



“Violence is a tool of the ignorant.”

*Flip Wilson  
(1933-1998)*

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## Reporting Child Abuse

**Who is required to report?** Anyone who has cause to believe that a child has been abused or neglected. Additionally, the statute specifically require professionals report if they suspect that a child has been abused or neglected. A professional is any person who is licensed or certified by the state, or works for a facility that requires licensure and who has direct contact with children in the normal course of his/her duties.

**What must you report?** You must report any suspicions of abuse or neglect of a child.

### Abuse includes:

- Mental or emotional injury to a child
- Physical injury that results in substantial harm to the child
- Genuine threat of substantial harm from physical injury

- Sexual conduct that is harmful to the child’s welfare
- Obscene or pornographic depictions of a child
- Causing or permitting a child to use a controlled substance
- Causing or failing to make a reasonable effort to prevent any of the above

### Neglect includes:

- Leaving a child in a situation where the child would be exposed to a substantial risk of physical or mental harm
- Abandonment
- Placing a child in or failing to remove a child

- from a situation that results in bodily injury or involves a substantial risk of a immediate harm
- Failure to seek or obtain medical care for a child that could or does result in death
- Disfigurement or bodily injury
- Failure to provide a child with food, clothing or shelter necessary to sustain the life or health of the child (excluding failure caused by financial inability)
- Placing a child or failing to remove a child from a situation in which the child would be exposed to a substantial risk of harmful sexual conduct

A report of child abuse or neglect may be made to any local or state law enforcement agency or Child Protective Services’ 24-hour toll-free telephone hotline at (800) 252-5400.



“Denton County has the highest average population served per District Court, nearly double the statewide average.”



“Current law requires that teachers, doctors, nurses, counselors, child daycare workers and other professionals must make a verbal report within 48 hours.”

## Does Denton County need a new District Court?



As of September 1, 2008, there were 444 district courts in Texas. According to the Annual Statistical Report for the Texas Judiciary for Fiscal Year 2008, Denton County had the highest average population served per District Court at 102,060; this is nearly double the statewide average of 53,869. Additionally, the same report indicates that Denton County has the second highest average annual growth rate in population served per District Court at 4.6%. Due to this growth, Senator Jane Nelson introduced a bill, SB88, in the Texas Senate requesting the creation of

a new District Court in Denton County. In late March, commissioners voted to approve the resolution to create a new court. The court would hear civil and family law cases beginning January 2011.

The district courts are the trial courts of general jurisdiction of Texas. The geographical area served by each court is established by the Legislature, but each county must be served by at least one district court. In sparsely populated areas of the State, several counties may be served by a single district court, while an urban county may be served by many

district courts.

District courts have original jurisdiction in all felony criminal cases, divorce cases, cases involving title to land, election contest cases, civil matters in which the amount in controversy is \$200 or more, and any matters in which jurisdiction is not placed in another trial court. While most district courts try both criminal and civil cases, in the more densely populated counties the courts may specialize in civil, criminal, juvenile, or family law matters.

Source:  
[www.courts.state.tx.us](http://www.courts.state.tx.us)

## Legal obligation and protection when reporting child abuse

**Legal obligation:** Current law requires that teachers, doctors, nurses, counselors, child daycare workers and other professionals must make a verbal report within 48 hours. Failure to report suspected child abuse or neglect is a misdemeanor. Reporting alleged child abuse to anyone other than law enforcement will **NOT**

satisfy your obligation to report.

**Protection when reporting:** Any report of child abuse or neglect is confidential as long as the report is made in “good faith” and “without malice”.

In “good faith” means that the person making the report took the reasonable steps necessary to learn the

facts that were available. “Without malice” means that the person did not intend to injure or violate the rights of another person.

As long as these two conditions are satisfied, you will also be immune from liability if you have to participate in any court proceedings.

Source: O.A.G

## April is Alcohol Awareness Month



April has been designated as Alcohol Awareness month in order to recognize the serious problem of alcohol abuse among all demographic groups in the United States. Society and the media portray alcohol abuse to occur within only high school and college age students. Unfortunately, alcohol abuse occurs in pregnant women who put their babies at risk for fetal alcohol syndrome, professionals who drink after a long day at work and senior citizens who are drinking out of loneliness. Alcohol abuse does not only negatively impact your work and family

life, but is associated with a huge number of adverse health effects. Alcohol abuse can cause unintentional injuries (motor vehicle collisions, falls, burns, drowning), violence (child abuse, homicide, domestic violence, suicide), SIDS, STD's, heart disease, hypertension, depression and liver disease.

April 8<sup>th</sup> marks the annual observance of National Alcohol Screening Day. Various locations are set up around the United States where people can be **anonymously** screened to see if their drinking habits may be risky. Also, these locations will provide educational materials, presentations and the

opportunity to meet one-on-one with a health professional to discuss any concerns. Best part – it is **FREE!** The following are just a few metroplex locations providing services:

**Methodist Medical Center** at Dallas, 4525 Lemmon Ave, Ste. 300, Dallas, Texas 75219 214-522-8600

**ConferenceCall.com** 1445 MacArthur Dr. Ste. 214 Carrollton, TX, 75007 800-820-5855

**Tarrant Council on Alcoholism & Drug Abuse** 1701 West Freeway, Suite 1 Fort Worth, TX, 76102 817-332-6329.

For other locations or more information visit [www.nationalalcoholscreeningday.org](http://www.nationalalcoholscreeningday.org)

## Intoxication Related Injuries

Victims of drunk drivers have claims not only against the drunk driver, but also against the bar that served the drunk driver. The Texas Dram Shop Act holds alcohol servers responsible for harm that their intoxicated patrons cause to other people. The

law covers all entities that sell or serve alcoholic beverages. Such providers of alcohol can be liable for other types of harm than just drunk driving accidents.

Many people worry about these laws with regard to houseguest and alcoholic

beverages. Under Texas law, individuals are not liable for alcohol consumed by their social guest over twenty-one (21), as long as they do not sell the alcohol to their guests, or provide a “cash bar”.



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## How our firm can help you

Our firm has handled thousands of clients over the past 15 years in many different practice areas. We have two attorneys, each of which is Board Certified by the Texas Board of Legal Specialization. *Steve Kuzmich is Board Certified in Personal Injury Trial Law and Jonathan M. Bailey is Board Certified in Criminal Law.*

Therefore, our firm primarily handles personal injury and criminal law matters.

### **Personal Injury**

Catastrophic accidents  
Wrongful deaths  
Nursing home negligence  
Slip and Falls  
Job related injuries  
Construction accidents

### **Criminal**

Felonies  
Misdemeanors  
DWI  
White collar crimes  
Family Disputes  
Juvenile matters

Please feel free to contact our office with any questions you may have, even if it is not an area we specialize in. Our firm will try to answer all your questions and if it is something outside our practice area, we will try to refer you to another attorney or firm, that we trust to handle your matter.