

Annual Report  
Fiscal Year 2025

# Guardianship Abuse, Fraud, and Exploitation Deterrence Program



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# Executive Summary

The Guardianship Abuse, Fraud, and Exploitation Deterrence Program (GAFEDP) was established to improve oversight of guardianship cases through compliance reviews, fraud detection, and the development of monitoring technology. Pursuant to Subchapter G of the Government Code, this report summarizes the program's performance in Fiscal Year 2025.

In prior years, the program conducted initial baseline guardianship file reviews in most counties across the state. This comprehensive effort provided a statewide view of compliance and enabled the program to identify jurisdictions with the most significant issues. In FY 2025, the program conducted targeted follow-up audits in 22 of the lowest-performing counties based on those earlier reviews. This focused approach allowed the program to more clearly demonstrate its direct impact in improving guardianship compliance in the state's most at-risk areas.

Also in FY 2025, GAFEDP launched a new performance metric by introducing an 180-day self-reporting process, in which courts and clerks were asked to report on corrective actions taken following their initial file reviews. While this marked an important step toward measuring long-term compliance, challenges in obtaining complete and timely self-reported data resulted in some gaps.

Looking ahead to FY 2026, the program plans to expand financial audits by focusing on high-risk estates and will continue advancing automation efforts to strengthen monitoring and oversight statewide.

# Program Overview

GAFEDP was established on September 1, 2019, through Senate Bill 31 (Zaffirini) and House Bill 1286 (Smithee), and was enacted during the 86th Regular Session of the Texas Legislature. Pursuant to the resulting Texas Government Code Sections 72.122–72.124, the Office of Court Administration (OCA) is required to establish and maintain a program designed to support courts with jurisdiction over guardianship proceedings by providing additional resources, oversight, and reporting mechanisms. The statutory responsibilities of the program include:

- Engaging guardianship compliance specialists who:
  - Review guardianship cases and identify reporting deficiencies;
  - Audit annual accounts filed by guardians under Chapter 1163 of the Estates Code or other applicable law;
  - Assist courts in developing best practices for managing guardianship cases; and
  - Report to the appropriate courts any concerns regarding potential abuse, fraud, or exploitation, including financial exploitation, discovered during case reviews.
- Maintaining an electronic database to monitor the filing of:
  - Inventories, appraisements, and lists of claims required under Chapter 1154 of the Estates Code;
  - Annual reports required under Section 1163.101 of the Estates Code; and
  - Other reports and accounts required under Chapter 1163 or related statutes.
- Requiring participation by courts selected by OCA, which must permit guardianship compliance specialists to conduct reviews and audits. Other courts may voluntarily apply to participate in the program.
- Providing accountability through oversight:
  - Under Section 72.123, if OCA has reason to believe that a judge's action, or failure to act, on a report from a guardianship compliance specialist constitutes judicial misconduct, the OCA Administrative Director may notify the State Commission on Judicial Conduct in writing.
- Reporting to the Legislature
  - In accordance with Section 72.124, OCA is required to submit an annual report to the Texas Legislature by January 1 of each year. The report must include:
    - The number of courts involved in the program;
    - The number of guardianships reviewed by guardianship compliance specialists;
    - The number of reviewed cases found to be out of compliance with statutory reporting requirements;
    - The number of cases reported to a court concerning potential abuse, fraud, or exploitation of a protected person; and
    - The status of any technology developed to monitor guardianship cases.

Administered by the OCA, GAFEDP supports courts by reviewing guardianship cases and providing probate courts with detailed reports. These reports identify deficiencies in annual reporting, raise concerns about the well-being of protected persons, and flag any signs of potential abuse, fraud, or exploitation.

Following each review, courts and clerks receive an individualized initial compliance report. These reports include recommendations, highlight special cases, and offer best practices to help bring guardianship cases into compliance with the Texas Estates Code, while working to prevent abuse and financial misconduct.

In addition, GAFEDP conducts targeted reviews of guardian annual accountings to identify cases that may warrant a full financial audit. These reviews help ensure that estates are properly managed and that financial transactions are accurately documented throughout the life of the guardianship. Findings and recommendations are provided to the appropriate court for follow-up.



