

Texas Probate Academy 2018

Guardianship Case Studies

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Two Cases From Real Life

- ▶ Drunk driver kills parents
 - ▶ 1 minor daughter
 - ▶ GP = Mom's sister
 - ▶ GE = Dad's brother
 - ▶ Ward inquires about guardianship assets—age 17
 - ▶ Bond lapsed for GE
 - ▶ Bad Uncle/GE misappropriated
- ▶ Father dies intestate
 - ▶ 2 minor daughters inherit
 - ▶ 1st begs Mom/GE for car and then all at age 18
 - ▶ 1 year later...
 - ▶ 2nd works with Mom/GE and builds a house
 - ▶ 2nd Sister Wiser than 1st
 - ▶ 1st learned hard lessons

The bad uncle

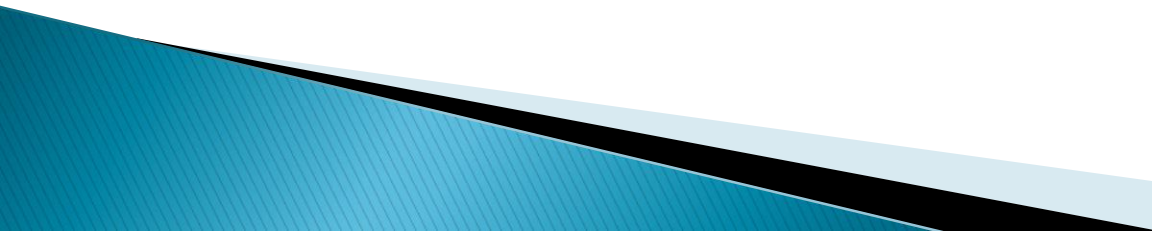
The Tale of Two Sisters

ABC's Modern Family



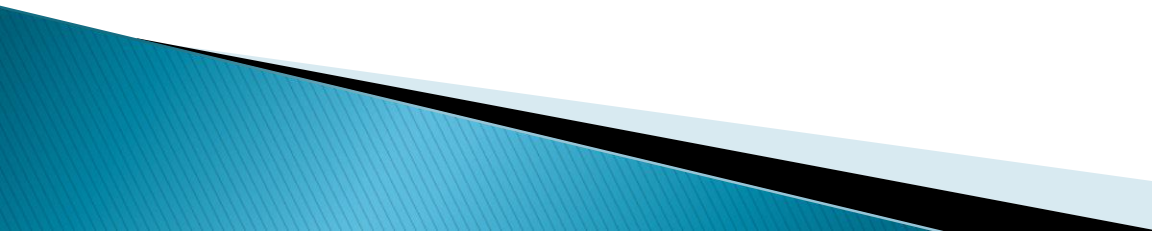
CLIENT #1 DISABLED CHILD – SWEET LUKE

Review the facts and list of assets:

1. May the Dunphys be appointed Co-Guardians?
 2. May the Dunphys be appointed now (or only after Luke turns 18)?
 3. Is a Guardian of the Estate required or needed?
 4. What will the amount of the bond be?
 5. What estate planning advice do the Dunphys need?
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CLIENT #2 MINOR CHILD – LITTLE LILLY

Review the facts and list of assets:


1. What amount do you anticipate for a bond?
 2. How will you secure a bond for Grandma Dede – any options?
 3. Is the 142 Trust reported in the Guardian's Inventory?
 4. Can the Grandma Dede request a monthly allowance for the minor child?
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CLIENT #3 – ELDERLY ADULT – GRANDPA JAY

Review the facts and list of assets:

1. Gloria, Mitchell and Claire each apply to be Guardian of Person and/or Estate:
 - a. Who is eligible?
 - b. Who has priority?
2. Are there alternatives to guardianship considering the character of the property?
3. How should the Guardian handle the CDs and the life insurance?

From Real Life to Modern Families

- ▶ From Claude, Texas to California.
 - I enjoyed presenting to you.
 - I hope you learned some new and useful information.
 - I appreciate your attention and participation.
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THANK YOU

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