

Guardianship Information

What is Guardianship?

Guardianship is done before an individual with a disability turns 18. Guardianship goes through a court proceeding that will determine if the individual is unable to manage his/her personal affairs after he/she turns 18. The legal guardian of the individual will help make decisions when it comes to the individual's healthcare, housing, food, clothing, money, benefits and any other decision that will need to be made for that individual.

Does your child need a guardian?

It is important to discuss whether an individual will need a guardian when they turn 18. Once they have turned 18, all decisions will be asked to the individual if they don't have guardianship which means that they will not have to get approval from anyone else when it comes to services provided for them. It is recommended to talk to other guardians, school staff, and attorneys if guardianship is appropriate for the individual with a disability.

How long and when should I start the guardianship process?

The process is a onetime court proceeding that should start around the individual's 17th birthday or before. The process has many steps and earlier it is done the better. A suggestion is to contact an attorney when the individual is 16 to see what needs to be done to get the process started. Once guardianship is obtained, the guardian will fill in a form called an Annual Report each year and send it to the court.

Are there different forms of guardianship?

Yes, special needs trusts, family guidance, assistive living services, and durable power of attorney. It is best to discuss these options with an attorney or other individuals with knowledge on guardianship.

Guardianship Resources

Texas Guardianship Association - <http://texasguardianship.org/>

Texas Parent to Parent - <http://txp2p.org/>

Local Guardianship Attorneys

(HPISD is not endorsing these attorneys or information that will be shared. We are sharing the information as a courtesy.)

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