

1-1 By: Lucio S.B. No. 1410
1-2 (In the Senate - Filed March 10, 2005; March 21, 2005, read
1-3 first time and referred to Committee on Jurisprudence;
1-4 April 26, 2005, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 0; April 26, 2005,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1410 By: Duncan

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the appointment of attorneys ad litem.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Section 74.092, Government Code, is amended to
1-13 read as follows:
1-14 Sec. 74.092. DUTIES OF LOCAL ADMINISTRATIVE JUDGE. (a) A
1-15 local administrative judge, for the courts for which the judge
1-16 serves as local administrative judge, shall:
1-17 (1) implement and execute the local rules of
1-18 administration, including the assignment, docketing, transfer, and
1-19 hearing of cases;
1-20 (2) appoint any special or standing committees
1-21 necessary or desirable for court management and administration;
1-22 (3) promulgate local rules of administration if the
1-23 other judges do not act by a majority vote;
1-24 (4) recommend to the regional presiding judge any
1-25 needs for assignment from outside the county to dispose of court
1-26 caseloads;
1-27 (5) supervise the expeditious movement of court
1-28 caseloads, subject to local, regional, and state rules of
1-29 administration;
1-30 (6) provide the supreme court and the office of court
1-31 administration requested statistical and management information;
1-32 (7) set the hours and places for holding court in the
1-33 county;
1-34 (8) supervise the employment and performance of
1-35 nonjudicial personnel;
1-36 (9) supervise the budget and fiscal matters of the
1-37 local courts, subject to local rules of administration;
1-38 (10) coordinate and cooperate with any other local
1-39 administrative judge in the district in the assignment of cases in
1-40 the courts' concurrent jurisdiction for the efficient operation of
1-41 the court system and the effective administration of justice; ~~and~~
1-42 (11) establish and maintain a list of all attorneys
1-43 qualified to serve as an attorney ad litem; and
1-44 (12) perform other duties as may be directed by the
1-45 chief justice or a regional presiding judge.
1-46 (b) A list of attorneys ad litem maintained under Subsection
1-47 (a)(11) must contain the names of all attorneys who:
1-48 (1) meet any statutory or other requirements to serve
1-49 as an attorney ad litem; and
1-50 (2) have registered to serve as attorney ad litem with
1-51 a court for which the judge maintaining the list serves as local
1-52 administrative judge.
1-53 SECTION 2. Subchapter D, Chapter 74, Government Code, is
1-54 amended by adding Section 74.097 to read as follows:
1-55 Sec. 74.097. APPOINTMENT OF ATTORNEYS AD LITEM; MAINTENANCE
1-56 OF LIST. (a) Except as provided by Subsection (b), in each case in
1-57 which the appointment of an attorney ad litem is necessary, a court
1-58 shall appoint the attorney whose name appears first on the list of
1-59 attorneys ad litem maintained by the local administrative judge for
1-60 that court as required by Section 74.092.
1-61 (b) The court may appoint an attorney included on the list
1-62 whose name does not appear first on the list or whose name is not
1-63 included on the list, if:

