

Basics of Guardianship

After 2015 Legislative Changes

April 18, 2018

◦

What is Guardianship?

- Full or limited authority over an incapacitated person IC42
JS43
 - Not to be confused with:
 - “Guardian Ad Litem.” (Court discretion)
 - ❖ Determine whether a guardianship is necessary. Not an attorney for the incapacitated party JS38
 - “Attorney Ad Litem.” (Required)
 - ❖ Represent the proposed ward's interests. Acts as any other attorney would. IC20
JS40
 - ❖ Court must appoint in a guardianship proceeding. JS41
- Policy: Reduce use of Guardianship to ensure maximum self-reliance and independence in the incapacitated person

Tex. Estates §1001.001

Policy; Purpose Of Guardianship

- a) A court may appoint a guardian with either full *or limited* authority over an incapacitated person as indicated by the incapacitated person's *actual* mental or physical *limitations* and *only as necessary* to promote and protect the well-being of the incapacitated person.
- b) In creating a guardianship that gives a guardian limited authority over an incapacitated person, the court shall design the guardianship to encourage the development or maintenance of maximum self-reliance independence in the incapacitated person, including by presuming that the incapacitated person retains capacity to make personal decisions regarding the person's residence.

Different Types:

Guardianship of Person

- Caring for Ward's physical, emotional and educational well being.

Guardianship of BOTH Person & Estate

- Caring for Ward's physical and financial well being.

Guardianship of Estate

- Caring for Ward's financial well being.

ISA
JS22

Who needs a Guardian?

- ▶ Any incapacitated person for which a Less Restrictive Alternative does not already exist.
 - Best case: Not an imminent emergency. JS25
- ▶ Tex. Disciplinary Rules Prof'l Conduct R. 1.02(g).
 - “A lawyer shall take reasonable action to secure the appointment of a guardian or other legal representative for, or seek other protective orders with respect to, a client whenever the lawyer reasonably believes that the client lacks legal competence and that such action should be taken to protect the client.”

JS7

“Incapacitated” Defined JS14

Est \$22.016 & Est \$1002.017

A person is "incapacitated" if the person:

- (1) is a minor;
- (2) is an adult who, because of a physical or mental condition, is substantially unable to:
 - (A) provide food, clothing, or shelter for himself or herself;
 - (B) care for the person's own physical health; or
 - (C) manage the person's own financial affairs; or
- (3) must have a guardian appointed for the person to receive funds due the person from a governmental source.

Alternate Definition:

Est §1001.003

In this code or any other law, a reference to any of the following means an incapacitated person:

- (1) a person who is mentally, physically, or legally incompetent;
- (2) a person who is judicially declared incompetent;
- (3) an incompetent or an incompetent person;
- (4) a person of unsound mind; or
- (5) a habitual drunkard.

Common Examples:

- ▶ Minor without parents (e.g., Orphan)
- ▶ Incapacitated adult
 - ▶ Mental disability turning 18
- ▶ Elderly who did not plan ahead and see their HNBA attorney
- ▶ Even if have a spouse may need, e.g.,
- ▶ *BASICALLY*: Someone who is unable to take care of themselves.

Can't a spouse make medical decisions for their spouse if they are incapacitated???

- ▶ Surrre, if everyone complies with applicable law...

What is applicable law?

Sec. 166.039. PROCEDURE WHEN PERSON HAS NOT EXECUTED OR ISSUED A DIRECTIVE AND IS INCOMPETENT OR INCAPABLE OF COMMUNICATION.

(a) If an adult qualified patient has not executed or issued a directive and is incompetent or otherwise mentally or physically incapable of communication, the attending physician *and* the patient's legal guardian or an agent under a medical power of attorney may make a treatment decision that may include a decision to withhold or withdraw life-sustaining treatment from the patient.

(b) If the patient does not have a legal guardian or an agent under a medical power of attorney, the attending physician and one person, if available, from one of the following categories, in the following priority, may make a treatment decision that may include a decision to withhold or withdraw life-sustaining treatment:

- (1) the patient's spouse; JS19
- (2) the patient's reasonably available adult children;
- (3) the patient's parents; or
- (4) the patient's nearest living relative.

(c) A treatment decision made under Subsection (a) or (b)

must be based on knowledge of what the patient would desire, if known.

