

The Ad Litem Manual 2021

Steve M. King
Fort Worth, Texas

1

FAIR USE DISCLAIMER

This presentation is for teaching & educational purposes only. Any copyrighted works contained in this presentation are used pursuant to the “fair use” doctrine of §107 of the U. S. Copyright Act of 1976 which recognizes a fair use of copyrighted material for purposes such as criticism, comment, news reporting, teaching, scholarship, education and research.

Title 17, United States Code, 107

2

Goals

- Role(s) of Ad Litem(s)
- Less Restrictive Alternatives, Supports & Services
- Tools used:
 - Doctor's Letter
 - Capacity Assessment
- Active Contests
- Uncontested Hearings



Judicial Bonds

- Courts with Probate & Guardianship Jurisdiction:
 - Population 125,000 or less: \$100,000 Bond
 - Population 125,000 or more: \$250,000 Bond
 - Statutory Probate Courts: \$500,000 Bond
- Condition: Judge performs duties under Estates Code.
- Insurance against losses caused by Judge's Gross Negligence
- County may opt for insurance instead.

Attorney Certification in Guardianship

- ***NEW!* Effective September 1, 2021**
- State Bar Certification Required for:
 - Any Attorney representing *Any* Person in Guardianship
- Four hour course: Guardianship Law & Procedure
- Internet-based training to be made available
- Uncertified Attorneys: 14 days to get certified after appearance
 - but may not file any substantive pleadings before certification

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Role of the Ad Litem

Also available as part of the eCourse

[2021 Estate Planning, Guardianship, and Elder Law eConference](#)

First appeared as part of the conference materials for the
23rd Annual Estate Planning, Guardianship and Elder Law Conference session
"Role of the Ad Litem"