

Walker County Courthouse
1100 University Avenue, Suite 102
Huntsville, Texas 77340

(936) 436-4919
(936) 436-4920 facsimile
wccl@co.walker.tx.us



SAMANTHA ECHTLER
Administrator

CASEY ROBERTSON
Coordinator

MARSHA BURRUS
Reporter

TRACY SORENSEN
JUDGE, WALKER COUNTY COURT AT LAW

ONGOING DUTIES AS GUARDIAN OF THE ESTATE

DUTY TO TAKE CARE OF AND MANAGE ESTATE

- You have been appointed by the court to handle the ESTATE of the Ward which includes everything the ward owns or has a right to receive: land, money, bank accounts, furniture, cars, houses, clothes...**everything**.
- It is your duty, once you have qualified, to take possession of all of the ward's property; to manage all of the property; to collect all debts, rentals or claims that are due to the ward; to enforce all obligations that are due to the ward; and to bring and defend suits by or against the ward.
- **Your duties and responsibilities over the wards property is defined by Texas law and may be limited by the order appointing you as Guardian of the Estate. Read the court order carefully. Also refer to the detailed court instructions you signed in front of a notary.**

TAKE CARE OF ESTATE MORE CAREFULLY THAN YOUR OWN

- You must be frugal, conservative and cautious. You are a "fiduciary" – *someone who has a legal responsibility to act for the benefit of another*. You must always act in good faith and in the wards best interest while also considering the interest of others who have a stake in or claim to the assets under your management. This may even mean acting in a manner contrary to your own interests.

DO NOT TREAT THE PROPERTY AS YOUR OWN

- Keep your money separate from that of the ward. Place all guardianship funds in one or more separate, insured accounts in the name of the guardianship.
- **You cannot spend any guardianship funds without authorization from the court.** See the instructions you received from the court.

EVERY YEAR YOU MUST PREPARE AN ANNUAL ACCOUNT

- Failure to file this detailed Annual Account may result in your removal as Guardian and may result in the assessment of fees against you individually.
- You will be required to swear or affirm that the Annual Account is true and correct.

KEEP COMPLETE AND PRECISE RECORDS

- To be prepared for your Annual Accounts, you must maintain an accurate record of all guardianship income and all expenditures of guardianship funds. You will need to keep and organize all bank records as well as receipts for all purchases and all expenditures.

ALWAYS REMEMBER

- Notify your attorney of any change in the mailing address of either you or the ward and your attorney should notify the court. If the ward moves from this county, consult with your attorney about whether the guardianship should be transferred. You may not move from this state or be absent from this state for more than three months without court permission.
- Consult with your attorney on any matter regarding this guardianship that you do not understand.
- Consult with your attorney when the guardianship of the estate is ready to be closed.