

AN ACT

relating to the powers of an associate judge under the Family Code.

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

SECTION 1. Section 201.007, Family Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) Except as limited by an order of referral, an associate judge may:

- (1) conduct a hearing;
- (2) hear evidence;
- (3) compel production of relevant evidence;
- (4) rule on the admissibility of evidence;
- (5) issue a summons for the appearance of witnesses;
- (6) examine a witness;
- (7) swear a witness for a hearing;
- (8) make findings of fact on evidence;
- (9) formulate conclusions of law;
- (10) recommend an order to be rendered in a case;
- (11) regulate all proceedings in a hearing before the associate judge;
- (12) order the attachment of a witness or party who fails to obey a subpoena;
- (13) order the detention of a witness or party found guilty of contempt, pending approval by the referring court as

1 provided by Section 201.013; ~~and~~

2 (14) render and sign:

3 (A) a final order agreed to in writing as to both  
4 form and substance by all parties; or

5 (B) a final default order; and

6 (15) [~~14~~] take action as necessary and proper for  
7 the efficient performance of the associate judge's duties.

8 (c) An agreed order or a default order rendered and signed  
9 by an associate judge under Subsection (a) constitutes an order of  
10 the referring court.

11 SECTION 2. Section 201.013(b), Family Code, is amended to  
12 read as follows:

13 (b) Except as provided by Section 201.007(c), if [~~if~~] an  
14 appeal to the referring court is not filed or the right to an appeal  
15 to the referring court is waived, the findings and recommendations  
16 of the associate judge become the order of the referring court only  
17 on the referring court's signing an order conforming to the  
18 associate judge's report.

19 SECTION 3. Section 201.016, Family Code, is amended by  
20 amending Subsection (b) and adding Subsection (c) to read as  
21 follows:

22 (b) Except as provided by Subsection (c), the [~~The~~] date an  
23 order or judgment by the referring court is signed is the  
24 controlling date for the purposes of appeal to or request for other  
25 relief from a court of appeals or the supreme court.

26 (c) The date an agreed order or a default order is signed by  
27 an associate judge is the controlling date for the purpose of an

1 appeal to, or a request for other relief relating to the order from,  
2 a court of appeals or the supreme court.

3 SECTION 4. This Act takes effect September 1, 2003.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 883 was passed by the House on March 28, 2003, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 883 on May 21, 2003, by a non-record vote.

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Chief Clerk of the House

I certify that H.B. No. 883 was passed by the Senate, with amendments, on May 20, 2003, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor