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How to Complete Your Texas Declaration of Guardian for Minor Children

Declaration of Appointment of Guardian for My Children (Texas Estates Code Section 1104.153)

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR DOCUMENT.

About this form. This is Texas's statutory form for parents to name who should become guardian of their minor children if the parent dies or becomes incapacitated. A court gives strong weight to the parent's choice.

1. **List your children (Page 1)**
   Enter the full name and date of birth of each child this declaration covers.
2. **Name guardians (Page 1)**
   Name a guardian of the **person** (who raises your children) and of the **estate** (who manages their money), with alternates for each.
3. **Sign with two witnesses (Page 2)**
   Sign in front of two witnesses age 14 or older who are not named as guardians. We can provide witnesses for an additional fee.
4. **Self-proving affidavit (Page 2)**
   You and the witnesses then swear to the self-proving affidavit before a notary, so the court can rely on it without testimony.

After It's Signed

- Keep the original in a safe place and tell the people you named and your family where it is. It may be filed with the county clerk.
- If both parents sign separate declarations, they should coordinate their choices.
- Review it after a marriage, divorce, birth, or move.

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Have questions about this document? To consult with an attorney, contact **Gavrilov & Brooks Law Firm** at **(916) 504-0529** or **www.gavrilovlaw.com**. Main headquarters: 2315 Capitol Avenue, Sacramento, CA 95816.

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DECLARATION OF APPOINTMENT OF GUARDIAN FOR MY CHILDREN

IN THE EVENT OF MY DEATH OR INCAPACITY (Texas Estates Code Section 1104.153)

I,

Your full name

make this Declaration to appoint a guardian for my child or children, listed as follows, in the event of my death or incapacity:

Name of child	Date of birth
Name of child	Date of birth
Name of child	Date of birth
Name of child	Date of birth

I designate the following to serve as guardian of the **person** of my child or children:

Guardian of the person	First alternate
Second alternate	Third alternate

I designate the following to serve as guardian of the **estate** of my child or children:

Guardian of the estate	First alternate
Second alternate	Third alternate

If any guardian or alternate guardian dies, does not qualify, or resigns, the next named alternate guardian becomes guardian of my child or children.

Signed this day of | month | year

X

Declarant

X	X
Witness	Witness
Printed name of witness	Printed name of witness

Declarant's initials: _____

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SELF-PROVING AFFIDAVIT

STATE OF TEXAS §

COUNTY OF _____ §

I, the declarant, and we, the witnesses, being duly sworn, declare to the undersigned authority that this instrument is the declarant's Declaration of Appointment of Guardian for the Declarant's Children in the Event of Declarant's Death or Incapacity, that the declarant made and executed it for the purposes expressed in the declaration, and that the witnesses, each of whom is 14 years of age or older, saw the declarant sign the declaration, signed the declaration as witnesses, and believe the declarant to have been of sound mind.

X _____
Declarant

X _____
Affiant (witness)

X _____
Affiant (witness)

Subscribed and sworn to before me by the above named declarant and affiants on

_____
Date

X _____
Notary Public, State of Texas

(Notary seal)

_____
Notary's printed name

_____ _____
Notary ID number My commission expires

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