

Cause No _____ - _____

In the Guardianship of

§ In County Court at law
 § No. 3
 § Hays County, Texas

_____, an Incapacitated Person

GUARDIAN'S REPORT ON THE CONDITION AND WELL-BEING OF A WARDCheck One - ☐ INITIAL ☐ ANNUAL ☐ FINALCheck one: ☐ Guardianship of Person Only ☐ Guardianship of Person and Estate

*Please fill out this form completely, answering every question, except when directed otherwise.
 "Not applicable" is not a proper response and can delay processing and approval.*

On this day, the Guardian in this matter stated the following under penalty of perjury, declaring that each statement is true and correct:

I, _____, Guardian, represent that I am the guardian of the person of _____, an incapacitated person, and that my annual report to the Court for the period from _____ through _____ is as follows:

1. WARD: Name _____ Age ____/DOB _____
 Address (no P.O. Box) _____
 City/State/Zip _____
 Phone _____ New Address? ☐ YES ☐ NO

2. GUARDIAN(s): Name(s) _____
 Age(s) _____ / DOB(s) _____ / Email _____
 Address (no P.O. Box) _____
 City/State/Zip _____
 Phone _____ New Address? ☐ YES ☐ NO

If co-guardians,
both must be listed.

Relationship to Ward: _____

During the past reporting year, have you been convicted of a felony or a misdemeanor other than a minor traffic offense? ☐ YES ☐ NO If YES, explain _____

If you are a private professional guardian, a guardianship program, or the Department of Aging and Disability Services, have you been the subject of an investigation conducted by the Judicial Branch Certification Commission during the past reporting year? ☐ YES ☐ NO

3. If this is your final report, answer the questions in box below. **If this is not your final report, skip to #4.**

FINAL REPORTS ONLY

I am filing a Final Report because (check one)

- ☐ I am resigning ☐ the ward has turned 18 (attach copy of birth certificate)
☐ the ward has died (attach copy of death certificate)
☐ other; if "other," please explain: _____

If you are **resigning**, has a successor guardian been identified? ☐ YES ☐ NO

Name _____ Age _____ DOB _____
 Address _____
 City/State/Zip _____
 Phone: _____

4. Do you reside with the ward? ☐ YES ☐ NO If NO, please state how many times during the last year that you visited the Ward in person: _ times. Date of last visit: _____
 * If zero visits, please explain: _____
5. Ward's residence is (check **only one**):
☐ Ward's home ☐ Foster home
☐ Guardian's home ☐ Boarding home
☐ Relative's home (give relative's name and relationship) _____
Or in the type of facility checked below:
☐ Nursing Home ☐ Group home ☐ Hospital/Medical facility
☐ State Supported Living Center (State School) ☐ Other
 Please provide NAME of facility: _____
6. How long has the Ward lived at this address? _____
 Any change in residence in last year? ☐ Yes ☐ No If YES, explain: _____

7. **All guardians must** report on the amount and source of the Ward's income, regardless of whether the income comes to someone other than the guardian (such as the Ward's residence). Note that Social Security benefits are considered income, but that child support is not.
 A. Source of Ward's income: _____
 B. **Annual** amount of Ward's income: _____ (monthly x 12)
 If zero, explain: _____
8. In addition to the Guardian of the Person, is there a **Court-appointed** Guardian of the Ward's **estate**?
☐ Yes ☐ No Note: just because you are the Rep Payee does not necessarily mean there is a guardianship of the estate.
Depending on your answer, please answer the questions in only one of the boxes below:

If you
answered
"NO" to
question 8
➔

- A. If there is NOT a Guardian for the Ward's estate**, please answer the following questions and attach additional information as directed:
- (1) Has a Court Order directed you to manage funds up to \$20,000 of the Ward **other than Social Security funds**? ☐ Yes ☐ No
 ➔ **If YES, you MUST report on your management of those funds by attaching an income and expenses worksheet to this Annual Report** (Available on our website)
- (2) Are you the **representative payee** of the Ward's Social Security Disability (SSI) or Social Security Retirement Benefits? ☐ Yes ☐ No

OR

If you
answered
"YES" to
question 8
➔

- B. If there IS a Guardian for the Ward's estate**, please answer the following two questions:
- (1) Are you the Guardian for the Ward's estate? ☐ Yes ☐ No
- (2) Do you as Guardian of the Person receive an allowance from the Guardian of the Estate?
☐ Yes ☐ No
 If YES, annual amount of allowance received _____

9. **Has the Court approved a formal “Case Management Agreement” for case management services to the Ward?** A Case Management Agreement is a signed contract with a professional case manager *that has been formally approved by the Court*. (This is not the same as a “Care Plan” from a medical provider.)

☐ Yes ☐ No

→ **If YES, you MUST attach an updated copy of the case manager’s care plan for the Ward for the Court’s approval.**

10. During the past year ward has been treated or evaluated by the following professionals.

As a guardian, it’s your duty to know this information and to provide the information to the Court even if the Ward’s residential facility arranges the services.

