

Our Probate volume includes more than 250 forms which can be used to initiate and manage the probate process from the application to probate through distribution of assets and closure of estate administration. A full range of documents are available to administer an estate independently, dependently, as a small estate, as a muniment of title, or under an heirship proceeding. Included are applications to have an independent administration of an intestate estate, an estate with a non-independent executor, or an estate without a named executor.

## INFORMATION GATHERING

### ADMINISTRATIVE

1-020	Client Information Worksheet
1-025	Notice of Current Address
1-030	Letter to Bank to Verify Account Balances
1-031	Letter to Bank to Verify Account Balances (Comprehensive)
1-035	Letter to Broker to Verify Balances and Values
1-040	Letter to Verify Dividend Reinvestment Account Balance
1-045	Letter to Creditor to Verify Account Balance
1-050	Letter to Internal Revenue Service to Verify Prior Gift Tax Returns
1-052	Transmittal Letter - Client
1-055	Transmittal Letter - Beneficiaries
1-057	Transmittal Letter - Clerk of Court

### OBTAINING THE WILL

1-060	Motion and Order to Open Safe Deposit Box and Examine
1-065	Motion and Order to Withdraw Original Will from Court
1-070	Receipt for Purported Will from Court Clerk
1-110	Motion for Substitution of Counsel with Order
1-115	Motion to Transfer Venue with Order

## INDEPENDENT ADMINISTRATION

### PROBATE OF WILL

2-010	Notice of Intention to take Answers of Witness to Interrogatories
2-015	Direct Interrogatories to Subscribing Witness
2-020	Answers of Witness to Interrogatories
2-040	145(b) Application to Probate Will - Independent Executor Named in Will
2-045	145(c) Application to Probate Will - Non-Independent Executor Named in Will
2-050	145(d) Application to Probate Will - Executor Not Named or Unavailable
2-055	145(e) Application for Independent Administration of Intestate Estate
2-060	Consent to 145 (c) (d) or (e) Application and Waiver of Notice
2-065	Motion and Order to Appoint Attorney Ad Litem
2-070	Judgment Declaring Heirship - 145(e) Application
2-075	Oath of Executor
2-080	Appointment of Resident Agent
2-085	Waiver of Right to Letters Testamentary
2-090	Order Probating Will and for Letters Testamentary - 145(b) Application
2-095	Order Probating Will and Authorizing Letters - 145 (c) or (d)
2-100	Order for Independent Administration - 145(e)

### PROOFS

2-110	Proof of Death and Other Facts
2-115	Motion and Order for Alternate Method of Proof
2-125	Proof of Decedent's Handwriting and Signature

### ADMINISTRATIVE DOCUMENTS

2-130	Proof by Subscribing Witness
2-133	Application to Remove Independent Executor or Administrator with Order
2-135	Application and Order Appointing Successor Personal Representative
2-140	Notice to Creditors (by Newspaper)
2-145	Order Authorizing Private Process Service-TRCP 103
2-150	Notice to Secured Creditors by Mail
2-155	Permissive Notice to Unsecured Creditors by Mail

2-160	Proof of Service of Notice upon Claimant or Creditor
2-165	Affidavit of Domicile for Independent Administration
2-170	Irrevocable Stock Power for Independent Administration
2-175	Irrevocable Bond Power for Independent Administration
2-176	128A Notice to Beneficiaries (Independent Admin)
2-177	128A Waiver of Notice by Beneficiary (Independent Admin)
2-178	128A Waiver of Notice and Receipt (Independent Admin)
2-179	128A Affidavit of Compliance (Independent Admin)
2-181	128A Certificate of Compliance (Independent Admin)
2-183	Disclaimer of Interest in Property of Estate

### INVENTORIES

2-190	Application and Order for Extension to File Inventory
2-195	Inventory, Appraisal and List of Claims
2-200	Order Disapproving Inventory and Ordering Return of Inventory
2-205	Supplemental Inventory and Order Approving

