

PROBATE FILING FEES

Effective 01/01/2010

**ALL OUT OF COUNTY SERVICE WILL BE SENT TO ATTORNEY
FOR FORWARDING TO PROPER COUNTY**

Application for Probate (Letters Testamentary & Muniment of Title)	\$252.00
Application for Administration (Independent or Dependent)	\$252.00
Application of Foreign Will	\$252.00
Application for Guardianship (Temporary or Permanent)	\$252.00
Personal Citation (to Prepare)	\$4.00
Service	\$85.00
Citation by Publication (to prepare)	\$4.00
Service	\$85.00
Transfer of Venue	\$30.00
Letters (Testamentary, Administration, or Guardianship)	\$2.00
Inventory, Appraisalment, and List of Claims filed more than 120 days after the date which the order is signed. (Please include order approving the same.)	\$27.00
Small Estate Filing Fee	\$40.00
Safe-keeping of a Will	\$5.00

Transcript for Court of Appeals - \$1.00 per page

Copies from Civil cases - \$1.00 per page

Certified Copies - \$1.00 per document

Exemplified Copies - \$5.00 per document

Frequently Asked Questions

Q. What Does it mean to probate?

A. To probate is to carry out the wishes of the deceased.

Q. How long does it take to probate?

A. Usually you can probate a will within sixty days, depending on how soon you can have the probate hearing after the application to probate is filed.

Q. Can you probate a copy of a will?

A. Yes, you can probate a copy of a will but it must comply with the Probate Code.

Q. Where do you Probate?

A. You should probate a will in the county where you live or where the decedent resided. There are many ways to probate:

- **Application to probate will for Letters Testamentary**
- **Muniment of Title**
- **Determination of Heirship**
- **Administration**
- **Small Estates**

An application to probate is filed in the County Clerk's office along with the will and a filing fee. A posting will be done and returned to the office the first Monday next after ten days. Legal papers must be prepared before the hearing. After the hearing certified copies will be issued as needed.

Q. The bank sent me here for Letters Testamentary to close an account. What should I do?

A. First you must determine if you need to probate for Letters Testamentary or one of the other methods of probate. As with any legal matter, contacting an experienced attorney is always the safest choice.

Q. I just drew up a new will. Do I need to have it recorded?

A. No, we do not record wills, however we will file your will for safe-keeping. There is a \$5.00 fee for this service.

Q. Does every will need to be probated?

A. An attorney can help you determine the legalities of the estate and whether there is a need for probate.

Q. What do I put in an inventory in the administration of an estate?

A. You are required to include all real property of the estate in the State of Texas and all personal property wherever situated.

Q. Can you recommend an attorney?

A. No, we can not legally recommend anyone. However, the Texas BAR Association (800-252-9690) can provide a list. You may also look in the area phone book.

Q. When do I set the Hearing?

A. Contact the County Judges Office for hearing information at 903-675-6140

Q. What is an Attorney Ad-Litem?

A. An Attorney Ad-Litem is an attorney appointed by the court to represent to best interest of the other party. Not all types of Probate proceedings require an Attorney Ad-Litem.

Q. Can I do the probate myself?

A. You can do the probate yourself. You can research the law library for requirements. Application forms for probate are not available in the County Clerk's office. All probate records are open to the public. (Copies may be obtained for \$1.00 per page.)