

- SUBJECT:** Losing continuing, exclusive jurisdiction in adoption cases
- COMMITTEE:** Juvenile Justice and Family Issues — committee substitute recommended
- VOTE:** 9 ayes — Dutton, Murr, Bowers, Calanni, Cyrier, Dean, Lopez, Shine, Talarico
0 nays
- WITNESSES:** For — Warren Cole, Texas Family Law Foundation; (*Registered, but did not testify*: Amy Bresnen, Texas Family Law Foundation)
Against — None
- BACKGROUND:** Family Code sec. 103.001(b) allows suits in which adoptions are requested to be filed in the county where the child resides or in the county where the petitioners reside, regardless of whether another court has continuing exclusive jurisdiction. A court that has continuing exclusive jurisdiction is not required to transfer the suit affecting the parent-child relationship to the court in which the adoption suit is filed.

Some have suggested that there is confusion about courts' jurisdiction in cases in which a court has continuing exclusive jurisdiction in suits affecting the parent-child relationship and an original adoption suit is filed in a different county.
- DIGEST:** CSHB 1854 would amend statute so that a court would lose its continuing exclusive jurisdiction to modify orders in suits affecting the parent-child relationship if an order of adoption that affected the child was rendered by another court.

Orders of adoption rendered on or after September 1, 2015, but before the bill's effective date, would be final orders and not subject to appeal on the basis that the court rendering the order did not have continuing, exclusive jurisdiction at the time the adoption order was rendered.

HB 1854
House Research Organization
page 2

The bill would take effect September 1, 2019, and would apply only to orders of adoption rendered on or after that date.