

# TRAFFICKING SURVIVORS

## Human Trafficking is modern day slavery.

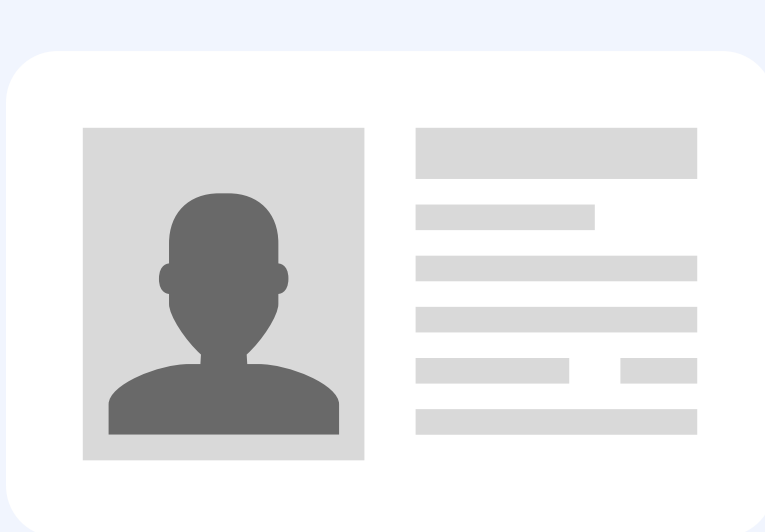
Broadly, it involves the use of force, fraud or coercion to compel the services of another individual, often without pay or pay that is inadequate. [1] Forced services include but are not limited to commercial sex work, migrant farm work, cleaning services, childcare, construction, restaurants, hospitality, factories, and landscaping. [2]

There may be as many as 40.3 million victims of trafficking throughout the world at any given time, including 24.9 million victims of labor trafficking. [3] In Texas, there are approximately 313,000 victims of human trafficking at any time. [5]



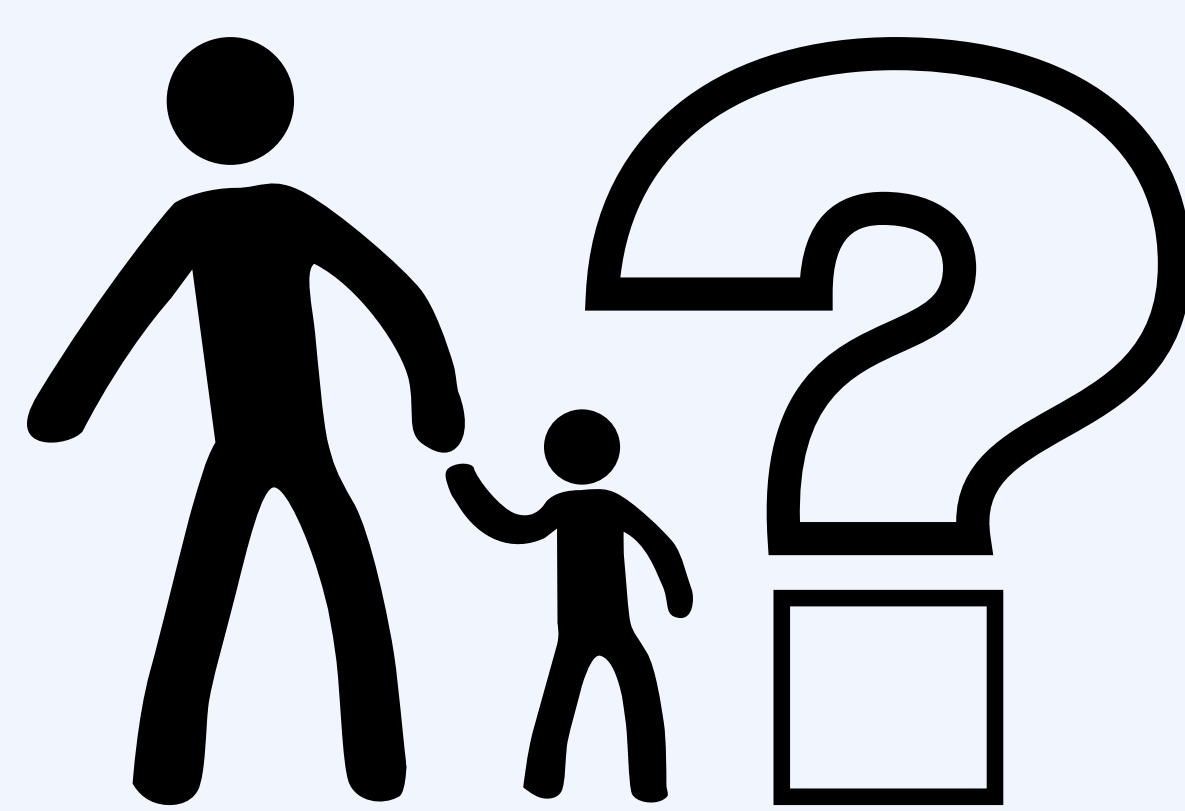
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## Trafficking Survivors often need access to the Family Court System. In Texas, statutes sometimes work against survivors.



