

Attorney Ad Litem Research Guide

Overview

This research guide provides an overview of statutes and resources dealing with Attorneys Ad Litem – an attorney appointed to provide legal services to a person (such as a child in some family law cases). An attorney ad litem is an advocate for the person(s) he/she represents and enters into an attorney-client relationship with that individual. Some examples of family law cases that might use an attorney ad litem are CPS cases, child custody, divorce, adoption, and name changes. The resources listed below are not exhaustive, and there may be additional applications not included.

Statutes & Codes

Texas Family Code / Texas Legislature
www.statutes.capitol.texas.gov

- Chapter 107 Family Code:
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.107.htm>

Secondary Resources in Print

Texas Litigation Guide KFT 1730 .T4

- § 381.12 Parent's Right to Counsel in Suit Filed by DFPS
- § 370.07 Attorneys Ad Litem, Guardians Ad Litem, and Amicus Attorneys
- § 31.117 Order Appointing Attorney Ad Litem

Texas Family Law Practice and Procedure KFT 1294 .F35

- C3.10 Requesting Guardian or Attorney Ad Litem (Divorce)
- E7.102 Judgment for Payment of Attorney or Guardian Ad Litem Fees and Court Costs

- H3.03 Considering Appointment of Guardian ad Litem, Attorney ad Litem, or Amicus Attorney (Modification)
- R4.03 Considering Child Custody Evaluation & Appointment of Guardian or Attorney ad Litem (Paternity)
- S2.03 Considering Appointment of Guardian ad Litem, Attorney ad Litem, or Amicus Attorney (Termination)
- S2.100 Order Appointing Guardian or Attorney ad Litem (Termination)
- T4.02 Seeking Appointment of Guardian or Attorney ad Litem (Adoption)

Texas Probate Forms and Procedures REF KFT 1344 .T4B7

- Form 10-1.1 Application to Appoint Attorney Ad Litem
- Form 10-1.2 Order Appointing Attorney Ad Litem

Texas Probate, Estate, & Trust Administration KFT 1344 .T465

- § 70.12 Attorneys and Guardians Ad Litem

Texas Pretrial Practice KFT 1737 .T4B7

- § 6:23 Attorney Ad Litem
- § 10:271 Appointment of Attorney Ad Litem

O'Connor's Family Law Handbook KFT 1294 .A291 O26

CLE Materials

Advanced Family Law Course KFT 1294.S83

- 2019 Ch. 26: Do You Have an Appointment? The Role of Amicus Attorneys, Ad Litems, Parenting Facilitators, and Parenting Coordinators by Dina Trevino, Lynn Kamin, et al

- 2019 Ch. 51: Child Clients: Difficult Issues for the Attorney Ad Litem by Qiana Manns
- 2001 Ch. 48: The Role of Ad Litem: Duties and Liabilities
- 2000 Ch. 45: Ad Litem in Peril? By Norma Levine Trusch, et al

<http://www.texasbarcle.com/Materials/Events/3030/51882.htm>

Advanced Family Law Drafting Course KFT 1294.A92

- 1999 Ch. O: Ad Litem – Pleadings, Forms, and How to Get Paid by Walter P. Mahoney, Jr.
- 1995 Ch. L: Representing Children as Guardian or Attorney Ad Litem by Jennifer L. Tull

Miscellaneous:

- Attorney Ad Litem under Texas Law: <https://www.easylawlookup.com/Texas-Law/Divorce-Topics/Attorney-Ad-Litem/easylookup.blp?site=easy&data=abcod2&subject=divorce&topic=attorney+ad+litem&simple=on&topicview=>
- What is a Guardian Ad Litem & When is it Used in Fort Worth: <https://www.divorcelawfortworth.com/blog/what-is-a-guardian-ad-litem-and-when-is-it-used-in-fort-worth/>

Online Resources

Texas Law Help (www.texaslawhelp.org)

- Attorneys Ad Litem and Amicus Attorneys: <https://texaslawhelp.org/article/attorneys-ad-litem-and-amicus-attorneys-family-law-cases>.

Tarrant County District Courts:

- Lists of Attorneys and Guardians Ad Litem and Mediators: <https://www.tarrantcounty.com/en/civil-courts/district-courts/appointments.html>

Tarrant County Probate Courts:

- Ad Litem Manual: <http://access.tarrantcounty.com/content/dam/main/probate-courts/probate-court-1/Documents/TheAdLitemManualfor2016.pdf>
- Checklist for Attorneys Ad Litem: http://www.tarrantcounty.com/content/dam/main/probate-courts/probate-court-2/CHECKLIST_FOR_ATTORNEYS_AD_LITEM.pdf
- Roles of the Guardian Ad Litem and Attorney Ad Litem:

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up <https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up <https://www.dallasbar.org/index.cfm?pg=legalline>

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)