



The Rutherford Law Firm, PLLC

WILLS · TRUSTS · PROBATE · ESTATE ADMINISTRATION

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PROBATE · CLIENT CHECKLIST

What to Bring to a Probate Consultation

After a death, the first legal question is usually authority, not paperwork: who may act, and whether probate is required. Bringing the right documents helps the attorney tell you which path fits, from independent administration to a muniment of title or a small estate affidavit.¹

◆ Documents to bring

- | | |
|---|--|
| <input type="checkbox"/> Several certified copies of the death certificate | <input type="checkbox"/> Life insurance policies |
| <input type="checkbox"/> The original will, if one exists, and any codicils | <input type="checkbox"/> Recent bills and a list of debts |
| <input type="checkbox"/> Any trust documents | <input type="checkbox"/> Any court notices or letters already received |
| <input type="checkbox"/> Deeds for real estate the person owned | <input type="checkbox"/> Photo identification |
| <input type="checkbox"/> Recent account statements (bank, investment, retirement) | |

◆ About the person who died

Full legal name

Date of death / county of residence

Did they leave a will?²

Surviving spouse / children / heirs

◆ Your questions

What you most need to understand or accomplish first

REFERENCES & SOURCES

1. Tex. Est. Code §§ 401.001–401.003 (independent administration). statutes.capitol.texas.gov

2. Tex. Est. Code § 256.003 (a will generally must be admitted to probate within four years of death). statutes.capitol.texas.gov

3. Tex. Est. Code § 205.001 (small estate affidavit; estate value limit of \$75,000 excluding homestead and exempt property). statutes.capitol.texas.gov
4. Tex. Est. Code § 257.001 (probate of a will as a muniment of title). statutes.capitol.texas.gov
5. Bexar County Probate Courts. www.bexar.org
6. Texas Law Help, "Wills, Estate Planning and Probate." texaslawhelp.org

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