(d) A treatment decision made under Subsection (b) must be documented in the patient's medical record and signed by the attending physician.

(e) If the patient does not have a legal guardian and a person listed in Subsection (b) is not available, a treatment decision made under Subsection (b) must be concurred in by another physician who is not involved in the treatment of the patient or who is a representative of an ethics or medical committee of the health care facility in which the person is a patient.

... Applicable Law for spouse

(f) The fact that an adult qualified patient has not executed or issued a directive does not create a presumption that the patient does not want a treatment decision to be made to withhold or withdraw life-sustaining treatment.

(g) A person listed in Subsection (b) who wishes to challenge a treatment decision made under this section must apply for temporary guardianship under Chapter 1251, Estates Code. The court may waive applicable fees in that proceeding.

Acts 1989, 71st Leg., ch. 678, Sec. 1, eff. Sept. 1, 1989. Amended by Acts 1997, 75th Leg., ch. 291, Sec. 3, eff. Jan. 1, 1998. Renumbered from Sec. 672.009 and amended by Acts 1999, 76th Leg., ch. 450, Sec. 1.03, eff. Sept. 1, 1999.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1 (S.B. 219), Sec. 3.0502, eff. April 2, 2015.

Surrogate?

- ▶ Health & Safety Code 313.001-.007

Spouse as Community Administrator: JS55

Est §1353.002

- ▶ (a) Except as provided by Section 1353.004, when a spouse is judicially declared to be incapacitated, the other spouse, in the capacity of surviving partner of the marital partnership, acquires full power to manage, control, and dispose of the entire community estate, including the part of the community estate that the incapacitated spouse legally has the power to manage in the absence of the incapacity, as community administrator without an administration.
- ▶ (b) The spouse who is not incapacitated is presumed to be suitable and qualified to serve as community administrator.

Doctors don't want to be lawyers. JS18

- How can the medical provider/hospital know FOR SURE that the incapacitated person hadn't named someone other than their spouse?
 - Second/third marriage? Spouses only recently married? Please verify status of your marriage for us?
 - Maybe spouse's capacity in doubt as well?
 - Son or daughter?
 - Would medical provider/hospital be liable for letting wrong person decide? Not verifying it's what the incapacitated patient would've wanted? JS54

Who can be a Guardian?

Est §1104.102:

- Probate Court decides.
- Applicant
- Parental appointment by Will or Declaration JS45
- Court MUST CONSIDER who the Proposed Ward would've wanted as a Guardian, even if never designated a preference. JS46
- Minor over 12 can select. JS53
- Orphan: Nearest ascendant
- Private professional guardian
- Can even be the County, if there's a need, and no better candidate.
 - Lot of Guardianships start with a doctor letting County know a person they've seen is unable to make decisions for themselves, and *someone* needs to be appointed so that decisions can be made for them.
- Must pass Criminal History Background check

Who Can't be a Guardian?

Disqualified:

- Minor or other incapacitated person JS12
JS49
- Person who, because of inexperience, lack of education, or other good reason, is incapable of properly and prudently managing and controlling the person or estate of the ward. *Est Code § 1104.351*
- Persons of notoriously bad conduct JS47
JS48
- Conflict of Interest, e.g.:
 - People involved in lawsuits concerning the proposed ward JS50
 - Owe the proposed ward money
 - Making claims against proposed ward's property (inheritance?)
- Court finds unsuitable JS51
- Disqualified by the designation of the proposed ward in a declaration JS52
- Certain non-residents or someone who lacks a required certification

What changed in 2015?

Bill of Rights for Wards - Est §1151.351

(a) A ward has all the rights, benefits, responsibilities, and privileges granted by the constitution and laws of this state and the United States, except where specifically limited by a court-ordered guardianship or where otherwise lawfully restricted.

