

IN RE: ALL APPLICATIONS FOR §  
DETERMINATION OF HEIRSHIP FILED §  
IN THE PROBATE COURT OF DENTON §  
COUNTY, TEXAS ON OR AFTER §  
SEPTEMBER 1, 2015 §

IN THE PROBATE COURT  
OF  
DENTON COUNTY, TEXAS

NOV 04 2015

JULI LUKE  
 DEPUTY

**STANDING ADMINISTRATIVE ORDER  
COURT PROCEDURE REGARDING SECURITY OF COST FOR ATTORNEY AD LITEM FEES  
IN DETERMINATION OF HEIRSHIP PROCEEDINGS**

The Court, on its own motion, enters this administrative standing order regarding payment of Attorney Ad Litem appointed in applications for determination of heirship. This order shall apply to each application for determination of heirship filed on or after September 1, 2015, and amends the Standing Administrative Order No. SO-2015-00005 entered September 3, 2015.

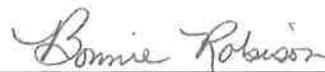
Tex. Est. Code § 202.009 provides that in a proceeding to determine heirship, the court shall appoint an Attorney Ad Litem to represent the interests of heirs whose names or locations are unknown. The Court finds the sum of \$500.00 represents a reasonable amount to be deposited as a retainer by the Applicant in contemplation of payment for the reasonable and necessary services of the Attorney Ad Litem (“Retainer Deposit”).

IT IS THEREFORE ORDERED that as provided in Tex. Est. Code § 53.052(a), for all applications for Determination of Heirship filed on or after September 1, 2015, the Clerk of the Court shall collect a Retainer Deposit in the amount of \$500.00, with administrative fee waived, in every cause in which an application for determination of heirship is filed. This Retainer Deposit shall be held by the Clerk of the Court for the payment of the fees of the attorney ad litem upon a proper order directing the taxing of the same as costs in the proceeding and the filing of an Order for Mandatory Report of Judicial Appointment and Fees.

IT IS FURTHER ORDERED that if the Court ordered amount of reasonable and necessary attorney’s fees and expenses to be paid to the Attorney Ad Litem is less than the \$500.00 Retainer Deposit and the Attorney Ad Litem has been discharged from his or her duty, the Clerk shall release from the Retainer Deposit to the Attorney Ad Litem pursuant to the Court’s order the amount for reasonable and necessary attorney’s fees and expenses approved in the case. After payment to the Ad Litem, the Clerk shall then release from the Registry of the Denton County Probate Court the remaining amount of the Retainer Deposit to the Applicant within thirty (30) days from the Court’s signed Order approving attorney’s fees and expenses.

IT IS FURTHER ORDERED that if the Court ordered amount of reasonable and necessary attorney’s fees and expenses to be paid to the Attorney Ad Litem is more than the \$500.00 Retainer Deposit, the clerk shall release the \$500.00 Retainer Deposit from the registry of the Denton County Probate Court to the Attorney Ad Litem in the case within thirty (30) days from the Court’s signed Order approving attorney’s fees and expenses. The remaining balance of the attorney’s fees owed to the Attorney Ad Litem shall be paid by the Applicant in accordance with the Court’s signed Order within thirty (30) days.

SIGNED on November 4, 2015.



**BONNIE J. ROBISON, JUDGE  
DENTON COUNTY PROBATE COURT**