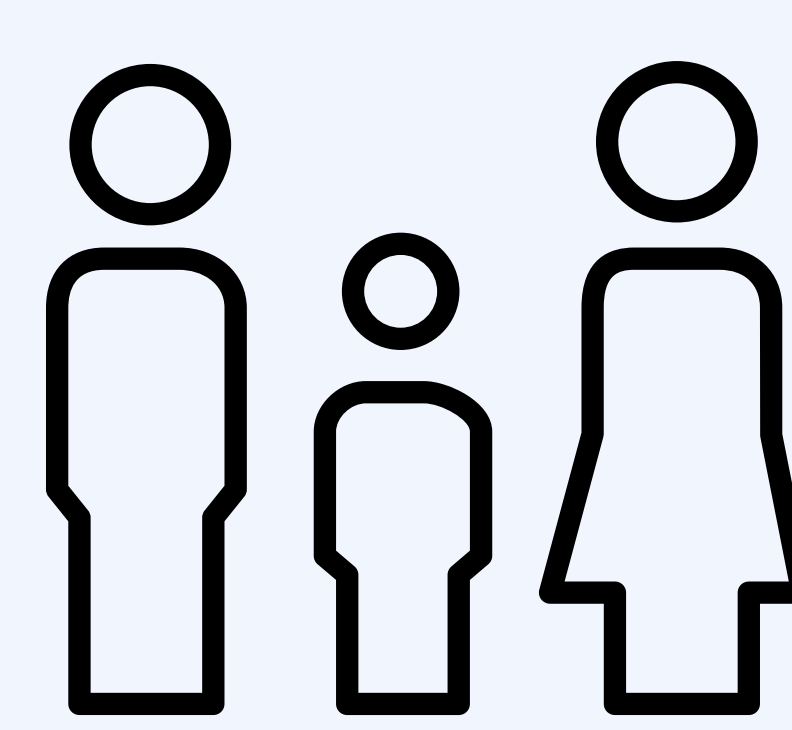
### Information Disclosure

Section 105.006 of the Texas Family Code requires that a final divorce or custody order must contain the social security number and the driver's license number of each party, each child subject to the suit, and each party's residential, mailing, and employment address, telephone number, and work telephone number. [6]



### Visitation

The Texas Family Code promotes outcomes in which children have "frequent and continuing contact with parents who have shown the ability to act in the best interest of the child." [7]



