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JUNE 29, 2017

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GUILLEN HELPS IMPROVE THE FAMILY COURT SYSTEM

New Law Revises Rules for State Intervention in Cases of Child Abuse

AUSTIN - State Representative Ryan Guillen (D-Rural South Texas) is an author of H.B. 7, which amends court procedures in cases related to child abuse and neglect, in order to streamline the length and complexity of the proceedings. The bill was signed into law by Governor Abbott on **May 31**.

Texas's child welfare system was spotlighted during the 85th legislative session, and has faced much deserved scrutiny in the last several years. The process has been criticized for its high caseworker turnover rates, low levels of transparency and its lack of adequate foster homes. This past year, over 300 children have been forced to sleep in state buildings and hotels, creating numerous safety issues for children, families, and state employees alike.

"The current foster care system in Texas is in disarray," stated Representative Guillen. "Children are being taken from their families and placed in the state's foster system, only to become traumatized by the by the lack of efficiency, effectiveness, and humanness."

During the 85th legislative session the Texas legislature passed a series of new laws aimed at fixing the state's broken foster care system. H.B. 7 specifically, sought to outline the role of the court and of the Department of Family and Protective Services (DFPS) in the removal of a child from their homes in hopes of streamlining the process and adding some much needed transparency.

One major criticism of the state's current welfare system is its fast action on taking kids from their families. The process often fails to properly assess whether or not the child actually needs to be removed, and can adversely instead of positively affect the child's situation. The bill addresses this issue by specifying what constitutes the termination of parental rights and the removal of a child from his/her home. The bill also specifies that allegations of child abuse or neglect, or restatement of facts from a service plan is inadmissible in court as evidence, and states that a parent's voluntary agreement to temporarily place a child into protective services is not considered an admission of abuse or neglect.

Furthermore, with the implementation of H.B. 7, the courts will be compelled to review a foster child's placement at each hearing, rely solely on the medical expertise of a doctor to determine any necessary treatment for a child and require that the child welfare stakeholders be notified of a child's change in placement. Doing so will promote the placement of children with relatives, increase transparency for all stakeholders involved, and provide sufficient protections regarding medical or mental health treatment for those children.

"Furthering family involvement, transparency and procedural organization during the placement of a child is of paramount importance," said Guillen. "It is essential that all stakeholders involved in the child's wellbeing be allowed to maintain clear communication with those children throughout the entire court process. Passage of this bill is sure to relieve some of the hardships faced by our struggling foster kids."

This Act takes effect on **September 1, 2017**.

Serving ten rural South Texas counties in the Texas House of Representatives, Ryan Guillen is known for his hard work, fierce independence, and relentless efforts for South Texas families. Recently, Capitol Inside called him a “House Bill Machine,” and a “one-person assembly line for legislation.” Since elected, few other legislators have passed more bills than Guillen. Sign up for updates at ryanguillen.com, facebook.com/representative.guillen, and twitter.com/ryanguillen.

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