# Progress and Accomplishments

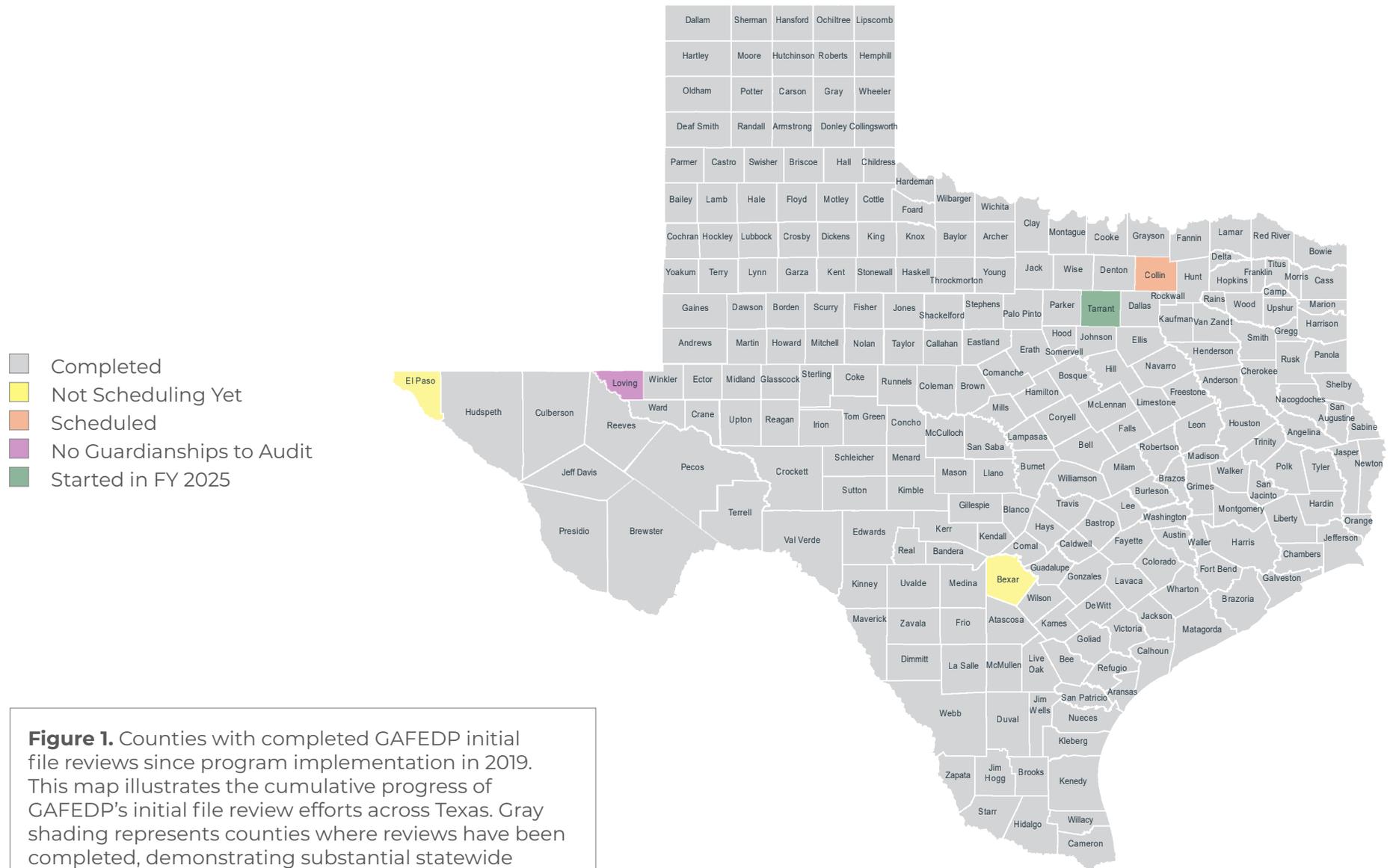
Since its inception, the Program has conducted initial baseline guardianship file reviews in 249 of the state's 254 counties. These comprehensive reviews covered every guardianship case within each audited county and have enabled the Program to identify jurisdictions requiring additional support and follow-up.

