

(12) SUPPLEMENTAL COURT-INITIATED GUARDIANSHIP FEE

Source: Local Government Code §§ 118.052(2)(E); 118.067

Amount: \$20.00

Statewide: Yes

Applicability: All new probate court actions and all adverse probate actions

Local Option: No – Fee is mandatory

Destination: Court-initiated Guardianship Fund in the County Treasury to be used only to supplement (as opposed to supplant) other county funds used to (1) pay the compensation of a guardian ad litem appointed by a court under Section 683 , Probate Code; (2) pay the compensation of an attorney ad litem appointed by a court to represent a proposed ward under Section 683, Probate Code; and (3) fund local guardianship programs that provide guardians for indigent incapacitated persons who do not have family members willing and able to serve as guardians.

Sec. 118.067. SUPPLEMENTAL COURT-INITIATED GUARDIANSHIP FEE.

(a) The "supplemental court-initiated guardianship fee" under Section 118.052(2)(E) is for the support of the judiciary in guardianships initiated under Chapter 1102, Estates Code. Fees collected under Section 118.052(2)(E) shall be deposited in a court-initiated guardianship fund in the county treasury and may be used only to supplement, rather than supplant, other available county funds used to:

- (1) pay the compensation of a guardian ad litem appointed by a court under Section 1102.001, Estates Code;
- (2) pay the compensation of an attorney ad litem appointed by a court to represent a proposed ward in a guardianship proceeding initiated under Chapter 1102, Estates Code; and
- (3) fund local guardianship programs that provide guardians for indigent incapacitated persons who do not have family members suitable and willing to serve as guardians.

(b) The supplemental court-initiated guardianship fee is charged for:

- (1) a probate original action described by Section 118.055 and for which a fee is charged in accordance with Section 118.052(2)(A)(i), (ii), (iii), (iv), or (v); and
- (2) an adverse probate action described by Section 118.057 and for which a fee is charged in accordance with Section 118.052(2)(C).

(c) The supplemental court-initiated guardianship fee must be paid by the person against whom the fee for a probate original action or adverse probate action, as applicable, is charged and is due at the time that fee is due.

(d) The supplemental court-initiated guardianship fee is in addition to all other fees charged in probate original actions and adverse probate actions.

Added by Acts 2007, 80th Leg., R.S., Ch. 96 (H.B. 1295), Sec. 5, eff. September 1, 2007.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 20.022, eff. September 1, 2015.