



89th Legislative Session

Understanding the New Laws: Information for Advocates & Partners



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Introduction

“ I’m so impressed with advocates and survivors that come to the Capitol and that’s what inspires me. Seeing people come and share their stories to influence change for others is absolutely incredible and being able to see the laws that we pass make a change in people’s lives—there is nothing compared to that. ~Representative Lacey Hull

The Texas Council on Family Violence (TCFV) is Texas’ statewide coalition dedicated to creating a safer Texas and promoting freedom from family violence. Through its collective strength of nearly 1500 individual Texans and ~100 family violence program members, TCFV shapes public policy, equips service providers, stands with communities to create coordinated community responses, and initiates strategic prevention efforts. TCFV serves as a unified voice before the Texas Legislature, informed by service providers and bolstered by survivors raising up their voices.

TCFV offers this information to support advocates as well as system and community partners such as attorneys, Judges and others who work with survivors, however, this document does not constitute legal advice. The new laws featured here were part of TCFV’s legislative agenda or our “Bills of Note” which are bills on which we took action. You can find our full [89th Legislative Update here](#) and our [Bills of Note list here](#).

TCFV extends deep gratitude to the legislators, and their dedicated staff, who authored or sponsored the bills in this guidance, including Senator Juan “Chuy” Hinojosa, Senator Huffman, Representative Hull, Representative Johnson, Representative Meyer, Senator Parker, and Senator Zaffirini.

Please reach out to us at policy@tcfv.org with any questions about this guidance.

HB 4238

Stronger Protections Against Coerced Debt

Author: Representative Meyer
Sponsor: Senator Zaffirini

HB 4238: Stronger Protections Against Coerced Debt

Overview

House Bill 4238 builds on a legacy of work with the Texas Coalition on Coerced Debt to expand existing protections for survivors of coerced debt under Texas law. Coerced debt is a form of financial abuse in which an abusive partner incurs debt in the survivor's name through fraud, threats, intimidation, or coercion. Common examples include:

- Opening credit cards, loans, or utilities in the survivor's name without consent;
- Forcing or pressuring the survivor to sign for a loan; or
- Misusing the survivor's personal identifying information.

Previous changes in the law clarified that survivors of family violence who experience coerced or fraudulent debts in their name are to be treated as victims of identity theft and are shielded from ongoing debt collection efforts. This new law closes enforcement gaps by ensuring that creditors and debt collectors must cease collection efforts against survivors once identity theft has been established through a specific court process designed to help victims of identity theft.

Legislative History

Texas law recognizes coerced debt as identity theft under Texas Business and Commerce Code § 521.051 and the Texas Penal Code § 32.51. Texas' coerced-debt laws were created to help survivors who were defrauded by an abusive partner to take on debt, including through force or coercion. These laws use the idea of "effective consent," which means that consent doesn't count if it was obtained through force, threats, or fraud. In 2019, HB 2697 changed the criminal law so that if an abusive partner used your personal information to create debt under those circumstances, it would legally be considered identity theft. This allowed abusive partners to be held criminally accountable and gave survivors the protections offered to identity-theft victims. In 2021, HB 3529 made the same change in civil law, allowing survivors to challenge coerced debts and access state identity-theft protections without having to file a police report. Together, these laws created Texas's first and second coerced-debt protections, giving survivors clearer paths to safety and financial recovery.

HB 4238: Stronger Protections Against Coerced Debt

(continued)

2025's [HB 4238](#) ensures that creditors and debt collectors must stop reporting and collecting debts that were never truly survivors'. Creditors can still take lawful action to collect the debt from the person who actually incurred it – the abusive party – but they cannot try to collect it from a survivor once they show proof of identity theft by obtaining a court order.

This new law became effective on September 1, 2025. To learn more about prior legislation and find step-by-step tools through [Texas Appleseed's Coerced Debt resources](#), the [Coerced Debt Toolkit created by the Texas Coalition on Coerced Debt](#), and the [Coerced Debt Toolkit available through Texas Law Help](#). HB 4238 builds upon Texas's existing identity theft and coerced debt protections to ensure survivors of family violence are not re-victimized through ongoing collection of debts determined by a court to be identity theft; clarify that debt collectors must act promptly once identity theft is judicially established; and makes progress towards aligning Texas law with national best practices recognizing coerced debt as a component of economic abuse.

Implications for Survivors

For survivors of family violence, coerced debt is not just a financial burden but an extension of abuse. Abusive partners often use debt as a means of control, threatening survivors' credit, stability, and independence long after physical separation. Financial abuse is one of the most common and enduring forms of control in abusive relationships. When an abusive partner opens credit accounts, loans, or other debts in a survivor's name, the harm extends beyond money: it affects their credit, housing, employment opportunities, and long-term safety. Without legal intervention, survivors can remain trapped in cycles of economic harm, facing harassment from collectors for debts they never agreed to incur.