To prioritize follow-up audits, the Program developed a county ranking system based on key performance metrics. Counties were ranked according to the highest number of cases recommended for immediate attention, followed by the total number of special cases, and the percentage of cases found to be out of compliance.

Using this data-driven approach, the Program identified 27 counties for follow-up audits. Of these, the Program completed 22 follow-up audits during FY 2025, while one audit was initiated in FY 2025 and is scheduled for completion in FY 2026.

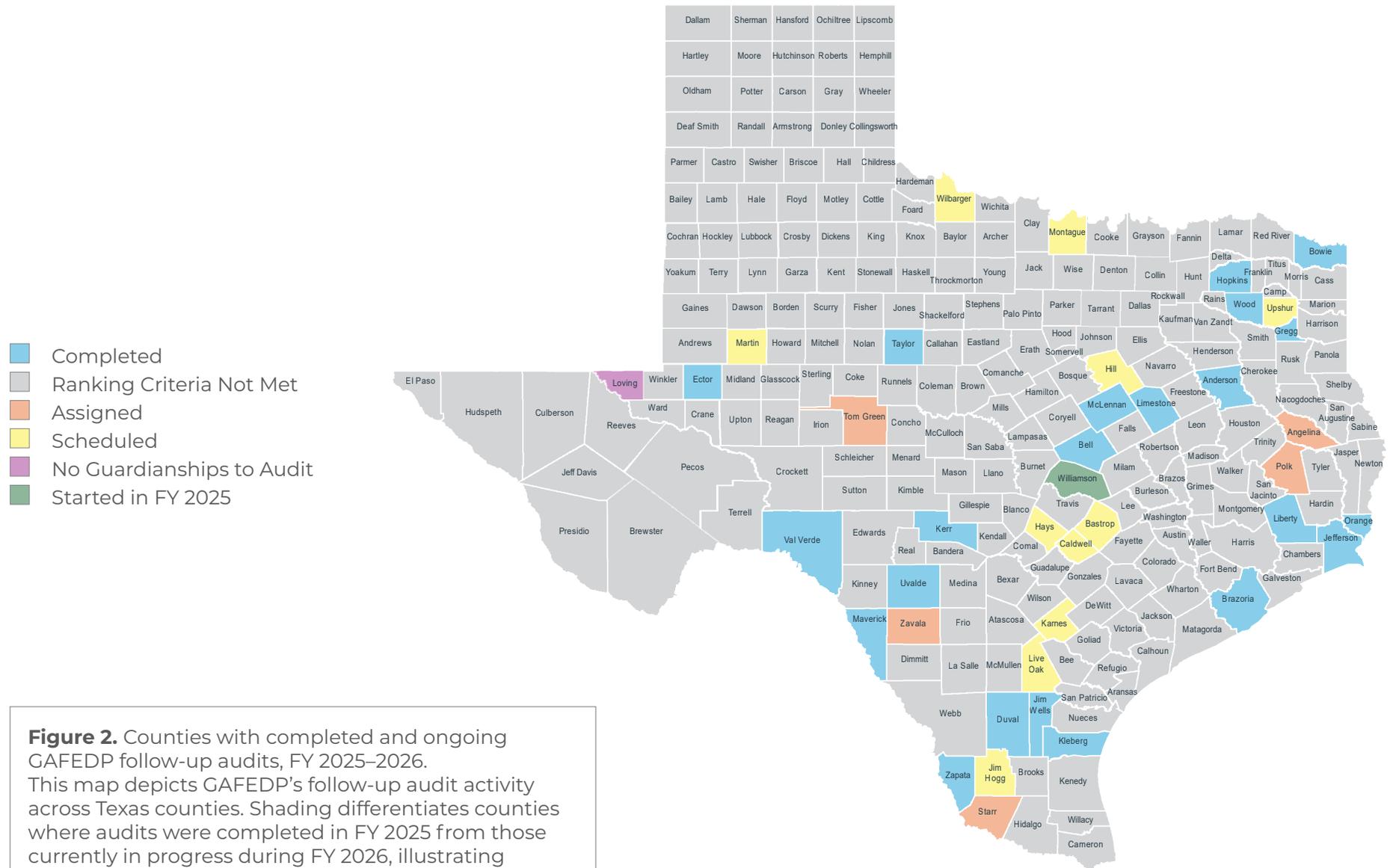


# Initial Case Review Counties



**Figure 1.** Counties with completed GAFEDP initial file reviews since program implementation in 2019. This map illustrates the cumulative progress of GAFEDP's initial file review efforts across Texas. Gray shading represents counties where reviews have been completed, demonstrating substantial statewide coverage, with 249 of 254 counties finalized since the program's full funding in 2019.

# Follow-Up Case Review Counties



**Figure 2.** Counties with completed and ongoing GAFEDP follow-up audits, FY 2025–2026. This map depicts GAFEDP’s follow-up audit activity across Texas counties. Shading differentiates counties where audits were completed in FY 2025 from those currently in progress during FY 2026, illustrating continued oversight and monitoring of guardianship case administration statewide.

# Technology Development

During this fiscal year, OCA continued the transition from an internal online guardianship reporting system to a vendor-based platform by developing the project charter, statement of work, and system requirements, with the goal of issuing a Request for Offer in the next fiscal year. The goal of the project is to create efficiencies in many of the manual processes that exist in the Program.



