

Cause No. **(CASE #)**
In the Matter of the Estate of:
(DECEDENT NAME), Deceased

COURT INSTRUCTIONS TO THE DEPENDENT ADMINISTRATOR OF AN INTESTATE ESTATE

As the duly appointed Dependent Administrator of this estate, you are hereby advised by the Court that you must comply with the following statutory requirements:

1. **File your Oath within 20 days after the date of the order** granting Letters of Dependent Administration. ***This is a mandatory requirement. Sec. 305.052, Estates Code.***
2. If ordered by the Court, **file the Bond within 20 days after the date of the order** granting Letters of Dependent Administration. ***This is mandatory requirement in those cases where a bond has been ordered by the Court. Sec. 305.101, Estates Code.***
3. **Issue Notice to Creditors as follows (these are mandatory requirements):**
 - a. **Notice to general unsecured creditors is required within 1 month after receiving Letters of Dependent Administration.** Notice is given by publishing the notice one time in a newspaper printed in the county where the letters are issued. Publisher's affidavit showing the date of publication shall be filed with the clerk. *Sec. 308.051, Estates Code.*
 - b. **Notice to secured creditors is required within 2 months after receiving Letters of Dependent Administration.** Notice is given by certified or registered mail, return receipt requested, at the creditors' last known address. The Administrator's Affidavit of Notice to Secured Creditors, along with copies of each notice mailed with certified mail return receipt, shall be filed with the clerk. *Sec. 308.053, Estates Code.*
 - c. Notice by certified mail to Comptroller of public accounts within 5 days of order appointing administrator if decedent paid or owed taxes administered by the Comptroller. Copy of notice with certified mail return receipt shall be filed with the clerk. *Sec. 551.005, Estates Code.*
4. **File an Inventory, Appraisal and List of Claims of the Estate within 90 days of qualification** (filing of oath and bond, as applicable) as required in Sec. 309.051 of the Texas Estates Code. ***This is a mandatory requirement. Failure to file an inventory, appraisal and list of claims within 90 days of qualification or any extension granted by the court may result in an order to show cause and/or revocation of letters and a fine not to exceed \$1,000.00. Sec. 309.057, Estates Code.***
5. **File your Annual Account each year** on the anniversary date of your qualification (filing of oath and bond). Your attorney should prepare this account. Your annual accounting period will be from _____ through _____, and will be due on _____, of each year, until this estate is closed. *Sec. 359.001, Estates Code.*
6. **Place all estate funds in insured accounts** in the name of the estate; allow for interest bearing when practical. *Chap. 351, Estates Code.*
7. **Obtain a written order of this Court authorizing ANY expenditure of estate funds** before any such expenditure is made. *Chap. 351, Estates Code.*
8. **Maintain an accurate record of all expenditures and receipts of estate funds.** *Chap. 351, Estates Code.*
9. **Preserve, protect and insure, if insurable, all non-cash assets of this estate.** *Chap. 351, Estates Code.*
10. **Obtain a written order of this Court before attempting to sell, lease, transfer or otherwise dispose of any non-cash asset of this estate.** *Chap. 356, 357, 358, and 360, Estates Code.*
11. **File your Final Accounting when the estate is ready to be closed** (when all debts are paid in full, or to the extent that assets of the estate will permit their payment, and when no further necessity for the administration exists). Your attorney should prepare the Final Accounting. *Sec. 362.003, Estates Code.*
12. **Consult with your attorney on any matter regarding this estate you do not understand.** ***Failure to comply with the mandatory requirements of the Texas Estates Code may result in penalties up to and including revocation of letters of appointment or other penalties as provided by statute.***

(TOKEN), Judge
County Court at Law, Sitting in Matters Probate
(TOKEN) County, Texas

I, (ADMINISTRATOR NAME), the duly appointed Dependent Administrator of the above referenced estate, hereby attest that I have read the above and understand its contents.

