

NO. GU-\_\_\_\_\_

IN THE GUARDIANSHIP OF

§

IN THE COUNTY COURT

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\_\_\_\_\_

§

AT LAW NO. \_\_\_ OF

§

AN INCAPACITATED PERSON

§

WISE COUNTY, TEXAS

**ANNUAL ACCOUNT OF GUARDIAN OF THE ESTATE**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES \_\_\_\_\_, Guardian of the Estate of \_\_\_\_\_,  
an Incapacitated Person, and respectfully presents this verified exhibit:

upon the expiration of twelve months from the date of qualification and receipt of letters as such  
representative OR

from the last annual account, returning same in writing under oath.

1. PERIOD OF ACCOUNT. This account covers the period from \_\_\_\_\_ to \_\_\_\_\_.

2. \_\_\_\_\_ was appointed Guardian of this Estate by Order of this Court  
dated \_\_\_\_\_. Since qualifying, I have administered this Estate in accordance  
with the provisions of the Texas Probate Code.

3. The total value of the Estate at the beginning of this accounting period was \$ \_\_\_\_\_  
as shown on

the Inventory, Appraisalment & List of Claims (OR)

The last Annual Accounting approved by this Court on \_\_\_\_\_.

4. The following property belonging to this Estate has come into the hands of the Guardian which  
HAS NOT BEEN PREVIOUSLY reported to the Court:

PROPERTY

VALUE

\_\_\_\_\_

\$ \_\_\_\_\_

\_\_\_\_\_

\$ \_\_\_\_\_

TOTAL VALUE OF PROPERTY NOT PREVIOUSLY REPORTED:

\$ \_\_\_\_\_

5. **Claims Against the Estate.** The following claims against the estate have been presented to the  
Guardian during this accounting period, and were approved and paid:

SOURCE OF CLAIM

AMOUNT

\_\_\_\_\_

\$ \_\_\_\_\_

\_\_\_\_\_

\$ \_\_\_\_\_

TOTAL VALUE OF CLAIMS PAID BY ESTATE \$ \_\_\_\_\_

6. The following changes have occurred in the property of the Estate during this accounting period which have not been previously reported by the guardian of this Estate:

<u>CHANGES IN ESTATE ASSETS</u>	<u>AMOUNT</u>
<input type="checkbox"/> None (OR)	
<input type="checkbox"/> By Order signed on _____ as follows:	
_____	\$ _____
_____	\$ _____
TOTAL NET CHANGE IN VALUE OF ESTATE ASSETS	\$ _____

7. **Receipts.** The following is a complete list of all revenues and income received by the Guardian for the benefit of the Ward during the period covered by this account:

<u>RECEIPTS SOURCE</u>	<u>AMOUNT</u>
Interest on Estate Accounts	\$ _____
Refunds	\$ _____
Rental income	\$ _____
Dividends	\$ _____
Proceeds from sale of Estate Assets	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL RECEIPTS	\$ _____

8. **Disbursements.** The disbursements of the Estate are as shown in the attached Exhibit "B", and are summarized as follows:

Attorney's Fees	\$ _____
Bond Premium	\$ _____
Bank Charges	\$ _____
Property Taxes	\$ _____
Federal Income Taxes	\$ _____
Expenditures authorized by Court Order	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL DISBURSEMENTS	\$ _____

9. **Non-Cash Assets Administered.** Below is a complete, accurate, and detailed description of the non-cash assets being administered, the condition of the property, and the use being made of the property and, if rented, the terms upon and the price for which the property is being rented, is as follows:

<u>DESCRIPTION OF PROPERTY</u>	<u>VALUE</u>
a. _____	\$ _____
b. _____	\$ _____
c. _____	\$ _____
d. _____	\$ _____
 TOTAL VALUE OF NON-CASH ASSETS	 \$ _____

10. **Cash on Hand.** The cash remaining in the hands of the Guardian is located in the following deposit accounts, as evidenced by an official letter from the depository, attached as Exhibit "A" to this accounting.

<u>NAME OF DEPOSITORY</u>	<u>ACCOUNT NO.</u>	<u>BALANCE</u>
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
 TOTAL VALUE OF CASH ASSETS		 \$ _____

11. **Summary and Reconciliation.** The following is a summary and reconciliation of the foregoing paragraphs of this account:

A. CHANGES IN ESTATE

Paragraph 3: Value of Assets at the beginning of this accounting period	\$ _____
Paragraph 4: Property not previously reported	\$ _____
Paragraph 5: Total claims paid	\$ _____
Paragraph 6: Net changes in value of asset:	\$ _____
Paragraph 7: Total receipts	\$ _____
Paragraph 8: Total disbursements	\$ _____
 TOTAL VALUE OF ESTATE AFTER CHANGES	 \$ _____*

B. ASSETS REMAINING IN ESTATE

Paragraph 9: Total non-cash assets being administered \$ \_\_\_\_\_

Paragraph 10: Total cash on hand \$ \_\_\_\_\_

TOTAL VALUE OF ESTATE ON HAND \$ \_\_\_\_\_\*

\*These two values should be the same number.

12. The following debts and expenses of the Estate have not been paid and are presently due and owing by the estate:

NAME OF CREDITOR

AMOUNT OF DEBT

None.