# FY 2025 Program Statistics

In Fiscal Year 2025, guardianship compliance specialists reviewed a total of 7,590 guardianship cases across Texas courts. Of these, 1,569 cases (approximately 34%) were found to be out of compliance with statutory reporting requirements, such as missing required inventories, annual reports, or annual accounts. Specifically, 23% of cases were missing annual reports, 40% were missing annual accounts, and 41% lacked the required inventory filings. Compliance specialists made 2,921 closure recommendations and identified 4,669 active cases for continued monitoring. In addition, 474 deceased protected persons were discovered during the review process. Approximately 10% of cases reviewed involved waived bond requirements. When concerns regarding potential abuse, fraud, or exploitation, including financial exploitation, were identified, they were reported to the appropriate courts in accordance with program protocols.

(Data includes all counties where compliance reviews were completed during FY 2025.)

## Initial Compliance Review Statistics

FY 2025 Completed County Compliance Review*	
Total Counties	2
Total Courts	2
Total Cases Reviewed	913
Total Closure Recommendations	205
Total Active Cases Identified	708
% Cases Missing Annual Reports	19%
% Cases Missing Annual Accounts	43%
% Cases Missing Inventories	31%
% Cases Out of Compliance	25%
% Cases with Waived Bonds	6%
Total # of guardianships out of compliance	176
Deceased Wards Discovered	28



\*Includes data collected from all counties completed in FY 2025, including data from one Statutory Probate Court that started in FY 2024 and concluded in FY 2025

During FY 2025, the Program completed an initial guardianship file review in one Statutory Probate Court which impacted the program's overall compliance findings. Statutory Probate Courts are required to employ support staff (court coordinator, administrative assistant, auditor, and investigator) per Gov't. Code §§ 25.0024 - 25.0025 to assist in the monitoring and administration of their guardianship caseloads.

As a result, Statutory Probate Courts typically reflect higher cases in compliance. There are 25 Statutory Probate Courts in twelve counties throughout the state. There are 242 counties in the state comprised of County Courts and County Courts at Law that do not employ support staff.

