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County Court at Law
712 S. Stagecoach Trail, Ste. 2292
San Marcos, Texas 78666



FOR: _____

A Guide for the Texas Guardian

CAUSE NO. ____ - _____ - G

Introduction:

This Court has appointed you to a position of great trust and confidence. It is a position that carries with it a considerable amount of responsibility. Your duties are not easy; however, you will find them less difficult if you are careful to heed the advice of your attorney. You should contact your attorney at any time you have questions concerning the handling your position as a guardian of the person, guardian of the estate, or both. You should never attempt to handle the affairs of this estate without the guidance of your attorney. The following guide has been prepared by my office as a supplement to the information given to you by your attorney. It is only a supplement and not a substitute for his or her advice.

Elaine S. Brown
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Judge, County Court at Law
Hays County, Texas

Steps:

- The signed Order is considered the appointment of the Guardian
- Obtain Letters of Guardianship
- Take an oath or declaration at any time before the 21st day after the date of the order granting letters of guardianship
- Pay a bond at any time before the 21st day after the date of the order granting letters of guardianship
- Provide the person under guardianship with a
 - copy of the Letters of Guardianship,
 - Bill of Rights, and
 - contact information for the guardian and other resources
- Provide the Letters of Guardianship to the providers of services

Duties:

- The guardian should involve the person under guardianship in the decision-making process to the extent they are able to participate. Areas included but not limited to are:
 - Medical
 - Residence
 - Visitors
 - Financial
 - Property

Reporting to the court:

Once appointed, and the bond and oath are filed, qualification date is determined.

- The Guardian will file every year from the date of qualification (bond or oath, whichever is filed last):
 - Annual Reports (For Guardian of the person) \ The guardian is required to submit an annual report to the court every year, and
 - Annual Accounts (for guardian of the estate) \ The guardian is required to submit an annual account to the court every year
- Major Events \ The guardian is required to keep the court informed of substantial changes or events.

Contact and Communication:

- Family and friends - The guardian is required to keep family members informed of changes in residence or the medical condition.
- Available to Providers of Services

Your Qualification:

You have been appointed to act on behalf of this ward. However, you are not qualified to act as a guardian until you have taken and filed the oath of office and filed any required bond. Your oath, if not taken at the hearing, should be taken no later than 20 days from the date the Court signed the order appointing you a guardian.

Bonds: a bond is an insurance policy that insures you meet your responsibilities under the Texas Estates Code.) The Court must approve the bond no later than 20 days from the date of the order appointing you. Your bond, if required, will have to be executed by an authorized corporate surety, and the amount of the bond will be that specified in the order making the appointment.

Letters of Guardianship:

You may order your letters of guardianship after you have taken and filed the oath and have had your bond approved. These letters will serve as the evidence of your appointment when dealing with third persons concerning the affairs of the estate.

Your Powers and Duties:

Any cash that you receive should be maintained in a bank account separate from your personal funds. You should never co-mingle property belonging to the ward with your personal assets.