



## **82nd Session Select Interim Charges Relating to Jurisprudence**

January 24, 2012

### **Jurisprudence Committee**

- Examine the process for the creation of powers of attorney in Texas. Review methods to protect consumers, particularly older Texans and those with disabilities, from power of attorney abuse perpetrated by agents or co-agents. Examine provisions that can prevent, detect, and redress power of attorney abuse, including:
  - ways to harmonize current Texas law with national standards for accountability, such as those embodied in the Uniform Power of Attorney Act;
  - the inclusion of provisions that provide safeguards for the protection of the principal, the agent, and persons who are asked to rely on the agent's authority.
- Study the laws governing the transfer of judges and exchange of benches in district courts. Review the jurisdiction and qualifications of special judges. Monitor the implementation of legislation by the Supreme Court, Office of Court Administration, and State Bar of Texas to make changes in the courts and make recommendations for any needed improvements.
- Study the current array of criminal court costs and civil filing fees in light of the following suggested standards:
  - levels of financial funding from general governmental revenue;
  - whether fees and miscellaneous charges should be set by the Legislature with recommendations provided by the appropriate judicial body and reviewed periodically to determine if they should be adjusted;
  - whether fees and miscellaneous charges should be waived under certain conditions;
  - whether fees and miscellaneous charges are easy to understand, with fee schedules based on fixed or flat rates;
  - whether fees are earmarked and controlled by the court or deposited into the account of the governmental source providing the court's funding.
- Examine court processes in child protection cases, in Texas and in other jurisdictions, and identify any legislative changes that would create better outcomes for children. Specifically, consider whether the Family Code should be amended to:
  - enhance the effectiveness and use of court-ordered and monitored family services to keep the child safe at home, and to increase the alternatives available to courts;

- broaden the focus of Status Hearings to promote the participation of extended family and potential relative caregivers in the hearings and assess the potential impact on the foster care system;
  - require more frequent placement review hearings in some or all cases and whether this change would increase permanency and the timeliness of permanency for children who are in the managing conservatorship of the state indefinitely.
- Study and make recommendations on the recent impact of foreign law, specifically Sharia law, in court decisions in cases arising under the Texas Family Code.
- Monitor the implementation of legislation addressed by the Senate Committee on Jurisprudence, 82nd Legislature, Regular and Called Sessions, and make recommendations for any legislation needed to improve, enhance, and/or complete implementation.