

UNDERSTANDING THE ROLES OF THE PEOPLE  
INVOLVED IN A CPS CASE

# ATTORNEY AD LITEM

## WHO IS THE ATTORNEY AD LITEM?

Attorney Ad Litem Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

## WHAT IS AN ATTORNEY AD LITEM?

The judge will appoint a lawyer to represent the child during the case. This person is called an attorney ad litem. A child means anyone who is under the age of 18.

## WHAT DOES THE ATTORNEY AD LITEM DO?

Since the child is the client, this means that the attorney ad litem works for them! The attorney ad litem works directly for the child, not the foster parent or family member taking care of the child. The attorney ad litem's job is to talk with the child about what the child wants to happen in the case, like where the child wants to live. The attorney ad litem works to get what the child wants, and advocates to the judge for what the child wants to happen in the case.

The attorney ad litem also serves as the child's legal advisor. They help the child understand what is happening in the case and how the court system works. The attorney ad litem also makes sure the child can be in court as often as they want to so the child can talk with the judge. In court, they might call witnesses, ask questions, and make requests to the judge.

If there is more than one child involved in a case (like when there are siblings), there may be more than one attorney ad litem appointed by the judge to represent each of the children because each child might want something different to happen in the case.

## THE ATTORNEY AD LITEM MUST:

- Meet with the child before each court hearing.
- Ask what the child wants to have happen in their case and tell the judge.
- Answer the child's questions and ask about their concerns.
- Respond to the child's calls, texts, and/or emails.
- Attend all hearings, trials, and meetings related to the case.
- Explain other options to the child that the child might not know about.
- Keep everything the child tells them private unless the child gives them permission to share it. The only thing that an attorney ad litem must share with other people is information that could stop someone from being hurt or committing a crime.
- Review all the facts and records of the case, and meet with other people who are part of the case, like the parents, foster parents, caseworker, and CASA/GAL.
- Tell the judge what the child wants to happen in the case, even if they do not agree with that goal.

## THE ATTORNEY AD LITEM CANNOT:

- Stop representing the child they have been appointed to, unless a judge says it is okay.
- Tell a lie or allow someone to tell a lie in court.
- Treat people differently because of what they look like, or other reasons that are unfair.

## WHAT DO I DO IF I HAVE A PROBLEM WITH THE ATTORNEY AD LITEM?

If you are a child or youth and you haven't met your attorney ad litem, or you do not believe that your attorney ad litem is helping you, you should talk with your attorney ad litem first, and then tell the judge in your case.

You can also make a complaint to the State Bar of Texas. The State Bar of Texas is in charge of making sure lawyers help their clients. If you want to complain about something your lawyer is doing or not doing, you can contact the State Bar at 1-800-932-1900.

## OTHER HELP:

If you need an attorney ad litem, or if your attorney ad litem is not helping you, you can also call the Texas Foster Youth Justice Project at 1-877-313-3688 for help. You can email them at [info@texasfosteryouth.org](mailto:info@texasfosteryouth.org) and check out their information at [texasfosteryouth.org](http://texasfosteryouth.org).

