

JULI DeMOSS
Court Coordinator



SHELLY ETHERIDGE
Official Court Reporter

NANCY ADAMS PERRYMAN
JUDGE
HENDERSON COUNTY COURT AT LAW NUMBER 2

September 3, 2015

To: All attorneys practicing in Henderson County

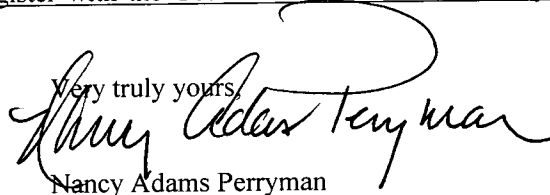
Re: Senate Bill 1369 and Senate Bill 1876

Effective September 1, 2015, the above legislation requires the Courts to keep a list of all attorneys ad litem who are qualified to serve as an attorney ad litem and who are registered with the Courts. In order to be qualified, an attorney ad litem must complete a course of study on guardianship law and procedure sponsored by the State Bar of Texas to become certified. See Tex. Estates Code Sec. 1054.201 (b). Currently, certification requires three hours of credit (which changes to four hours September 1, 2015, *see*, H.B. 39) This requirement may be fulfilled by the attorney's either attending a seminar or viewing a video of the seminar.

The Texas Family Code in Section 107.004 (3)(b) also requires that an attorney ad litem appointed for a child in CPS cases must complete at least 3 hours of continuing legal education relating to representing children in these types of cases, unless the Court finds that the attorney ad litem has experience equivalent to the required education. While completion of such a course is desirable, if you have previously been appointed in at least 8 prior CPS cases during the previous 24 months, in this Court or another Court that exercises CPS jurisdiction, this Court considers that to be sufficient experience to be equivalent to the required education for the remainder of this calendar year. Also, keep in mind that an attorney ad litem for the child is required to meet with the child if the child is at least 4 years of age unless good cause is shown, in which case the attorney should at least confer with the child, or other appropriate individual, by telephone prior to a hearing.

Once completed, you should forward a copy of your letter of certification to Ms. Juli DeMoss, Henderson County Court at Law 2 Coordinator, who will place you on the list as eligible to receive appointments. This needs to be done immediately and certainly by September 15, 2015 as failure to become certified, or failure to forward certification to the Court's Coordinator will result in the inability of the Court to appoint you as an attorney ad litem until you complete those requirements.

The new laws also require all persons who desire to serve the Court as a mediator to register with the Court, and it also requires the Court to keep a list of mediators who serve the Court. Therefore, if you desire to register with the Henderson County Court at Law 2 as a mediator please forward your letter indicating your desire for such listing, and a copy of your document showing completion of appropriate mediation training. Failure to register with the Court will result in the inability of the Court to appoint you as a mediator.

Very truly yours,

Nancy Adams Perryman

NAP/jdd