

BEXAR COUNTY PROBATE COURT NO. 2

Judge Veronica Vasquez
Bexar County Courthouse, Room 123
100 Dolorosa
San Antonio, Texas 78205



September 1, 2022

HEIRSHIPS & ADMINISTRATIONS CHECKLIST

Procedures: Please e-file all appropriate documents for your case with the Bexar County Probate Clerk's office, including Proposed Orders, Judgments, Affidavits of Heirship, and Proof of Death for review. **Once the checklist is fully completed, the applicant's attorney can set this matter for hearing. FIAT is required, please use one of the templates located on the PC2 Website.**

Please cross through actions that do not apply.

If you submit documents after hearing date you must notify the staff attorney once the e-filed documents are accepted by the clerk.

Note: This court uses the following explanation of "disinterested witness" for purposes of determining heirs: A disinterested individual is a person who has no interest in the estate or in the outcome of the proceeding and the witness must be familiar with the decedent's family history. In the event a disinterested witness is simply not available, please state the circumstances.

Case Number _____ Estate of _____

Checklist for Heirship

- Sworn Heirship Application in compliance with 202.007
- Citation by Publication completed (review to ensure no errors)
 - Publisher's Affidavit filed – contact the County Clerk for questions or corrections
 - OCA Affidavit filed – check your case at: <https://www.txcourts.gov/judicial-data/citation-by-publication/> - contact the County Clerk for questions
- Motion and Order to Appoint Attorney Ad Litem.
- Answer of Attorney Ad Litem
- Report of Attorney Ad Litem
- Sworn Waivers (except persons 12 year of age to majority) or Certified Mail proof from all known or ascertainable distributees 12 years of age or older. See Tex. Estates Code §§ 202.051, 202.052 and 202.056
___ Green card(s) filed ___ If not picked up, need proof of service. ___ Waivers on file
- Affidavit of Service of Citation in compliance with Tex. Estates Code § 202.057.
Accepted by Clerk on _____ (date).
- Disinterested Witnesses notified and present to testify
___ If any disinterested witness *cannot* testify in person, the witness may testify by deposition on written questions pursuant to Tex. Estates Code § 51.203
Sworn witness testimony reduced to writing after hearing and e-filed
- Unsigned Witness testimony e-filed for review prior to hearing.
Accepted by Clerk on _____ (date).
- Unsigned Proof of Death e-filed for review prior to hearing.
Accepted by Clerk on _____ (date).

- Proposed Judgment declaring heirship e-filed for review prior to hearing (this should be separate from the Order of Administration.) Either have fully executed signatures or remove signature blocks.

Accepted by Clerk on _____ (date).

___ Verify distribution shares are correct based on the chart published on PC2 website.

___ Attorney ad Litem fee (leave blank if more than \$500)

___ Discharging Attorney ad Litem

- An Original or Copy of the Death Certificate emailed to Administrative Assistant
- Ad Litem Pink Sheet filed. Ad Litem's fees and expenses over \$500 must include an attorney's billing affidavit and itemized time keeping (ATTORNEY AD LITEM IS RESPONSIBLE)*

Checklist for Administration

- Application filed.
- Posted Notice and the return is on file.
- Sworn Consent to Independent Administration (no independent if minors are involved)
 - ___ Bond waived ___ Right to Sell Real Property
- Proposed Order establishing either Independent or Dependent Administration with bond e-filed for review prior to hearing.
 - Accepted by Clerk on _____ (date).*
- Unsigned Proof of death e-filed for review prior to hearing (only one if simultaneous with heirship proceeding).
 - Accepted by Clerk on _____ (date).*
- Unsigned Oath.
 - Accepted by Clerk on _____ (date).*
- Attorney provided their client with a copy of "*A Guide for the Texas Independent Administrator*" or "*Court Instructions for Dependent Administrator*" (Forms are located on the PC2 Website)

Attorney Verification

I, _____ confirm that all required documents for the hearing I am requesting in Cause No. _____ -PC- _____ are correct and have been e-filed and accepted by the Bexar County Probate Clerk's office.

Signed: _____ Date: _____

Additional Information

The court will appoint an attorney ad litem once the Citation by Publication is properly completed and reflecting in the court's system. A courtesy copy of the signed order will be emailed directly to the ad litem and the attorney listed on the Motion to Appoint Attorney Ad Litem. If you have questions about citations, please contact the Bexar County Probate Clerk's Office at (210)335-2241 for further assistance.