

STEPS IN THE PROBATE PROCESS

DRAFT THE PLEADINGS

- We will draft an Application to Probate Will in the appropriate county.
- We will submit the original Will with the application.

POSTING

After the Application is filed, there is an approximate 2-week waiting period before a hearing is held for the application. During this time, the county clerk will post a notice at the courthouse stating that a Probate Application was filed to serve as notice to anyone who may contest the Will or administration of the estate. If no contests are received, the probate court will open the administration.

WILL VALIDATION

- After the posting period, a Texas probate judge will preside over a hearing that will recognize the decedent's death.
- Usually the probate judge will verify decedent had a valid Will (or not).
- The judge will appoint an administrator or verify the person named as executor.
- The court will issue Letters Testamentary or Letters of Administration.

NOTICE TO BENEFICIARIES

- Executor will notify beneficiaries of the estate.
- Court is required to appoint an attorney *ad litem* to represent unknown heirs and attempt to contact them.

NOTICE TO CREDITORS

Creditors are notified of the decedent's death and given an opportunity to file claims against the estate. Notice can be published through the local newspaper.

CATALOGING ASSETS

- After an executor or administrator is named, that person must catalogue and report to the county clerk all assets held by the estate within 90 days of appointment.
- We will help you prepare an Inventory, Appraisement, and List of Claims.

FINAL DISBURSEMENT

The estate is disbursed as provided for in the Will. If necessary, new titles are issued for property.