### County Courts

FY 2025 County Courts Compliance Review*	
Total Counties	1
Total Courts	1
% Cases Missing Annual Reports	17%
% Cases Missing Annual Accounts	26%
% Cases Missing Inventories	37%
% Cases Out of Compliance	21%
% Cases with Waived Bonds	5%

### Statutory Probate Courts

FY 2025 Statutory Probate Courts Compliance Review*	
Total Counties	1
Total Courts	1
% Cases Missing Annual Reports	20%
% Cases Missing Annual Accounts	47%
% Cases Missing Inventories	30%
% Cases Out of Compliance	26%
% Cases with Waived Bonds	6%

### FY 2025 Fraud, Abuse, and Exploitation\*

Well-Being Concerns	9
Fraud & Exploitation	0
Fraud & Exploitation Corroborated	0
Abuse	0
Abuse- Corroborated	0
Total	9



\*Includes data collected from all counties completed in FY 2025, including data from one Statutory Probate Court that started in FY 2024 and concluded in FY 2025

## 180-day County Self-Reporting Statistics

For initial baseline guardianship file reviews completed in FY 2024, GAFEDP requested self-report updates from seven counties during FY 2025. Of these, two counties did not respond.

The updates sought covered the following areas:

### Case Closures

- Status of cases as Closed, Not Closed, or Incomplete/Ongoing

### Cases Requiring Court Follow-Up Letters (including Annual Reports, Inventories, and Annual Accountings)

- Total number of cases now in compliance
- Total number of cases still not in compliance
- Number of cases where a letter, email, or phone call was sent to the guardian as follow-up
- Total number of show cause hearings held and/or scheduled

### Bonds Waived, Transfers, Special Cases, and Immediate Attention Cases

- Status categorized as Addressed, Not Addressed, or Incomplete/Ongoing

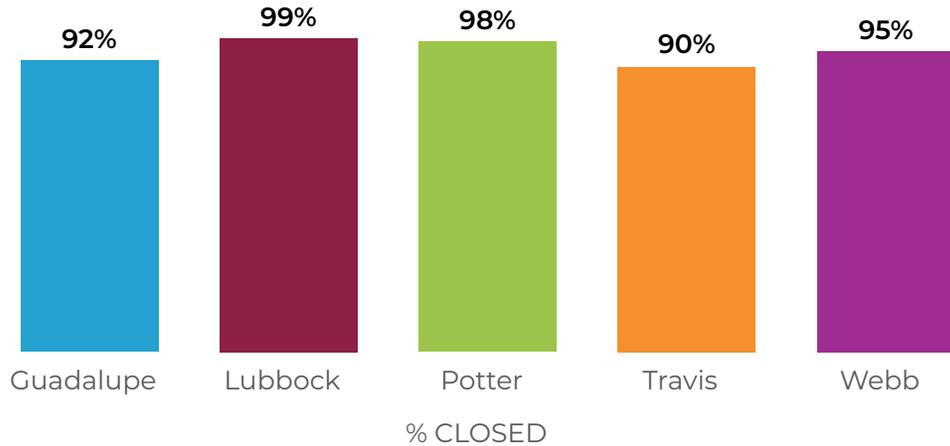
### 94% Resolution Rate

*FY 2024 Self-report counties reported an overall 94% resolution rate of program closure recommendations made during the initial file review.*

*Courts reported resolving 89% of their assigned recommendations, while county clerks reported completing 97% of the closures attributed to their offices.*

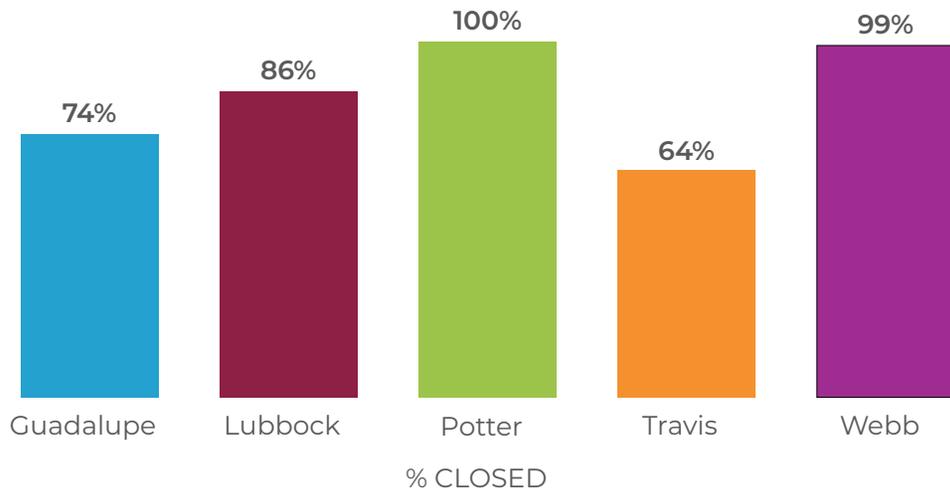
The results were overwhelmingly positive and reflected a 94% resolution rate of program closure recommendations from initial baseline guardianship file reviews.

