

HARRIS COUNTY CIVIL DISTRICT COURTS PROTOCOL FOR APPOINTMENT OF ATTORNEYS AD LITEM

The Texas Legislature passed S.B. 1876 relating to the appointment of attorneys ad litem, guardian ad litem, mediators, and guardians (the "Act"). The Act has become law and is effective September 1, 2015.

The Act requires each state court to establish and maintain separate lists of all attorneys who are qualified to serve as attorneys ad litem, guardians ad litem, mediators, and guardians.

The Act requires that the lists include all attorneys who are qualified to serve and who are registered with the court.

Rather than maintain their own lists, the Act provides that, at the request of one or more courts, the local administrative judge shall establish and maintain the lists for those courts making a request.

The Harris County Board of Civil Judges ("Board of Civil Judges") has requested the local administrative judge ("Administrative Judge") to establish and maintain the required list of qualified Attorneys Ad Litem based on the criteria listed below.

The Board of Civil Judges adopts the following protocol to establish and maintain the list of qualified Attorneys Ad Litem.

1.0 Creation of Attorney Ad Litem List.

- 1.1.** The Administrative Judge will maintain a list of qualified Attorneys Ad Litem (the "List").
- 1.2.** Attorneys wishing to be appointed as an Attorney Ad Litem shall apply with the Administrative Judge annually.
- 1.3.** Qualifications for Attorney Ad Litem for the Civil Division. Attorneys wishing to be on the List must verify in their application that they satisfy the following qualifications:
 - 1.3.1.** Be licensed by and in good standing with the State Bar of Texas for at least one year preceding the initial application.
 - 1.3.1.1.** An attorney who has received a public reprimand is disqualified from inclusion on the List for one year following the reprimand.
 - 1.3.1.2.** An attorney who received a suspension or disbarment is disqualified from inclusion on the List for one year following reinstatement in good standing by the State Bar.

- 1.3.2. Exhibit proficiency and a commitment to providing quality representation to clients in civil cases;
- 1.3.3. Demonstrate professionalism and reliability when providing representation to clients in civil cases; and
- 1.3.4. Attend the Civil District Courts' Attorney Ad Litem Continuing Legal Education ("CLE") program no more than two years prior to the initial application. Thereafter, attend the Civil District Courts' CLE once every four years.

2.0 Use of Attorney Ad Litem List.

- 2.1 All tax masters and civil district court judges shall use the List, except that a district court may opt out of the protocol by written notice to the Administrative Judge.
- 2.2 Appointments are made on a rotation system. A tax master or judge using the List must appoint the person whose name appears first on the List. When someone is appointed as Attorney Ad Litem, that person is then placed at the bottom of the List.

3.0 Maintenance of the List.

- 3.1 The Board of Civil Judges will vote annually to approve the List at its December meeting. The approved List shall be effective January 1st of the following calendar year.
- 3.2 The Administrative Judge shall maintain the List. Annually, the List will be electronically posted on www.justex.net and a hard copy shall be posted at the civil courthouse, in a location to be determined by the Administrative Judge.
- 3.3 The Administrative Judge shall also post the courts for which the List is maintained and used.

4.0 Removal from the List. A majority of the Board of Civil Judges may remove someone from the List. An attorney may be removed from the List if he or she fails to perform the duties as an Attorney Ad Litem or fails to satisfy the requirements herein.