

**6.0 COURT PROCEEDINGS**

- 6.01 Court docket number \_\_\_\_\_
- 6.02 D's name to be used in probate proceedings \_\_\_\_\_
- 6.03 Name of court in which filed \_\_\_\_\_
- 6.04 County in which court is located \_\_\_\_\_
- 6.05 Address of court, including building name, room number, city, state, zip \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 6.06 Name of judge \_\_\_\_\_
- 6.07 Title of judge: ☐ Probate Judge ☐ County Judge
- 6.07A Phone number \_\_\_\_\_
- 6.07B Fax number \_\_\_\_\_
- 6.07C E-mail \_\_\_\_\_
- 6.07D Website \_\_\_\_\_
- 6.07E Judge's assistant \_\_\_\_\_
- 6.08 Was D domiciled in county in which application is being filed? ☐ Yes ☐ No (see Item 1.11) If no, refer to Special Instruction 15 relating to jurisdiction and venue and make indicated change in application and in testimony of witness.
- 6.09 What description is to be used to describe the nature of D's estate?
- A. Both real and personal property described generally as \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- B. Personal property only described generally as \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 6.10 D's estate has a probable value in excess of \$ \_\_\_\_\_
- 6.11 Which of the following describes D's will?
- A. No will (see Item 2.01)

- B. Holographic (see Item 2.04)
- C. Witnessed (see Item 2.10)
- 6.12 Was will self-proved? ☐ Yes ☐ No (see Item 2.03)
- 6.13 Which of the following describes children born to or adopted by D?
- A. (Reserved)
- B. None (see Item 3.35)
- C. One born or adopted (see Item 3.36)
- D. More than one born or adopted (see Item 3.36)
- E. If any surviving children were born to or adopted *after* the date of D's will, specify which one(s) here (see Item 3.52) \_\_\_\_\_
- \_\_\_\_\_
- 6.14 If D left a will (see Item 2.01), state which of the following describes D's divorces (or other dissolutions of D's marriages).
- A. No marriage of D was ever dissolved by divorce, annulment, or declaration that the marriage was void (see Item 3.20).
- B. One or more of D's marriages had been dissolved (see Items 3.20 through 3.28), and date and place are known.
- C. One or more of D's marriages had been dissolved (see Items 3.20 through 3.28), but date and place are not known.
- If D did *not* leave a will (see Item 2.01), state which of the following describes D's divorces.
- D. D was never divorced (see Item 3.20).
- E. D had been divorced (see Items 3.20 through 3.28), and date and place are known.
- F. D had been divorced (see Items 3.20 through 3.28), but date and place are not known.
- 6.15 If will is being filed as a muniment of title, see Item 2.27 and state which of the following describes D's estate:
- A. No debts at all
- B. No debts except those secured by liens on real estate
- C. Other reason there is no necessity for administration: \_\_\_\_\_
- 6.16 Name of clerk of court \_\_\_\_\_
- 6.17 Mailing address \_\_\_\_\_
- 6.18 City, state, zip \_\_\_\_\_
- 6.19 Phone number \_\_\_\_\_
- 6.19A Fax number \_\_\_\_\_

- 6.19B E-mail \_\_\_\_\_
- 6.19C Website \_\_\_\_\_
- 6.20 Does clerk prepare citation? ☐ Yes ☐ No
- 6.21 What officer will post citation? ☐ Sheriff ☐ Constable
- 6.22 Name of that officer \_\_\_\_\_
- 6.23 Date of filing application or small estate affidavit \_\_\_\_\_
- 6.23A E-filing envelope number \_\_\_\_\_
- 6.23B Date of filing original will \_\_\_\_\_
- 6.24 Date of scheduled hearing \_\_\_\_\_
- 6.25 Date of actual hearing \_\_\_\_\_
- 6.26 Date of signing order or judgment \_\_\_\_\_
- 6.27 Is bond required for personal representative? ☐ Yes ☐ No
- 6.28 If yes, state amount of the bond and complete Items 6.29 through 6.37 \$ \_\_\_\_\_
- 6.29 Name of surety \_\_\_\_\_
- 6.30 Address \_\_\_\_\_
- 6.31 City, state, zip \_\_\_\_\_
- 6.32 Phone number \_\_\_\_\_
- 6.32A Fax number \_\_\_\_\_
- 6.32B E-mail \_\_\_\_\_
- 6.33 Person to contact \_\_\_\_\_
- 6.34 Will surety's co-signature be required for checks, etc.? ☐ Yes ☐ No
- 6.35 Date of obtaining bond \_\_\_\_\_
- 6.36 Date of filing bond \_\_\_\_\_
- 6.37 Date of approval of bond by judge \_\_\_\_\_
- 6.38 Date of filing oath \_\_\_\_\_
- 6.39 Date of qualification (the latest of Items 6.36, 6.37, and 6.38) \_\_\_\_\_
- 6.40 Were letters testamentary or letters of administration granted? ☐ Yes ☐ No  
If yes, on what date were letters first issued? \_\_\_\_\_
- 6.40A Date set by court for expiration of temporary administration \_\_\_\_\_
- 6.41 Were appraisers appointed? ☐ Yes ☐ No If no, skip to Item 6.47. If yes, complete Items 6.42 through 6.46.