(b) Unless limited by a court or otherwise restricted by law, a ward is authorized to the following:

(1) to have a copy of the guardianship order and letters of guardianship and contact information for the probate court that issued the order and letters;

(2) to have a guardianship that encourages the development or maintenance of maximum self-reliance and independence in the ward with the eventual goal, if possible, of self-sufficiency;

(3) to be treated with respect, consideration, and recognition of the ward's dignity and individuality;

(4) to reside and receive support services in the most integrated setting, including home-based or other community-based settings, as required by Title II of the Americans with Disabilities Act (42 U.S.C. Section 12131 et seq.);

(5) to consideration of the ward's current and previously stated personal preferences, desires, medical and psychiatric treatment preferences, religious beliefs, living arrangements, and other preferences and opinions;

...More

- (6) to financial self-determination for all public benefits after essential living expenses and health needs are met and to have access to a monthly personal allowance;
- (7) to receive timely and appropriate health care and medical treatment that does not violate the ward's rights granted by the constitution and laws of this state and the United States;
- (8) to exercise full control of all aspects of life not specifically granted by the court to the guardian;
- (9) to control the ward's personal environment based on the ward's preferences;
- (10) to complain or raise concerns regarding the guardian or guardianship to the court, including living arrangements, retaliation by the guardian, conflicts of interest between the guardian and service providers, or a violation of any rights under this section;
- (11) to receive notice in the ward's native language, or preferred mode of communication, and in a manner accessible to the ward, of a court proceeding to continue, modify, or terminate the guardianship and 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;
- (12) to have a court investigator, guardian ad litem, or attorney ad litem appointed by the court to investigate a complaint received by the court from the ward or any person about the guardianship;

- (13) to participate in social, religious, and recreational activities, training, employment, education, habilitation, and rehabilitation of the ward's choice in the most integrated setting;
- (14) to self-determination in the substantial maintenance, disposition, and management of real and personal property after essential living expenses and health needs are met, including the right to receive notice and object about the substantial maintenance, disposition, or management of clothing, furniture, vehicles, and other personal effects;
- (15) to personal privacy and confidentiality in personal matters, subject to state and federal law;
- (16) to unimpeded, private, and uncensored communication and visitation with persons of the ward's choice, except that if the guardian determines that certain communication or visitation causes substantial harm to the ward:
 - (A) the guardian may limit, supervise, or restrict communication or visitation, but only to the extent necessary to protect the ward from substantial harm; and
 - (B) the ward may request a hearing to remove any restrictions on communication or visitation imposed by the guardian under Paragraph (A);
- (17) to petition the court and retain counsel of the ward's choice who holds a certificate required by Subchapter E, Chapter 1054, to represent the ward's interest for capacity restoration, modification of the guardianship, the appointment of a different guardian, or for other appropriate relief under this subchapter, including a transition to a supported decision-making agreement, except as limited by Section 1054.006;

(18) to vote in a public election, marry, and retain a license to operate a motor vehicle, unless restricted by the court;

(19) to personal visits from the guardian or the guardian's designee at least once every three months, but more often, if necessary, unless the court orders otherwise;

(20) to be informed of the name, address, phone number, and purpose of Disability Rights Texas, an organization whose mission is to protect the rights of, and advocate for, persons with disabilities, and to communicate and meet with representatives of that organization;

(21) to be informed of the name, address, phone number, and purpose of an independent living center, an area agency on aging, an aging and disability resource center, and the local mental health and intellectual and developmental disability center, and to communicate and meet with representatives from these agencies and organizations;

(22) to be informed of the name, address, phone number, and purpose of the Judicial Branch Certification Commission and the procedure for filing a complaint against a certified guardian;

(23) to contact the Department of Family and Protective Services to report abuse, neglect, exploitation, or violation of personal rights without fear of punishment, interference, coercion, or retaliation; and

(24) to have the guardian, on appointment and on annual renewal of the guardianship, explain the rights delineated in this subsection in the ward's native language, or preferred mode of communication, and in a manner accessible to the ward.

(c) This section does not supersede or abrogate other remedies existing in law.

For Attorneys:

- ▶ Quadrupled the CLE requirement.
- ▶ **Est \$1054.201. Certification required**
 - (a) An attorney for an applicant for guardianship and a court-appointed attorney in a guardianship proceeding, including an attorney ad litem, must be certified by the State Bar of Texas, or a person or other entity designated by the state bar, as having successfully completed a course of study in guardianship law and procedure sponsored by the state bar or the state bar's designee.
 - (b) The State Bar of Texas shall require four hours of credit for certification under this subchapter, including one hour on alternatives to guardianship and supports and services available to proposed wards.
- ▶ Expect to spend a lot more time than 1 & 4 hours.

What else changed?

