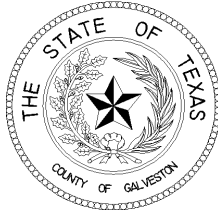


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GLADYS B. BURWELL
PROBATE COURT JUDGE
Galveston County
600 59th Street, Suite 2305
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COURT INSTRUCTIONS TO THE GUARDIAN OF AN ESTATE

**CONSULT WITH YOUR ATTORNEY (NOT THE COURT) ON ANY MATTER
REGARDING THIS ESTATE THAT YOU DO NOT UNDERSTAND**

As the duly appointed Guardian of this estate, you are advised that you **must** do the following:

1. Qualify as guardian by filing your Oath and Bond within 20 days of the date of your appointment.
2. Collect all assets of the estate.
3. Place all estate funds in federally insured accounts in the name of the guardianship. Your attorney's address should be listed on the account and all statements should be mailed to his/her address. Retain in a checking account only such funds as are reasonably necessary to pay the debts and the expenses of administering this estate. Place all additional funds in interest-bearing accounts at the highest interest rate, giving reasonable consideration to current and long term market conditions. All funds must be deposited in an institution located in the State of Texas.
4. 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.
5. Preserve, protect and insure, if insurable, all non-cash assets of the estate.
6. Within 30 days, publish in a local newspaper your notice to the creditors of the estate. File the Publisher's Affidavit with the Court.

Within 120 days, give your notice by registered or certified mail, return receipt requested, to each holder of a secured lien against estate property and to each person you have knowledge of having a claim against the estate. Proof of the above notices must be filed with the Court.

Give notice by certified mail, return receipt requested, to all unsecured creditors stating that they have 120 days to present a claim or it is barred. If a claim is presented, either approve or disapprove the claim within **30** days. No claims can be paid without court approval. Do **not** pay any claims which are barred.

7. File your Inventory, Appraisal and List of Claims within **30 days** of qualification. The inventory must contain a complete list of all the real estate and a list of all personal property, regardless of where it is located. In compiling the inventory, if the ward is married, you must distinguish between separate and community property belonging to the estate. If the property is community, show the full value of the property and the ward's undivided one-half interest. Do **not** include debts **owed** by the estate on the inventory. Do show on the inventory filed with the Court any life insurance insuring the life of the Ward or for which the Ward is the owner, including the name and number of the policy, the name of the owner of the policy, the name of the beneficiary of the policy, whether the policy is term or whole life and the cash surrender value, if any. When you list the bank account, you should put the number of the account, how the account was styled when you became the guardian and whether or not it is a joint account, joint tenancy with right of survivorship, etc. IRA accounts in the name of the Ward or if the Ward is married, in the name of the spouse, should be listed on the inventory with the name of company and number of policy, name of owner, name of beneficiary and the present value of the IRA account. You should obtain for your attorney copies of all bank signature cards, contracts for certificates of deposit, IRAs, etc. Do not close and transfer into the name of the guardianship until further order of the court any accounts that are joint tenancy with right of survivorship or IRA or annuity accounts.
8. Within **30 days** after your appointment, file an application requesting the monthly allowance for the Ward. The application must clearly separate amounts requested for education and maintenance of the Ward from amounts requested for maintenance of the Ward's property.
9. Obtain a written order of the Probate Court authorizing any expenditure of estate funds **before** any such expenditures are made.
10. Obtain a written order of the Probate Court **before** attempting to sell, lease, transfer or otherwise dispose of any non-cash asset of estate funds.
11. Not later than the **180th day** after the date on which the guardian of the estate qualified as guardian or another date specified by the Court, the guardian shall file a written application with the Court (1) for an Order authorizing the guardian to (a) develop and implement an investment plan for estate assets; (b) declare that one or more estate assets must be retained, despite being underproductive with respect to income and overall return; or (c) loan estate funds, invest in real estate or make other investments, or purchase a life, term, or endowment insurance policy or an annuity contract; or (2) for an Order to modify or eliminate the guardian's duty to invest the estate.
12. If estate is or will be involved in lawsuit, obtain authority from the Court to hire the attorney to represent the estate and do **not** settle lawsuit without first obtaining Court authority.
13. File an Annual Accounting one year after taking your oath, and every year thereafter until the estate is closed. You **must** retain your bank statements, canceled checks, invoices and receipts to substantiate the receipts and disbursements of the estate.
14. If the monthly needs of the Ward change, file an application for an amended monthly allowance.

15. If your address changes, you **MUST** notify the Guardianship Investigator and the Clerk of the Court in writing of your new address within ten days of the change. Failure to provide that notification could result in your being fined \$50.00 by the Court. (Civil Practice and Remedies Code Section 30.015)
16. When the Ward dies and assets remain in the estate and the Ward did not have a Will, file an application to determine heirship within thirty (30) days. Have your hearing on the application to determine heirship with two disinterested witnesses to verify family history within sixty (60) days of the date of death of the Ward.
17. After the heirship hearing or if the Ward has a Will, after the Will has been admitted to probate and an executor has been appointed, then file the final accounting of the estate. Send each heir of the estate a copy of the accounting and obtain a waiver of service from the heir.
18. Once the final accounting has been approved, distribute the remaining assets in accordance with the order approving the final accounting.
19. Obtain signed receipts and releases from each heir and/or creditor showing distribution of assets of estate.
20. File application to close estate, discharge administrator (trix) and surety, along with receipts and releases.
21. Send copy of Order closing estate and discharging administrator (trix) and surety to bonding company.