CAUSE NO. 20-CPR-000002

ADMINISTRATIVE ORDER	§	**IN THE COUNTY COURT**
	§	
LOCAL ORDERS FOR PROBATE AND	§	
GUARDIANSHIP MATTERS PENDING	§	**AT LAW NUMBER ONE (1)**
IN COUNTY COURT AT LAW NO. 1	§	
AND IN COMPLIANCE WITH TEXAS	§	
ESTATES CODE §53.104 AND §1054.001	§	**FORT BEND COUNTY, TEXAS**

STANDING ADMINISTRATIVE ORDER SETTING AN AD LITEM DEPOSIT IN PROBATE & GUARDIANSHIP CASES

On this day, Fort Bend County Court at Law No. 1 (the "Court") considered in chambers, the issues surrounding attorney ad litem fees. 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, including the fees and expenses of an attorney ad litem. See Texas Estates Code §§ 53.104 and 1054.001. 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. The Court recently studied these rates and the issues surrounding payment of attorney ad litems. Therefore, the Court finds that the ad litem deposit is required for the services of an attorney ad litem.

It is THEREFORE ORDERED and DECREED that unless an affidavit of indigency is filed with an application, effective October 15, 2020, each application filed thereafter requiring the appointment of an attorney ad litem will be required to deposit into the registry of the Court $525 toward the services of the attorney ad litem. The following applications or motions require an ad litem deposit: Application for Appointment of Guardian, Application for Appointment of Temporary Guardian, Application for Appointment of Independent/Dependent Administrator and Determination of Heirship, Application for Determination of Heirship, Application for Sale of Property of a Minor by a Parent or a Ward without Guardianship of the Estate and/or an Application for Attorney Ad Litem.

It is FURTHER ORDERED and DECREED that the ad litem deposit will be used as payment of the Court ordered Attorney Ad Litem fees in the above referenced cases. If the Court orders payment of less than $525.00, the excess will be refunded to the applicant. If the Court orders payment of more than $525.00, the order will indicate how the additional fee will be paid. Upon order of this Court, the Fort Bend County Clerk's Office shall release the ad litem deposit, minus any interest accumulated, as outlined in the Court's order. Any interest accumulated from the ad litem deposit will be returned to the applicant or upon request of the applicant, deposited into the Fort Bend County General Fund.

Signed on 6 day of October, 2020



HON. CHRISTOPHER G. MORALES
COUNTY COURT AT LAW NO. 1
FORT BEND COUNTY, TEXAS