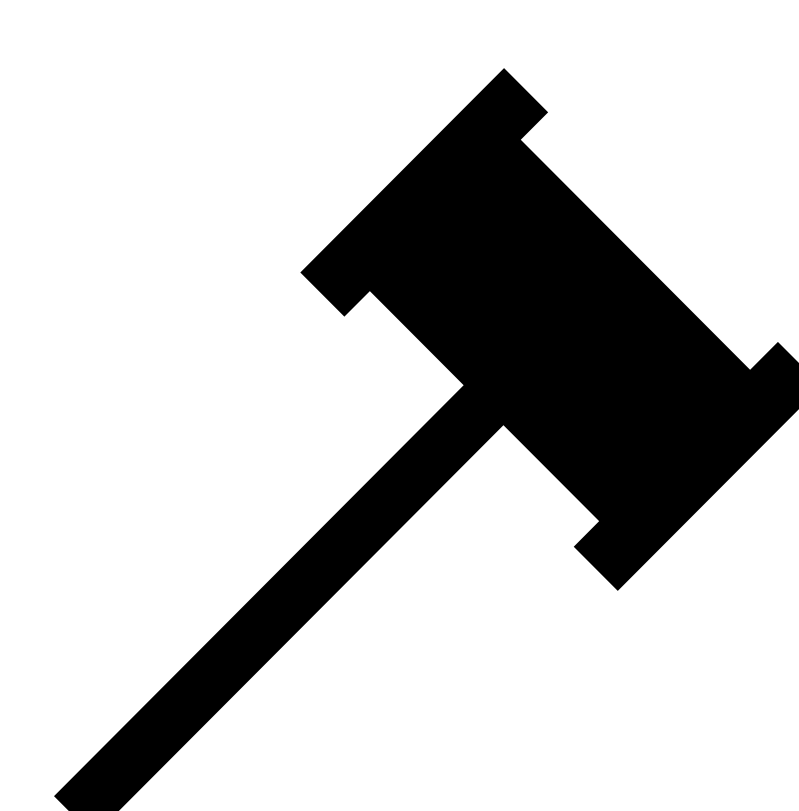
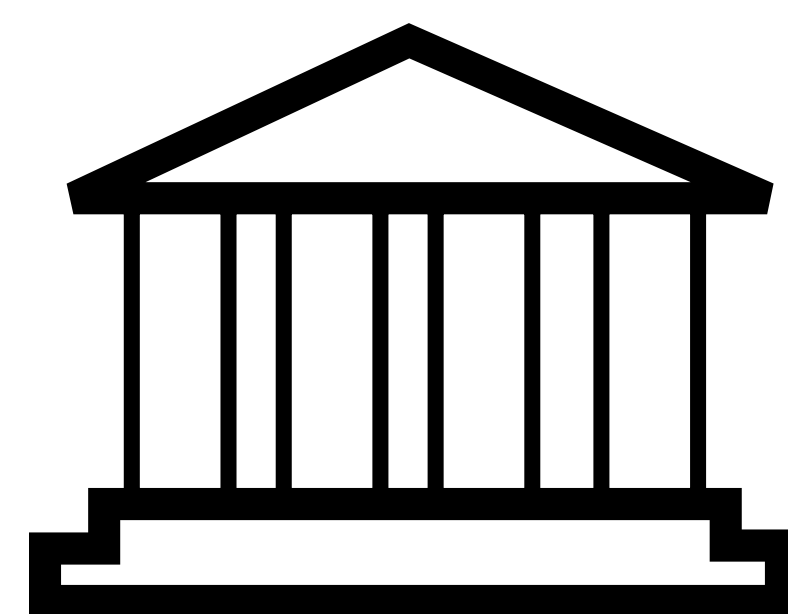
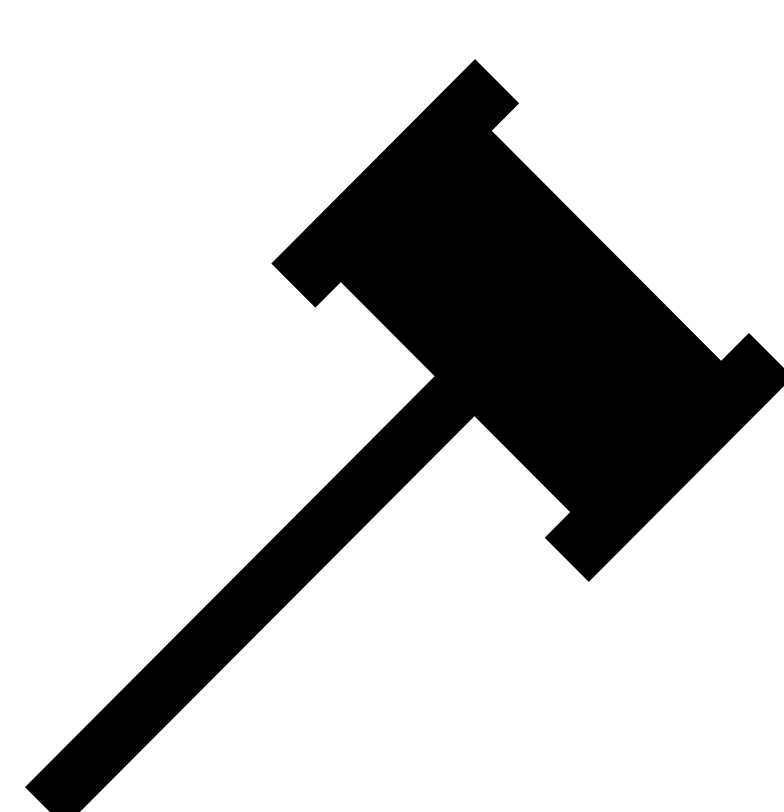
### Joint Managing Conservatorship

Section 153.131 of the Texas Family Code creates a presumption that it is in the best interests of the child that both parents be appointed as "joint managing conservators" of the child. [8]

## Conclusion

The above statutory requirements and presumptions can be particularly problematic for survivors of trafficking.

The Family Code offers protections, and **advocates must ensure that courts harness those protections to shield survivors from further exposure and risks.** Advocates should also seize opportunities to train and educate court officials about the dynamics of trafficking to ensure that survivors may access court systems without further risk of exposure to traffickers' coercive methods.



[1] Trafficking Victims Protection Act, 22 U.S.C. § 7102(11).

[2] Noel Nale Busch-Armendariz et. al., *Human Trafficking by the Numbers: Initial Benchmarks of Prevalence & Economic Impact in Texas*, INSTITUTE ON DOMESTIC VIOLENCE & SEXUAL ASSAULT, THE UNIVERSITY OF TEXAS AT AUSTIN, 15 (2016); *About Human Trafficking*, U.S. DEPARTMENT OF STATE (October 26, 2021, 3:19pm), <https://www.state.gov/humantrafficking-about-human-trafficking/>.

[3] *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage*, INTERNATIONAL LABOUR ORGANIZATION AND WALK FREE FOUNDATION, Geneva 2017, available at [https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms\\_575479.pdf](https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575479.pdf).

[4] *Id.*

[5] *Human Trafficking by the Numbers*, supra at 2.

[6] Tex. Fam. Code § 105.006(a).

[7] Tex. Fam. Code § 153.001(a)(1).

[8] Tex. Fam. Code § 153.073.

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