Date Signature _____
Dependent Administrator

Cause No. **(CASE #)**
In the Matter of the Estate of:
(DECEDENT NAME), Deceased

COURT INSTRUCTIONS TO THE DEPENDENT ADMINISTRATOR WITH WILL ANNEXED OF AN ESTATE

As the duly appointed Dependent Administrator with Will Annexed of this estate, you are hereby advised by the Court that you must comply with the following statutory requirements:

1. **File your Oath within 20 days after the date of the order** granting Letters of Dependent Administration with Will Annexed. *This is a mandatory requirement. Sec. 305.052, Estates Code.*
2. If ordered by the Court, **file the Bond within 20 days after the date of the order** granting Letters of Dependent Administration with Will Annexed. *This is mandatory requirement in those cases where a bond has been ordered by the Court. Sec. 305.101, Estates Code.*
3. **Issue Notice to Creditors as follows (these are mandatory requirements):**
 - a. **Notice to general unsecured creditors is required within one (1) month after receiving Letters of Dependent Administration with Will Annexed.** Notice is given by publishing the notice one time in a newspaper printed in the county where the letters are issued. Publisher's affidavit showing the date of publication shall be filed with the clerk. *Sec. 308.051, Estates Code.*
 - b. **Notice to secured creditors is required within two (2) months after receiving Letters of Dependent Administration with Will Annexed.** Notice is given by certified or registered mail, return receipt requested, at the creditors' last known address. The Administrator's Affidavit of Notice to Secured Creditors, along with copies of each notice mailed with certified mail return receipt, shall be filed with the clerk. *Sec. 308.053, Estates Code.*
 - c. Notice by certified mail to Comptroller of public accounts within 5 days of order appointing administrator if decedent paid or owed taxes administered by the Comptroller. Copy of notice with certified mail return receipt shall be filed with the clerk. *Sec. 551.005, Estates Code.*
4. **Issue Notice to Beneficiaries named in the Will within 60 days after the date of the Order admitting the will to probate.** This is a mandatory requirement, except where it applies to those beneficiaries who have made an appearance in the probate proceeding before the will is admitted to probate, or who have received a copy of the will and have filed a waiver of notice. *Sec. 308.002, Estates Code.*
5. **File a Sworn Affidavit or Certificate of Notice within 90 days after the date of the Order admitting the will to probate.** See #4 in these instructions; proof of notice and filing waivers of notice must be filed with the clerk. This is a mandatory requirement, even if the administrator is the sole beneficiary and no additional notice is required or necessary; the court cannot waive the filing of the affidavit/certificate. *Sec. 308.004, Estates Code.*
6. **File an Inventory, Appraisal and List of Claims of the Estate within 90 days of qualification** (filing of oath and bond, as applicable) as required in Sec. 309.051 of the Texas Estates Code. **This is a mandatory requirement. Failure to file an inventory, appraisal and list of claims within 90 days of qualification or any extension granted by the court may result in an order to show cause and/or revocation of letters and a fine not to exceed \$1,000.00.** *Sec. 309.057, Estates Code.*
7. **File your Annual Account each year** on the anniversary date of your qualification (filing of oath and bond). Your attorney should prepare this account. Your annual accounting period will be from _____ through _____, and will be due on _____, of each year, until this estate is closed. *Sec. 359.001, Estates Code.*
8. **Place all estate funds in insured accounts** in the name of the estate; allow for interest bearing when practical. *Chap. 351, Estates Code.*
9. **Obtain a written order of this Court authorizing ANY expenditure of estate funds** before any such expenditure is made. *Chap. 351, Estates Code.*
10. **Maintain an accurate record of all expenditures and receipts of estate funds.** *Chap. 351, Estates Code.*
11. **Preserve, protect and insure, if insurable, all non-cash assets of this estate.** *Chap. 351, Estates Code.*
12. **Obtain a written order of this Court before attempting to sell, lease, transfer or otherwise dispose of any non-cash asset of this estate.** *Chap. 356, 357, 358, and 360, Estates Code.*
13. **File your Final Accounting when the estate is ready to be closed** (when all debts are paid in full, or to the extent that assets of the estate will permit their payment, and when no further necessity for the administration exists). Your attorney should prepare the Final Accounting. *Sec. 362.003, Estates Code.*
14. **Consult with your attorney on any matter regarding this estate you do not understand.** *Failure to comply with the mandatory requirements of the Texas Estates Code may result in penalties up to and including revocation of letters of appointment or other penalties as provided by statute.*

(TOKEN), Judge
County Court at Law, Sitting in Matters Probate
(TOKEN) County, Texas

I, (ADMINISTRATOR NAME), the duly appointed Dependent Administrator with Will Annexed of the above referenced estate, hereby attest that I have read the above and understand its contents.

