

BILL ANALYSIS

Senate Research Center
81R20614 JSC-D

C.S.S.B. 54
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Jurisprudence
4/2/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Although the use of juvenile case managers has grown since their authorization in 2001 and the creation of the juvenile case manager fund in 2005, the legislative intent behind the creation of these case managers has largely been unrealized.

Juvenile case managers are intended to serve as problem solvers by fostering the interaction between defendants and the judge, integrating social services into the disciplinary process, and cooperating with the juvenile, his or her parents, schools, and courts in order to best serve the interests of the juvenile and the community. However, many juvenile case managers have been relegated to the role of a court clerk and collections agent.

Requiring juvenile case managers to report to the judiciary rather than the municipal court clerk will foster the desired interaction between the judge and juvenile case manager and realize the original intention of case managers performing a problem-solving role. This bill will also ensure that the juvenile case manager's role is not solely focused on administrative needs and that the juvenile case manager fund is not being used to pay for a court clerk.

C.S.S.B. 54 requires the judge of a court that employs a juvenile case manager to supervise the juvenile case manager. This bill provides that this does not apply to a county court for which the county judge has appointed one or more full-time magistrates under Section 54.1172 (Appointment), Government Code.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 45.056, Code of Criminal Procedure, by adding Subsection (f), as follows:

(f) Requires the judge of a court that employs a juvenile case manager under Subsection (a) (regarding authority to employ juvenile case managers) or (c) (regarding employment of juvenile case managers to assist the court) to supervise the juvenile case manager, except that the judge may delegate that duty to another officer of the court who is authorized to conduct hearings under Title 3 (Juvenile Justice Code), Family Code. Prohibits the judge from delegating that duty to the clerk of the court. Provides that this subsection does not apply to a county court for which the county judge has appointed one or more full-time magistrates under Section 54.1172 (Appointment), Government Code.

SECTION 2. Provides that Article 45.056(f), Code of Criminal Procedure, applies to the supervision of a juvenile case manager employed by a court on or after the effective date of this Act, regardless of whether that juvenile case manager began employment before, on, or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2009.