|                       | (A)   | (B)   | (C)   |
|-----------------------|-------|-------|-------|
| 6.42 Name             | _____ | _____ | _____ |
| 6.43 Address          | _____ | _____ | _____ |
| 6.44 City, state, zip | _____ | _____ | _____ |
| 6.45 Phone number     | _____ | _____ | _____ |
| 6.45A Fax number      | _____ | _____ | _____ |
| 6.45B E-mail          | _____ | _____ | _____ |

6.46 How many appraisers must act? ☐ Any one ☐ Any two ☐ All three

6.47 Is ancillary administration in another jurisdiction required? ☐ Yes ☐ No If yes, determine whether D's Texas personal representative may so act.

If original probate was had or is anticipated in another jurisdiction, and ancillary probate in Texas is possible, complete Items 2.02A through 2.02L.

Complete Items 6.48 through 6.67 for each other personal representative and for each attorney representing the estate in other states or foreign countries.

|  | (A)   | (B)   | (C)   |
|--|-------|-------|-------|
| 6.48 State or foreign country for which required | _____ | _____ | _____ |
| 6.49 Name of personal representative             | _____ | _____ | _____ |
| 6.50 Dear  | _____ | _____ | _____ |
| 6.51 Address                                     | _____ | _____ | _____ |
| 6.52 City, state, zip                            | _____ | _____ | _____ |
| 6.53 Phone number                                | _____ | _____ | _____ |
| 6.53A Fax number                                 | _____ | _____ | _____ |
| 6.53B E-mail                                     | _____ | _____ | _____ |
| 6.54 Title of personal representative            | _____ | _____ | _____ |
| 6.55 Original/ancillary                          | _____ | _____ | _____ |
| 6.56 - 6.59 (Reserved)                           |       |       |       |
| 6.60 Name of attorney                            | _____ | _____ | _____ |
| 6.61 Dear  | _____ | _____ | _____ |
| 6.62 Address                                     | _____ | _____ | _____ |
| 6.63 City, state, zip                            | _____ | _____ | _____ |
| 6.64 Phone number                                | _____ | _____ | _____ |

- 6.65 Fax number \_\_\_\_\_
- 6.66 E-mail \_\_\_\_\_
- 6.67 Name of firm \_\_\_\_\_
- 6.68 (Reserved)
- 6.69 Date for notice to beneficiaries \_\_\_\_\_
- 6.70 Will anyone **disclaim benefits** under D's will or under statute of descent and distribution? ☐ Yes  
☐ No If no, skip to Item 6.85. If yes, complete Items 6.71 through 6.84B.

(A)

(B)

- |       |  |  |  |
|-------|--|--|--|
| 6.71  | Name of disclaimant  | _____  | _____  |
| 6.72  | Dear   | _____  | _____  |
| 6.73  | Address  | _____  | _____  |
| 6.74  | City, state, zip   | _____  | _____  |
| 6.75  | Phone number   | _____  | _____  |
| 6.75A | Fax number   | _____  | _____  |
| 6.75B | E-mail   | _____  | _____  |
| 6.76  | Relationship to D  | _____  | _____  |
| 6.77  | Nature of interest being disclaimed                          | _____  | _____  |
| 6.78  | Name of person or entity receiving interest being disclaimed | _____  | _____  |
| 6.79  | Dear   | _____  | _____  |
| 6.80  | Address  | _____  | _____  |
| 6.81  | City, state, zip   | _____  | _____  |
| 6.82  | Phone number   | _____  | _____  |
| 6.82A | Fax number   | _____  | _____  |
| 6.82B | E-mail   | _____  | _____  |
| 6.83  | Relationship to D  | _____  | _____  |
| 6.84  | Is this entity a charity?                                    | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 6.84A | Character of institution or charity                          | _____  | _____  |
| 6.84B | Value of benefit   | _____  | _____  |
| 6.85  | Due date for inventory                                       | _____  |  |