HB 4238 recognizes coerced debt as a continuation of violence and ensures that survivors can rebuild their financial lives free from the shadow of their abusive partner's actions. Judicial recognition of identity theft through Chapter 521 orders provides the legal mechanism necessary to stop ongoing collection efforts and

HB 4238: Stronger Protections Against Coerced Debt

(continued)

Implications for Survivors (continued)

affirm survivors' right to financial safety. In order to seek this relief, survivors may seek a court order under Chapter 521 of the Texas Business and Commerce Code declaring them victims of identity theft.

The order must be issued by a district court after reviewing the petition and supporting evidence. The court's finding then creates a legally recognized determination that the petitioner is a victim of identity theft. Upon issuance, the survivor receives a order from the court, which can be presented to creditors, debt collectors, or credit reporting agencies. This judicial determination triggers the protections outlined in HB 4238.

Once a creditor or debt collector receives notice of a valid Chapter 521 Identity Theft Order (or a comparable order from another jurisdiction) they must:

- Cease all collection activities related to the identified debts within seven days of receipt; and
- Notify all parties or agencies that previously received information regarding the debts that the account is disputed and not collectible from the survivor.

Creditors and collectors retain the right to pursue the person who actually incurred the debt (the perpetrator of identity theft) using any lawful means.

Implications for Legal Professionals

HB 4238 bridges family violence law and consumer protection. It calls on attorneys and judges to recognize coerced debt as a form of identity theft when issuing or enforcing Chapter 521 orders. Prompt judicial action and clear communication with creditors are key to preventing further financial harm to survivors. HB 4238 expands the toolkit available to attorneys and advocates working with survivors of family violence. Legal professionals now have a clear statutory pathway to stop collection efforts tied to coerced debt by obtaining and enforcing Chapter 521 identity theft orders.

HB 4238: Stronger Protections Against Coerced Debt (continued)

Implications for Legal Professionals (continued)

Attorneys should collaborate with advocates to notify creditors and debt collectors of the identity theft order in order to ensure compliance and follow-up once a Chapter 521 order is issued. Effective implementation can prevent further financial victimization and help survivors restore credit and stability. Attorneys representing survivors should be prepared to pursue Chapter 521 identity theft orders and to communicate those orders effectively to creditors and collectors. Judges play a critical role in ensuring survivors have meaningful access to these remedies and that orders are clear, enforceable, and promptly honored. Implementing this law effectively safeguards survivors from ongoing financial harm and advances the judiciary's role in preventing the continuation of economic abuse. Texas Appleseed offers [Resources for Pro Bono Attorneys](#) that may be useful.

Tips For Judges

Be aware that survivors may present petitions under Chapter 521 specifically related to coerced debt situations arising from domestic or dating violence or human trafficking. With this in mind, it is important that you, as the fact finder, evaluate such petitions through a trauma-informed lens, recognizing that survivors may lack complete financial documentation due to the nature of abuse. Additionally, ensure orders clearly identify the specific debts and include language sufficient for enforcement by creditors and collectors.

Tips For Attorneys

Inform clients experiencing coerced debt that a Chapter 521 order offers a formal pathway to stop collection activity. Clients may need assistance gathering documentation such as police reports, Federal Trade Commission [identity theft reports](#), protective orders, correspondence with creditors, or other evidence showing lack of consent as well as understanding if the debts were incurred after September 1, 2019 when these laws became effective. You may also find as an attorney that the survivor has additional support needs related to the economic abuse and so keeping a broad view of ways you can support can be greatly

HB 4238: Stronger Protections Against Coerced Debt (continued)

Tips for Attorneys (continued)

beneficial. Coordinating with family violence advocates and legal aid partners to support clients through both the identity theft order process and subsequent communications with debt collectors can also be a support to survivors as they rebuild credit.

Implications for Advocates

Advocates are uniquely positioned to identify coerced debt and to help survivors take the first steps toward relief. Under HB 4238, a Chapter 521 Identity Theft Order can stop ongoing debt collection, but survivors will often need advocacy support to access the legal and documentation process. Advocates should be prepared to collaborate closely with legal aid organizations, explain the new protections in clear language, and assist survivors in gathering information needed to demonstrate that debt was incurred through coercion or fraud. Because coerced debt is both a form of economic abuse and identity theft, survivors may not immediately recognize that the law provides remedies for them. Advocates can bridge this gap by:

- Helping survivors identify signs of coerced debt within their credit reports and document relevant accounts or communications (TCFV offers a [training on checking a credit report](#)).
- Connecting survivors with legal partners who can assist in obtaining a Chapter 521 Identity Theft Order; and
- Supporting survivors through communications with creditors or debt collectors after the order is issued.