(OR)

\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_

TOTAL AMOUNT OF DEBTS OWED BY ESTATE \$ \_\_\_\_\_

Respectfully submitted,

\_\_\_\_\_  
Name of Guardian: \_\_\_\_\_  
Guardian of the Estate of \_\_\_\_\_,  
An Incapacitated Person

\_\_\_\_\_  
Name of Attorney: \_\_\_\_\_  
Address: \_\_\_\_\_

\_\_\_\_\_  
Phone No.: \_\_\_\_\_  
State Bar No. \_\_\_\_\_

STATE OF TEXAS §

COUNTY OF WISE §

I, \_\_\_\_\_, Guardian of the Estate of \_\_\_\_\_, an Incapacitated Person, having been duly sworn, hereby state on oath the following:

*“I am the Guardian in the above entitled and numbered cause. I have read and examined the foregoing Annual Account which is to be filed in this cause and:*

- A. *The account contains a true, correct and complete statement of the matters to which the account relates:*
- B.  *I have paid the bond premium for the next accounting period; (OR)*  
 *I have a personal surety bond in the amount of \$\_\_\_\_\_ and have attached an Affidavit signed by the sureties verifying their continued qualification and agreement to act as sureties;*
- C. *I have filed all tax returns of the Estate due during the accounting period; and*
- D.  *No taxes were owed by the Estate during the accounting period. (OR)*  
 *Guardian has paid all taxes the Estate owed during the accounting period,*
  1. *The amount of the taxes was \$\_\_\_\_\_;*
  2. *The date the Guardian paid the taxes was \_\_\_\_\_;*
  3. *The governmental entity to which the taxes were paid was \_\_\_\_\_* *Guardian has NOT paid all taxes the Estate owed during the accounting period, (OR)*  
 *the Guardian has NOT filed all tax returns of the Estate due during the accounting period for the reason that \_\_\_\_\_.*

\_\_\_\_\_  
Guardian of the Estate of \_\_\_\_\_  
An Incapacitated Person

SUBSCRIBED AND SWORN TO BEFORE ME, by \_\_\_\_\_ on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Texas

## Supporting Vouchers

The following documents must be annexed to all annual accounts of guardians of estates according to V.A.T.S. Probate Code, § 741 (c):

“(1) proper vouchers for each item of credit claimed in the account, or, in the absence of a voucher, the item must be supported by evidence satisfactory to the court, and original vouchers may, on application be returned to the guardian after approval of the guardian’s account.

“(2) an official letter from the bank or other depository in which the money on hand of the estate or ward is deposited that shows the amounts in general or special deposits, and

“(3) proof of the existence and possession of securities owned by the estate or shown by the accounting, and other assets held by a depository subject to court order, the proof by one of the following means:

“(A) an official letter from the bank or other depository that holds the securities or other assets for safekeeping; provided, that if the depository is the representative, the official letter shall be signed by a representative of the depository other than the depository that verifies the account;

“(B) a certificate of an authorized representative of the corporation that is the surety on the representative’s bonds **OR** an affidavit by the sureties that they continue to be qualified to serve as surety and acknowledging their agreement to continue serving in such capacity;

“(C) a certificate of the clerk or a deputy clerk of a court of record in the state; or

“(D) an affidavit of any other reputable person designated by the court on request of the guardian or other interested party.”

The requirements of the certificate or affidavit are set forth in V.A.T.S. Probate Code, § 711 (d). See § 56.6, *infra*.

The guardian must also file an affidavit under V.A.T.S. Probate Code, § 711 (e). See § 56.5, *infra*.

If the guardian, on the ward’s behalf, has not filed a tax return or paid taxes that are due on the filing of the account, the guardian must attach a description of the taxes and the reasons the guardian has failed to file the return or pay the taxes. V.A.T.S. Probate Code, § 714 (f).

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**VERIFICATION OF FUNDS ON DEPOSIT**

The undersigned, an officer of the financial institution named below, hereby certifies that \_\_\_\_\_, Guardian of this Estate, had on deposit with this institution as of \_\_\_\_\_ in the following accounts, the amounts shown below:

Checking Account No. \_\_\_\_\_ \$ \_\_\_\_\_

Savings Account No. \_\_\_\_\_ \$ \_\_\_\_\_

Certificate of Deposit No. \_\_\_\_\_ \$ \_\_\_\_\_

SIGNED \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_ Bank

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

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WISE COUNTY, TEXAS

**VERIFICATION OF SECURITIES**

The undersigned, an officer of the financial institution named below, hereby certifies that \_\_\_\_\_, Guardian of this Estate, had on deposit with this institution as of \_\_\_\_\_ in the following accounts, the amounts shown below:

_____	\$ _____
_____	\$ _____
_____	\$ _____

SIGNED \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_ Bank

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

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**ORDER APPROVING  
ANNUAL ACCOUNT OF GUARDIAN OF THE ESTATE**

The Annual Account filed on \_\_\_\_\_, 20\_\_ by the Guardian of the Estate of \_\_\_\_\_, An Incapacitated Person, came to be considered by the Court on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, and the Court finds that the Annual Account has remained on file for a full ten days before being considered. The Court has now been fully advised on all items of credit and possession of cash and other assets kept in safekeeping as well as those on deposit having been duly approved as required by law. The court finds that proper vouchers and proper evidence in addition to vouchers were produced, and filed by the Guardian, of each item of credit claimed in the account; that as to the bond premium, it is paid through the next accounting period; that as to the filing of federal income tax returns which were due, they were filed for every year for which any were due through the end of this accounting period; that as to federal income taxes, there are none due and owing; that as to property taxes, none are due; that the Court has jurisdiction of this proceeding and of the subject matter as required by law; and that the Annual Account has been audited by the court and complies with the law in every respect. The court is satisfied that the facts stated in the Annual Account are true, correct and complete; that there is a need for the continuation of this administration; and that this Annual Account should be approved.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the guardianship of the Estate \_\_\_\_\_, an incapacitated person, be continued; the Clerk of the Court shall issue new Letters of Guardianship, as requested by the Guardian; and that the Annual Account for the period ending \_\_\_\_\_, is hereby APPROVED.

**SIGNED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Judge Presiding