Date

Signature _____
Dependent Administrator with Will Annexed

Cause No. (CASE #)
In the Matter of the Guardianship of
(NAME OF WARD), An Incapacitated Person

COURT INSTRUCTIONS TO THE GUARDIAN OF THE ESTATE OF AN INCAPACITATED ADULT

As the duly appointed Guardian of the Estate of the above named Ward, the Court hereby advises you that you must comply with the following statutory requirements:

1. **File your Guardian's Bond and Oath within 20 days after the date of the order** appointing the guardian. *This is a mandatory requirement. Secs. 1105.051, 1105.101, Estates Code.*
2. **File an Inventory, Appraisal and List of Claims of the Estate within 30 days after qualification** (filing of oath & bond). **This is a mandatory requirement. Failure to file an inventory, appraisal and list of claims within 30 days of qualification or any extension granted by the Court may result in penalties, including revocation of Letters of Guardianship.** *Sec. 1154.051, Estates Code.*
3. **File your sworn Annual Account each year, no later than 60 days after the anniversary date of your qualification** (filing of oath and bond). **This is a mandatory requirement. Failure to file the Annual Account may result in an order to show cause, revocation of letters and/or a fine not to exceed \$1,000.00 (Sec. 1163.151, Estates Code).** Your attorney should prepare this account. Your annual accounting period will be from _____ through _____, and will be due on _____, of each year, until the guardianship of this estate is closed. *Sec. 1163.001, Estates Code.* The **Annual Account** form is located at <http://www.co.guadalupe.tx.us/ccl/ccl.php>
4. **Publish a Notice to Creditors as follows (these are mandatory requirements):**
 - a. **Notice to creditors/claimants within one (1) month after receiving Letters of Guardianship.** Notice is given by publishing the notice one time in a newspaper printed in the county where the letters are issued. Publisher's affidavit showing date of publication shall be filed with the clerk. *Sec. 1153.001, Estates Code.*
 - b. **Notice to creditors/claimants that have a secured claim (mortgage, deed of trust, or lien on real property) within four (4) months after receiving Letters of Guardianship.** Notice is given by certified or registered mail, return receipt requested, at the creditors' last known address. The Guardian's Affidavit of Notice to Secured Creditors, along with copies of notices sent with certified mail return receipts, shall be filed with the clerk. *Sec. 1153.003, Estates Code.*
5. Place all guardianship funds in insured accounts in the name of the guardianship. Such funds must be invested at the highest interest rate then available. An investment plan must be filed with and approved by the Court for guardianship funds that are not immediately necessary for the education, support and maintenance of the ward. *Chap. 1161, Estates Code.*
6. Obtain a written order of this Court authorizing any expenditure of guardianship funds before any such expenditure is made. Apply for and obtain such a written order of this Court authorizing a monthly or annual allowance from guardianship funds for the maintenance and support of the ward, where applicable. *Chaps. 1155, 1156, Estates Code.*
7. Maintain an accurate record of all expenditures and receipts of guardianship funds. *Chaps. 1151, 1163, Estates Code.*
8. Keep all Social Security funds you receive on behalf of the ward separate and apart from guardianship funds, as you will need to account to the Social Security Administration for the use of these funds. *SSA Publication No. 05-10076, Rev. Jan. 2009.*
9. Preserve, protect and insure, if insurable, all non-cash assets of this guardianship. *Chap. 1151, Estates Code.*
10. Obtain a written order of this Court before attempting to sell, lease, transfer or otherwise dispose of any non-cash asset of this guardianship. *Chaps. 1151, 1158, 1159, 1160, 1161, & 1162, Estates Code.*
11. File your Final Accounting when the guardianship is ready to be closed due to the death of the ward or a judicial finding that the ward has regained competency. **This is a mandatory requirement.** Your attorney should prepare the Final Accounting. *Chap. 1204, Estates Code.*
12. Consult with your attorney on any matter regarding this Estate that you do not understand. **Failure to comply with the mandatory requirements of the Texas Estates Code may result in penalties up to and including revocation of letters of appointment and/or fines up to \$1,000.00.**

