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DEPUTY

No. SO-2016-00001

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

IN THE PROBATE COURT

OF

DENTON COUNTY, TEXAS

**STANDING ADMINISTRATIVE ORDER ON DENTON COUNTY PROBATE COURT
ATTORNEY AND GUARDIAN AD LITEM APPOINTMENT LISTS**

On this day, the Court considered 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 §37.01. The Court finds as follows:

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

Ad Litem List I: Attorneys with 10 or more years Probate and Guardianship Experience who have requested to be appointed on difficult, complex and contested Probate cases; are qualified to serve and have been approved by the Denton County Probate Court; and

Ad Litem List II: Attorneys who have requested to be appointed and are qualified to serve.

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

Ad Litem List I: Attorneys with 10 or more years Probate and Guardianship Experience who have requested to be appointed on difficult, complex and contested Guardianship cases are qualified to serve and have been approved by the Denton County Probate Court; and

Ad Litem List II: Attorneys who have requested to be appointed and are qualified to serve.

3. On or about January 1st, April 1st, July 1st, and October 1st of each year, the Court will post a copy of the current Probate Attorney/Guardian Ad Litem Lists and the Guardianship Attorney/Guardian Ad Litem Lists on the Probate Court bulletin board and on the public viewing bulletin board located in the hallway on the west side of the first floor of the Denton County Courthouse. The Ad Litem Lists will also be posted on the Denton County Probate Court's website. The Court finds that all Ad Litem lists shall contain the names of the attorneys who are registered with and have met all the local requirements of the Denton County Probate Court. The Attorneys' names will appear in alphabetical order on the lists and will be updated quarterly.
4. The Court finds that for an attorney to be considered for placement on an Ad Litem List, the attorney must send the following documentation to the Probate Court Attorney Administrator, Mr. Byron Brown, via e-mail at byron.brown@dentoncounty.com:
 - a. a letter to the Court requesting placement on either the Probate Attorney/Guardian Ad Litem List or the Guardianship Attorney/Guardian Ad Litem Lists or both 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; and
- d. a completed Denton County Probate Court Ad Litem Application and Attorney Profile Form.

After the above documentation has been sent to the Court, the Probate Court Administrator will contact the Applicant to schedule an interview with Judge Bonnie Robison.

5. In order for an attorney to be found by the Court to be qualified to serve as an Ad Litem on any Ad Litem List, the attorney must demonstrate a working knowledge of Texas Probate and Guardianship Law, the Texas Rules of Evidence, and the standing orders of the Denton County Probate Court. In addition, in order for an attorney to be found by the Court to be qualified to serve as an Ad Litem on the Probate List I or Guardianship List I, the attorney must have demonstrated an ability to handle difficult and complex Probate and Guardianship cases. Furthermore, in order to be qualified to serve as an Ad Litem on Probate List I or Guardianship List I, the attorney must have significant experience with dependent administrations, including temporary estate administrations and guardianship administrations.
6. If the Court finds an attorney is qualified to serve on the Guardianship Attorney/Guardian Ad Litem List, the attorney must complete the following additional steps:
 - a. Observe a minimum of three (3) guardianship prove up hearings to be coordinated with the Court Investigator at (940) 349-2149;
 - b. complete five (5) Court Visits, to be coordinated with the Court Guardianship Administrative Assistant, Diana Holland at (940) 349-2144; and
 - c. contact County Court Administrator, Rina Shelton, via e-mail at rina.shelton@dentoncounty.com, to have the attorney's bar number and contact information entered into the County database (Odyssey).
7. 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 on an Ad Litem List 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 or case;
 - c. is in a relevant geographic location; and/or
 - d. is chosen by agreement of all of the parties.
8. It is the attorney's responsibility to provide the Court an updated Attorney Ad Litem certificate. when the attorney's Ad Litem certificate expires, it is the attorney's duty to notify the Court that his/her Ad Litem certificate has expired and not to accept any appointments until he/she has obtained a current Ad Litem certificate and met all of the Court's requirements to be placed on the Ad Litem List. If the Attorney Ad Litem certificate for an attorney on the Guardianship Attorney/Guardian Ad Litem List expires, the Court imposes the following:

- a. The Ad Litem will immediately be removed from the Guardianship Attorney/Guardian Ad Litem List and will no longer be eligible for assignments as of the date of the expiration of certification on file with the Court.
 - b. For restoration to the List, the Ad Litem must file a current Attorney Ad Litem certificate with the Court.
 - c. If the Court finds the attorney is qualified to serve on the Guardianship Ad Litem List, the attorney must complete five (5) additional Court Visits before receiving any new court assignments.
 - d. After restoration, the Ad Litem will be placed at the bottom of the Guardianship Attorney/Guardian Ad Litem List.
9. The Court finds that the above policies and procedures should be implemented in order to serve the citizens of Denton County to efficiently and effectively administer the cases filed in the Denton County Probate Court according to the law.

IT IS THEREFORE ORDERED that the above policies and procedures shall be carried out and implemented by the Denton County Probate Court and the attorneys serving on the Ad Litem Lists according to the law.

SIGNED on February 24, 2016.

Bonnie Robison

BONNIE J. ROBISON, JUDGE
DENTON COUNTY PROBATE COURT