- ▶ Must renew Certification after 2 years:

(a) Except as provided by Subsection (b), a certificate issued under this subchapter expires on the second anniversary of the date the certificate is issued. *Est §1054.202.*

- ▶ After first renewal, next renewal good for 4 years:

(b) A new certificate obtained by a person to whom a certificate under this subchapter was previously issued expires on the fourth anniversary of the date the new certificate is issued if the person has been certified each of the four years immediately preceding the date the new certificate is issued.

Also...

- ▶ Court can only order a Guardianship if there is no Less Restrictive Alternative
 - Tex. Est. Code §§ 1054.001, 1054.054, 1101.001(b), 1101.101
- ▶ Dr.'s Letter has changed
- ▶ Evidentiary Standard is CCE, not PPE

Cottage Industry for CLE?

- ▶ Trying to reduce the number of Guardianships.
- ▶ Reduce opportunity for abuse by Guardians.
- ▶ Reduce cost of elder care
- ▶ Encourage pre-planning (How many attorneys have up to date docs?)

Where to start?

- Competent Doctor's Letter (this changed)
 - Unless a minor or person for whom it is necessary to have a guardian appointed only to receive funds from a governmental source,
 - May find the doctor is not familiar with how the new letter needs to be filed out to pass muster with the court.
 - Can't be more than 120 days before Application if Intellectual Disability

PHYSICIAN'S CERTIFICATE OF MEDICAL EXAMINATION JS2

In the Matter of the Guardianship of

For Court Use Only

_____,
an Alleged Incapacitated Person

Court Assigned: _____

The purpose of this certificate is to enable the Court to determine whether the individual identified above is incapacitated according to the legal definition, and whether a guardian should be appointed to care for him or her.

DEFINITION OF INCAPACITY

For purposes of this certificate, an "**Incapacitated Person**" is "*an adult individual who, because of a physical or mental condition, is substantially unable to provide food, clothing or shelter for himself or herself, to care for the individual's own physical health, or to manage the individual's own financial affairs.*" Texas Probate Code § 601(14).

GENERAL INFORMATION

4-18-2018 Jonathan D. Sykes (281) 894-6598 AttorneySykes.com (c)

Proposed Ward's Name _____

Date of Birth _____

Age _____

Gender ☐ M ☐ F

Physician's Certificate of Medical Examination

Revision October 2016

In the Matter of the Guardianship of _____,

For Court Use Only

an Alleged Incapacitated Person

Court Assigned: _____

To the Physician

This form is to enable the Court to determine whether the individual identified above is incapacitated according to the legal definition (on page 3), and whether that person should have a guardian appointed.

1. General Information

Physician's Name _____

Phone: (____) _____

Office Address _____

☐ YES ☐ NO I am a physician currently licensed to practice in the State of Texas.

4-18-2018 Jonathan D. Sykes (281) 894-6398 AttorneySykes.com (c)

Proposed Ward's Name _____

Date of Birth _____

Age _____

Gender ☐ M ☐ F

Proposed Ward's Current Residence: _____

Application

- ▶ Must be sworn by Applicant(s)
- ▶ Attach Dr.'s letter in current format. Help doctor's office understand requirements to fill out correctly. They don't have time to be lawyers.
- ▶ Proposed ward's name, sex, date of birth, and address
- ▶ Name, relationship, and address of the person the applicant seeks to have appointed as guardian;
- ▶ States type of Guardianship being sought JS5
 - Person
 - Estate
 - Both?

Application...more

- ▶ What rights of proposed ward requesting be terminated or limited, such as:
 - Right of a proposed ward who is 18 years of age or older to vote in a public election; the proposed ward's eligibility to hold or obtain a license to operate a motor vehicle under Chapter 521, Transportation Code; and
 - right of a proposed ward to make personal decisions regarding residence;
- ▶ Facts requiring the appointment of a guardian;
- ▶ Interest of the applicant in the appointment of a guardian
 - Spouse?
 - Son, Daughter?
 - Other Relative?
 - Friend?
 - No such person as above? The County?

