

CAUSE NO. _____

IN THE GUARDIANSHIP
OF

§ IN THE COUNTY COURTS
§ AT LAW NO. 2 OF
§ HUNT COUNTY, TEXAS

ORDER TO SHOW CAUSE ON REMOVAL OF GUARDIAN

On this the day the Court, on its own motion, **ORDERS** _____, the Guardian(s) in the above matter to appear before this Court on _____ at _____ and show cause why he/she should not be removed as Guardian(s) for the reasons set forth herein:

A. Pursuant to §1203.051

- 1. Neglects to qualify in the manner and time required by law;
- 2. Fails to return, not later than the 30th day after the date the guardian qualifies, an inventory of the guardianship estate property and a list of claims that have come to the guardian's knowledge and the deadline was not extended by court order;
- 3. If required, fails to give a new bond within the time prescribed;
- 4. Is absent from the state for a consecutive period of three or more months without the court's permission, or removes from the state;
- 5. Cannot be served with notices or other process because: (a) the guardians' whereabouts are unknown; (b) the guardian is eluding service; or (c) the guardian is a nonresident of this state who does not have a resident agent to accept service of process in any guardianship proceeding or other matter relating to the guardianship;
- 6. Subject to §1203.056(a) Guardian has: (a) misapplied, embezzled, or removed from the state, or is about to misapply, embezzle, or remove from the state, any of the property entrusted to the guardians' care, (b) has engaged in conducted that would be considered to be abuse, neglect, or exploitation, as those terms are defined by §48.002 Human Resource Code, if engaged in with respect to an elderly or disabled person as defined by that section;
- 7. Has neglected to educate or maintain the ward as liberally as the means of the ward and the condition of the ward's estate permit.

B. Pursuant to §1203.052

- 1. Sufficient grounds appear to support a belief that the guardian has misapplied, embezzled, or removed from the state, or is about to misapply, embezzle, or remove from the state, and of the property entrusted to the guardian's care;
- 2. The guardian failed to return any account or report that is required by law to be made;
- 3. The guardian failed to obey a proper order of the court that has jurisdiction with respect to the performance of the guardian's duties;
- 4. The guardian is proved to have been guilty of gross misconduct or mismanagement in the performance of the guardian's duties;
- 5. The guardian: (a) has become incapacitated; (b) is sentenced to the penitentiary; or for any other cause has become incapable of properly performing the duties of the guardian's trust;
- 6. The guardian has engaged in conduct with respect to the ward that would be considered to be abuse, neglect, or exploitation, as those terms are defined by Section 48.002, Human Resources Code, if engaged in with respect to an elderly person or person with a disability, as defined by that section;
- 7. The guardian neglects to educate or maintain the ward as liberally as the means of the wards' estate and the ward's ability or condition permit;
- 8. The guardian interferes with the ward's progress or participation in programs in the community;
- 9. The guardian fails to comply the requirements of Subchapter G, Chapter 1104;
- 10. The court determines that, because of the dissolution of the joint guardians' marriage, the termination of the guardians' joint appointment and the continuation of only one of the joint guardians as the sole guardian is in the best interest of the ward;
- 11. The guardian would be ineligible for appointment as a guardian under Subchapter H, Chapter 1104.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that the Clerk of this Court is hereby directed to issue notice, by a qualified delivery method, to both the (1) Guardian(s), and (2) the Attorney of Record for the Guardian(s) to appear before this Court on _____ at _____ and show cause as to why the Guardian(s) should not be removed.

SIGNED ON _____.

JUDGE JOEL D. LITTLEFIELD
HUNT COUNTY, TEXAS