CAUSE NO. 20-CPR-000001

ADMINISTRATIVE ORDER	§	**IN THE COUNTY COURT**
	§	
LOCAL ORDERS FOR ATTORNEY	§	
AND GUARDIAN AD LITEM LISTS	§	**AT LAW NUMBER ONE (1)**
FOR PROBATE AND GUARDIANSHIP	§	
CASES AND FOR COMPLIANCE WITH	§	
TEX. GOVT. CODE § 37.01	§	**FORT BEND COUNTY, TEXAS**

STANDING ADMINISTRATIVE ORDER ON FORT BEND COUNTY COURTS AT LAW NO. 1 ATTORNEY AND GUARDIAN AD LITEM APPOINTMENT LISTS

On this day, Fort Bend County Courts at Law No. 1 (the "Court") considered in chambers the Court's policy and procedures to administer the Attorney and Guardian Ad Litem Appointee Lists for both probate and guardianship cases in accordance with Texas Government Code § 37.004. The Court recently studied the issues surrounding the appointment of attorney ad litems and determined additional changes were needed to ensure the appointment of qualified attorney and guardian ad litems. Therefore, the Court finds that the following changes are required for attorney ad litem and guardian ad litem appointments, to ensure an efficient way to comply with Texas Government Code § 37.004.

It is THEREFORE ORDERED and DECREED that:

I. There will be two Probate Attorney/Guardian Ad Litem Lists as follows:

Ad Litem List 1: Attorneys with 10 or more years probate experience who have requested to be appointed on difficult, complex and contested probate cases; and are qualified in accordance with this Order and have been approved by the Court.

Ad Litem List 2: Attorneys who have requested to be appointed and are qualified in accordance with this Order and have been approved by the Court.

II. There will be two Guardianship Attorney/Guardian Ad Litem Lists as follows:

Ad Litem List 1: Attorneys with 10 or more years probate and guardianship experience who have requested to be appointed on difficult, complex and contested guardianship cases; and are qualified in accordance with this Order and have been approved by the Court.

Ad Litem List 2: Attorneys who have requested to be appointed and are qualified in accordance with this Order and have been approved by the Court.

III. Each year, the Court will update and post a copy of the current Probate Attorney/Guardian Ad Litem Lists and the Guardianship Attorney/Guardian Ad

Litem Lists (the "Lists") on the Fort Bend County Public Notice Bulletin located at the entrance of the Fort Bend County Justice Center. The Lists will also be posted on the Court's website. The Lists shall contain the names of all attorneys in alphabetical order (the order in which attorneys are appointed may differ), who have met all local requirements and complied with all criteria set forth in this Order.

IV. To be considered for placement on the Lists, an attorney must send items a. – d. listed below via e-mail to the Court's Probate Auditor, Mrs. Anita Ayala; and complete items e. & f. for placement on the Lists:

a. A letter addressed to the Court on the attorney's letterhead, requesting placement on either the Probate Attorney/Guardian Ad Litem List 1, 2 or both; the Guardianship Attorney/Guardian Ad Litem List 1, 2 or both; or all lists;
b. A current State Bar of Texas Certified Attorney Ad Litem Certificate obtained by completion of the Texas Estates Code § 1054.201 mandated four hours of guardianship training;
c. A resume or curriculum vitae;
d. A completed Fort Bend County Court at Law No. 1 Application and Attorney Profile Form;
e. Attend the Court's annual Practicing Probate in County Court at Law No. 1 CLE once in the last 3 years or submit an affidavit stating you have attended 15 hours of Probate and Guardianship CLE within the past fiscal year, with the attached relevant course documentation; and
f. Schedule and attend a virtual probate docket of the Court.

After items a. - d. have been submitted to the Court, the Court's Probate Auditor will contact the attorney to schedule a probate docket for the attorney to attend.

V. For an attorney to be found by the Court to qualify to serve as an Ad Litern on the Probate Attorney/Guardian List 1 or Guardianship Attorney/Guardian Ad Litem List 1, the attorney must demonstrate an ability to handle difficult and complex probate and guardianship matters. Furthermore, in order to be qualified to serve as an Ad Litem on either of the Lists, the attorney must have significant experience with dependent administrations, including temporary estate administrations and guardianship administrations.

VI. After making a discretionary decision based on the requirements of each case, the Court will decide which Ad Litem List will be used to make the appointment. The Court is statutorily authorized to appoint an attorney out of order or to appoint an attorney who otherwise meets statutory or other legal requirements to serve as an attorney or guardian ad litem in a case, but who is not currently an Ad Litem if the attorney:

a. Possesses relevant specialized education, training, certification, skill, language proficiency, or knowledge of the subject matter of the case;
b. Has relevant prior involvement with the parties in the case;

c. Is in a relevant geographic location; or
d. Is chosen by agreement of all the parties.

VII. It is the attorney's duty to notify the Court that his/her State Bar of Texas Certified Attorney Ad Litem Certificate has expired, and is not to accept any appointments until he/she has obtained a current Ad Litem Certificate; and has met all the Court's requirements contained in this Order. An attorney shall provide the Court an updated State Bar of Texas Certified Attorney Ad Litem Certificate when the prior Certificate expires. If the attorney fails to provide an updated Certificate prior to the expiration date, the attorney shall be required to again perform all the steps listed in Section IV. of this Order.

VIII. The Court find that this Order should be implemented in order to serve the citizens of Fort Bend County, and to efficiently and effectively administer the cases filed in Fort Bend County Court at Law No. 1, according to the law.

IT IS THEREFORE ORDERED that the above Standing Administrative Order of Fort Bend County Court at Law No. 1 Attorney and Guardian Ad Litem Appointment Lists shall be carried out and implemented by Fort Bend County Court at Law No. 1 and the attorneys serving on the Ad Litem Lists according to the law. Administrative Order 17-CPR-000001 is withdrawn and replaced by this Order.

Signed on 6 day of October, 2020

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