

# Article

## Guardianship: Guardianship for a Minor in Texas

Guardianship of a minor in Texas is the legal process to protect any child under the age of 18 years old from neglect, abuse and exploitation. As the guardian, you provide care for the child and manage his or her money. A guardianship attorney can help in this process.

### Filing for Guardianship for a Minor

The legal process starts with an application to gain the guardianship. You are considered the interested party, or applicant, on the document called Application for Appointment of Permanent Guardian. The application is filed in the county where the minor resides.

The application typically requires you to provide basic information such as the minor's name, sex and address. You must inform the court about the degree and nature of the minor's incapacities, if any. Also, you have to provide information like the relationship to the minor and your address. Since you are seeking guardianship of a minor in Texas, you have to indicate whether he or she is or was the subject of a legal conservatorship proceeding within the prior two-year period. In addition, you must include the names of the minor's parents and whether they are deceased.

### Naming A Guardian

Before receiving guardianship, Texas requires a hearing on any guardianship for a minor. In that hearing, you must present convincing evidence that the minor needs a guardian. Also, you must prove that you are qualified to serve as the child's guardian. Approval is not automatic. The court can deny your petition or find that the minor can care for him- or herself.

Texas doesn't allow every person to become a guardian. The court considers another minor, incapacitated person or anyone convicted of any sexual offense ineligible of servicing as guardian.

Assuming guardianship of a minor is a major life decision. Thus, before starting the process, it's important to speak with a Texas probate attorney. He or she can explain the entire process and work on your behalf to receive guardianship of the child.

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