

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 92-0045

**APPROVAL OF LOCAL RULE 14.07 OF TRAVIS COUNTY
REGARDING GUARDIAN AD LITEMS**

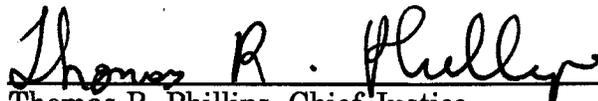
ORDERED:

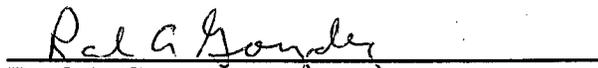
Pursuant to Rule 3a of the Texas Rules of Civil Procedure, the Supreme Court approves the following local rule, which has been previously approved by the presiding judge of the appropriate administrative judicial region and submitted to this Court:

Local Rule 14.07 of Travis County Regarding Guardian Ad Litem, dated July 10, 1991.

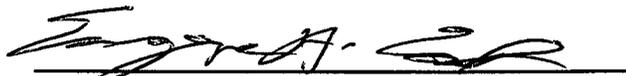
The approval of this rule is temporary, pending further orders of the Court.

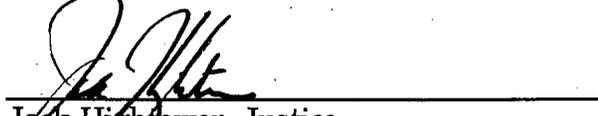
SIGNED AND ENTERED this 4th day of February, 1992


Thomas R. Phillips, Chief Justice


Raul A. Gonzalez, Justice

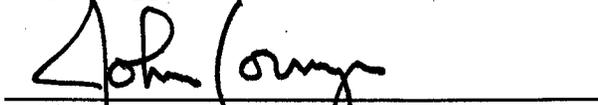

Oscar H. Mauzy, Justice

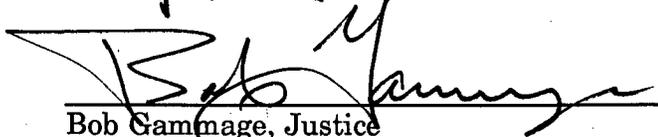

Eugene A. Cook, Justice


Jack Highower, Justice


Nathan L. Hecht, Justice


Lloyd Doggett, Justice


John Cornyn, Justice


Bob Cammage, Justice

14.07 (a) In every suit in which the petitioner seeks to terminate a parent-child relationship or to adopt a child, the clerk shall forward a copy of the petition as soon as practicable to the Manager of the Family Services Unit of the Travis County Domestic Relations Office (Family Services Manager).

(b)(1) In each suit in which the Texas Department of Human Services seeks to terminate the parent-child relationship, the court shall appoint an attorney ad litem for each child by court order as soon as practicable after the suit is filed, and on a case-by-case basis as necessary the court may appoint the Family Services Manager as guardian ad litem for each child.

(b)(2) In each suit in which a child-placing agency seeks to terminate the parent-child relationship, (other than the Texas Department of Human Services) the Family Services Manager shall as soon as practicable either (a) recommend that the child-placing agency be appointed guardian ad litem or (b) recommend that the Family Services Manager be appointed guardian ad litem.

(b)(3) In every other suit seeking termination of the parent-child relationship, the Family Services Manager is appointed by this standing order as guardian ad litem for each child.

(c)(1) In each suit seeking adoption of a child placed for adoption by the Texas Department of Human Services, on a case-by-case basis as necessary the court may appoint the Family Services Manager as guardian ad litem for each child.

(c)(2) In each suit seeking adoption of a child placed for adoption by a child-placing agency (other than the Texas Department of Human Services), The Family Services Manager shall as soon as practicable either (a) recommend that the child-placing agency be appointed guardian ad litem or (b) recommend that the Family Services Manager be appointed guardian ad litem.

(c)(3) In every other suit seeking adoption of a child, the Family Services Manager is appointed by this standing order as guardian ad litem for each child.

(d) In all suits affecting the parent-child relationship in which the Texas Department of Human Services has been named by the court or seeks to be named by the court, or has been named in an affidavit of relinquishment, as the managing conservator of a child, the Family Services

Manager shall to the extent practicable keep the following records for the information of the court:

1) Cause Number

2) Case Name

3) Child Data

On each child: name, date of birth, place of birth, social security number, ethnicity, race, sex.

4) Child Placement Data

Name of facility or foster home, date of placement and removal, number of days at each placement, special auspice of placement (e.g. Casey or Bair), type of placement facility, school child is attending and grade level, addresses and phone numbers of facility and school, name of proprietor, and county of location.

5) Parent/Other Party Data

Names of the parents, CASA volunteer and casework coordinator, the Casey caseworker and supervisor, the Blair Foundation caseworker and supervisor, and the DHS caseworker and supervisor. The date when each volunteer, caseworker, or supervisor started working on the case, the date when that person's involvement ended, and addresses and phone numbers of all involved.

6) Home Study Data

Name of parent or other party requesting home study for child(ren)'s placement, including addresses and phone numbers for home and work.

7) Attorney Data

Name of all attorneys and their addresses, phone numbers, and person(s) represented (including staff of the Attorney General).

8) Court Hearing Data

Date, type of hearing and order, name of the

judge, and any special instructions; date and time of Chapter 18 reviews and any special instructions; type and date of last conservatorship and any special provisions.

9) Visitation Information

Type and frequency ordered for parents and siblings (if the siblings are placed apart).

10) Child Support Information

Amount ordered and terms, start date, payor/payee names, and Domestic Relations account number.

