relationship in a suit filed by DPRS if the court found that DPRS had been the temporary or sole conservator of the child for six months rather than the six months preceding the filing of the petition.

The bill would take effect September 1, 2001.

NOTES:           The committee amendment would change the requirement of a court finding that DPRS had been the temporary or sole managing conservator of the child for six months, to a finding of at least six months preceding the date of the hearing on the termination of the parent-child relationship.