### ALLOWANCES & EXEMPT PROPERTY

2-215	Application and Order for Family Allowance
2-220	Application and Order to Set Aside Exempt Property
2-225	Application and Order-Allowance in Lieu of Exempt Property

### ACCOUNTINGS & DISTRIBUTION

2-235	Petition for Accounting and Distribution
2-240	Order Directing Personal Representative to Make Accounting
2-245	Application for Partition and Distribution for Independent Administration
2-250	Decree of Partition and Distribution for Independent Administration
2-255	Final Account (Section 151 Closing Affidavit)
2-260	Receipt for Assets Received from Personal Representative

### CLOSING INDEPENDENT ADMINISTRATION WITH WILL

2-270	Application Requesting Closing of Independent Administration
2-275	Order for Personal Representative to Close Administration

### MUNIMENT OF TITLE DOCUMENTS

3-010	Application for Probate of Will as Muniment of Title
3-015	Proof of Death and Other Facts - Muniment of Title
3-017	Oath of No Debts Against Estate - Muniment of Title
3-020	Order Admitting Will to Probate - Muniment of Title
3-030	Affidavit Fulfillment of Terms of Will - Muniment of Title
3-040	Irrevocable Stock Power - Muniment of Title
3-050	Irrevocable Bond Power - Muniment of Title

### HEIRSHIP PROCEEDINGS

4-010	Application to Declare Heirship without Administration
4-020	Waiver of Service of Affidavit of Heirship without Administration
4-030	Affidavit of Heirship (Facts Identifying Heirs)
4-040	Motion Appointing Attorney Ad Litem - Heirship without Administration
4-050	Answer of Attorney ad Litem - Heirship without Administration
4-052	Report of Attorney ad Litem - Heirship without Administration
4-055	Statement of Evidence - Heirship without Administration
4-057	Affidavit for Attorney Ad Litem Fees - Heirship without Administration
4-060	Judgment Declaring Heirship without Administration
4-070	Affidavit of Domicile - Heirship Proceeding
4-080	Irrevocable Stock Power - Heirship Proceeding

- 4-090 Irrevocable Bond Power - Heirship Proceeding
- 4-095 Request for Texas Motor Vehicle Information
- 4-100 Affidavit of Heirship for a Motor Vehicle

**SMALL ESTATES**

- 5-005 Small Estate Affidavit and Order
- 5-010 Affidavit of Domicile - Small Estate
- 5-015 Irrevocable Stock Power - Small Estate
- 5-020 Irrevocable Bond Power - Small Estate
- 5-040 Spouse's Affidavit to Recover Unpaid Wages

**COMMUNITY ADMINISTRATION**

- 6-007 Waiver of Right to Exercise Powers as Community Survivor
- 6-010 Application for Community Administration
- 6-012 Order Approving Application for Community Administration
- 6-015 Motion and Order Appointing Appraisers
- 6-020 Inventory, Appraisal and List of Claims - Community Administration
- 6-025 Application and Order Extending Time to File Inventory - Comm Admin
- 6-027 Order Disapproving Inventory - Ordering Return of Inventory - Comm Admin
- 6-030 Bond of Community Administrator
- 6-035 Final Accounting of Community Administrator
- 6-055 Application and Order Closing Community Administration
- 6-060 Receipt of Assets from Community Administrator

**TRANSFER OF ASSETS WITHOUT GUARDIANSHIP**

- 7-020 Application to Withdraw Funds - Section 887(c)
- 7-025 Custodian's Final Account for Funds Withdrawn - Section 887(d)
- 7-030 Application and Order for Sale of Property of a Minor - Sec 889

**MISCELLANEOUS**

- 7-505 Application to Probate Foreign Will Probated in Domiciliary Jurisdiction
- 7-510 Motion to Dismiss for Lack of Jurisdiction with Order
- 7-515 Application to Declare Presumed Decedent with Order
- 7-520 Prove-Up Questions - Uncontested Will and Signature
- 7-525 Motion and Order to Compel Electronic Filing

