



STATE OF TEXAS

## Limestone County

DANIEL BURKEEN  
County Judge

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### NOTICE

#### Background Check Requirement-Effective Immediately

*Private professional guardians, employees and/or volunteers for private professional guardians; Proposed Guardian, Proposed Temporary Guardian and Proposed successor Guardian-other than an attorney.  
(HB 1438, 84<sup>th</sup> Legislation)*

This background check requirement does not apply to those holding a certificate issued under Texas Government Code Chapter 155 if the Certification Board conducted a criminal history before issuing or renewing the *Certificate*. The board **shall** provide to the clerk, at the court's request, the information obtained in the criminal history check.

*Per Texas Estates Code §1104.402(a) and Texas Government Code §411.1386(a), the Clerk of the Court with Jurisdiction shall obtain criminal history record information.*

The Limestone County Clerk shall obtain the background check from the proposed Guardian. (TX Estates Code §1104.403). It will be the proposed guardian's responsibility to obtain the background check from the Texas Department of Public Safety or the Federal Bureau of Investigation.

The proposed guardian shall submit to the Limestone County Clerk a copy of the criminal history record information. The information must be received by the Limestone County Clerk NO LATER than the 10<sup>th</sup> day before the date of the hearing to appoint a guardian. This information must be obtained no more than 30 Days prior to the date of the hearing except for an emergency guardianship, in which case it will be obtained as soon as possible thereafter. (TX Estates Code §1104.403).

The record cannot be e-filed as it is exclusively for the court and not part of the case.

Information on the FBI Fingerprint criminal history checks can be obtained through [www.identogo.com](http://www.identogo.com), click on FBI Identity History Check or by calling their toll free number, 1-888-467-2080. The Department of Public Safety criminal history search can be obtained at <https://www.dps.texas.gov>.

  
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