

## DFW PROBATE COURTS GUIDELINES

Version: December 18, 2023

### Collin County

Each document must be filed as a Separate Lead Document but all in the same envelope. The clerk does not accept “attachments.” You should have two separate lead documents: 1) Application (“Application” filing code) and 2) Will (“Will//Codicil” filing code).

*Hearings by Teleconference:* Instructions for Collin County Probate hearings by Zoom are attached.

### Dallas County

A Will needs to be filed as an *attachment* to the Application. You should have one main lead document: the Application (“Application” filing code), plus the Will as an attachment. If you want to add a cover letter, add it as a second lead document. Basic filing \$360, Issue Citation \$8, and Serve By Posting \$20: total filing fee of \$388 (plus payment service fees).

For determinations of heirship/intestate administrations, file the combined Application along with the standard probate filing fee of \$360, except two separate \$8 fees for Citation, \$20 fee for Service by Posting, plus a \$65 fee for Service by Publication, for a total of \$461 (plus payment service fees). Once you get the case number, mail in a check for \$600 for the ad litem deposit.

*Hearings by Teleconference:* all three courts have Zoom links on their web sites (<https://www.dallascounty.org/government/courts/probate>). When logging on via Zoom to the will prove-up docket, rename yourself as follows: Estate of [DECEDENT]; [CAUSE NO.]. Also remember to get to the hearing early, as they schedule by check in.

When proving up a will executed in another state, it is not enough to cite the foreign law re: wills in the Application. Instead, you must file exhibits in the matter with printouts of the applicable code sections regarding both the foreign requirements of a valid will and the self-proving statute, if applicable.

**Probate Court 2** requires that the applicant post notice on any application for determination of heirship. This is in addition to the published citation that is published in a local newspaper. When an application for determination of heirship is combined with an application for an independent administration, the Clerk will usually post notice. The attorney should check, however, to ensure that the determination of heirship is referenced in this posted notice in addition to the administration request.

**NOTE: The Dallas County probate courts now require that hearing documents be e-filed before you can get a hearing date, as attachments to a cover letter, along with the \$2.00 judge’s signature fee. Also remember to include the relevant Proof Addenda (1) as to a Disinterested Witness (if applicable) and/or (2) Qualifications of the Applicant, and (for Courts 1 and 2) file a copy of the death certificate, with the Social Security number redacted, as a separate lead document (*not an attachment*) tagged as sensitive information (for Court 3, it must instead be**

e-mailed to [Cara.Featherstone@DallasCounty.org](mailto:Cara.Featherstone@DallasCounty.org)).

**When you get a hearing date, (1) if the case is assigned to an associate judge, be sure to file a Waiver of De Novo Hearing, and (2) if it is a Zoom hearing, file a Notice of Virtual Proceeding (form available on Court 1's web site).**

**None of the Dallas County courts are comfortable with accepting unsworn declarations in lieu of notarized forms, especially in the case of inventories and any document which may affect property rights.**

When filing the Inventory, be sure to include an address for all accounts (bank, brokerage, investment), which may be a local branch or the headquarters.

### **Denton County**

Denton County has specific notice requirements under its [Local Rules](#), and requires submission of a Certificate of Compliance and Hearing Request Checklist before granting a hearing date. There is also a General Information Form for the proposed personal representative.

### **Tarrant County**

Each document must be filed as a Separate Lead Document but all in the same envelope. You should have three separate lead documents: 1) Application (“Application” filing code), 2) Will (“Will//Codicil” filing code), and 3) The Tarrant County [“Supplement Probate Case Information Sheet”](#) (“Application” filing code). Per Tarrant County Local Rules, all documents filed must have the filing attorney’s information, which may be accomplished by adding a “filing submission acknowledgment” page. The Proof of Death and the Oath are signed in front of the clerk, not the judge. At the hearing, signings will be done electronically - although the judge will often sign copies of the Order.

*Hearings by Teleconference:* The clerk will send a Zoom link. Must send in the hearing documents at least 10 days prior to the hearing, all as separate lead documents.

## **INSTRUCTIONS FOR ZOOM HEARINGS IN COLLIN COUNTY**

Zoom is available for all computers, Android phones, and iPhones/iPads, and has worked very well for us so far. Please help us by working with your clients/witnesses on this as best you can.

You do NOT need to purchase a Zoom license – our license allows you to use the free version. I will host the “Meeting.” I ask that you not join any earlier than about 15 minutes prior to your hearing – this will help prevent connection problems.

PLEASE NOTE: As instructed by the OCA, all hearings are open to the public to fulfill Texas Constitution’s open courts requirement.

- This link should automatically connect you: <https://zoom.us/j/9725483810>
- If it does not, go to <https://zoom.us>, click “Join a Meeting” near the top right corner, and enter our “Meeting ID” when prompted: 972-548-3810. There is no password.
- If all else fails, you can also call in using the following phone numbers: (When prompted for ‘Meeting ID’ enter 972-548-3810, if prompted for ‘Participant ID’ just enter ‘#’. Due to extremely high demand, these phone numbers may fail to connect or result in a busy signal:

301-715-8592

253-215-8782

346-248-7799

646-558-8656

669-900-9128

312-626-6799

**Please E-MAIL all SIGNED court documents (proposed proof and oath signed, and orders) prior to the hearing to [probate@co.collin.tx.us](mailto:probate@co.collin.tx.us). All other documents will continue to be E-filed including requests for letters.**

Thank you