- 6.86 Extended due date for inventory \_\_\_\_\_
- 6.87 Date inventory was filed \_\_\_\_\_
- 6.88 Date inventory was approved \_\_\_\_\_
- 6.89 Date affidavit in lieu of inventory was filed \_\_\_\_\_
- 6.90 Is sale of **personal property** to be made by order of the court? ☐ Yes ☐ No If no, skip to Item 6.106. If yes, complete Items 6.91 through 6.99.
- 6.91 Date of order of sale \_\_\_\_\_
- 6.92 “Date of sale,” “date of concluding sale,” or “date of finalizing contract for sale” \_\_\_\_\_
- 6.93 Name of purchaser \_\_\_\_\_
- 6.94 Total sales price \_\_\_\_\_
- 6.95 Costs and expenses of sale \_\_\_\_\_
- 6.96 Net sales price (Item 6.94 minus Item 6.95) \_\_\_\_\_
- 6.97 Terms of sale \_\_\_\_\_  
\_\_\_\_\_
- 6.98 Date of filing report of sale or report of contract for sale \_\_\_\_\_
- 6.99 Date of order confirming or approving sale \_\_\_\_\_
- 6.100 - 6.105 (Reserved)
- 6.106 Is sale of **real property** to be made by order of the court? ☐ Yes ☐ No If no, skip to Item 6.120. If yes, complete Items 6.107 through 6.116.
- 6.107 Date of order of sale \_\_\_\_\_
- 6.108 “Date of sale,” “date of concluding sale,” or “date of finalizing contract for sale” \_\_\_\_\_
- 6.109 Place of sale \_\_\_\_\_
- 6.110 Date of filing report of sale or report of contract of sale \_\_\_\_\_
- 6.111 Name of purchaser \_\_\_\_\_
- 6.112 Total sales price \_\_\_\_\_
- 6.113 Costs and expenses of sale \_\_\_\_\_
- 6.114 Net sales price (Item 6.112 minus Item 6.113) \_\_\_\_\_
- 6.115 Terms of sale \_\_\_\_\_  
\_\_\_\_\_
- 6.116 Date of order confirming or approving sale \_\_\_\_\_
- 6.117 - 6.119 (Reserved)

- 6.120 Is **mineral lease** to be made by order of the court? ☐ Yes ☐ No If no, skip to Item 6.125. If yes, complete Items 6.121 through 6.123.
- 6.121 Name of lessee \_\_\_\_\_
- 6.122 Consideration for lease \_\_\_\_\_
- 6.123 Date of order granting application to lease \_\_\_\_\_
- 6.124 Date of filing heirship application in RDA and IBA \_\_\_\_\_
- 6.124A Date of scheduled hearing on heirship application in RDA and IBA \_\_\_\_\_
- 6.125 Was an **attorney ad litem** appointed for the unknown heirs? ☐ Yes ☐ No If no, skip to Item 6.135. If yes, complete Items 6.126 through 6.133.
- 6.126 Name \_\_\_\_\_
- 6.127 State Bar card number \_\_\_\_\_
- 6.128 Dear \_\_\_\_\_
- 6.129 Address \_\_\_\_\_
- 6.130 City, state, zip \_\_\_\_\_
- 6.131 Phone number \_\_\_\_\_
- 6.132 Fax number \_\_\_\_\_
- 6.133 E-mail \_\_\_\_\_
- 6.134 (Reserved)
- 6.135 Is a **guardian ad litem** to be appointed for minor or incompetent heirs and beneficiaries? ☐ Yes ☐ No If no, skip to Item 6.144. If yes, complete Items 6.136 through 6.142.
- 6.136 Name \_\_\_\_\_
- 6.137 Dear \_\_\_\_\_
- 6.138 Address \_\_\_\_\_
- 6.139 City, state, zip \_\_\_\_\_
- 6.140 Phone number \_\_\_\_\_
- 6.141 Fax number \_\_\_\_\_
- 6.142 E-mail \_\_\_\_\_
- 6.143 (Reserved)
- 6.144 Due dates for filing **annual accounts** (one year and sixty days from date shown in Item 6.40 and anniversaries thereof):
- A. First year \_\_\_\_\_
- B. Second year \_\_\_\_\_
- C. Third year \_\_\_\_\_

6.145 Ending dates for **coverage of annual accounts** (one year from date shown in Item 6.40 and anniversaries thereof):

A. First year \_\_\_\_\_

B. Second year \_\_\_\_\_

C. Third year \_\_\_\_\_

6.146 Date of filing final account \_\_\_\_\_

6.147 Date and time for scheduled consideration of final account \_\_\_\_\_

6.148 Place for scheduled consideration of final account if not same as Item 6.05 \_\_\_\_\_

6.149 Date of approval of final account \_\_\_\_\_

6.150 - 6.154 (Reserved)

6.155 Has a will contest or an action to interpret D's will been instituted? ☐ Yes ☐ No If yes, give details

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6.156 Is any such action planned? ☐ Yes ☐ No If yes, give details \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_