

MISC. DOCKET #24-001

IN RE GUARDIANSHIP	§	IN THE COUNTY COURTS AT LAW
	§	
	§	SITTING IN MATTERS PROBATE
	§	
PROCEEDINGS	§	COMAL COUNTY, TEXAS

STANDING ORDER RE: CARE MANAGEMENT FEE

The County Courts at Law, Courts herein, find that the necessity of professional guardianships is increasing in Comal County.

The Courts further find that an increasing number of guardianships are not requesting a relative be appointed as Guardian of the Person and/or Estate, and further that a professional care management organization (Care Management Organization herein) is requested to be the Guardian of the Estate and/or Guardian of the Person.

The Courts further find that the proposed Wards are being placed in a facility responsible for the day-to-day care of the Ward, and that the Care Management Organization facilitates in the management of the Ward from an overall perspective.

The Courts further find that the fee structure for a Guardianship with a Care Management Organization changes the manner in which the Guardian of the Person and/or Guardian of the Estate is compensated, and that it is necessary to implement appropriate measures related to the care and expense of a Ward under a Care Management Organization serving as Guardian of the Person and/or Estate.

IT IS THEREFORE ORDERED, when a professional guardianship involving a Care Management Organization is requested in a guardianship proceeding, the fees received by the Care Management Organization shall be referred to as the Care Management Fees or Life Care Management Fees.

IT IS FURTHER ORDERED, the fee structure to be paid to the Care Management Organization shall be set forth in a contract approved by the Court at the time the Care Management Organization is appointed as Guardian of the Person and/or Estate. Care Management fee requests shall be titled "Motion for Authority to Pay Care Management Fees. Expenses incurred by the Care Management Organization can either be included in the Care Management fee requests or split out into a separate reimbursement request. Regardless, all expenses shall include the appropriate backup (invoice and/or receipt).

IT IS FURTHER ORDERED, attorney's fees requests shall not be included in the Care Management Fee Requests. Those will need to be filed in separate attorney fee requests.

IT IS FURTHER ORDERED, the Care Management Organization shall include specific descriptions in the entries to more accurately reflect the purpose for the charge.

The Motion for Authority to Pay the Case Management fees will be reviewed on submission, but if a specific fee request includes a unique situation or needs further explanation, a hearing may be requested by the Court or Guardian before waiting the 10-day period before review.


When filing Annual Accounts, include all orders approving the contract/hourly rate for life care management fees.



RANDAL C. GRAY, Judge
County Court at Law #1



CHARLES A. STEPHENS II, Judge
County Court at Law #2



DEBORAH L. WIGINGTON, Judge
County Court at Law #3