### RESOLUTION PERCENTAGE BY COUNTY



**Figure 3.** Percentage of closure recommendations resolved by counties in FY 2024 based on 180-day self-report. This chart illustrates each county's response rate to closure recommendations made by the program. Higher resolution rates may reflect stronger engagement with compliance findings.

### RESOLUTION PERCENTAGE BY COURTS



**Figure 4.** Closure recommendations resolved by courts in FY 2024 counties based on 180-day self-report. This chart illustrates the number of guardianship cases in which courts acted on closure recommendations made by the program, highlighting judicial engagement and proper caseload administration.

## Follow-up Compliance Review Statistics

FY 2025 Completed County Compliance Review*	
Total Counties	22
Total Courts	37
Total Cases Reviewed	6,677
Total Closure Recommendations	2,716
Total Active Cases Identified	3,961
% Cases Missing Annual Reports	24%
% Cases Missing Annual Accounts	40%
% Cases Missing Inventories	41%
% Cases Out of Compliance	35%
% Cases with Waived Bonds	11%
Total # of guardianships out of compliance	1,393
Deceased Wards Discovered	446

\*Includes data collected from all follow-up counties completed in FY 2025, including data from three County Court counties that started in FY 2024 and concluded in FY 2025

During Fiscal Year 2025, the Program completed follow-up file reviews in 22 County Court counties. One additional follow-up audit was initiated and is scheduled for completion in FY 2026.

These follow-up reviews focused on counties previously identified as having significant compliance issues during initial baseline guardianship file reviews. The Program assessed progress in addressing previously noted deficiencies, monitoring whether courts and guardians had taken corrective actions.

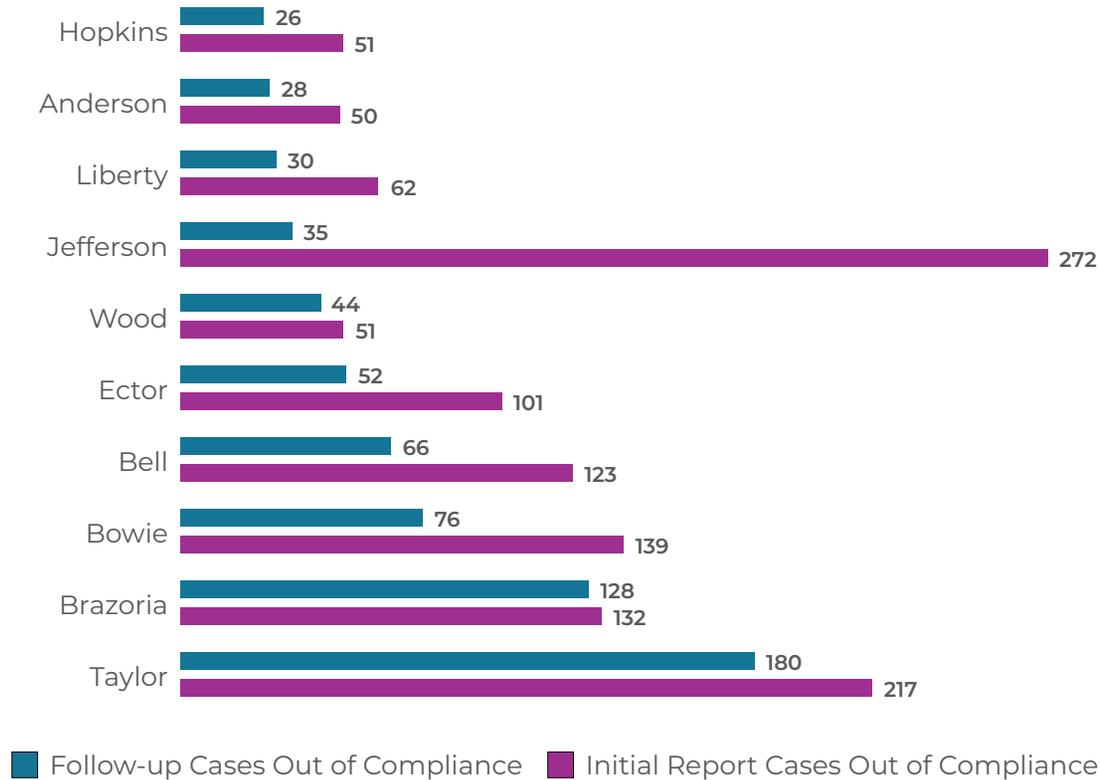
Data from follow-up reviews indicate an overall improvement in compliance rates and resolution of high-priority cases, with audits in high-risk counties showing an average 11% increase in compliance scores. This demonstrates statistically and operationally significant progress in guardianship case monitoring and administration, as detailed in the accompanying charts and tables.