Application...even more

- Guardianship(s) existing/pending in any other state?
- Any POAs?
- Value and description of the proposed ward's property
- If P/W a Minor: Proposed Ward's family info:
 - Parents info if living or that the parent(s) is deceased;
 - Sibling info or that the siblings is deceased; and
 - If each of the proposed ward's parents and adult siblings are deceased, the info proposed ward's other living relatives who are related to the proposed ward within the third degree by consanguinity and who are adults.
 - Whether the minor was the subject of a legal or conservatorship proceeding in the preceding two years

Application...still more

If P/W is an adult:

- ▶ Similar as if Minor, and
 - Any spouse?
 - Children, and
 - If no living spouse, parent, adult sibling, or adult child of the proposed ward, the names and addresses of the proposed ward's other living relatives who are related to the proposed ward within the third degree by consanguinity and who are adults
- ▶ Seeking Private Professional Guardian?

IC8
JS9

Who has to be served?

Est §1051.103

- (1) a proposed ward who is 12 years of age or older;
 - (2) the proposed ward's parents, if the whereabouts of the parents are known or can be reasonably ascertained;
 - (3) any court-appointed conservator or person having control of the care and welfare of the proposed ward;
 - (4) the proposed ward's spouse, if the whereabouts of the spouse are known or can be reasonably ascertained; and
 - (5) the person named in the application to be appointed guardian, if that person is not the applicant.
- (b) A citation served as provided by Subsection (a) must contain the statement regarding the right under Section 1051.252 that is required in the citation issued under Section 1051.102.
- (c) A citation served as provided by Subsection (a) to a relative of the proposed ward described by Subsection (a)(2) or (4) must contain a statement notifying the relative that, if a guardianship is created for the proposed ward, the relative must elect in writing in order to receive notice about the ward under Section 1151.056.

Notice other than service:

► TEC § 1051.104

- Adult Children & Siblings
- Administrator of nursing home or residential facility
- Anyone with POA
- Anyone designated a choice of Guardian

Assuming all that...Is There a Catch???

Of course!

- Biggest Problem:
 - Is there a Less Restrictive Alternative?^{JS6}
 - Must prove by CLEAR and CONVINCING EVIDENCE
 - Not PPE

Texas Legislature Asked:

Can't we just avoid all this?

What are the Less Restrictive Alternatives?

- ▶ Starting point (Not an exclusive list):
 - Execution of a medical power of attorney under Chapter 166, Health and Safety Code;
 - Appointment of an attorney in fact or agent under a durable power of attorney as provided by Subtitle P, Title 2;
 - Execution of a declaration for mental health treatment under Chapter 137, Civil Practice and Remedies Code;
 - Appointment of a representative payee to make public benefits;
 - Establishment of a joint bank account;
 - Creation of a management trust under Chapter 1301;
 - Pooled Trust Subaccount

...Less Restrictive Alternatives?

- Creation of a special needs trust;
- Designation of a guardian before the need arises under Subchapter E, Chapter 1104; and
- Establishment of alternate forms of decision-making based on person-centered planning.

What About Support Services?

► § 1002.031. Supports And Services:

"Supports and services" means available formal and informal resources and assistance that enable an individual to:

- 1) meet the individual's needs for food, clothing, or shelter;
- 2) care for the individual's physical or mental health;
- 3) manage the individual's financial affairs; or
- 4) make personal decisions regarding residence, voting, operating a motor vehicle, and marriage.

Approval

- ▶ Oath
- ▶ Bond
- ▶ Letters of Guardianship JS28
 - ▶ Often broad, but may reserve any powers for the Ward to continue to exercise if court determines Ward can still handle certain things, which helps them maintain their dignity,
 - ▶ E.g., Vote, help decide residence, manage limited amounts of spending money

Guardian's Duties?

Generally:

- Oath
- Bond within 20 days of Oath
- Annual Report on Location, Condition, & Well Being of the Ward
- Be prepared for annual visit by Court Investigator

JS26
JS27

Additional GoP Duties:

Person TEC 1151.051

- (a) The guardian of the person of a ward is entitled to take charge of the person of the ward.
- (b) The duties of the guardian of the person correspond with the rights of the guardian.
- (c) A guardian of the person has:
 - (1) the right to have physical possession of the ward and to establish the ward's legal domicile;
 - (2) the duty to provide care, supervision, and protection for the ward;
 - (3) the duty to provide the ward with clothing, food, medical care, and shelter;
 - (4) the power to consent to medical, psychiatric, and surgical treatment other than the inpatient psychiatric commitment of the ward;

