

Submitting Paperwork for Probate Hearings

It is the Court's policy to review necessary documents for all probate prove-up hearings before the hearing takes place. By reviewing documents in advance, the Court can ensure that hearings go more smoothly for participants who are already dealing with the stress of someone's death. Attorneys also benefit from smoother hearings and can avoid having errors pointed out in front of the clients.

1. E-File the application.
2. If the death occurred outside of Lampasas County, please **email** Decedent's death certificate (Social Security Number redacted) to tricia.sneed@co.lampasas.tx.us.
1. TRCP Rule 21(f)(12) requires that any original Will must be **physically filed in the Clerk's office** within three business days of electronically filing the application. Additionally, if you are probating a copy of a Will, the **copy** must be **physically filed in the Clerk's office** with three business days of filing the application. Please **do not** e-file the will with your application.

When applicable, the following must be completed and e-filed before you request a hearing date:

1. Service of citation on – or waiver form – all non-applicant heirs and other persons requiring notice under Texas Estates Code §202.008.
2. Consents from all heirs if seeking independent administration.
3. Affidavit of citation by publication in a newspaper for heirship determination. (Clerk prepares citation; you publish and then file affidavit.) The Clerk's Office will handle the citation by publication on the website maintained by OCA.
4. Section 202.057 affidavit or certificate. See the statute; don't forget 202.057(a)(2)(A)!

Once the probate hearing has been set:

1. Please EMAIL the proposed Proof of Death, Order Admitting Will to Probate, Oath and any other hearing documents to the Court at tricia.sneed@co.lampasas.tx.us. Please submit documents at least **3 days** prior to the hearing. This will enable us to review the file and get back to you in a timely manner.
2. **DO NOT E-FILE** documents that should be signed **after** a hearing such as testimony, oaths, and Proof of Death and Other Facts. These documents must be signed either at or after the hearing, and there is no need for unsigned versions of these documents to be E-Filed. Signed documents may be E-filed after a remote hearing (Zoom, MS Teams, etc.)
3. **E-FILE THE ORDER.** This will facilitate the Judge being able to sign the Order electronically and for the filing party and any e-served parties to receive signed copies of the Order.