

**THE WHEEL FOR BROWN COUNTY CIVIL APPOINTMENTS  
AND FEE REPORTING REGARDING THE 35<sup>TH</sup> DISTRICT COURT,  
BROWN COUNTY, TEXAS**

Chapters 36 and 37 of the Texas Government Code effective September 1, 2015 requires each court located in a county of twenty-five thousand or more in this state to establish and maintain lists of attorneys ad litem, guardians ad litem, mediators and guardians, and for the clerks of the courts to report monthly the appointments and the payments for those appointed as required by law. In addition, the courts are required to post each list established under Section 37.003 of the Texas Government Code at the courthouse of the county in which the court is located and on any internet website of the court.

The following plan is adopted by Judge Stephen Ellis, Local Administrative District Judge and the presiding judge of the 35<sup>th</sup> Judicial District Court, Brown County, Texas.

**STATUTORY AUTHORITY**

This plan concerning the appointments required under the new law enacted by the 84<sup>th</sup> Texas Legislature is done in compliance with the requirements of the Texas Government Code referenced above.

**LISTS OF NAMES**

In addition to a list required by other state law or rule, the 35<sup>th</sup> Judicial District Court for Brown County, Texas has established and will maintain effective September 1, 2015 the following:

- (1) A list of all attorneys who are qualified to serve as an attorney ad litem and are registered with the court;
- (2) A list of all attorneys and other persons who are qualified to serve as a guardian ad litem and are registered with the court;
- (3) A list of all persons who are registered with the court to serve as a mediator;
- (4) A list of all attorneys and private professional guardians who are qualified to serve as a guardian as defined by Section 1002.012, Estates Code, and are registered with the court.

**METHOD**

To be placed on the list to serve in any of the above referenced capacities, a person must be “qualified to serve” in that capacity and registered with the court. Those persons placed on the lists for positions that have statutory requirements to serve in that capacity must meet those minimum requirements before being

registered with the court and placed on the lists. Unless requested by a court with jurisdiction in Brown County, Texas, Judge Stephen Ellis as Local Administrative Judge will only be establishing and maintaining the required lists for the 35<sup>th</sup> District Court in those cases in which are being heard by the presiding judge or any assigned judge for the 35<sup>th</sup> Judicial District Court. The associate judges of the 35<sup>th</sup> Judicial District Court shall maintain their own separate lists. At the present time, these judges are: Associate Judge Cheryll Mabray of the Child Protective Court of the Hill Country, and Associate Judge Ken Law, Title IVD Judge. Likewise, the judges of the Brown County Court at Law and the Brown County Constitutional Court and any Justice Court shall maintain their own lists, if needed.

### **SELECTION OF THOSE APPOINTED**

Subject to the exemptions set out in Section 37.002 of the Texas Government Code, in each case in which the appointment of an attorney ad litem, guardian ad litem, or guardian is necessary, the District Court shall use a rotation system and will appoint the person whose name appears first on the applicable lists maintained by the court. On finding good cause, the court may appoint a person included on the applicable lists whose name does not appear first on the list or even someone qualified but not on the lists in a complex case, as per Section 37.004 of the Texas Government Code. A person who is not appointed in the order in which the person's name appears on the applicable list shall remain next in order on the list. After a person has been appointed from the applicable list, the court shall place that person's name at the end of the list. If parties cannot agree on a mediator, then appointment of the mediator will be made from the lists as required by law. Pursuant to Rule 2.4 of the Local Rules of Practice for Brown and Mills Counties, which have been approved by the Supreme Court of Texas, alternate dispute resolution is mandatory unless the court has determined that it is inappropriate for the case. Therefore, those mediators appointed by the court pursuant to the Alternative Dispute Resolution System established by the courts for Brown and Mills Counties are governed by one of the exceptions set out in Section 37.002 of the Texas Government Code.

### **OFFICIAL IN CHARGE OF REPORTING**

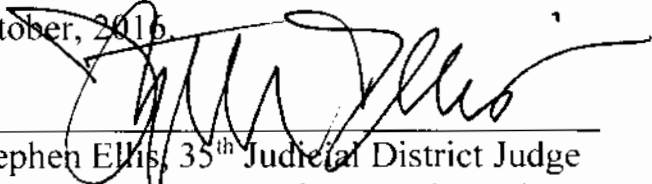
The District Clerk of Brown County, Texas is designated as the official to be in charge of the reporting requirements of those persons appointed and any payments made to them as required by law. In addition, the District Clerk is directed to post each list established and maintained for the 35<sup>th</sup> District Court and any of its associate judges. These lists shall be posted at the Brown County courthouse and on any internet website maintained by Brown County or the District Court. The lists shall be annually updated by December 31 of each year. The District Clerk is directed to record a copy of this plan in the Administrative Minutes of the District

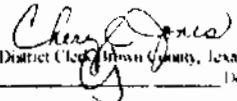
Court and furnish a copy of it to the judges and associates judges of all courts in Brown County, Texas. A copy of the plan shall also be posted by the clerk along with the lists as referenced above.

**EFFECTIVE DATE**

This plan became effective on September 1, 2015, but it was reduced to writing in October 2016. The reporting requirements as per Section 36.004 of the Texas Government Code became effective September 1, 2016. Therefore, the first report to the Office of Court Administration for September is due October 15, 2016.

SIGNED on this the 6th day of October, 2016

  
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Stephen Ellis, 35<sup>th</sup> Judicial District Judge  
and Local Administrative District Judge  
Brown County, Texas

**FILED**  
At 2:00 O'clock P M  
OCT 06 2016  
  
District Clerk Brown County, Texas  
By \_\_\_\_\_ Deputy



Civil Mediators						
ID	First Name	Last Name	Case Type	Status	Date Last Assigned	Case Last Assigned
15	Von	Bates	Family only *(No CPS)	Active		
16	Athena	Bean	Family only *(No CPS)	Active		
17	Billy	Boone	Civil only	Active		
18	Jerry	Cosby	All	Active		
19	Stephen	Crawford	All	Active		
20	Patricia	Ferrerio	Family only *(No CPS)	Active		
21	Robert	Gradel	Family only	Active		
22	Jerry	Grissom	Civil only	Active		
23	Gary	Hacker	Civil only	Active		
24	Vance	Marcum	Family only *(No CPS)	Active		
26	Karl	Prohl	All	Active		
27	Esmerelda	Riojas	Family only *(No CPS)	Active		
28	Todd	Steele	All *(Other than CPS)	Active		
29	Steve	Suttle	Civil only	Active		
30	Thomas	Swearingen	Family only *(No CPS)	Active		
31	Paul	Lilly	All	Active		

**Attorneys and Private Professional Guardians**

<b>Atty ID</b>	<b>First Name</b>	<b>Last Name</b>	<b>Bar #</b>	<b>Case Type</b>	<b>Status</b>	<b>Date Last Assigned</b>	<b>Case Last Assigned</b>
1	Tommy	Adams	00885200	All	Active		
2	Mark	Bessent	24012282	Probates only	Active		
5	Lee	Haney	08906000	All	Active		
6	Stephen	Haynes	24012806	Civil only	Active		
7	Patrick	Howard	24046113	All	Active		
9	Ronnie	Lappe	11946400	All	Active		
10	Larry	Meadows	24010835	All	Active		
11	Emily	Miller	00796347	All	Active		
12	Aaron	Seymour	24094943	All	Active		
13	Mike	Smith	24072349	All	Active		