☐ Physician. Name: _____

Describe: _____

Does the Ward see this doctor on a regular basis? ☐ Yes ☐ NO

☐ Psychiatrist. Name: _____

Describe: _____

☐ Social Worker or other case worker. Name: _____

Describe: _____

☐ Dentist. Name: _____

Describe: _____

☐ Other. Name: _____

Describe: _____

11. Social Conditions: During the past year the ward has participated in the following activities.

*What does your ward do all day? Note that for each type of activity checked, **you must describe the activities** (e.g., movies, bowling, Special Olympics, church, eating out, etc.). Don’t leave blank or simply write the name of the residential facility.*

☐ Recreational: _____

☐ Educational: _____

☐ Social: _____

☐ Occupational: _____

☐ None available.

☐ Refuses or is unable to participate.

12. Supports and Services: During the past year the ward received the following supports and services:

☐ Representative Payee for Social Security benefits

☐ Services from a local mental health/intellectual and developmental disability authority (*include name of provider and location where services are provided*): _____

☐ Services from a Medicaid program, including a Medicaid waiver program (*include name of provider and location where services are provided*): _____

☐ Informal supports and services (include name of provider and location where services are provided):

☐ Other (include name of provider and location where services are provided): _____

13. During the past year the ward stopped receiving or attempted to receive the following supports and services (provide reason the support or service listed was not received or was discontinued): _____

14. During the past year the ward's mental health has:

☐ Remained about the same

☐ Improved. Describe: _____

☐ Deteriorated. Describe: _____

15. As Guardian of the Person, I ☐ HAVE FILED ☐ HAVE NOT FILED for **Emergency Detention of the Ward** pursuant to the Texas Health & Safety Code. (An example of emergency detention is a request for an emergency hospitalization of the Ward for mental health or safety reasons.) If you answered HAVE FILED, please list the number of times and the dates: _____

16. During the past year the ward's physical health has:

☐ Remained about the same

☐ Improved. Describe: _____

☐ Deteriorated. Describe: _____

17. As guardian, I believe the Ward's living arrangements are ☐ Excellent ☐ Average ☐ Below average

If below average, explain: _____

18. As guardian, I believe that my ward is:

☐ Happy/Content with living situation ☐ Unhappy with living situation

19. As guardian I believe my ward ☐ DOES ☐ DOES NOT have unmet needs.

(Unmet needs = problems with food, shelter, medical care)

If you answered DOES, please explain: _____

20. The power authorized by this guardianship should be:

☐ Unchanged

☐ Decreased (explain: _____)

☐ Increased (explain: _____)

21. As guardian, it is my opinion that, with appropriate supports and services, the Ward may (or may not) have sufficient capacity for (check one):

1. complete restoration of the Ward's capacity ☐ Yes ☐ NO

or

2. modification of the guardianship ☐ Yes ☐ NO

If no, state the reason/s why the Ward does not have capacity or sufficient capacity with supports and services for a complete restoration of their capacity or modification of the guardianship: _____

22. As guardian, I am taking the following actions to encourage the development of the ward's maximum self-reliance and independent: _____

23. Check each box immediately below to affirm that you already have taken care of the specified duty or that you will do so within the time indicated. **These duties are required by Texas law.**

- ☐ **I affirm that I already have done the following or will do so within one week of the date I sign this Report:** I have communicated or will communicate to the ward that (1) I am seeking to continue, modify, or terminate the guardianship and (2) the ward has the opportunity to appear before the court to express the ward's preferences and concerns regarding whether the guardianship should be continued, modified, or terminated.
- ☐ **I affirm that I will give the ward a copy of this annual report within 30 days of the date I sign the Report.**

24. **Guardian's Bond:** Check the appropriate box below, adding an explanation if requested.

Note: Even if Ward's residential facility pays your bond premium for you, it is your responsibility to verify that the bond payment is current and then mark "have paid." If you are not sure, you can look for a statement that the premium was paid on one of the accountings the facility sends you, or you can call the facility and ask.

- ☐ I have a corporate surety bond with a yearly premium and **HAVE PAID** the bond premium for the next reporting period.
- ☐ I have a corporate surety bond with a yearly premium and **HAVE NOT PAID** the bond premium for the next reporting period (explain: _____)
- ☐ I have a corporate surety "forever" bond and I have paid the one-time bond premium.
- ☐ I have a **CASH BOND** on file with the Court.
- ☐ **HHSC** guardianship.

25. Please state any additional information concerning the ward that you would like to share with the Court. (You may continue on another page.)

26. Remember to order fresh "Letters of Guardianship."

A. Email your request to ccsearches@co.hays.tx.us and include the cause number, the quantity and the address to send them to.

B. Please note two additional things:

(1) There may be fees required by the clerk. You can call the clerk's call center to verify: (512) 393-7330.

(2) If there is also a guardianship of the estate, new Letters cannot be issued until the annual account is approved. (Note that an annual account cannot be approved until your attorney has submitted *everything* necessary to the Court, including required back-up.)

Complete the following. The signature below does not require a notary.

I, _____, the guardian of the person for _____,
in _____ County, Texas, declare under penalty of perjury that the forgoing
is true and correct.

Signed on _____ 20_____

Guardian's signature

If this report is for Co-Guardians, also complete the following:

I, _____, the guardian of the person for _____,
in _____ County, Texas, declare under penalty of perjury that the forgoing
is true and correct.

Signed on _____ 20_____

Guardian's signature