ADMINISTRATIVE	§	IN THE PROBAT COURT
	§	
ORDER2011-1	§	NUMBER ONE
	§	
	§	MONTGOMERY COUNTY, TX

ORDER SETTING ATTORNEY AD LITEM DEPOSIT

The Texas Estates Code mandates that it is the Court's duty to ensure that estates of decedents and wards pay only for "reasonable and necessary" attorney's fees and expenses. The factors to be considered in determining the reasonableness of attorney's fees are set forth in Rule 1.04 of the Texas Rules of Professional Conduct. One factor is the customary hourly rates of attorneys with similar education and skills performing similar services. As a consequence, the Court finds that a deposit should be required for the services of an attorney ad litem.

It is therefore ORDERED that effective 10/1/23, each applicant in a civil, probate or guardianship case filed in the Montgomery County Probate Court #1 that requires the appointment of an attorney ad litem will be required to deposit $500.00 toward the services of the attorney ad litem. If the Court orders payment of less than $500.00, the excess will be refunded to the applicant. All payments are subject to administrative fees statutorily authorized to be withheld by the County Clerk of Montgomery County, Texas.

SIGNED AND ENTERED ON 10/1/23.

JUDGE CLAUDIA LAIRD
PRESIDING JUDGE
PROBATE COURT NO. 1