### 11% Increase in Compliance

*Follow-up audits in high-risk counties showed an average 11% improvement in compliance scores, signaling statistically and operationally significant progress in monitoring and administering guardianship cases.*

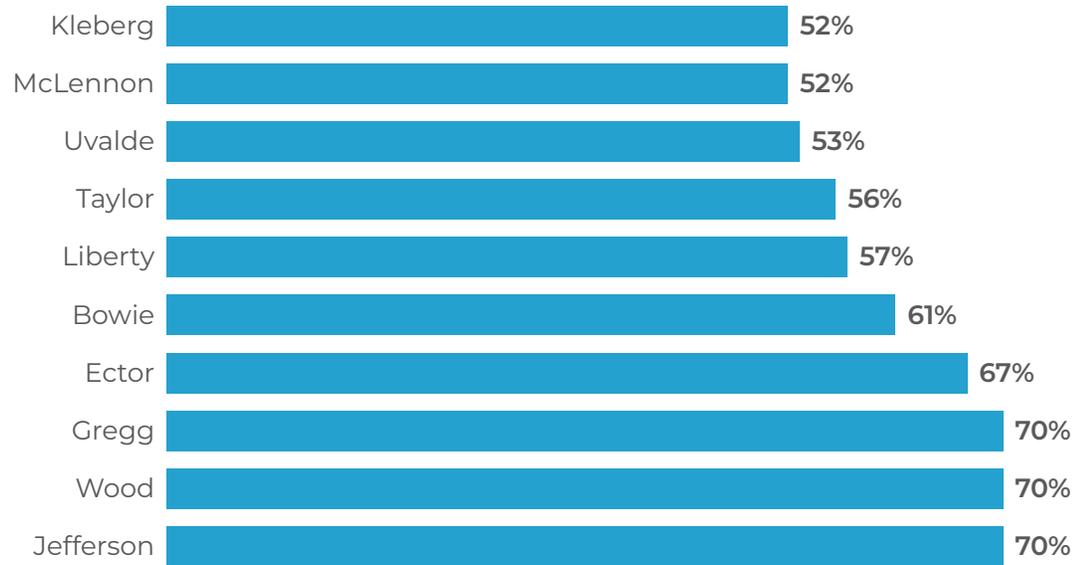
*Additionally, 49% of special cases and 52% of immediate attention cases in follow-up counties were resolved, underscoring continued success in targeted case resolution efforts.*

