

TEXAS COMMISSION ON JAIL STANDARDS

EXECUTIVE DIRECTOR
Brandon S. Wood



P.O. Box 12985
Austin, Texas 78711
Voice: (512) 463-5505
Fax: (512) 463-3185
<http://www.tcjs.state.tx.us>
info@tcjs.state.tx.us

Technical Assistance Memorandum

#26-02

To: All Sheriffs and Jail Administrators
From: Brandon Wood, Executive Director
Date: January 26, 2026
RE: Guardianship



The Texas Commission on Jail Standards Administrative Rules Advisory Committee has been reviewing possible additions to minimum jail standards regarding inmates who are a ward and have a guardian.

There are statutes in effect that include requirements to notify the court having jurisdiction over the ward's guardianship that the ward has been incarcerated, and can be found in the Code of Criminal Procedure §15.171. The Office of Court Administration and the Department of Public Safety provide access to a guardianship database query (GDQ) via TLETS that shall be used to determine the court with jurisdiction.

Once an inmate has been determined to be a ward, the GDQ should be run and the appropriate court notified.

Other statutes that are referenced in the proposed rules that we recommend you review are:

- Texas Estates Code Chapter 1002.012
- Texas Health and Safety Code 313.004
- Texas Government Code Chapter 155.152 and 155.153
- Texas Estates Code Chapter 1106 Letters of Guardianship

We suggest you consult with your attorneys to determine the best procedure for your facility to meet these requirements. The proposed additions to standards will be published for public comment in the Texas Register upon approval from The Commission. You can contact Richard Morgan (Richard.morgan@tcjs.state.tx.us) for additional information.

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"The Commission on Jail Standards welcomes all suggestions and will promptly respond to all complaints directed against the agency or any facilities under its purview".
To empower local government to provide safe, secure and suitable local jail facilities through proper rules and procedures while promoting innovative programs and ideas