

**Senate State Affairs Committee
Interim Hearing – September 14, 2016**

Interim Charge: Monitor requirements for guardianships



Office of Court Administration, Texas Judicial Council
David Slayton
Administrative Director

Jurisdiction over Guardianship

Supreme Court

Court of Appeals

District Court
(contested)

Constitutional
County Court

Statutory County
Court at Law
(92 counties)

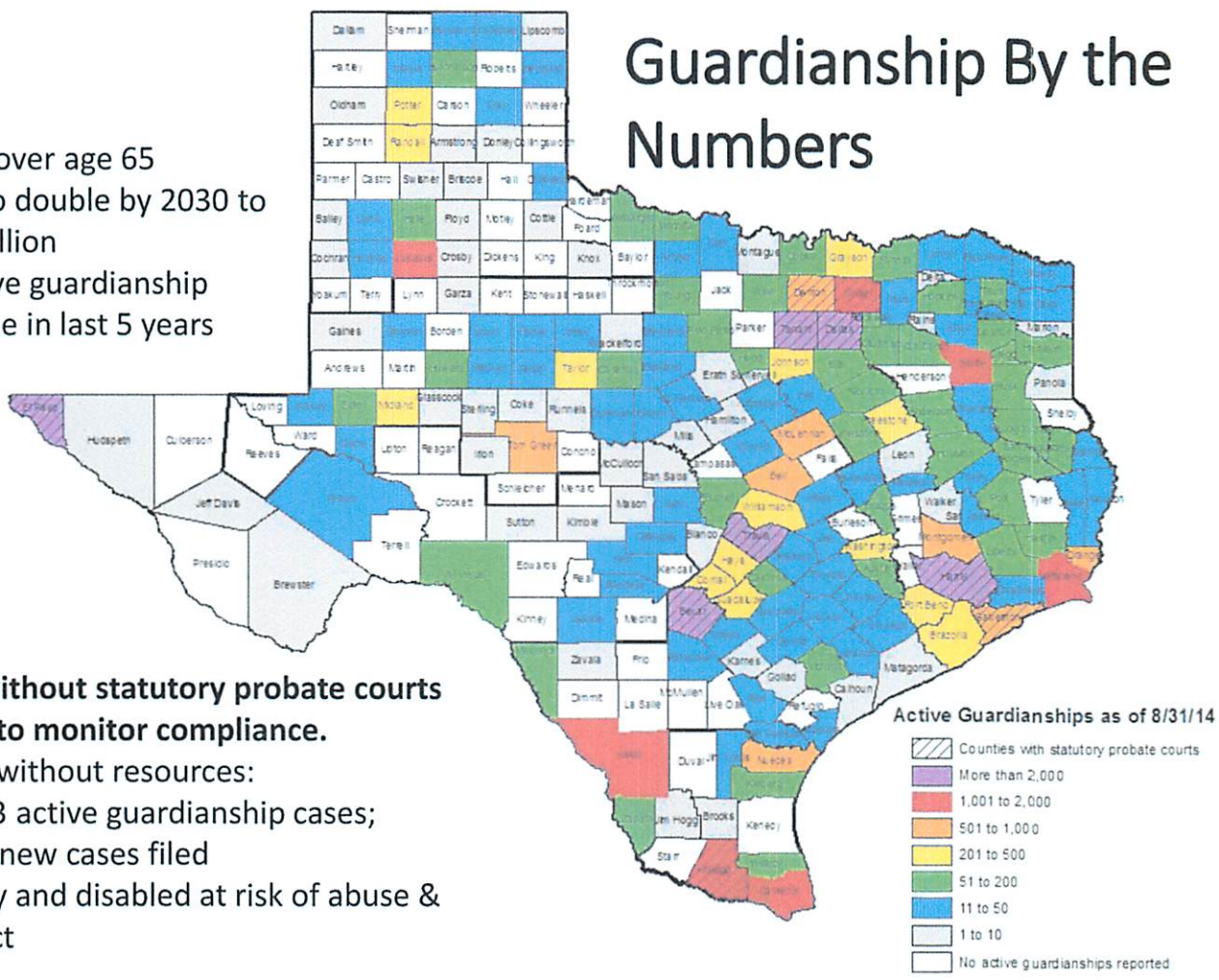
Statutory Probate
Court
(10 counties)

OFFICE *of* COURT ADMINISTRATION



Guardianship By the Numbers

- Population over age 65 projected to double by 2030 to almost 6 million
- 54,492 active guardianship
- 66% increase in last 5 years



244 counties without statutory probate courts lack resources to monitor compliance.

- In counties without resources:
 - 18,443 active guardianship cases;
 - 2,439 new cases filed
 - Elderly and disabled at risk of abuse & neglect



Guardianship Compliance Pilot Project

- Partially funded by 84th Legislature
- 3 guardianship compliance specialists hired in November 2015
- Goals of project:
 - Review adult guardianship cases to identify reporting deficiencies by the guardian
 - Audit annual accountings and report findings back to the judge
 - Work with courts to develop best practices in managing guardianship cases
- Participating counties: Anderson, Bexar, Comal, Guadalupe, Hays, Montgomery, Orange, and Webb Counties
- Expansion of Pilot to Statewide Coverage to be recommended by Judicial Council



Guardianship Compliance Project Initial Findings (as of August 30, 2016)

- 5,637 cases reviewed
- 54% should not have been active
- 49% guardianship of person; 51% guardianship of estate/person
- 32% missing annual reports of person
- 45% missing initial inventory reports
- 47% missing annual accounting reports
- 25% with waived bonds
- Average estate value = \$187,498
- **Estimated amount under guardianship statewide = \$5 billion**