**DEPENDENT ADMINISTRATION**

Opening Temporary Administration

- 8-005 Application and Order Appointing Temporary Administration
- 8-006 Notice to Heirs - Appointment of Temporary Administrator
- 8-010 Proof of Death and Other Facts - Temporary Administration
- 8-015 Oath of Temporary Administrator
- 8-020 Application for Enlargement of Powers - Temporary Administration
- 8-025 Order Granting Additional Powers to Temporary Administration
- 8-030 Order Making Temporary Administration Permanent

**OPENING PERMANENT ADMINISTRATION**

- 8-035 Application for Letters of Administration
- 8-040 Waiver and Renunciation of Right to Letters of Administration
- 8-045 Proof of Death and Other Facts - Permanent Administration
- 8-050 Order Granting Letters of Administration

**OPENING ADMINISTRATION WITH WILL ANNEXED**

- 8-065 Application for Letters of Administration with Will Annexed
- 8-070 Waiver and Renunciation to Letters Testamentary - Will Annexed
- 8-075 Proof by Subscribing Witness - Will Annexed
- 8-080 Motion and Order - Alternate Method Proof - Will Annexed
- 8-085 Proof of Decedent's Handwriting and Signature - Will Annexed
- 8-090 Proof Of Death and Other Facts - Will Annexed
- 8-095 Order Admitting Will and Authorizing Letters Administration - Will Annexed

**GENERAL ADMINISTRATION DOCUMENTS**

- 8-305 Application for Administrator's Commission
- 8-310 Order Setting Hearing
- 8-315 Appointment Resident Agent - Administration
- 8-320 Bond of Personal Representative - Administration
- 8-325 Oath of Administrator
- 8-330 Oath of Administrator with Will Annexed
- 8-331 128A Notice to Beneficiaries (Dependent Admin)
- 8-332 128A Waiver of Notice by Beneficiary (Dependent Admin)

- 8-333 128A Waiver of Notice and Receipt (Dependent Admin)
- 8-334 128A Affidavit of Compliance (Dependent Admin)
- 8-336 128A Certificate of Compliance (Dependent Admin)
- 8-338 Disclaimer of Interest in Estate - Administration
- 8-340 Disclaimer of Interest in Estate - Administration with Will Annexed
- 8-345 Notice to Creditors by Newspaper - Administration
- 8-350 Notice to Creditors by Newspaper - Administration with Will Annexed
- 8-355 Affidavit of Domicile - Administration
- 8-360 Affidavit of Domicile - Administration with Will Annexed
- 8-365 Irrevocable Stock Power - Administration
- 8-370 Irrevocable Bond Power - Administration
- 8-375 Irrevocable Stock Power - Administration with Will Annexed
- 8-380 Irrevocable Bond Power - Administration with Will Annexed
- 8-385 Permissive Notice to Unsecured Creditor by Mail - Administration
- 8-390 Permissive Notice to Unsecured Creditor by Mail - Admin with Will Annexed
- 8-395 Notice to Secured Creditors by Mail - Administration
- 8-400 Notice to Secured Creditors by Mail - Administration with Will Annexed
- 8-405 Proof of Service to Secured Claimant - Administration
- 8-410 Proof of Service to Secured Claimant - Administration with Will Annexed
- 8-415 Authenticated Unsecured Claim
- 8-420 Authenticated Secured Claim
- 8-422 Memorandum Allowing or Rejecting Claim
- 8-425 Letter Accepting or Rejecting Claim

**CLOSING TEMPORARY ADMINISTRATION**

- 8-430 Final Account of Temporary Administrator
- 8-435 Waiver of Service on Final Account of Temporary Administration
- 8-440 Application and Order Closing Temporary Administration
- 8-445 Receipt of Assets from Temporary Administrator

