

By: Thompson of Harris

H.B. No. 3906

Substitute the following for H.B. No. 3906:

By: Dutton

C.S.H.B. No. 3906

A BILL TO BE ENTITLED

AN ACT

relating to the transfer of jurisdiction and the appointment of an attorney ad litem or guardian ad litem in certain suits affecting the parent-child relationship.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 155.207(a) and (c), Family Code, are amended to read as follows:

(a) Not later than the 10th working day after ~~[On]~~ the date ~~[signing of]~~ an order of transfer is signed, the clerk of the court transferring a proceeding shall send to the proper court in the county to which transfer is being made:

(1) the pleadings in the pending proceeding and any other document specifically requested by a party;

(2) certified copies of all entries in the minutes;  
~~[and]~~

(3) a certified copy of each final order; and

(4) a certified copy of the order of transfer signed by the transferring court.

(c) On receipt of the pleadings, documents, and orders from the transferring court, the clerk of the transferee court shall docket the suit and shall notify the judge of the transferee court, all parties, the clerk of the transferring court, and, if appropriate, the transferring court's local registry that the suit has been docketed.

SECTION 2. Section 262.203, Family Code, is amended by adding Subsections (d) and (e) to read as follows:

(d) An order of transfer must include:

(1) the date of any future hearings in the case that have been scheduled by the transferring court;

(2) any date scheduled by the transferring court for the dismissal of the suit under Section 263.401; and

(3) the name and contact information of each attorney ad litem or guardian ad litem appointed in the suit.

(e) The court to which a suit is transferred may retain an attorney ad litem or guardian ad litem appointed by the transferring court. If the court finds that the appointment of a new attorney ad litem or guardian ad litem is appropriate, the court shall appoint that attorney ad litem or guardian ad litem before the earlier of:

(1) the 10th day after the date of receiving the order of transfer; or

(2) the date of the first scheduled hearing after the transfer.

SECTION 3. The change in law made by this Act applies only to an order of transfer rendered in a suit affecting the parent-child relationship on or after the effective date of this Act. An order of transfer in a suit affecting the parent-child relationship rendered before the effective date of this Act is governed by the law in effect on the date the order was rendered, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2015.