

Court-Appointed Attorneys Research Guide

Overview

This research guide provides an overview of resources related to Court-Appointed Attorneys. These resources cover attorneys ad litem, guardians ad litem, & court-appointed attorneys in criminal cases. An Attorney Ad Litem is an attorney appointed to provide legal services to a person (such as a child in some family law cases) & an amicus attorney is an attorney appointed to advise on a defendant's ability to stand trial. Attorneys ad litem are advocates for the person(s) he/she represents and enters an attorney-client relationship with that individual. Some examples of family law cases that might use attorneys ad litem are CPS cases, child custody, divorce, & adoption. An amicus attorney does not represent or assist the defendant in any way. There are also Guardians Ad Litem. The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Statutes & Codes

Texas Statutes Online www.statutes.capitol.texas.gov

Texas Family Code

- Ch. 107 Special Appointments, Child Custody Evaluations, and Adoption Evaluations
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.107.htm>

Texas Government Code

- Ch. 37 Appointments of Attorneys Ad Litem, Guardians Ad Litem, Mediators, & Guardians
<https://statutes.capitol.texas.gov/Docs/GV/htm/GV.37.htm>
- Ch. 79 Texas Indigent Defense Commission
<https://statutes.capitol.texas.gov/Docs/GV/htm/GV.79.htm>

Texas Code of Criminal Procedure

- §1.051 Right to Representation by Counsel
<https://statutes.capitol.texas.gov/Docs/CR/htm/CR.1.htm#1.051>
- §26.04 Procedures for Appointing Counsel
<https://statutes.capitol.texas.gov/Docs/CR/htm/CR.26.htm#26.04>

Secondary Resources in Print

Texas Litigation Guide REF KFT 1730 .T4

- Vol. 1 §6:23 Attorney Ad Litem & §10:271 Appointment of Attorney Ad Litem
- Vol. 2 §31.117 Order Appointing Attorney Ad Litem
- Vol. 22 §370.07 Attorneys Ad Litem, Guardians Ad Litem, and Amicus Attorneys
- Vol. 23 §381.12 Parent's Right to Counsel in Suit Filed by DFPS

Texas Family Law Practice and Procedure REF KFT 1294 .F35

- Vol. 1 §C3.10 Requesting Guardian or Attorney Ad Litem (Divorce)
- Vol. 2 §E7.102 Judgment for Payment of Attorney or Guardian Ad Litem Fees and Court Costs
- Vol. 3 §H3.03 Considering Appointment of Guardian ad Litem, Attorney ad Litem, or Amicus Attorney (Modification)
- Vol. 4 §R4.03 Considering Child Custody Evaluation & Appointment of Guardian or Attorney ad Litem (Paternity)
- Vol. 4 §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)
- Vol. 4 §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 REF KFT 1344 .T465

- Vol. 4 §70.12 Attorneys and Guardians Ad Litem

Texas Pretrial Practice REF KFT 1737 .T4B7

- Vol. 1 §6:22 *et seq* Guardian ad Litem and Attorney ad Litem

Texas Criminal Lawyer's Handbook REF KFT 1775 .D36

- Vol. 1, Ch. 4 Right to Counsel and Effective Assistance of Counsel

CLE Materials

Advanced Family Law Course KFT 1294 .S83

- 2021 Ch. 11: Understanding the Amicus Statute and Making it Work for Your Case
- 2021 Ch. 53: Children in Court
- 2019 Ch. 26: Do You Have an Appointment? The Role of Amicus Attorneys, Ad Litem, Parenting Facilitators, and Parenting Coordinators
- 2019 Ch. 51: Child Clients: Difficult Issues for the Attorney Ad Litem

Innovations Breaking Boundaries in Custody Litigation KFT 1304.6 .A75 I56

- 2022 Ch. 2 Voice of the Child (*PDF only*)

Handling Your First (or Next) Guardianship Case KFT 1306 .A75 H36

- 2015 Ch. 6 The Role of the Ad Litem

Online Resources

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

The Right to a Lawyer in Family Law Cases (Texas Law Help) <https://texaslawhelp.org/article/the-right-to-a-lawyer-in-family-law-cases>

Guardian Ad Litem V. Attorney Ad Litem (Attorney Blog) <https://www.familylawyerkaty.com/blog/2023/november/guardian-ad-litem-v-attorney-ad-litem/>

What is the Role of an Attorney Ad Litem in Texas Family Cases? (Attorney Blog) <https://versustexas.com/blog/attorney-ad-litem-in-texas/>

What is a Guardian Ad Litem in Texas Family Law Cases? (Attorney Blog) <https://versustexas.com/blog/what-is-a-guardian-ad-litem-in-texas-family-cases/>

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)