

CAUSE NO. 17-CPR-000001

IN RE: LOCAL ORDERS FOR ATTORNEY AND GUARDIAN AD LITEM LISTS FOR PROBATE AND GUARDIANSHIP CASES AND FOR COMPLIANCE WITH TEXAS GOVT. CODE § 37.01

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IN THE COUNTY COURTS
AT LAW NO. 1 & 2
FORT BEND COUNTY, TEXAS

STANDING ADMINISTRATIVE ORDER ON FORT BEND COUNTY COURTS AT LAW NO. 1 & 2 ATTORNEY AND GUARDIAN AD LITEM APPOINTMENT LISTS

On this day, Fort Bend County Courts at Law No. 1 & 2 (the “Courts”) considered in chambers the Courts’ 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 § 37.01. The Courts Order the following:

1. 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 Courts.

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 Courts.

2. 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 Courts.

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 Courts.

3. On May 1st of each year, the Courts 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 Courts’ websites. 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.

4. To be considered for placement on the Lists, an attorney must send the following documentation via e-mail to the Courts' Probate Auditors, Mrs. Anita Ayala of County Court at Law No. 1, or Ms. Brenda Michalik of County Court at Law No. 2; and meet the following criteria prior to March 1st of the year the Attorney requests 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 Courts at Law No. 1 and 2 Application and Attorney Profile Form;
 - e. View "Practicing in Fort Bend County" video in the law library;
 - f. Attend the Courts' annual Practicing Probate in County Courts at Law No. 1 & 2 CLE once in the last 3 years; and
 - g. Schedule and attend a probate docket of each court.

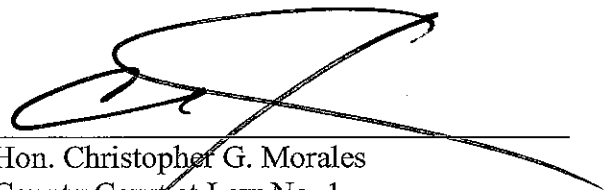
After items a. - d. have been submitted to the Courts, the Courts' Probate Auditors will contact the attorney to schedule a probate docket for the attorney to attend and an interview with the Judge of each respective court.

5. In order for an attorney to be found by the Courts to be qualified to serve as an Ad Litem on any of the Lists, the attorney must demonstrate a working knowledge of the Texas Estates Code, the Texas Rules of Evidence, and the local rules of Fort Bend County. For an attorney to be found by the Courts to qualify to serve as an Ad Litem 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 aforementioned lists, the attorney must have significant experience with dependent administrations, including temporary estate administrations and guardianship administrations.
6. After making a discretionary decision based on the requirements of each case, the Courts will decide which Ad Litem List will be used to make the appointment. The Courts are 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.
7. It is the attorney's duty to notify the Courts that his/her State Bar of Texas Certified Attorney Ad Litem Certificate has expired, and not to accept any appointments until he/she has obtained a current Ad Litem Certificate and has met all the Courts' requirements contained in this Order. An attorney shall provide the Courts 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 No. 4 of this Order.
8. The Courts 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 Courts at Law No. 1 & 2, according to the law.

IT IS THEREFORE ORDERED that the above Standing Administrative Order of Fort Bend County Courts at Law No. 1 & 2 Attorney and Guardian Ad Litem Appointment Lists shall be carried out and implemented by Fort Bend County Courts at Law No. 1 & 2 and the attorneys serving on the Ad Litem Lists according to the law.

Signed on 15 day of February, 2017



Hon. Christopher G. Morales
County Court at Law No. 1
Fort Bend County, Texas



Hon. Jeffrey A. McMeans
County Court at Law No. 2
Fort Bend County, Texas