

No. _____

**COURT INSTRUCTIONS TO THE TEMPORARY GUARDIAN OF THE
PERSON AND/OR ESTATE OF AN INCAPACITATED PERSON**

Compliance Hearings

Check the Smith County Judicial Records website for your date and time.

<https://odyssey.pa.smith-county.com/PublicAccess/default.aspx>

Compliance hearings are automatically set by the Court on all cases. You will not receive any notices. If all required documents are filed before the hearing dates, the matter will be removed from the docket. However, if you have not filed the required documents, you must appear at the compliance hearing to explain why you have not done so.

As the duly appointed Temporary Guardian of the Person and/or Estate, you are hereby advised by the Court that you must comply with the following statutory requirements:

1. **File your Oath and Bond within 20 days after the date of the Order appointing the Temporary Guardian. *This is a mandatory requirement. Chap. 1105, Estates Code.***
2. Place all Guardianship funds in insured accounts in the name of the guardianship. Retain in a checking account only such funds as are reasonably necessary for the current support and maintenance of the ward. Place all additional funds in interest-bearing accounts at the highest interest rate then available. *Chap. 1161, Estates Code.*
3. Obtain a written order of this Court authorizing any expenditure of guardianship funds before any such expenditure is made. Apply for and obtain a written order of this Court authorizing a monthly or annual allowance from Guardianship funds for the maintenance and support of the Ward where applicable. *Chaps. 1155, 1156, Estates Code.*
4. Maintain an accurate record of all expenditures and receipts of guardianship funds. *Chaps. 1151, 1163, Estates Code.*
5. 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. *SSA Publication No. 05-10076, Rev. Jan. 2009.*
6. Preserve, protect and insure, if insurable, all non-cash assets of this guardianship. *Chap. 1151, Estates Code.*
7. Obtain a written order of this Court before attempting to sell, lease, transfer or otherwise dispose of any non-cash asset of this guardianship. *Chaps. 1151, 1158, 1159, 1160, 1161, & 1162, Estates Code.*
8. Except as provided by Sec. 1251.052, Estates Code, a temporary guardianship may not remain in effect for more than 60 days. ***At the expiration of the temporary appointment, you must file with the clerk of the Court a sworn list of all property of the estate that has come into your hands, a return of all sales made and a full exhibit and account of all your acts as temporary guardian.*** Your attorney should prepare the Final Accounting. *Sec. 1251.151, Estates Code.*
9. Consult with your attorney on any matter regarding this guardianship that you do not understand. ***Failure to comply with the mandatory requirements of the Texas Estates Code may result in penalties up to and including revocation of letters of appointment.***

Clay White, Judge
County Court at Law No. 3, Smith County, Texas

I, the duly appointed Temporary Guardian of the Person and/or Estate, hereby attest that I have read the above and understand its contents.

Guardian

Attorney

Date