...GoP Duties

- ▶ (5) on application to and order of the court, the power to establish a trust in accordance with 42 U.S.C. Section 1396p(d)(4)(B) and direct that the income of the ward as defined by that section be paid directly to the trust, solely for the purpose of the ward's eligibility for medical assistance under Chapter 32, Human Resources Code; and
- ▶ (6) the power to sign documents necessary or appropriate to facilitate employment of the ward if:
 - ▶ (A) the guardian was appointed with full authority over the person of the ward under Section 1101.151; or
 - ▶ (B) the power is specified in the court order appointing the guardian with limited powers over the person of the ward under Section 1101.152.
- ▶ (d) Notwithstanding Subsection (c)(4), a guardian of the person of a ward has the power to personally transport the ward or to direct the ward's transport by emergency medical services or other means to an inpatient mental health facility for a preliminary examination in accordance with Subchapters A and C, Chapter 573, Health and Safety Code. The guardian shall immediately provide written notice to the court that granted the guardianship as required by Section 573.004, Health and Safety Code, of the filing of an application under that section.
- ▶ (e) Notwithstanding Subsection (c)(1) and except in cases of emergency, a guardian of the person of a ward may only place the ward in a more restrictive care facility if the guardian provides notice of the proposed placement to the court, the ward, and any person who has requested notice and after:
 - ▶ (1) the court orders the placement at a hearing on the matter, if the ward or another person objects to the proposed placement before the eighth business day after the person's receipt of the notice; or
 - ▶ (2) the seventh business day after the court's receipt of the notice, if the court does not schedule a hearing, on its own motion, on the proposed placement before that day.

Duties - Guardian of Estate

- ▶ If Estate: TEC 1151.101
 - ▶ Inventory, Appraisement and List of Claims within 30 days
 - ▶ Application for monthly/annual allowance from Guardianship funds within 30 days of qualifying
 - ▶ Most expenses have to be approved by the court JS29
 - ▶ Investment plan within 180 days
 - ▶ Annual accounting within 60 days of anniversary date JS30
 - ▶ Get Sales and Abandonment of all property approved by the court
 - ▶ Final Accounting

Even More Duties - Guardian of Estate

- ▶ Take possession of all of Ward's personal and real property
- ▶ Fiduciary duty
- ▶ Manage, collect, enforce obligations favoring the Ward, bring/defend any lawsuits
- ▶ Separate bank accounts for the Ward. Do NOT co-mingle.
- ▶ Obtain insurance for all property

Can Guardianship Be Challenged?

- ▶ IME whether guardianship is even needed; or to what extent
- ▶ Who should be guardian?
- ▶ Qualifications of Applicant
- ▶ Should guardian be removed?

Guardian's Removal and Liability

- ▶ Failing to timely file the Oath, or post bond
- ▶ Absent from state more than 3 months without court permission, or takes Ward out of state
- ▶ Not keeping court informed of Guardian, and Ward's changes of address
- ▶ Failing to file annual reports (after a show cause hearing)
- ▶ Neglect/Cruelty
- ▶ Fails to follow court orders
- ▶ Guardian becomes incapacitated
- ▶ Doesn't consider Ward's thoughts and feelings

Removal/Liability

- ▶ Guardian of Estate could be liable for breach of fiduciary duties, even after termination
 - ▶ Misapplying, embezzling funds

Termination

- TEC 1202.001
- Ward dies
- Ward regains full capacity
- Minor becomes adult
- No longer needed to receive government funds

Co-Guardians? Splits?

Est §1104.001:

(a) Only one person may be appointed as guardian of the person or estate, but one person may be appointed guardian of the person and another person may be appointed guardian of the estate, if it is in the best interest of the incapacitated person or ward.

(b) Subsection (a) does not prohibit the joint appointment, if the court finds it to be in the best interest of the incapacitated person or ward, of:

JS10

(1) a husband and wife;

(2) joint managing conservators;

(3) co-guardians appointed under the laws of a jurisdiction other than this state; or

(4) both parents of an adult who is incapacitated if the incapacitated person:

(A) has not been the subject of a suit affecting the parent-child relationship; or

(B) has been the subject of a suit affecting the parent-child relationship and both of the incapacitated person's parents were named as joint managing conservators in the suit but are no longer serving in that capacity.

Additional Resources:

- ▶ Texas Guardianship Association
- ▶ Health and human services (HHS) (F/K/A D.A.D.S)
- ▶ Harris County Guardianship Handbook