

Best Practices for Ad Litem

Presenters:

Judge Danielle Diaz

Judge Jean Lee

Judge Regina Moore

Appointment Types

- **Publications**
- **Child Protective Services**
- **Private Cases**

Publications

When the identity or location of a respondent is unknown and there is property and/or children the Court must appoint an attorney ad litem.

Best Practices

- **Due Diligence Search**
- **Appear for the Final Prove-up**
- **Sign the Final Order**
- **Statement of Evidence**

Child Protective Services

In a suit filed by a government agency the Court appoints an attorney ad litem and a guardian ad litem. Sometimes the attorney ad litem and guardian ad litem is the same person.

Types

- **Attorney Ad Litem**
- **Guardian Ad Litem**
- **Dual Role**
- **Amicus Attorney**
 - **Cannot be appointed in CPS case.**

Best Practices

- **Visit the Children**
 - **Tex Fam Code § 107.004 (d)(1) and (2)**
- **Attorney Billing**
- **Texas Family Code Chapter 107**
- **File Motions**
- **Obtain Copies of Pleadings**
- **Request discovery**
- **Object to Department Services**
- **Know the Duties and Responsibilities**

Private Cases

In a suit in which the best interests of a child are at issue, other than a suit filed by a governmental entity requesting termination or appointment of the entity as managing conservator, the court may appoint one of the following: amicus attorney, attorney ad litem or guardian ad litem.

Amicus vs. Ad Litem

- **Definition**
- **Child's Objectives**
- **Best Interest Advocate**
- **Undivided Loyalty and Confidentiality**
- **Powers and Duties**

Appointments

- **How do I receive appointments?**
- **Where do I obtain an application?**
- **Where should I submit my completed application?**