**CAUSE NO. \_\_\_\_\_\_\_\_\_**

**IN THE GUARDIANSHIP OF § IN THE COUNTY COURT**

**§**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ § AT LAW**

**§**

**AN INCAPACITATED PERSON § POLK COUNTY, TEXAS**

**ACCOUNT FOR FINAL SETTLEMENT**

**[Name of Guardian]**, the guardian of the **[person/estate/person and estate]** of **[Name of ward],** an incapacitated person, files this Account for Final Settlement in accordance with section 1204 of the Texas Estates Code and shows the Court the following:

1. Guardian was appointed personal representative of the **[person/estate/person and estate]** of Ward on **[Date]**. Since that time, Guardian has administered this guardianship in accordance with the provisions of the Texas Estates Code.

**[Select one of the following. If using first option, proceed to paragraph 3. Otherwise skip to paragraph4.] (Omit instructions from document when submitting.)**

1. The guardianship of the **[person/estate/person and estate]** of Ward should be settled and closed because Ward died on **[Date]**.

OR.

2. The Guardianship of the **[person/estate/person and estate]** of Ward should be settled and closed because Ward became an adult by **[becoming eighteen years of age/removal of disabilities/marriage]** on **[Date]**.

OR.

2. The Guardianship of the **[person/estate/person and estate]** of Ward should be settled and closed because Ward was restored to full legal capacity on **[Date]**.

OR.

2. The Guardianship of the **[person/estate/person and estate]** of Ward should be settled and closed because the spouse of Ward qualified as the community administrator on [Date], and Ward owns no separate property.

OR.

2. The Estate of the Ward has become exhausted.

OR.

2. The foreseeable income accruing to Ward or to **[his/her]** estate is so negligible that maintain the guardianship in force would be burdensome.

OR.

2. All the assets of the estate have been placed in a management trust under Chapter 1301.152 of the Texas Estate Code, and the Court has determined that a guardianship for Ward is no longer necessary.

**[Select one of the following if applicable.]**

3. Ward is deceased, and no personal representative of the estate has been appointed in Texas. Citation of the estate by **[publication/posting]** is necessary, in accordance with § 362.005 of the Texas Estates Code.

OR.

3. Ward is deceased and **[Name of representative]** was appointed personal representative of the estate on **[Date]** by order of the **[Designation]** Court of **[County]** County, Texas, in Cause No. **[Number]**, styled “**[style of case]**.” The personal representative is a person other than Guardian and it is expected that **[he/his]** will sign a waiver of citation and notice after receiving a copy of this final account.

**[Continue with the following]**

4. This Account for Final Settlement covers the period from **[Date]** through **[Date]** and is accompanied with proper vouchers in support of each item not previously reported to the Court. The total value of the estate at the beginning of this accounting period was $**[amount]**, as shown on the **[inventory/account]** filed by guardian on **[Date]**.

5. [No claims against the estate have been presented to Guardian during this accounting period/The following is a list of claims paid during the period of this account: **[list claims, state whether allowed or rejected, and if they have been paid.]**].

6. All property belonging to the estate that has come into possession or to the attention of Guardian has previously been listed and inventoried in the pleadings, accounts, and reports filed with this Court, to which reference is hereby made for all purposes.

**[Select one of the following]**

7. There have been no changes in the property belonging to the estate that have not been previously reported to the Court.

OR.

7. The following changes in property belonging to the estate have occurred during the period covered by this account: **[specify changes]**.

[Continue with the following.]

8. The following is a complete list of revenue and income received by Guardian for the benefit of Ward during the period covered by this account: **[list income]**.

9. The following is a complete list of all disbursements of cash **[include if applicable: other than payment of claims shown in paragraph 5. above]** made by Guardian for the benefit of Ward during the period covered by his account: **[list disbursements].**

10. The following is a description of all property, other than cash assets, remaining in the hands of Guardian: **[describe property].**

11. The cash remaining in the hands of Guardian is located in the following deposit accounts as evidenced by an official letter from each depository attached to this account: **[list name and address of each depository, account number(s), and balance(s) of each account].**

12. The following assets of this estate are deposited subject **[Court order/safekeeping order],** as evidence by an official letter from each depository attached to this account: **[list name, address of each depository, account number(s), and balance(s) of each account].**

13. The following is a summary and reconciliation of the foregoing paragraphs of this account:

A. Changes in Estate

Paragraph 4: Value of assets on date of qualification of

Guardian: $[amount]

Paragraph 5: Total claims paid: $[amount]

Paragraph 6: Property not previously reported: [Specify]

Paragraph 7: Net Change in value of assets: $[amount]

Paragraph 8: Total receipts: $[amount]

Paragraph 9: Total disbursements: $[amount]

TOTAL NET OF ESTATE: $[amount]

B. Assets Remaining in Estate:

Paragraph 10: Total noncash assets being administered: $[amount]

Paragraph 11: Total cash on hand: $[amount]

Paragraph 12: Assets [held by court order/safekeeping]: $[amount]

TOTAL NET VALUE OF ESTATE: $[amount]

14. The following debts and expenses of the estate have not been paid are currently owed by the estate: [specify, e.g.: The estate is indebted to Guardian, [name of guardian], for commission in accordance with §1155.002 of the Texas Estates Code or The estate is indebted to **[name of Attorney]** for attorney’s fees and expenses in accordance with §1155.003 Texas Estates Code in the amount of **$[amount].**

15. After payment of the debts and expenses described above, the estate properly remaining in the hands of Guardian and in safekeeping should be delivered to the following person, who is legally entitled to receive it: **[name and address of heir or personal representative]**.

16. Since the date of qualification of Guardian, the physical welfare and well-being of Ward have been as follows: **[specify]** .

Guardian request that citation and notice be issued and served as required by law; that after hearing, the Court audit, settle, and approve this account and order Guardian to pay the outstanding debts and expenses of the estate and deliver the property remaining on hand to the person legally entitled to receive it; and that on distribution of the property as ordered and the filing of proper receipts therefor, the Court enter an order discharging Guardian from **[his/her]** trust as Guardian of the **[the person/estate/person]** of Ward and relating the surety on **Guardian]’s** bond from further liability.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Name]

Guardian

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Name]

Attorney for Guardian

State Bar No.:

[Address]

[Telephone]

[Fax]

**(Omit instructions from document when submitting.)**