11) Court-Ordered Services

What type, name of agency providing, beginning date, party responsible for payment, transportation arrangements, and other instructions for service provision.

12) DHS Plan of Service

Date of plan, who participated in development, timelines for implementation, plan for permanence, and whether filed with the court.

13) Information on Service of Lawsuit

Persons to be served (parents and other parties), date of service, method of service, and dates service was attempted if unsuccessful.

14) Significant Incidents Information

Any information reported to the court, in pleadings, court reports, statements, or testimony, concerning significant incidents which are alleged to have occurred during the child's care.

All parties are ordered to provide access to or produce the information necessary for the Family Services Manager to keep the required records.

The Family Services Manager shall permit all parties access to the records maintained pursuant to these rules, except that if any party requests any particular

information to be kept confidential, the Manager shall not disclose that information unless directed by the court.

(e) As originally enacted, this standing order became effective October 1, 1984. The order is amended effective July 10, 1991. Each appointment under this order shall become effective on the date suit is filed. All appointments under the original order remain effective. In all cases in which the Family Services Manager was appointed under the terms of the original standing order but would not have been appointed under the terms of the amended standing order, the Family Services Manager shall continue as guardian ad litem until discharged by specific order of the court.

(f) A decree terminating the parent-child relationship shall not discharge a guardian ad litem unless otherwise ordered.



THIRD ADMINISTRATIVE JUDICIAL REGION

ADMINISTRATIVE ASSISTANT
DIANNE GANNAWAY

B. B. SCHRAUB, PRESIDING JUDGE
GUADALUPE COUNTY COURTHOUSE
101 EAST COURT STREET
SEGUIN, TEXAS 78155

512-379-4188 EXT. 244
512-379-1204

The attached local rule of Travis County is hereby approved and transmitted to the Supreme Court of Texas for final action this 22nd day of November, 1991.

A handwritten signature in cursive script, reading "B.B. Schraub".

B.B. Schraub, Presiding Judge
Third Administrative Judicial Region



THIRD ADMINISTRATIVE JUDICIAL REGION

ADMINISTRATIVE ASSISTANT
DIANNE GANNAWAY

B. B. SCHRAUB, PRESIDING JUDGE
GUADALUPE COUNTY COURTHOUSE
101 EAST COURT STREET
SEGUIN, TEXAS 78155

512-379-4188 EXT. 244
512-379-1204

November 22, 1991

The Honorable Thomas R. Phillips
Chief Justice, Supreme Court of Texas
P.O. Box 12248
Austin, Texas 78711

**RE: PROPOSED LOCAL RULE REGARDING
TRAVIS COUNTY GUARDIAN AD LITEMS**

Dear Chief Justice Phillips:

Enclosed you will find a copy of a proposed Travis County local rule concerning the use of guardian ad litem in certain cases regarding children.

I have approved this rule as shown on the enclosed order.

I respectfully request this matter be submitted to the Supreme Court for their consideration and approval.

Very truly yours,

A handwritten signature in black ink, appearing to read "B.B. Schraub".

B.B. Schraub

BBS/dg

Enclosure

xc: The Honorable Peter Lowry



STATE OF TEXAS
OFFICE OF COURT ADMINISTRATION

1414 COLORADO STREET, SUITE 602

Post Office Box 12066
Austin, Texas 78711-2066
512/463-1625

C. Raymond Judice
Administrative Director

Jim Hutcheson
General Counsel

January 21, 1992

Mr. John T. Adams
Clerk, Supreme Court of Texas
Price Daniel, Sr. State Office Building
Austin, Texas 78701

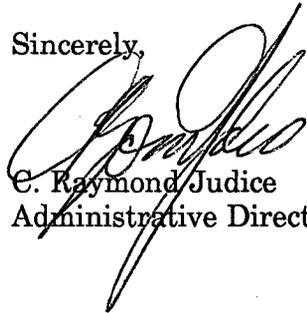
Dear Mr. Adams:

Enclosed is the original and a copy of a proposed Order of the Supreme Court approving Local Rule 14.07 of Travis County regarding Guardian Ad Litem .

After you have entered this proposed order on the Miscellaneous Docket of the Court, please forward the original of the proposed order to the chambers of Justice Hecht for further action by the Court.

Thank your for your attention to this matter.

Sincerely,



C. Raymond Judice
Administrative Director

Enclosures



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

P.O. BOX 12248 AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

CLERK
JOHN T. ADAMS

JUSTICES
RAUL A. GONZALEZ
OSCAR H. MAUZY
EUGENE A. COOK
JACK HIGHTOWER
NATHAN L. HECHT
LLOYD DOGGETT
JOHN CORNYN
BOB GAMMAGE

EXECUTIVE ASS'T.
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T.
MARY ANN DEFIBAUGH

February 4, 1992

Ms. Amalia Mendoza
Travis County District Clerk
Post Office Box 1748
Austin, Texas 78767

Dear Ms. Mendoza,

Please find a copy of the order of this Court of February 4, 1992, that approves a local rule for the various courts of Travis County.

Please note that the Supreme Court has been approving local rules provisionally. The Court believes that the Uniform Local Rules Committee is nearing completion of its task. You may therefore be asked to further amend your local rules in the not too distant future.

Sincerely,

SIGNED

John T. Adams
Clerk

Encl.

cc: Hon. B. B. Schraub
3rd Admin Judicial Rgn

Mr. Ray Judice
Office of Court Admin

State Law Library

Chmn Supreme Ct Adv Committee