

**TRAVIS COUNTY CIVIL COURTS  
ATTORNEY AD LITEM  
APPOINTMENT PROCEDURES MANUAL  
PURSUANT TO TX GOVT CODE  
§§ 74.092 AND 74.098**

*(FOR APPOINTMENTS NOT MADE UNDER THE FAMILY CODE,  
HEALTH & SAFETY CODE, HUMAN RESOURCES CODE, TEXAS  
TRUST CODE, OR TEXAS PROBATE CODE)*

**INTRODUCTION TO  
CIVIL APPOINTMENT LIST  
FOR ATTORNEYS AD LITEM**

Pursuant to TX Govt Code §§ 74.092 and 74.098

As of December 1, 2009, the Local Administrative Judge of each County in Texas is required to maintain a list of all attorneys registered and qualified to serve as an attorney ad litem in cases other than those under the Family Code, the Health and Safety Code, the Human Resources Code, the Texas Trust Code (Subtitle B, Title 9, Property Code), or the Texas Probate Code.

The Local Administrative Judge or his designee will determine whether an attorney has met the requirements and will compile a list of qualified attorneys. This list will be submitted to the District Judges' Office and the District Judges' Office will appoint attorneys for cases on a rotating basis.

Please note, as provided by the statute, that **if the parties agree to a particular attorney ad litem, the Court may appoint that attorney without reference to the appointment list.** If the parties cannot agree on an ad litem, the Judge will appoint the next attorney on the appointment list unless, as also provided by the statute, the court determines that the case requires an attorney with specialized education, training, certification, or skill.

The attached information includes policies relating to the list and provides detailed instructions about how to apply for inclusion on the appointment list.

**PROCEDURES GOVERNING APPOINTMENT LIST  
FOR ATTORNEYS AD LITEM**  
Pursuant to TX Govt Code §§ 74.092 and 74.098

1. Application submitted to the District Judges' Office

Applications to be included on the ad litem list must be made on the approved application form which is available on the Courts website at [www.traviscountycourts.org](http://www.traviscountycourts.org) and may be submitted at any time. Upon approval of the judges trying civil cases in Travis County, the approved attorneys will be added to the appointment list. Applications may be submitted by email, fax or hand-delivered to the District Judges' Office located in Room 327 of the Heman Marion Sweatt Courthouse. Approved names will be added to the bottom of the appointment list.

2. Removal

- (A) Upon the attorney's written request to the District Judges' office, the attorney shall be removed from the list. After removal, an attorney must reapply if the attorney wishes to be listed again.
- (B) After notice and an opportunity to be heard, on majority vote of the Civil District Judges, an attorney may be removed from the appointment list or other remedial action may be imposed pursuant to this rule. An attorney may be removed from the appointment list for any of the following non-exclusive grounds for removal:
- (a) The attorney does not have the qualifications required for appointment;
  - (b) The attorney fails to perform duties required of an ad litem;
  - (c) The attorney has violated a rule of professional responsibility or otherwise disqualified by the State Bar rules;
  - (d) The attorney's requests that a substitute attorney be appointed or requests not to be appointed temporarily have been so frequent and lengthy as to make it impractical to continue the attorney on the list;
  - (e) For other good cause.
- (C) When the Civil Judges decide to consider removal of an attorney, the Judges shall forward to the attorney reasonable notice informing the attorney of the ground or grounds for removal, the opportunity to respond in writing, and the time and place the attorney may appear before the Civil Judges to respond in person.

(D) After the hearing, the Civil Judges will meet in executive session to warrant a fair and candid discussion of the attorney's qualifications and abilities and shall determine whether the attorney should, by majority vote:

1. Remain on the appointment list.
2. Be removed from the appointment list; or
3. Be required to take other rehabilitative measures.

(E) Removals from any list may be probated. For removal or probated removals, the Judges may require the completion of rehabilitative measures as a condition of probation or re-application. An order of removal should state in the order the earliest date at which the attorney may apply for reinstatement. An attorney who is removed from the appointment list under grounds for removal related to violations of ethics or State Bar rules will be reinstated upon providing proof that the actions have been dismissed or the attorney has complied with the disciplinary sanctions, unless other grounds for removal existed or exist against the attorney that would prohibit reinstatement.

(F) The decision of the Judges is final and may not be appealed.