

Juvenile Law Case Summaries

By
Robert O. Dawson
Bryant Smith Chair in Law
University of Texas School of Law

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Seriousness of the offense and age difference between respondent and victim were sufficient statement of reasons for removal from home [In re S.S.] (01-3-05).

On June 6, 2001, the San Antonio Court of Appeals affirmed a disposition after remanding the case to the juvenile court for a specific statement of reasons for the disposition removing the respondent from his home. The Court of Appeals then approved the juvenile court's statement that the serious nature of the offense and the age differential between the respondent and the victim justified removal.

¶ 01-3-05. In the Matter of S.S., UNPUBLISHED, No. 04-99-00806-CV, 2001 WL 608748, 2001 Tex.App.Lexis ____ (Tex.App.--San Antonio 6/6/01)[Texas Juvenile Law (5th Ed. 2001)]

Facts: After S.S. was found to have engaged in delinquent conduct, the juvenile court modified its original order of disposition, removing S.S. from the home. S.S. appealed, arguing the disposition violates due process notice requirements and the specificity requirements of Section 54.04 of the Texas Family Code. We remanded to the juvenile court for specific findings, and because the juvenile court amended its disposition order to include specific findings, we affirm the disposition of the juvenile court.

Held: Affirmed.

Opinion Text: After S.S. appealed, we remanded this case to the juvenile court, instructing it to correct its disposition order by including specific findings supporting S.S.'s removal from the home. In the Matter of S.S., slip op., 04-99-00806-CV (Tex.App.--San Antonio Mar. 19, 2001, no pet. h.). The juvenile court complied with our Order, finding the residential placement of S.S. necessary because "of the serious nature of the offense" and "the age difference between the respondent and the complainant." These findings, along with the statutory recitations of the juvenile court, satisfy the specificity requirements of Section 54 of the Texas Family Code.

Because the disposition order satisfies the relevant statutory requirements, we affirm the judgment.

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