

SUBJECT: Contracts for creating online resource centers for child abuse cases

COMMITTEE: Human Services — committee substitute recommended

VOTE: 8 ayes — Rose, Herrero, Darby, Elkins, Hernandez, Legler, Naishtat, Walle

0 nays

1 absent — Hughes

SENATE VOTE: On final passage, April 28 — 31-0

WITNESSES: For — Barbara Elias-Perciful, Texas Loves Children, Inc.; (*Registered, but did not testify*: Diana Martinez, TexProtects; Scott McCown, Center for Public Policy Priorities)

Against — None

BACKGROUND: The Texas Supreme Court created the Permanent Judicial Commission for Children, Youth, and Families in 2007 to coordinate and implement comprehensive statewide efforts to improve child protection courts. In addition, the Office of Court Administration — a state agency within the judicial branch — provides information technology solutions to courts that specialize in child neglect and abuse cases.

DIGEST: CSSB 1062 would require the Office of Court Administration (OCA) of the Texas Judicial System to contract with an entity to provide an online resource center for individuals handling child abuse and neglect cases, if OCA was specifically appropriated enough money to provide the online center and there was an entity eligible for the contract. If OCA did not contract with an entity to provide an online resource center, the office could not receive the appropriated funds.

To qualify for a contract, an entity would have:

- experience in operating an online resource center specifically designed for judges and attorneys handling child abuse and neglect cases in Texas;

- experience in providing a “communications tool,” defined as an online method for peer-to-peer communication among individuals who handle child abuse and neglect cases; and
- employed or contracted with at least one attorney who was licensed to practice law in Texas, specialized in child abuse and neglect cases, and was able to compile the materials for and oversee the operation of the online resource center.

The contract would have to prohibit the entity from spending more than 12 percent of the contract price on indirect or administrative overhead expenses.

The entity that contracted with OCA could obtain funding from any source to operate the online resource center. The entity would have to keep and provide to OCA records that identified those who provided funds and the amounts provided.

An online resource center that contracted with OCA would have to provide a way to search for informational materials by subject and include a communications tool for judges and attorneys. All communications conducted through a communications tool provided in connection with the online resource center would be privileged and confidential.

CSSB 1062 would not make an appropriation. The bill’s provisions would not be mandatory during a fiscal period for which the Legislature had not made a specific appropriation.

The bill would take effect September 1, 2009.

NOTES:

According to the Legislative Budget Board, CSSB 1062 would make no appropriation but could provide the legal basis for an appropriation to implement the bill’s provisions. Based on cost estimates provided by the Office of Court Administration relating to the operation of online resource centers, the LBB projects that the bill could cost \$250,000 per year in general revenue funds for fiscal years 2010-2014.