Advocates are often the first point of contact for survivors navigating post-separation financial harm. With this new law, their guidance can prevent further victimization and empower survivors to rebuild credit, housing stability, and financial independence. Find additional resources to support survivors experiencing coerced debt or other forms of economic abuse through [Texas Appleseed's Resources for Domestic Violence Programs & Financial Coaches](#).

HB 4238: Stronger Protections Against Coerced Debt

(continued)

Next Steps

Courts, legal aid organizations, and advocacy programs are encouraged to incorporate HB 4238 training into existing professional education to ensure consistent understanding of survivors' financial protections.

Please reach out to the policy team at TCFV at policy@tcfv.org if you would like additional guidance on this law, including how to talk with survivors, and your local community and systems about these changes!

HB 3783

Safety in Court-Ordered Family Counseling

Author: Representative Hull
Sponsor: Senator Parker

HB 3783: Safety in Court-Ordered Family Counseling

Overview

HB 3783 enhances protections for survivors of family violence by prohibiting courts from mandating joint counseling sessions in Suits Affecting Parent Child Relationships (SAPCRs) when the court finds credible evidence of family violence or sexual abuse, ensuring that victims are not compelled to participate in potentially retraumatizing therapy that could leave them at greater risk of harm. The bill also bans coercive practices such as isolating children from their support systems during court-ordered counseling which in turn safeguards the well-being of both survivors and their children. Additionally, it promotes training for mental health professionals involved in such counseling so that they receive training in the dynamics of family violence.

This new law became active right after the Governor signed it on June 20, 2025. It immediately applied to any active Suit Affecting Parent-Child Relationship (SAPCR) cases that were awaiting trial.

Key Change: Safety Provisions in Court Ordered Family Counseling

One key provision in the new law changes Family Code, Sec. 153.010 which before passage of this law, allowed the court to order parties with a history of conflict in conservatorship or possession issues to participate in counseling but did not offer protections for survivors of family violence and their children in these cases. Now the law states that the court shall consider evidence of family violence or sexual abuse and may not order family or joint counseling if credible evidence of family violence or sexual abuse is presented. The court also cannot order a victim to pay any cost of the counseling.

Key Change: Prohibition of Family Reunification Therapy (FRT) Practices

This new law prohibits common FRT practices, including counseling that would involve:

- The isolation of a child in the suit from their parent, family, school, religious community or other community;

HB 3783: Safety in Court-Ordered Family Counseling (continued)

Key Change: Prohibition of Family Reunification (FRT) Practices (continued)

- The child in the suit staying overnight or multiple day stays out of state or in another location regardless of whether the child is accompanied by a parent or other family member;
- Transport of a child in the suit by force, threat of force, undue coercion, or other action that places the child's safety at risk;
- A temporary or permanent change in the periods of possession of or access to a child in the suit to which a conservator would otherwise be entitled; or
- The use of force, threat of force, undue coercion, or verbal abuse against a child in the suit.

Implications for Survivors and Their Children

Counseling should be safe places to heal from violence. In instances where family violence is present, however, the underlying dynamics of power and control create fear for the victim resulting in an unsafe environment for family counseling to occur. Further, the imbalance of power limits the ability of the victim to be honest in a therapeutic setting without fear of retaliation or escalation of violence from the abusive partner. If these dynamics aren't clear to the mental health provider, recommendations can come from the session that are actively harmful to the victim and their children.

Further, FRT is not an evidence-based therapy, yet it has been increasingly ordered in SAPCR cases. This practice often involves completely cutting off contact with the parent who has a relationship with their child and forcing contact with the other estranged parent, sometimes completely removing the child from their community through overnight stays or out of state relocation. In the context of family violence, it is often the survivor parent who has kept their child safe who can no longer contact their child. The child is forced into contact with the parent who has been abusive to the other parent or even to the child. In many cases, the court order gives the FRT counselor the power to determine when contact with the other parent can resume, which can extend beyond or supersede the Judge's order.

HB 3783: Safety in Court-Ordered Family Counseling (continued)

Implications for Legal Professionals

In a SAPCR, this new law would apply to any family where credible evidence of family violence or sexual abuse exists per Section 153.004. The change in law made by this Act to Section 153.010, Family Code, likely constitutes a material and substantial change of circumstances sufficient to warrant modification of a court order or portion of a decree that provides for the possession of or access to a child rendered before the effective date of this Act.

If you represent a client who states they or their child are experiencing family violence or sexual abuse, you can determine with them if there is credible evidence of the abuse that could be presented to the court. If the client has evidence and would like to prevent the court from ordering joint counseling or FRT or would like the court to retract an order already in place for family counseling or FRT, a request for modification of the court order could be filed to ask the court to review this evidence.

