

Cause No. _____

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 Probate Code unless otherwise indicated.)

A. Qualify as Guardian: Within twenty (20) days of receiving the order appointing you as guardian (§699):

1. Take and file an *oath* (§700);
2. File the required *bond*, (§702), and
3. Obtain *Letters of Guardianship* from the probate clerk's office (§659).

B. Specified Powers of Guardian of the Person (§767)

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 (§767)

1. The duty of care, control, and protection of the ward;
2. The duty to provide the ward with clothing, food, medical care, and shelter; and
3. The duty to file an **annual report** setting forth specific information regarding the condition of the ward from a medical and social standpoint. It should be filed within 30 days after receipt. (§743)

WARNING: Letters of Guardianship **EXPIRE** one year and four months after the date of issuance unless renewed. (§659(b)) The clerk cannot renew the letters until the guardian has filed the required annual report for the guardian of the person (§743).

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;** (§761)

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;

7. A Court Visitor will be assigned annually to assess the condition of the ward. Please cooperate with this person. (§648).

D. Expectations of the Guardian of the Person: (§743)

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**.

GREG WILHELM, JUDGE
COUNTY COURT AT LAW #1
ELLIS COUNTY, TEXAS

I acknowledge receipt of a copy of these instructions.

Name: _____
Guardian Date

Name Printed

Notice: The information provided does not constitute legal advice. All questions regarding your duties as Guardian of the Person should be directed to your legal counsel.