

COURT INSTRUCTIONS FOR A GUARDIAN OF THE PERSON & ESTATE

**CONSULT WITH YOUR ATTORNEY (NOT THE COURT STAFF) ON ANY MATTER
REGARDING THIS GUARDIANSHIP THAT YOU DO NOT UNDERSTAND**

1. File your Oath and \$_____ (corporate/personal surety) bond within twenty (20) days from the date the court signs the Order appointing you as Guardian.
2. Collect all assets of the estate.
3. File your **Inventory, Appraisal and List of Claims** within thirty (30) days from the last document filed in No. 1.
4. Within thirty (30) days publish in local newspaper your **Notice to Creditors** of the estate to present their claims within the time prescribed by law; **File the Publisher's Affidavit with original newspaper article with the court.**
5. Within four (4) months of receiving letters, you shall give notice of the issuance of letters to holders of recorded claims as well as to persons who have claims of which you as the guardian have actual knowledge of, **a copy of such notice must be filed with the court.**
6. Keep all Social Security funds you receive on behalf of the Ward separate and apart from Guardianship funds as you need only account to the Social Security Administration for the use of these funds.
7. **IMPORTANT** that you file your yearly **Annual Account** (form provided by your attorney) and **Annual Report on Location and Condition of Ward** (form provided by the court is attached) one year after filing your oath/bond until the guardianship is closed. You must retain your bank statements, cancelled checks, invoices and receipts to substantiate the receipts and disbursements of the estate.
8. Immediately notify the court in writing should you have to file for an **Application for Emergency Detention of the Ward.**
9. You must file an Application to obtain a written order of this court authorizing the following:
 - a. Any expenditure of the estate funds before any are made, including payment of attorney's fees.
 - b. Before attempting to sell, lease, invest, transfer or otherwise dispose of any asset(s) belonging to this estate.
 - c. File an **Application for Monthly Allowance** not later than the 30th day after the date you have qualified.
 - d. If estate is or will be involved in lawsuit, obtain authority from the Court to hire the attorney to represent the estate and **do not** settle lawsuit without first obtaining Court authority.
10. Maintain an accurate record of all expenditures and receipts of the estate funds.
11. Preserve, Protect and insure if insurable, all non-cash assets of this estate.
12. File your **Final Accounting and Final Report** when the Guardianship is ready to be closed due to the death of the Ward, the Ward regaining competency, or the Ward reaches 18 years of age. These documents should be prepared by your attorney.
 - a. Once the Final Accounting has been approved, distribute the remaining assets in accordance with the Order approving same.
 - b. Obtain signed receipts and releases from each heir and/or creditor showing distribution of assets of estate.
 - c. File **Application to Close Estate and Discharge Guardian and Sureties**, along with receipts and releases (if the receipts have not already been filed with your Final Accounting).

- d. Send copy of Order Closing Estate and Discharging Guardian and Sureties to the bond company.

13. YOU ARE RESPONSBLE FOR NOTIFYING THE COURT IN WRITING OF ANY CHANGES IN YOUR ADDRESS AND PHONE NUMBER WHICH CAN BE MAILED DIRECTLY TO THE ADDRESS BELOW.

Grayson County Clerk
200 S. Crockett, Suite 212A
Sherman, TX 75090
(903) 813-4241

I/We the undersigned Guardian(s) of this matter, hereby attest that I/We have read the above and understand its contents.

Guardian

Date

Guardian

Date