

By: Zaffirini

S.B. No. 37

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the requirement to obtain certification for attorneys
3 representing persons in guardianship proceedings.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. The heading to Chapter 1054, Estates Code, is
6 amended to read as follows:

7 CHAPTER 1054. COURT OFFICERS, ~~[AND]~~ COURT-APPOINTED PERSONS, AND
8 ATTORNEYS

9 SECTION 2. The heading to Subchapter E, Chapter 1054,
10 Estates Code, is amended to read as follows:

11 SUBCHAPTER E. QUALIFICATIONS TO SERVE AS ~~[COURT-APPOINTED]~~
12 ATTORNEY

13 SECTION 3. Section 1054.201(a), Estates Code, is amended to
14 read as follows:

15 (a) An attorney representing any person's interests ~~[for an~~
16 ~~applicant for guardianship and a court-appointed attorney]~~ in a
17 guardianship proceeding, including an attorney ad litem, must be
18 certified by the State Bar of Texas, or a person or other entity
19 designated by the state bar, as having successfully completed a
20 course of study in guardianship law and procedure sponsored by the
21 state bar or the state bar's designee.

22 SECTION 4. Section 81.114(a), Government Code, is amended
23 to read as follows:

24 (a) The state bar shall provide a course of instruction for

1 attorneys who represent any person's interests [~~parties~~] in
2 guardianship cases or who serve as court-appointed guardians.

3 SECTION 5. The changes in law made by this Act to Section
4 [1054.201](#), Estates Code, apply only to a guardianship proceeding
5 filed on or after the effective date of this Act. A guardianship
6 proceeding filed before the effective date of this Act is governed
7 by the law in effect on the date the proceeding was filed, and the
8 former law is continued in effect for that purpose.

9 SECTION 6. This Act takes effect September 1, 2017.