

C-1-PB-14-000002

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| Administrative Order | § | In the Probate Court |
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| 2014-3 | § | Number One |
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| | § | Travis County, Texas |

Administrative Order Regarding the Filing of Copies of Wills following the Texas Supreme Court's Adoption of Mandatory E-Filing

On December 13, 2013, the Supreme Court of Texas adopted new Texas Rule of Civil Procedure (TRCP) 21(f) regarding Electronic Filing, effective January 1, 2014.

Rule 21(f)(4)(A) provides: "Wills are not required to be filed electronically."

Rule 21(f)(12) provides: "Original Wills. When a party electronically files an application to probate a document as an original will, the original will must be filed with the clerk within three business days after the application is filed."

Travis County Probate Court No. 1 finds there is need for an administrative order requiring that any copies of wills that are offered for probate (or filed and not offered for probate) must be physically filed in the Clerk's office within three business days after the application is electronically filed. Having the actual document that is being offered as the will copy helps the Court properly evaluate the document.

It is therefore ordered that, effective immediately, when a party electronically files an application that either (1) seeks to probate a copy of a will or (2) states that a copy of a will is not being offered for probate, the will copy must be filed with the clerk within three business days after the application is filed.

Signed on January 2, 2014.


Guy Herman, Presiding Judge