

THE ATTORNEY AD LITEM APPOINTMENT PROCESS

FREQUENTLY ASKED QUESTIONS

1. What qualifications are required for Attorney Ad Litem appointments in the Harris County Civil Court Division?

ANSWER: At the request of some of the Civil District Courts, the Harris County Administrative Judge maintains a list of attorneys who are qualified to serve as Attorney Ad Litem (the "List"). Attorneys wishing to be on the List must verify in their application that they satisfy the following qualifications:

- Licensed by and in good standing with the State Bar of Texas for at least one year preceding the initial application. An attorney who has received a public reprimand is disqualified from the inclusion on the List for one year following the reprimand. 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;
- Exhibit proficiency and commitment to providing quality representation to clients in civil cases;
- Demonstrate professionalism and reliability when providing representation to clients in civil cases; and
- 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.
- For further information refer to the Harris County Civil District Courts Protocol for Appointment of Attorneys Ad Litem on the District Courts website <http://www.justex.net/Courts/Civil/CivilCourts.aspx>

2. I want to receive appointments as a **Guardian Ad Litem** for minors and others under Tex.R.Civ.P 173. Will the *Fundamentals of Serving as Attorney Ad Litem* course help me obtain those appointments?

ANSWER: No. The Harris County Courts offer this course to enable attorneys to be on the Harris County Administrative Judge's List for **attorney ad litem** appointments; that is, those attorneys appointed, generally, to represent absent defendants. The Administrative Judge does not maintain a master list for guardian ad litem appointments.

If you wish to obtain guardian ad litem appointments, you should consult the individual courts' websites or contact the court staff to learn each court's preference on becoming eligible for guardian ad litem appointments.

3. I took the Fundamentals of Serving as Attorney Ad Litem course offered by the District Courts last year, am I required to take the course again to be eligible for the List?

ANSWER: No. On the application, you must certify completion of the Civil District Courts Attorney Ad Litem Continuing Legal Education no more than two years prior to the initial application. Thereafter, attend the CLE offered by the Civil District Courts once every four years. You must, however, complete an application each year to remain on the List.

4. I am on the List of attorneys certified for ad litem appointments created last year. Must I reapply to receive appointments during the next year?

ANSWER: Yes. The current List expires on **12/31/2015**. All attorneys who wish to be on the new List must submit an application, on or before **11/2/2015**.

5. I would like to receive appointments for general civil cases, but would prefer not to be an attorney ad litem in tax cases. Is that possible?

ANSWER: No, not at this time. The Administrative Judge maintains a List of all attorneys who are qualified to serve as an attorney ad litem at the request of one or more of the Civil District Courts. Absent special circumstances, or if a district court opts out, all attorney ad litem appointments are derived from the List on a rotating basis. The vast majority of AAL appointments made from the List are ad valorem tax cases.

6. Is the course offered by the Houston Bar Association on guardian ad litem sufficient to qualify for the List?

ANSWER: No. The program offered by the Civil District Courts for serving as an Attorney Ad Litem covers different topics than the course offered by the Houston Bar Association for serving as a Guardian Ad Litem. You must have taken the program offered by the Civil District Courts. Education regarding service as a guardian ad litem does not satisfy the requirement.

7. What is the cost of the course?

ANSWER: The course offered by the Civil District Courts is free.

8. Will I receive CLE credit for the course?

ANSWER: Yes. The course has been approved for three (3) hours of CLE credit.

9. What if I cannot attend the Fundamentals of Serving as Attorney Ad Litem seminar when it is offered in the fall of 2015 but want to apply to be on the List?

ANSWER: You may apply but you will not be active on the List, unless you have taken the program offered by the Civil District no more than two years prior to the initial application. Thereafter, once every four years.

10. What do I need to do to attend the Fundamentals of Serving as Attorney Ad Litem seminar to receive credit?

ANSWER: Send an email indicating your intent to attend to: CivilAAL@justex.net. Unless we receive your email, we cannot guarantee that you will receive the CLE materials or CLE credit.

11. Where can I get an application and where should I send my completed application?

ANSWER: The application is available online at <http://www.justex.net/JustexDocuments/0/AttorneyAdLitem/Application%20for%200Attorney%20Ad%20Litem%202015-1.pdf>. Submit your completed application no later than **November 2, 2015** to:

Administrative Office of the District Courts
1201 Franklin, 7th Floor
Houston, TX 77002
Attention: Melissa Love

Or via email to CivilAAL@justex.net

12. Does attendance at the Fundamentals of Serving as Attorney Ad Litem seminar guarantee that I will receive attorney ad litem appointments?

ANSWER: No. All attorneys who wish to be on the new List must submit an application and be approved to receive attorney ad litem appointments.

13. Are you aware of other CLE programs that satisfy the CLE requirements to serve as an attorney ad litem?

ANSWER: At the present time, no. The attorney ad litem seminar sponsored by the State Bar of Texas for guardianship and other probate issues does provide some information useful to service as an attorney ad litem, but it does not provide three (3) hours CLE on the topics relevant to service as an attorney ad litem.