GUARDIANSHIP MONITORING IN TEXAS

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Abstract

In Texas, the elder population is projected to grow significantly by 2030 and the Texas Judiciary is expecting a related increase in adult guardianships. As the number of adult guardianships increases, so too will the need for courts to provide active monitoring of these cases to ensure the protection of the ward and the ward’s estate.

This paper reviews the implementation of the Guardianship Compliance Pilot Project in Hays County. The review focuses on the following questions:

1. What types of assistance do courts need to effectively monitor guardianship cases?

2. Can the Project provide the assistance that is needed?

3. Is the Project an effective model for providing assistance to courts statewide?

The literature review focuses on the need for active guardianship monitoring, Texas processes, and promising practices. The study was conducted by reviewing data reported by the Hays County Clerk’s office, a query of the Hays County Court Administrator and County Clerk Probate staff, and case data collected by the OCA guardianship compliance staff.

The findings, conclusions, and recommendations focus on the courts’ need for assistance in monitoring guardianship cases and how the Project can provide that assistance. The Project should be expanded to provide assistance to additional courts and to collect additional data on guardianship cases in order to inform the development of a statewide strategy to help courts protect Texas’ most vulnerable citizens.