When representing clients or presiding over cases in family court, you can notify clients of this new law and explain its purpose. Clients who are experiencing family violence or sexual abuse may not always readily disclose this information, but if you notify all clients of this change they can have the tools needed if and when they are ready.

Implications for Advocates

If you are working with a survivor who is involved with the family court system, you can ask if they have been ordered into therapy with their abusive partner/former partner, or if their child has been ordered into therapy with their abuser. You can also ask if their child has been ordered into Family Reunification Therapy. If so, the survivor can alert their attorney (if they have one) about this new law and that it warrants a modification of their order. You can direct any attorneys working with survivors, or any family law attorneys you work with, to this guide for more information.

HB 3783: Safety in Court-Ordered Family Counseling (continued)

Implications for Advocates (continued)

If therapy like this has not yet been ordered, but a SAPCR is an issue they can still alert their attorney to the passage of this law, if they are represented. If they are unrepresented, you can still make them aware of this new law and seek to connect them with the resources listed below if they would like. It may be helpful for you or someone within your agency to check in with court staff, Judges, and/or local family attorneys about this change in the law to ensure they are aware. For unrepresented survivors, they can explore the following options to retain an attorney:

- [Texas Advocacy Project](#) | Statewide
- [Texas Legal Services Center](#) | Statewide
- [Texas Law Help](#) | Statewide
- [Legal Aid of Northwest Texas](#) | North and West Texas
- [Lone Star Legal Aid](#) | East and Southeast Texas
- [Texas Rio Grande Legal Aid](#) | Southwest Texas
- [WomensLaw](#) | National

Next Steps

Attorneys should review current cases for these types of counseling orders and if it has been ordered, discuss with their clients if they would like to seek a modification. Attorneys should also make all clients seeking to file a SAPCR or with an open SAPCR case, aware of this new law.

Advocates can ask the survivors they work with if they are involved in a SAPCR case and if so, what their concerns may be about court ordered family counseling, or family reunification therapy. If the advocate already knows this kind of therapy was ordered, they can notify the survivor of the law change and discuss options with the survivor for getting legal support.

Please reach out to the policy team at TCFV at policy@tcfv.org if you would like additional guidance on this law, including how to talk with survivors, and your local community and systems about these changes!

SB 1120 Expanded Crime Victims' Rights

Author: Senator Juan “Chuy” Hinojosa
& Senator Huffman
Sponsor: Representative Johnson

SB 1120: Expanded Crime Victim Rights

Overview:

Chapter 56A of the Code of Criminal Procedure, often referred to as the Crime Victims' Bill of Rights, grants victims of certain crimes several rights related to the investigation and prosecution of their case. Senate Bill 1120, which took effect on September 1, 2025, clarifies certain provisions of this Chapter and affords new rights to survivors of family violence. We offer this guide solely as support to implementing these provisions, and this should not be construed as legal advice.

Key Provision: New Definitions of Victim

Senate Bill 1120 amended Article 56A.001(7) by adding family violence and stalking to the list of offenses that qualify someone as a "victim" for purposes of this Chapter of the Code of Criminal Procedure. It provides that victims of offenses for violation of certain court orders under Texas Penal Code § 25.07, 25.071, or 25.072 are considered "victims" under this Chapter if the violation occurred through the commission of an assault, aggravated assault, or sexual assault or the offense of stalking. Additionally, it added Subdivision (4-a) to Article 56A.001, providing the following crimes qualify as family violence if they are committed against a person with whom the defendant has a dating relationship (as defined by Texas Family Code § 71.0021(b)) or is a member of the defendant's family or household:

- Continuous Sexual Abuse of a Young Child or Disabled Individual (Texas Penal Code § 21.02);
- Indecency with a Child by Sexual Contact (Texas Penal Code § 21.11(a)(1));
- Assault (Texas Penal Code § 22.01);
- Sexual Assault (Texas Penal Code § 22.011);
- Aggravated Assault (Texas Penal Code § 22.02);
- Aggravated Sexual Assault (Texas Penal Code § 22.021);
- Injury to a Child, Elderly Individual, or Disabled Individual (Texas Penal Code § 22.04); and
- Continuous Violence Against the Family (Texas Penal Code § 25.11).

SB 1120: Expanded Crime Victim Rights (continued)

Key Provision: Stalking

Stalking is often a form of abuse that is used by perpetrators of family violence. Prior to this bill, victims of stalking were included in areas of the code alongside victims of sexual assault, indecent assault and trafficking. Senate Bill 1120 recategorizes stalking victims with victims of family violence, providing more consistency for victims who may experience both stalking and family violence.