### CASES OUT OF COMPLIANCE



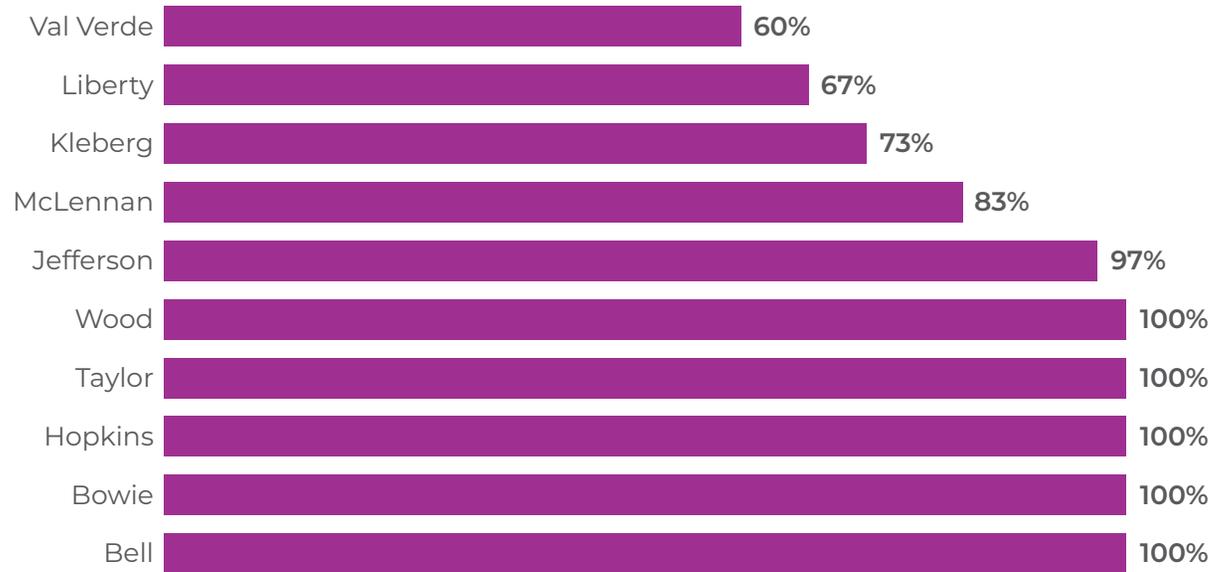
**Figure 5.** Top ten counties by compliance improvement since initial file review. This chart highlights the ten counties demonstrating the greatest reduction in out-of-compliance guardianship cases following program engagement. It illustrates the substantial progress achieved since the initial file review, reflecting ongoing county-level commitment to corrective action and strengthened administrative oversight.

### SPECIAL CASES RESOLVED



**Figure 6.** Top ten counties by special case improvement percentages since initial file review. This chart displays the ten counties with the highest percentage of resolved special cases since the initial file review. It provides a clear comparison of each county's resolution rate, highlighting effective case management and focused program support.

### IMMEDIATE ATTENTION CASES RESOLVED



**Figure 7.** Top ten counties by immediate attention improvement percentages since initial file review. This chart illustrates the top ten counties by resolution rates for all special cases since the initial file review. It highlights counties' effectiveness in addressing complex cases and advancing program goals.

# Upcoming Activities and Plans

The Program is currently managed by a Director, Program Manager, and supported by a fully staffed, 19-member statewide mobile team. New auditors receive comprehensive training before conducting initial guardianship file reviews and follow-up audits.

With full staffing now in place, the Program will begin assigning dedicated territories to each auditor. This change is designed to foster familiarity between auditors and local courts, support consistency in oversight, and build long-term collaborative relationships between program staff and court personnel, an operational goal that has been in planning since the Program's inception.

Looking ahead, follow-up audits will remain a central focus, along with the planned expansion of financial audits of guardianship estates. These efforts aim to increase accountability, improve compliance, and protect vulnerable individuals under guardianship across the state.



*Protecting Our Most Vulnerable Citizens and Their Assets*



**GUARDIANSHIP ABUSE, FRAUD, AND EXPLOITATION DETERRENCE PROGRAM**

<https://www.txcourts.gov/programs-services/guardianship-abuse-fraud-and-exploitation-deterrence-program-gafedp/>