

ADMINISTRATIVE ORDER

2025-2

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IN THE PROBATE COURTS

OF

HARRIS COUNTY, TEXAS

ORDER REQUIRING SECURITY FOR APPOINTEES' FEES

The Probate Courts find that the costs associated with Attorneys Ad Litem appointed as required by statute¹ in Heirship and Guardianship proceedings should be equalized and reasonably predictable in average, uncontested cases.

The Probate Courts further find that appointees in heirship and guardianship proceedings should be assured payment of a minimum of their reasonable and necessary fees.

IT IS THEREFORE ORDERED pursuant to Texas Estates Code §§53.052 & 1053.052 that, upon filing of 1) Applications for the Determination of Heirship and 2) Applications for the Appointment of a Guardian, Applicants shall pay the amount of \$750.00 as security for the costs for the Attorney Ad Litem appointed in their case². The provision in this paragraph shall take effect no sooner than March 3, 2025.

IT IS FURTHER ORDERED that Applicants who have filed an Affidavit of Inability to Pay Costs in the case shall not be required to deposit the security for the costs for the Attorney Ad Litem appointed in their case.

IT IS FURTHER ORDERED that the Harris County Clerk shall collect and place the funds into a Court Appointed Ad Litem Fund (not the Registry of the Court) until ordered by the Court to pay such funds to the Appointee.

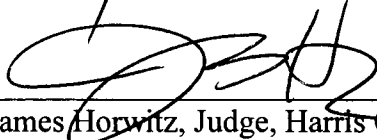
IT IS FURTHER ORDERED that the Harris County Clerk's Office, Harris County Probate Courts, and the Harris County Auditor's Office shall collaborate to devise a reasonable reconciliation process related to the collection and disbursement of these funds.

¹ See e.g. Tex. Estates Code §202.009 & 1054.001

² See also Tex. R. Civ. P. 142-149

IT IS FURTHER ORDERED that the County Auditor and Universal Services shall work together to provide case and court specific paid reports to aid the five probate courts in reconciling the funds.

Signed this 3 day of February, 2025


James Horwitz, Judge, Harris County
Probate Court No. 4
Administrative Judge of the Harris County
Probate Courts

FILED
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JESSICA M. H. [unclear]
COUNTY CLERK
HARRIS COUNTY TEXAS