

**Information or instructions: Guardian's first annual account and regular annual accounts**

**PREVIEW**

1. The Probate Court requires the Guardian to file an annual accounting every year during the term of the guardianship to state the amount of income received by the Ward and the amount of expenses spent thereunder.

2. The annual account must be filed with the court within 60 days from the expiration of the first year of the guardianship and then each year thereafter 60 days after the expiration of the 12-month year period.

3. Failure to meet the 60-day deadline results in revocation of the Guardian's letters of Guardianship because the court must approve the accounting within 120 days from the 60-day deadline.

4. Section 744 of the Texas Probate Code provides that the Guardian's failure to make the report without good cause can subject the Guardian to a fine of no more than \$1000.

5. Section 123A of the Texas Probate Code requires the probate courts to review each guardianship annually to determine whether or not the guardianship should continue, be modified or terminated.

6. The following form is used to accomplish that requirement.

7. For all accountings applicable to a temporary guardianship the attorney should provide a statement from a physician stating the Ward's medical diagnosis and prognosis.

8. The following form is based on the assumption that a full guardianship has been approved and that the Ward is incapacitated and lists his income and expenses.

9. The first form is the Guardian's First Annual Account which sets forth the events that have transpired since the date the guardianship started until end of the first accounting period.

10. The second form is the Guardian's Annual Account and may be used for each subsequent year that an annual account is required.

11. Section 741 of the Texas Probate Code provides that invoices, receipts and canceled checks be furnished to support the accounting.

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Form: Guardian's first annual account

# PREVIEW

CAUSE NUMBER \_\_\_\_\_

IN THE MATTER OF:

IN THE COUNTY COURT

THE GUARDIANSHIP OF [PERSON OR ESTATE] OF NAME

NUMBER \_\_\_\_\_

AN INCAPACITATED PERSON

[COUNTY] COUNTY, TEXAS

## GUARDIAN'S FIRST ANNUAL ACCOUNT

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[Name] Guardian of the person and estate of \_\_\_\_\_ in the above styled and numbered cause, files this First Annual Account covering the period from \_\_\_\_\_ to \_\_\_\_\_.

### 1. ESTATE ASSETS

1.1 Guardian has previously filed with this Court a complete inventory and appraisal listing the ward's assets and liabilities.

1.2 No changes have occurred to the ward's inventory and appraisal, if changes have occurred then insert, except the following: \_\_\_\_\_].

### 2. WARD'S INCOME

2.1 The ward's income for the year may be summarized as follows:

- a. Inheritance Income: \$ \_\_\_\_\_
- b. Social Security Income: \$ \_\_\_\_\_  
(monthly payments of \$ \_\_\_\_\_)
- c. Other Income: \$ \_\_\_\_\_

Total Income Received: \$ \_\_\_\_\_

### 3. GUARDIAN'S DISBURSEMENTS

3.1 The ward has incurred during the year the following expenses:

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a. Dr. \_\_\_\_\_: \$ \_\_\_\_\_

b. Attorney fees: \$ \_\_\_\_\_

c. Bond to \_\_\_\_\_: \$ \_\_\_\_\_

d. Parking fees: \$ \_\_\_\_\_

e. Letters of Guardianship: \$ \_\_\_\_\_

f. [List all other expenses]: \$ \_\_\_\_\_

g. Misc. expenses (incl. clothing, insurance, personal goods): \$ \_\_\_\_\_

Total Expenses: \$ \_\_\_\_\_

**PREVIEW**

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**4. CASH ON HAND**

4.1 The ward has the following cash on hand: \$ \_\_\_\_\_

As of \_\_\_\_\_, Guardian has the following accounts and balances:

Checking Account at \_\_\_\_\_ Bank: \$ \_\_\_\_\_

Savings Account: \$ \_\_\_\_\_

Cash on Hand at home: \$ \_\_\_\_\_

Total Cash: \$ \_\_\_\_\_

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5.

5.1 There have been no other changes in the Ward's estate.

Respectfully Submitted,

**THANK YOU**

[Law Firm Name]

By \_\_\_\_\_

\_\_\_\_\_  
[Attorney's Name]

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Attorney for Applicant

[Attorney's Address]

[Telephone Number]  
[Facsimile Number]  
**PREVIEW**  
[Bar Card Number]

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Guardian

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