**INVENTORY, APPRAISEMENT & LIST OF CLAIMS**

- 8-450 Application and Order-Extension of Time to File Inventory - Administration
- 8-455 Inventory, Appraisal and List of Claims - Administration
- 8-460 Order Disapproving Inventory and Ordering Return of Inventory - Admin
- 8-465 Supplemental Inventory - Administration

**DISPOSITION OF ASSETS**

- 8-500 Application and Order to Dispose of Personal Effects
- 8-505 Application and Order for Sale of Personal Property - Section 333
- 8-510 Application and Order to Set Aside Exempt Property - Administration
- 8-515 Application and Order for Allowance in Lieu of Exempt Property
- 8-520 Application and Order for Family Allowance - Administration
- 8-525 Application for Sale of Personal Property - Section 334
- 8-530 Order for Sale of Personal Property - Section 334
- 8-535 Report of Sale of Personal Property
- 8-540 Order Increasing Bond - Sale of Personal Property
- 8-545 Decree Confirming Sale of Personal Property
- 8-550 Application for Sale of Real Property - Section 341
- 8-555 Order for Sale of Real Property - Section 341
- 8-560 Report of Sale of Real Property
- 8-565 Order Increasing Bond - Sale of Real Property - Section 341
- 8-570 Decree Confirming Sale of Real Property
- 8-575 Application to Set Aside Report and Decree Confirming Sale
- 8-580 Application and Order Authorizing Reimbursement
- 8-585 Application and Order Authorizing Expenditures
- 8-590 Application and Order Authorizing Attorney's Fees
- 8-595 Application for Partition and Distribution - Administration
- 8-600 Decree of Partition and Distribution - Administration
- 8-605 Special Warranty Deed for Personal Representative

**ACCOUNTING**

- 8-700 Annual Account - Administration
- 8-705 Authorization for Records for Annual Account
- 8-710 Verification of Funds on Deposit
- 8-715 Verification of Securities on Deposit
- 8-720 Account for Final Settlement - Administration
- 8-725 Waiver of Service on Account for Final Settlement

**HEIRSHIP PROCEEDINGS**

---

- 8-800 Application to Determine Heirship within Administration
- 8-805 Waiver of Service and Affidavit of Heirship within Administration
- 8-810 Affidavit of Heirship - Facts Identifying Heirs
- 8-815 Motion and Order to Appoint Attorney Ad Litem - Heirship within Admin
- 8-820 Answer of Attorney Ad Litem - Heirship within Administration
- 8-822 Report of Attorney Ad Litem - Heirship within Administration
- 8-825 Statement of Evidence of Heirship within Administration
- 8-827 Affidavit for Attorney Ad Litem Fees - Heirship within Administration
- 8-830 Judgment Declaring Heirship within Administration

**CLOSING PERMANENT ADMINISTRATION**

---

- 8-835 Application and Order To Close Estate and Discharge Administration
- 8-840 Receipt of Estate Assets and Release

**EMERGENCY INTERVENTION PROCEEDINGS**

**BURIAL AND FUNERAL EXPENSES**

---

- 9-005 Emergency Intervention Application for Funeral and Burial Expenses
- 9-010 Emergency Intervention Order for Funeral and Burial Expenses  
Access to Personal Property
- 9-015 Emergency Intervention Application for Access to Personal Property
- 9-020 Emergency Intervention Order for Access to Personal Property
- 9-025 Inventory for Emergency Intervention Proceedings

**RIGHT TO CONTROL DECEDENT'S BURIAL OR CREMATION**

---

- 9-100 Application & Order to Limit Spouse's Right to Control Burial or Cremation
- 9-105 Application to Remove Remains with Order

**LOCAL FORMS**

**ALL COUNTIES**

---

- 100-1 Civil Case Information Sheet

**DALLAS COUNTY**

---

- 103-1 Oath of Executor

**HARRIS COUNTY**

---

- 112-1 Affidavit of Distributees, Small Estate, With Judge's Order