

CAUSE NO. _____

GUARDIANSHIP OF

IN THE COUNTY COURT AT LAW

SITTING IN MATTERS PROBATE

AN INCAPACITATED PERSON

COMAL COUNTY, TEXAS

**COURT INSTRUCTIONS
GUARDIAN OF THE PERSON**

As a duly-appointed Guardian of the Person, you are hereby advised by the Court that you must do the following:
(All section references are to the Texas Estates Code unless otherwise indicated.)

A. Qualify as Guardian: Within twenty (20) days of receiving the order appointing you as guardian (§1105.002):

1. Take and file an *oath* (§1105.051)
2. File the required *bond*, (§1105.101)
3. Obtain *Letters of Guardianship* from the probate clerk's office (§1106.001)

B. Specified Powers of Guardian of the Person (§1151.051)

1. The right to have physical possession of the ward and to establish the ward's legal domicile
2. The power to consent to medical, psychiatric, and surgical treatment other than the in-patient psychiatric commitment of the ward, but including the right to make end-of-life decisions regarding the withdrawing of life support, hydration and nutrition (§166.039 Texas Health & Safety Code)
3. Any other powers specified granted in the order appointing the guardian

C. Specified Duties of Guardian of the Person (§1151.051)

1. The duty of care, supervision, control and protection of the ward
2. The duty to provide the ward with clothing, food, medical care, and shelter
3. The duty to file an annual report setting forth specific information regarding the condition of the ward from a medical and social standpoint and shall include a recent photograph of the ward. It should be filed within 30 days after receipt. (§1163.101)

WARNING: Letters of Guardianship EXPIRE one year and four months after the date of issuance unless renewed. (§1106.002) The clerk cannot renew the letters until the guardian has filed the required annual report for the guardian of the person (§1163.101).

4. The duty to advise the court immediately of any address changes of the guardian or the ward. **Failure to do so is cause for removal of the guardian and cancellation of all Letters of Guardianship; (§1203.051-1203.052)**
5. Notify the Court **immediately** if the ward dies or, in the case of a minor, when the ward turns 18.
6. Notify the Court **immediately** if you or any other person or entity has been appointed the conservator of the ward or if adoption has occurred

D. Expectations of the Guardian of the Person:

1. See that the ward is appropriately housed,
2. Have frequent and meaningful personal visits with the Ward.
3. Make every effort to insure the Ward is receiving all available benefits for which he/she may be eligible and entitled.
4. Obtain psychological, social services, training educational, social and vocational opportunities for the Ward as needed and appropriate.

5. Authorize and arrange any needed medical, dental, ophthalmological and surgical treatment.

RANDAL C. GRAY, Judge
County Court at Law #1

CHARLES A. STEPHENS II, Judge
County Court at Law #2

I, _____, the Guardian of the Person, hereby attest that I have read the above and understand its contents.

Signature: _____

Date: _____