

**THE LEGAL ASSISTANCE OFFICE OF  
III CORPS, 1<sup>ST</sup> CAVALRY DIVISION, 4<sup>TH</sup> INFANTRY DIVISION (MECHANIZED)  
FORT HOOD TEXAS 76544**

**CONSERVATORSHIPS**

A Conservatorship, also known in some states as a guardianship, is a legal proceeding in which a person, or persons, assume legal control over another person – often a child. In Texas, a conservator has the power to direct most major life decisions for a child, including where the child lives, what health care they will receive, and how they will be educated.

A Conservatorship essentially provides the conservator with all the powers of the natural parents. A conservator also has the power to enroll a child in DEERS that would otherwise not be eligible for enrollment. A Conservatorship, unlike an adoption, is a temporary procedure. The parent giving up the powers still has some rights in the child, must consent to the Conservatorship, and may later petition the court to revoke the Conservatorship. Further, a Conservatorship may have no effect on child support obligations.

Individuals who wish to set up a Conservatorship for a child must normally do so through a court in the state in which the child lives. Often, the Conservatorship must be done in the county in which the child resides. If the child has recently moved, the new state of residency will not be able to hear a petition for Conservatorship for a period of six months. Until that time, the old state has legal jurisdiction over the child. Any parents that have rights in the child must consent to the Conservatorship. This includes unmarried parents paying child support. If a parent with rights will not consent to the proceeding, or the child has not resided in Texas for six months, the Legal Assistance Office cannot assist you. You may, however, be able to proceed through a civilian attorney. To qualify for assistance from the legal assistance office in securing a Conservatorship, you must meet the following qualifications:

- Child that is the subject of the Conservatorship must be less than 18 years of age; and if they are 12 or older they must consent
- Both parents of the child can be located and consent to the Conservatorship
- Child that is the subject of the Conservatorship has resided in Texas for at least the previous six months

If you qualify for assistance from the Legal Assistance Office, please come in for a walk-in appointment. An attorney will assist you in drafting all the necessary documents and explain the procedures for filing the action in court.