Key Provision: Right to be Notified of Certain Information

Senate Bill 1120 also amends Article 56A.051(a)(7)(D) to provide victims the right to be notified of:

- The defendant's release on parole for the offense involving the victim, including:
- the county in which the defendant is required to reside and
- the nonconfidential conditions of the defendant's parole, including any condition:
- prohibiting the defendant from going near the victim's home or work; or
- requiring the defendant to complete a BIPP;
- Any offense with which the defendant is charged while released on parole;
- The issuance of any warrant for the defendant under exas Government Code § 508.251; and
- Any revocation of the defendant's parole for the offense involving the victim.

Additionally, it provides that an advocate for a victim is entitled to obtain on behalf of the victim the information described by Article 56A.051(a)(7)(D).

Key Provision: Additional Rights of Victims of Certain Family Violence Offenses

Senate Bill 1120 creates additional rights for victims of family violence by amending Chapter 56A, adding Article 56A.0521. Under Article 56A.0521, victims of offenses involving family violence, stalking, and certain violations of court orders have the following rights:

- The right to disclosure of information regarding:
 - evidence that was collected during investigation; and

SB 1120: Expanded Crime Victim Rights (continued)

Key Provision: Additional Rights of Victims of Certain Family Violence Offenses (continued)

- the status of any analysis being performed on evidence;
- The right to be notified when a request is submitted to a crime lab to process evidence;
- The right to be informed about and confer with the attorney representing the state regarding the disposition of the offense, including sharing views regarding:
 - a decision not to file charges;
 - dismissal of charges;
 - use of pretrial intervention program; or
 - plea agreements;
- The right to be notified that the attorney representing the state does not represent them; and
- For stalking, all of the rights provided as described by Article 56A.052(d), for the offenses to which that subsection applied.

To see other crime victims' rights, please review Chapter 56A of the Code of Criminal and Article 1, Section 30 of the Texas Constitution.

Key Provision: Protective Orders

Lastly, Senate Bill 1120 amended Texas Family Code § 85.025 by adding three new subsections related to the duration of protective orders.

- Subsection (a-2) extends the duration of a protective order for two years after a final divorce decree is approved and signed by the judge, if the respondent is a party in the divorce.
- Subsection (a-3) extends the duration of a protective order for two years after the date the final order is rendered in a SAPCR, if the applicant or member of the applicant's family or household is also a party in that suit.

SB 1120: Expanded Crime Victim Rights (continued)

Key Provision: Protective Orders (continued)

- Subsection (a-4) extends the duration of a protective order for two years after the final disposition of a criminal case, if the respondent is charged with a criminal offense involving family violence under Title 5 or § 25.11 of the Texas Penal Code.

Next Steps

Courts, legal aid organizations, and advocacy programs are encouraged to incorporate SB 1120 training into professional education to ensure awareness of survivors expanded crime victims rights for family violence survivors and extended durations of certain protective orders.

Please reach out to the policy team at TCFV at policy@tcfv.org for additional guidance on this law, including how to talk with survivors, and your local community and systems about these changes!

SB 1120: Trauma-informed Prosecution

Reducing Retraumatization and Supporting Safety for Survivors Interacting with the Criminal Justice System

The expanded rights and protections granted to family violence victims under SB 1120 are vitally important in ensuring survivors have a stronger voice, are better informed, and are granted extended protections during court processes that can feel retraumatizing, difficult and disempowering.

If you are a prosecutor, attorney, advocate, or Judge, you may already recognize the importance of these expanded rights and their role in reducing retraumatization of victims who have experienced abuse and likely various forms of trauma. We want to ensure though that we offer some foundational information on trauma and its impact on family violence victims, to help support the development of a more trusting, safe, and empowering process between the victim and the criminal justice system.

Trauma & Its Impact on Survivors

If we look broadly at reducing retraumatization for survivors in the court setting, it is helpful to first understand trauma and responses to trauma. When we are not stressed or overloaded the different parts of our brain can work in harmony. Trauma changes that. Trauma is a threat or perceived threat to a person's physical and/or emotional wellbeing and is distressing to the individual. It may also affect whole families and communities, sometimes across generations. When we experience trauma or something that is perceived as a threat (like a traumatic activation or trigger) our brain responds to the threat and at that point it is challenging, if not impossible, to access decision-making, planning, language and to be open and receptive to others. At this point, the survivor is operating from the more basic parts of the brain, which is assessing the need to fight, flee, or freeze. The brain is in survival mode and it's important to acknowledge that this is an automatic response.

A single trauma can change brain functioning, but survivors of family violence often experience traumatic events multiple times throughout their relationship, and typically with increasing intensity or frequency over the course of time. Whether through verbal, emotional, physical, sexual, financial, spiritual or other forms of abuse, repeated and ongoing trauma can impact every sphere of a survivor's life and each survivor can experience trauma in a unique way.

