



# TRAVIS COUNTY PROBATE COURT NO. 1

1000 Guadalupe Street, Travis County Courthouse, Room 217

## Uncontested-Docket Heirship Setting Request Form; use for:

- (1) Hearing to Determine Heirship (with or without administration) or
- (2) Hearing to appoint Dependent Administrator (and to set later hearing for Determination of Heirship)

To set a hearing, fill out this form and email to [heirships@traviscountytexas.gov](mailto:heirships@traviscountytexas.gov) (preferred) or fax to 512-854-4418. It may take a week for the Court to check the file and get back to you. *No heirship hearing will be set until **all** boxes have been checked or marked as not applicable. If you want a hearing for appointment of a dependent administrator with a later heirship determination, not all boxes need to be checked, but tell us this is what you are requesting.*

Today's date: \_\_\_\_\_ Ad Litem's name: \_\_\_\_\_

Cause No.: C-1-PB-\_\_\_\_-\_\_\_\_\_, Estate of: \_\_\_\_\_

*If, after review, the Court determines the case is ready to be set, we will contact you with the next available hearing dates and times. **Note that no hearing has been set until the Court contacts you with a confirmed date and time; please don't give witnesses an expected hearing date until after you've heard from the Court.***

Email address where the Court can send you information about hearing dates: \_\_\_\_\_

**Applicant's Attorney:** My signature below indicates my certification to the Court and its staff that, before submitting this request, I completed all of the checked items as indicated below and verified all of the checked items as indicated below:

I have completed service on or filed waivers from all non-applicant heirs and have filed the required affidavit or certificate: *(Remember that a surviving spouse is not the sole heir unless Decedent was an only child and an orphan.)*

- Waiver in lieu of citation: I have filed a waiver of citation from all non-applicant heirs that are not being served.
- Personal service: I have verified that the Sheriff/Constable has filed the officer's return of citation for all non-applicant heirs that were personally served.
- For all non-applicant heirs aged 12 to 17: I have verified that the Sheriff/Constable has filed the officer's return of citation for all non-applicant heirs aged 12 to 17 / OR I certify that the minor(s) will be present at the hearing.
- For all non-applicant heirs under the age of 12: I have filed waiver(s) of citation from the minors' parent or guardian.
- I have filed the affidavit or certificate required by Estates Code § 202.057. (Always required, whatever service needed.)
- Citation by Publication: I have filed the required publisher's affidavit. (Always required.)
- If my applicant is seeking independent administration without bond, I have filed an express consent from all non-applicant heirs agreeing to the appointment of an independent administrator without bond (and from the applicant unless expressly included in the application).
- I have verified that the Attorney ad Litem is ready to proceed with a hearing.

I verify that this case does not involve issues that would require it to be heard on the Court's regular docket, including – but not limited to – the following. Please verify every statement:

- This case does not involve an informal or common-law marriage.
- This case does not involve an adoption, either formal or equitable.
- This case does not involve either a declaratory judgment or a settlement agreement.
- This case does not require evidence/testimony proffered by an expert such as an investigator and/or DNA evidence.
- No contest (or answer that could be construed as a contest) has been filed.

Check one of the following:  Decedent had no will **OR**  
 Decedent had a will or a copy of a will, and that will is being offered for probate

I will comply with the Court's local rules regarding submission of documents a week before the hearing date.

Check one:  I do not need an interpreter. **OR**  
 I need an interpreter and will arrange for a licensed court interpreter at the hearing.

\_\_\_\_\_  
Applicant's Attorney (Printed Name)

\_\_\_\_\_  
Applicant's Attorney (Signature)

State Bar No. \_\_\_\_\_