

BILL ANALYSIS

Senate Research Center
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S.B. 325
By: Ellis
Jurisprudence
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As Filed

DIGEST

Currently, Texas law requires only certain judges to take courses in family violence training. Due to an abundance of cases involving family violence, sexual assault, and child abuse, there has been an increase in judges and judicial officers hearing cases involving these offenses. Often these judges do not have the background or judicial training that is required to be an effective arbiter of these types of cases. This bill would require all judges and judicial officers to attend courses involving family violence training, unless they certify they do not hear such cases.

PURPOSE

As proposed, S.B. 325 extends the requirement for judicial instruction related to family violence, sexual assault, and child abuse to certain judges and judicial personnel.

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 22.110, Government Code, by amending Subsection (b) and adding Subsection (e), to require rules to require the judges and judicial officers set forth in this section to complete a certain number of hours of training within the judge's first term of office or first four years of service and to provide a method for certification of completion of that training. Requires the rules to require each judge and judicial officer to complete an additional three hours of training during each additional term or four years of service. Requires the court of criminal appeals or the court's designee to report the name of a judge or judicial officer who does not fulfill the training requirements to the State Commission on Judicial Conduct.

SECTION 2. (a) Effective date: August 31, 1999. Requires each judge or justice in office on August 31, 1999 to complete the training required by Section 22.110, Government Code, notwithstanding the requirement that the training be completed within the first term of office or first four years of service. Provides that the judge or justice in office on August 31, 1999 completes the training before the judge begins another term or the judicial officer begins another year of service.

(b) Establishes that a judge or judicial officer who takes office on or after September 1, 1999, is required to satisfy the requirements set forth in Section 22.110, Government Code in the person's first term or first four years.

SECTION 3. Emergency clause.