SB 1120: Trauma-informed Prosecution

(continued)

Trauma & Its Impact on Survivors (continued)

Survivors' identities, culture, community, and environment alongside many other factors can affect their experience of trauma, and in turn their responses to trauma. An important part of offering trauma informed care is to individualize and tailor support to that person's needs. There are, however, some common responses to trauma, rooted in how our brains respond to threats, such as fear, anxiety, shame, anger, difficulty concentrating, and memory problems to name a few, as well as physical or behavioral responses. You can read more about trauma and responses to trauma via [Trauma Informed Oregon](#) and the [National Center for PTSD](#).

All of these responses are normal and are a product of the brain's response to serious threats. A survivor may experience some or all of these responses. Within the criminal justice system, using trauma informed practices is crucial, as many trauma responses can be misinterpreted or exacerbated by the court process.

Examples of Possible Trauma Responses in Court Settings

Consider a few examples of how a trauma response could be seen negatively, and how they can be re-framed in the context of trauma:

- A survivor doesn't show up to a court date, even though the victim advocate called to remind them and the survivor said they would attend.
 - Reframe: Consider a few possibilities here. Perhaps it is not a survivor being "uncooperative" or "difficult" but rather a trauma response. The survivor may have forgotten the date over the course of a few days, due to memory challenges. Or the survivor could have disassociated while speaking to the victim advocate and therefore did not fully hear or process the information. Or they may have become so fearful that they were frozen or stuck, unable to take action. They could also be fearful due to a threat their partner made to them that if they appeared in court, they would suffer some sort of abuse or harmful consequences. There are other possibilities too. Seeking to understand the survivor's experience through nonjudgmental conversation is a helpful way forward.
- A survivor looked stoic and unemotional while describing their traumatic experience in a hearing.

SB 1120: Trauma-informed Prosecution

(continued)

Examples of Possible Trauma Responses in Court Settings (continued)

- Reframe: A survivor may shut down when needing to describe their trauma as a way to protect themselves. This is the brain responding to a threat. It does not mean the survivor is unaffected by the trauma, but rather that they have transitioned into survival mode to get through a distressing experience. Helping to prepare the survivor for testimony through practice and discussions about how a survivor can identify and work through traumatic triggers (perhaps with their counselor, social worker or advocate) can offer increased emotional safety and grounding during particularly difficult situations in court.
- A survivor is offered a police escort after a hearing and the survivor becomes visibly upset and begins shaking. She quickly excuses herself to the bathroom.
 - Reframe: Survivors may have seemingly disproportionate or counterintuitive responses to something you say or do. However, in the content of their trauma, it makes sense. Perhaps this survivor had a negative experience with police and it feels retraumatizing to be escorted out alone with an officer. Offering multiple options and seeking to understand rather than judge are potential ways to respond.

When we seek to understand responses to trauma, these reactions make sense and can lead to better outcomes for both survivors and prosecutors. There are certain elements of trauma-informed care that when in place, can help survivors feel less traumatized, a greater sense of control or autonomy, and more fairness in the criminal justice process.

Trauma-informed Practices in the Court Setting

Below are key elements of trauma-informed care in a court setting.

- **Choice and Voice** – Wherever possible, offer victims control and options throughout the legal process. Trauma often takes away a person's sense of control. The criminal justice system can play a role in victims regaining some sense of control by offering meaningful choices in how the victim engages with the case, whenever that is possible. Presenting options and offering choices about how they will participate, again whenever possible, can help restore agency, reduce feelings of helplessness, and improve long-term mental health.

SB 1120: Trauma-informed Prosecution

(continued)

Trauma-informed Practices in the Court Setting (continued)

- **Transparency** – Ensure victims are fully informed about the legal process. Open, honest communication about what to expect at every stage of the case can help victims feel more secure and less anxious. Explaining procedures, possible challenges, and courtroom dynamics builds trust and ensures victims feel respected and included, even when outcomes are difficult.
- **Privacy** – Protecting a victim's personal information is crucial to maintaining their dignity and sense of safety, as well as a sense of control. Safeguarding confidentiality, limiting unnecessary exposure of sensitive details, preparing victims for any potential disclosures, and taking steps like sealing records or using pseudonyms can bolster victims' safety from further abuse and trust in the criminal justice system.
- **Connection** – Foster supportive, trusting relationships with victims. Consistent, empathetic engagement helps rebuild social trust, promote safety, and support emotional healing throughout the legal process.

