

**BELL COUNTY CIVIL DISTRICT COURTS  
PROTOCOL FOR APPOINTMENT OF GUARDIANS AD LITEM**

The Texas Legislature passed S.B. 1876 relating to the appointment of attorneys ad litem, guardians ad litem, mediators, and guardians (the “Act”). The Act has become law and was 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 Bell County District Judges have requested the local administrative judge (“Administrative Judge”) to establish and maintain the required lists of qualified Guardians Ad Litem based on the criteria listed below for various categories.

The Bell County District Judges adopt the following protocol to establish and maintain the lists of qualified Guardians Ad Litem in Family Law and Civil Litigation Friendly Suits. This protocol also applies to IV-D Child Support cases.

**1.0 Creation of Guardian Ad Litem Lists**

**1.1** The Administrative Judge will maintain lists of qualified Guardians Ad litem (the “Lists”), except the lists for IV-D Court will be maintained by the Associate Judge for that court.

**1.2** Attorneys and other persons wishing to be appointed as a Guardian Ad Litem shall apply with the Administrative Judge annually.

**1.3** Qualifications for Guardian Ad Litem for the Civil Division. Attorneys and other persons wishing to be on the Lists must verify in their application that they satisfy the following qualifications:

- (a) If an attorney, be licensed by and in good standing with the State Bar of Texas for at least one year preceding the initial application;
- (b) An attorney or other person who has received a public reprimand from the State Bar of Texas or other organization is disqualified from inclusion on the Lists for one year following the reprimand;
- (c) An attorney or other person who received a suspension or disbarment, or is prohibited from serving as a Guardian Ad Litem for any reason, is disqualified from inclusion on the Lists for one year following reinstatement in good standing by the State Bar or other organization;
- (d) An attorney or other person must exhibit proficiency and a commitment to providing quality representation to clients in civil cases;
- (e) An attorney or other person must demonstrate professionalism and reliability when providing representation to clients in civil cases;
- (f) Comply with any and all reporting requirements as determined by the Bell County District Judges; and
- (g) Attend Guardian Ad Litem Continuing Legal Education (“CLE”) or other education for other qualified persons as required by law, or as required by the Bell County District Judges.

## **2.0 Use of Guardian Ad litem Lists.**

- 2.1** All civil district court judges shall use the Lists 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 district judge using the Lists must appoint the person whose name appears first on the Lists. When someone is appointed as Guardian Ad Litem, that person is then placed at the bottom of the Lists. A judge may, however, make an exception in appointing the next person if the judge complies with the exception provisions of S.B. 1876.

**3.0 Maintenance of the Lists.**

**3.1** The Bell County District Judges will vote annually to approve the Lists at its December meeting. The approved Lists shall be effective January 1<sup>st</sup> of the following calendar year.

**3.2** The Administrative Judge shall maintain the Lists. Annually, the Lists will be electronically posted on or before January 1<sup>st</sup> of each year and a hard copy shall be posted at the civil courthouse, in a location to be determined by the Administrative Judge.

**3.2** The Administrative Judge shall also post the courts for which the Lists are maintained and used.

**4.0 Removal from the Lists.** A majority of the Bell County District Judges may remove someone from the Lists. An attorney or other person may be removed from the Lists if he or she fails to perform the duties as a Guardian Ad Litem or fails to satisfy the requirements herein.