

General Requirements for Evaluators on Bexar County Civil District Court Social Study Evaluators List

Introduction

The **Bexar County Civil District Court Social Study Evaluators List** is a list of mental health professionals who qualify to provide social studies to the Bexar County Civil District Courts under Texas Family Code Chapter 107, Subchapter D, and who meet additional requirements. This list is provided, maintained and administered by the Bexar County Juvenile Probation Department Domestic Relations Office (DRO).

These evaluators have voluntarily applied to be placed on the Bexar County list and to have their qualifications verified through the DRO. When accepted by the DRO to be placed on the list, they agree to take additional training and therefore exceed the minimum requirements of the statute. Also, the quality of their services is maintained through a formal complaint process, which is managed through the DRO. Additionally, they are committed to provide limited pro bono services to indigent litigants.

It should be noted that the Social Study Evaluators List is made available as a resource to judges and attorneys in family law matters, but participation in the program is not a prerequisite for court appointment. Any other mental health professional who is qualified under the Texas Family Code is eligible to be appointed by the courts.

To be on the *Bexar County Civil District Court Social Study Evaluators List*, a person must comply with the following requirements:

Qualifications & Governing Directives

- 1) All Social Study evaluators must meet the minimum qualifications specified in Texas Family Code, Section 107.0511 "Social Study Evaluator: Minimum Qualifications" and related laws. (Attached)

- 2) When conducting social studies in contested matters, evaluators must follow the *Bexar County Civil District Court Guidelines for Comprehensive Social Studies* and adhere to the statutory requirements specified in Subchapter D, Chapter 107, Texas Family Code.

- 3) Adoption social studies must be conducted in accordance with the rules adopted by the executive commissioner of the Health and Human Services Commission and all other requirements concerning adoptions as set out in Texas Family Code Chapter 107, Subchapter D.

Registration, Continuing Education, Pro Bono Requirements and Complaint Procedure

The evaluator must

- 4) complete and file a registration form provided by the Domestic Relations Office.
- 5) submit and maintain current information with the DRO concerning their ability to provide social studies.
- 6) complete four (4) hours of continuing education related to the conduction of social studies per calendar year:

Evaluators conducting social studies in contested suits affecting the parent-child relationship must receive four (4) hours of continuing education within a calendar year related to contested matters. Evaluators conducting adoption social studies must also receive at least four (4) hours of training addressing adoption social studies, unless they have previously received such training. Continuing education may be provided by the DRO or other DRO-approved source. **To remain on the list, evaluators must submit to the DRO proof of compliance with this provision by the last business day of December of each year.**

- 7) provide pro bono social studies to the indigent population of Bexar County:

Once evaluators have completed three court-ordered social studies they will be included on the pro bono list that will be provided to the Court. Evaluators on this list will be obligated to perform one pro bono social study per calendar year.

Removal: If an evaluator does not maintain and demonstrate compliance with the requirements contained herein, the DRO Director may remove the evaluator from the list without notice. An evaluator may be placed back on the list once compliance is demonstrated.

Complaints: Persons wanting to file a complaint about the conduct of a court-ordered social study evaluator can contact the appropriate licensing board. Persons wanting to file a complaint can also contact the DRO and the DRO Director will evaluate the matter and suggest proper action that can include a referral to the appropriate licensing board.

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Texas Family Code Sec. 107.0511. SOCIAL STUDY EVALUATOR: MINIMUM QUALIFICATIONS.

(a) In this section:

(1) "Full-time experience" means a period during which an individual works at least 30 hours per week.

(2) "Human services field of study" means a field of study designed to prepare an individual in the disciplined application of counseling, family therapy, psychology, or social work values, principles, and methods.

(b) The minimum qualifications prescribed by this section do not apply to an individual conducting a social study:

(1) in connection with a suit pending before a court located in a county with a population of less than 500,000;

(2) in connection with an adoption governed by rules adopted under Section 107.0519(a);

(3) as an employee or other authorized representative of a licensed child-placing agency; or

(4) as an employee or other authorized representative of the Department of Family and Protective Services.

(c) The executive commissioner of the Health and Human Services Commission shall adopt rules prescribing the minimum qualifications that an individual described by Subsection (b)(3) or (4) must possess in order to conduct a social study under this subchapter.

(d) To be qualified to conduct a social study under this subchapter, an individual must:

(1) have a bachelor's degree from an accredited college or university in a human services field of study and a license to practice in this state as a social worker, professional counselor, marriage and family therapist, or psychologist and:

(A) have two years of full-time experience or equivalent part-time experience under professional supervision during which the individual performed functions involving the evaluation of physical, intellectual, social, and psychological functioning and needs and the potential of the social and physical environment, both present and prospective, to meet those needs; and

(B) have participated in the performance of at least 10 court-ordered social studies under the supervision of an individual qualified under this section;

(2) meet the requirements of Subdivision (1)(A) and be practicing under the direct supervision of an individual qualified under this section in order to complete at least 10 court-ordered social studies under supervision; or

(3) be employed by a domestic relations office, provided that the individual conducts social studies relating only to families ordered by a court to participate in social studies conducted by the office.

(e) If an individual meeting the requirements of this section is not available in the county served by the court, the court may authorize an individual determined by the court to be otherwise qualified to conduct the social study.

(f) In addition to the qualifications prescribed by this section, an individual must complete at least eight hours of family violence dynamics training provided by a family violence service provider to be qualified to conduct a social study under this subchapter.

Note: HB 772 (80th Legislative Session) provides that “notwithstanding Section 107.0511(d)(1)(B), Family Code, as added by this Act, an individual who on or before the effective date of this Act completed at least 10 social studies ordered by a court in suits affecting the parent-child relationship is not required to comply with the supervision requirements imposed by that paragraph to be qualified to conduct a social study under Subchapter D, Chapter 107, Family Code, as amended by this Act.