In the words of Audria Maltsberger who testified in support of SB 1120:

“I was in an abusive marriage that lasted for twelve and a half years, and in the end, it took broken bones for me to leave. At the time of his criminal proceedings, I was not given the opportunity to discuss the plea agreement offered to him and was only notified of the outcome after the plea was accepted. The outcome of this plea agreement was a reduction from felony aggravated assault to a mere misdemeanor along with court-ordered batterer’s intervention classes. I feel that the lack of communication regarding these charges caused retraumatization and was yet another act of abuse on his part. I feel that this was a lost opportunity to support my safety and have my voice be heard while sending the message to him that this charge was a serious crime and also hold him accountable for his actions. I believe that SB 1120 would close a major gap in the Crime Victims Bill of Rights for family violence victims.”

Please reach out to the Policy Team, policy@tcfv.org at TCFV for more information about this bill, or trauma-informed practices.

History of Crime Victims' Rights in Texas

1970s

- 1977: Harris County establishes Texas's first victim assistance program within a prosecutor's office.
- 1979: 66th Texas Legislature passes SB 21 known as The Texas Crime Victims' Compensation Act—creating the first victims' compensation fund in Texas. The fund is administered by the Texas Industrial Accident Board and financed through court costs assessed on certain misdemeanors and felonies.

1980s

- 1980: The Texas Crime Victims' Compensation Program (CVC) officially launches, providing financial assistance to victims of crime. In its first year, the program received 1,600 claims and paid out \$417,000.
- 1982: The Harris County District Attorney's Victim Witness Office participates in President Reagan's Task Force on Victims of Crime, one of six pilot cities nationwide. The task force issues a landmark report with 68 recommendations to strengthen victims' rights and services.
- 1985: 69th Texas Legislature passes HB 235, adding Chapter 56 to the Code of Criminal Procedure, which formally outlines the Rights of Crime Victims in Texas. That same year, HB 560 extends the time for filing compensation applications if a victim was "reasonably" prevented from filing due to a crime-related physical injury.

1990s

- 1991: Administration of the CVC Program transfers from the Texas Industrial Accident Board to the Office of the Attorney General.
- 1995: 74th Texas Legislature passes SB 1049, expanding allowable reimbursements to include dependent care expenses.
- 1997: 75th Texas Legislature passes SJR 33, a constitutional amendment ensuring that Crime Victims' Compensation funds are used solely for victim services and resources.
- 1999: 76th Texas Legislature passes HB 3255, adding relocation and rental reimbursements for survivors of domestic violence.

History of Crime Victims' Rights in Texas (continued)

2000s

- 2001: 77th Texas Legislature passes HB 1572, directing the state to develop a computerized victim notification network, later known as the Victim Information and Notification Everyday (VINE) system.
- 2009: 81st Texas Legislature passes HB 2626, eliminating the cost of Sexual Assault Nurse Examiner (SANE) exams for sexual assault survivors who choose not to report the crime to law enforcement.

2010s

- 2015: 84th Texas Legislature passes HB 1446, allowing CVC funds to reimburse victims of sexual assault for certain initial hospital expenses beyond the SANE exam—even if the assault is not reported to police.
- 2017: 85th Texas Legislature passes SB 843, enhancing privacy protections for victims who receive CVC funds.
- 2018: CVC launches an online portal allowing victims and advocates to submit and track applications electronically.

2020s

- 2023: 88th Texas Legislature passes SB 49, expanding the definition of abuse and broadening eligibility for CVC funds to more victims of family violence. Additionally, SB 409 was passed, adding victims of stalking and indecent assault to the list of victims who are entitled to crime victims' rights. It also provided victims of sexual assault the right to be informed and confer with the prosecution about the disposition of the offense among other provisions.
- 2025: 89th Texas Legislature passes SB 1120 further expanding rights for survivors of family violence crimes, including the right to be informed and confer with prosecution about the disposition of the case and receive expanded information about a defendant's parole. It also extended the duration of certain protective orders. Additionally, SB 761 was passed which provides crime victims with specific ways to help ensure survivors have meaningful access to their crime victim's rights.

Appendix: HB 3783 Policy Brief



Policy Brief: HB 3783

by Flor Avellaneda, Ph.D.,

Postdoctoral Research Associate at The University of Texas at Austin &
Policy & Leadership Fellow at the Latino Texas Policy Center
(Produced in collaboration with Texas Council on Family Violence)

Executive Summary

Family reunification therapy (FRT) has emerged as a concerning practice in family court systems, especially in cases of domestic violence. While its stated intention is to repair parent-child relationships, evidence suggests FRT can cause psychological harm and may overlook legitimate safety issues for domestic violence survivors and their children. This brief examines the potential harms of FRT and associated risks when parental alienation is claimed by abusive parents in domestic violence cases.

Key Facts: The Impact of Family Violence on Survivors & Their Children

In 2024, domestic violence claimed the lives of 161 Texans, leaving 104 children without at least one parent. This is a devastating reality that affects many individuals across the state. Domestic violence is a widespread public health crisis with far-reaching consequences for individuals, families, and communities.

