

ProDoc Texas Update News

December 2009

Legislative and Other Form Updates on this CD

The update on the enclosed CD contains 513 revised forms and 58 new forms, many pursuant to new legislation effective January 1, 2010. The 10 volumes affected and the revisions include:

Family Law – We added a new *Authorization Agreement for Nonparent Relatives* as provided by Chapter 34 of the Texas Family Code. We also updated the *Request for Copy of Tax Return* and *Application for Texas Certificate of Title* to match agency versions of these forms.

Adoptions and Paternity – We updated the *Acknowledgment of Paternity Inquiry Request Form* and the *Paternity Registry Inquiry Request* to match current agency versions of these forms.

Litigation – This shipment includes the most recent State Bar of Texas supplement to the Texas Pattern Jury Charges¹ and the 2009 State Bar of Texas supplement to the Texas Collections Manual, 3rd ed¹. The Pattern Jury Charges include a new chapter 110 covering defamation. The Collections manual includes a new chapter on filing for Federal Bankruptcy protection. This update also includes updates to agency forms.

Business Transactions Solution – We added additional statutory links into WestLaw[®] for 29 forms.

Real Estate – This shipment includes the 2009 State Bar of Texas supplement to the Texas Real Estate Forms Manual¹. Many new forms were added regarding transferring water rights, including surface water rights, on-site groundwater rights and off-site groundwater rights.

Probate – We tweaked our logic inside the forms to ensure that the *Orders for Independent Administration* form works properly with the *Proof of Death* form.

Business Organizations – We updated forms pursuant to 2009 legislative changes by adding the consent language for a registered agent. We also

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Install this Update before January 1, 2010

This update contains form updates that are effective January 1, 2010. Please be sure to install it prior to this date so you don't forget to do so later.

But, since the changes are not effective until January 1, 2010 be sure not to install this update too early.

Your ProDoc Installation KeyCode Is on the Shipping Envelope

You will need a 20-character **KeyCode** to install this update. You'll find it on the envelope in which the CD shipped. We strongly encourage to you keep the shipping envelope in a safe place so you have your KeyCode available when you install the update.

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removed 114 forms for entities that were created before the Business Organization Code was codified.

Federal Criminal Defense – We updated nine forms with a minor fix to the jurisdictional description. We also updated four Administrative Office forms with minor changes, as well as the *Summons in a Criminal Case*, to which a page will now be added when the summons is to be filed under seal.

Landlord/Tenant – We updated two leases to include the right to terminate a lease early based upon sexual assault or sexual abuse pursuant to 2009 legislative changes. We also removed the *Interruption of Utilities Notice by Landlord* pursuant to 2009 legislative change. These changes are effective January 1, 2010.

Lipman’s Wills & Trusts – The three major areas of this update are:

1. We added an option to six Irrevocable Trust forms allowing you to initially create a single, pooled trust rather than having the trusts held in individual trusts from the outset. You still have the option to, if you want, create separate trusts from the outset, as creating a single initial trust is not required. In addition, we also modified each Memorandum Regarding Funding of Trust and each Withdrawal Letter associated with these irrevocable trusts to account for the possibility that the trust will be drafted as a single initial trust.
2. You now have the option of adding a Supplemental Needs Trust (SNT) for the benefit of a spouse to the pourover wills rather than to the client’s Revocable Trust. If you choose to add this trust, the Will forms provide that the decedent’s entire probate estate (other than specific bequests) will pass to the SNT

for the spouse. In addition, provisions can be added to the Husband and Wife’s simple Revocable Trust forms which provide that the deceased spouse’s property will be distributed to the testamentary SNT. Importantly, this new testamentary SNT feature is NOT designed to work within the Husband and Wife jointly created Revocable Trust forms (primarily because these forms could not be adapted to transfer assets to a testamentary trust without considerable modifications). Instead, the feature works only with the Husband and Wife individually created Revocable Trust forms.

3. All of the Domestic Partner forms are renamed to Same-Sex Spouse / Domestic Partner forms. With more states allowing same-sex marriages, it was necessary to rename and modify the domestic partner forms to make it clear how the forms can be used in a variety of circumstances. These forms are designed to be used for the following types of clients: (a) same-sex marriages; (b) registered domestic partners; and (c) any other situation where two people are providing for each other (and the two people can be two men, two women, or a man and a woman). These forms will work when they are drafted for a set of clients who are not a married couple or who are not registered domestic partners. Your clients will be able to refer to each other as my spouse, my husband, my wife, my partner, etc.

Family Law PowerPack – We updated the *Child Support Calculator* to apply priority of payments appropriately per 2009 legislative change. Payments are paid in a different priority for payments made before January 1, 2010 and after. We also updated the explanation page on the full report to specify the two different priorities. These changes are effective January 1, 2010.

ProDoc Enhancement

We added a feature that enables you to prevent ProDoc from populating your firm information into the documents you draft. To activate this feature, open ProDoc and click on **Customize► Firm Information**. Then click the checkbox next to **Do not use firm information default answers during document assembly**.

Click **OK** to save your change and to close the **Options and Settings** window.

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