

BILL ANALYSIS

Senate Research Center

H.B. 2215
By: Staples (Madla)
Jurisprudence
5-1-97
Engrossed

DIGEST

Currently, Texas law allows a court to order family counseling in cases of conservatorship or possession of or access to a child, when the parties are found to have a history of conflict in resolving such issues. However, the statute does not specify the criteria of the counselors who will be appointed or when this order can be initiated. H.B. 2215 would set forth specific criteria regarding a person who may provide counseling to the parties in such cases.

PURPOSE

As proposed, H.B. 2215 authorizes the court in cases of conservatorship or possession of or access to a child, when the parties have a history of conflict in resolving the issue, to order a party to participate in counseling with a mental health professional with certain qualifications.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 153.010, Family Code, to authorize the court, if the court finds at the time of a hearing that the parties have a history of conflict in resolving an issue of conservatorship or possession of or access to the child, to order a party to participate in counseling with a mental health professional who has a background in family therapy, a mental health license that requires as a minimum a master's degree, and has training in domestic violence; rather than order a party to participate in counseling with a person appointed by the court.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.