The effects of domestic violence are profound and long-lasting. Survivors often endure not only immediate physical harm, but also somatic symptoms, and chronic mental health challenges. These impacts ripple through every aspect of a person's life, limiting the ability of both survivors and their loved ones to live a life free of violence.

Perpetrators of violence often create destabilizing environments in which children may live in constant fear. In many cases, abusive parents not only harm their partners, but also direct physical, emotional, and/or verbal violence toward their children, placing them at significant risk of both immediate and ongoing danger.

Children who have a parent that uses domestic violence face particularly severe and lasting psychological, emotional, and developmental harm. Having ongoing contact with an abusive parent can lead to chronic anxiety, depression, difficulty trusting others, and disruptions in

normal development. Violence in the home deeply affects a child's developing brain and emotional well-being. These children are significantly more likely to experience PTSD, anxiety, and aggressive or withdrawn behaviors. Trauma caused by an abusive parent can interfere with their cognitive and emotional development, increase the risk of academic struggles, and lead to difficulty forming trusting relationships throughout life.

A Way Forward

Despite these adverse experiences, children exposed to domestic violence can still live healthy lives. A protective parent plays a crucial role in helping their child heal from trauma. When the protective parent provides support, it can significantly reduce the harm caused by the abusive parent.

Research shows that a caring relationship with the victimized parent is one of the most powerful protective factors for children exposed to domestic violence. Safe parent-child bonds act as a buffer against trauma, particularly when children face stress or instability. This bond provides children with the strength and resilience they need to navigate difficult circumstances.

Community resources, such as extracurricular activities and support from professionals, also promote positive outcomes.

The protective parent plays a critical role in safeguarding the emotional and physical wellbeing of the child, yet this role is too often minimized or disregarded by the legal system. Forcing children into contact with abusive parents through court ordered reunification therapy risks reliving trauma and can significantly impede their emotional recovery. Therefore, court systems must prioritize the safety and well-being of children above reunification goals when domestic violence is present.

Family courts must be mindful of these risks when considering orders for family reunification and claims of parental alienation.

Family Reunification Therapy & Family Violence

In recent years, it has become more common for family courts to order family reunification therapy (FRT), a practice that purports to repair damaged parent-child relationships when estrangement has occurred. Courts may mandate this practice for children who are reluctant or refuse to maintain contact with a parent. However, this approach raises significant safety, ethical and practical concerns due to a lack of empirical evidence demonstrating its benefits.

Most critically, FRT is especially harmful in domestic violence cases, where it can retraumatize victims, pressure children to reconcile with an abusive parent, and undermine a protective parent's efforts to maintain safety. In these situations, an abusive parent may claim parental alienation syndrome (PAS), where one parent is alleging that the other parent is turning the child against them. Even though experts have debunked parental alienation syndrome as pseudoscience, this term continues to be widely used.

Moreover, claims of PAS or parental alienation can shift blame onto the protective parent, dismiss a child's experiences of abuse, and potentially force children back into unsafe situations with the abusive parent. The child's legitimate fear or reluctance to engage with an abusive parent may be reframed by an abusive parent as evidence of the other parent's interference rather than a reasonable response to harm. Abusive dynamics do not simply end when parents separate. Shared custody arrangements may provide ongoing opportunities for controlling and coercive behaviors to continue under the guise of co-parenting, perpetuating the cycle of abuse.

Policy Implications: Promoting Safety for Survivors & Their Children

The safety and well-being of survivors and their children must be a top priority. [HB 3783](#), recently passed legislation in Texas, strengthens protections in custody disputes by requiring courts to consider evidence of family violence and sexual abuse prior to ordering any type of family counseling and prohibits practices commonly used in FRT. This bill mandates that judges consider any history of family violence or sexual abuse before ordering family counseling and explicitly prohibits such orders when credible evidence of this type of abuse exists.

In addition, by limiting the use of harmful, non-evidence-based practices such as those used in FRT, the legislation promotes trauma-informed approaches that protect families and children from violence. HB 3783 also ensures that both service providers and courts are better equipped to address this critical issue, as it requires training for mental health professionals on family violence dynamics.

Courts play a crucial role in prioritizing survivor and child safety, and under this bill, they are positioned to change the trajectory of countless families by placing safety, dignity, and justice at the forefront.

For more information, please contact:

Flor Avellaneda, Ph.D. at flor.avellaneda@austin.utexas.edu or
The Texas Council on Family Violence (TCFV) at policy@tcfv.org

To learn more about the Latino Texas Policy Center and the Policy & Leadership Fellowship, please visit

www.latinotexaspolicycenter.com

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Contact Us!

policy@tcfv.org

tcfv.org/public-policy