(TOKEN), Judge
County Court at Law, Sitting in Matters Probate
(TOKEN) County, Texas

I, (GUARDIAN NAME), the duly appointed Guardian of the Estate, hereby attest that I have read the above and understand its contents.

Date

Signature _____
Guardian of the Estate

Cause No. **(CASE #)**
In the Matter of the Guardianship of
(NAME OF WARD), An Incapacitated Person

COURT INSTRUCTIONS TO THE GUARDIAN OF THE PERSON AND ESTATE OF AN INCAPACITATED ADULT

As the duly appointed Guardian of the Person and Estate of the above named ward, the Court hereby advises you that you must comply with the following statutory requirements:

1. **File your Guardian's Bond and Oath within 20 days after the date of the order** appointing the guardian. **This is a mandatory requirement.** *Sec. 1105.051, 1105.101, Estates Code.*
2. **File an Inventory, Appraisal and List of Claims of the Estate within 30 days after qualification** (filing of oath and bond). **This is a mandatory requirement.** *Failure to file an inventory, appraisal and list of claims within 30 days of qualification or any extension granted by the Court may result in penalties, including revocation of Letters of Guardianship.* *Sec. 1154.051, Estates Code.*
3. **File your sworn Annual Account each year, no later than 60 days after the anniversary date of your qualification** (filing of oath and bond). **This is a mandatory requirement.** *Failure to file the Annual Account may result in an order to show cause, revocation of letters and/or a fine not to exceed \$1,000.00 (Sec. 1163.151, Estates Code).* Your attorney should prepare this account. Your annual accounting period will be from _____ through _____, and will be due on _____, of each year until the guardianship of this estate is closed. *Sec. 1163.002, Estates Code.* The **Annual Account** form is located at <http://www.co.guadalupe.tx.us/ccl/ccl.php>
4. **File your sworn Annual Report of the Condition, Welfare and Well-Being of the Ward each year, no later than 60 days after the anniversary date of your qualification** (filing of oath and bond). **This is a mandatory requirement.** *Failure to file the Annual Report of the Guardian of the Person may result in an order to show cause, revocation of letters and/or a fine not to exceed \$1,000.00 (Sec. 1163.151, Estates Code).* Your annual reporting period will be from _____ through _____, and will be due on _____, of each year until this guardianship is closed. *Sec. 1163.101, Estates Code.* The **Annual Report of the Person** form is located at <http://www.co.guadalupe.tx.us/ccl/ccl.php>
5. **Publish a Notice to Creditors as follows (these are mandatory requirements):**
 - a. **Notice to creditors/claimants within one (1) month after receiving Letters of Guardianship.** Notice is given by publishing the notice one time in a newspaper printed in the county where the letters are issued. Publisher's affidavit showing date of publication shall be filed with the clerk. *Sec. 1153.001, Estates Code.*
 - b. **Notice to creditors/claimants that have a secured claim (mortgage, deed of trust, or lien on real property) within four (4) months after receiving Letters of Guardianship.** Notice is given by certified or registered mail, return receipt requested, at the creditors' last known address. The Guardian's Affidavit of Notice to Secured Creditors, along with copies of notices sent with certified mail return receipts, shall be filed with the clerk. *Sec. 1153.003, Estates Code.*
6. Place all guardianship funds in insured accounts in the name of the guardianship. Such funds must be invested at the highest interest rate then available. An investment plan must be filed with and approved by the Court for guardianship funds that are not immediately necessary for the education, support and maintenance of the ward. *Chap. 1161, Estates Code.*
7. Obtain a written order of this Court authorizing any expenditure of guardianship funds before any such expenditure is made. Apply for and obtain such a written order of this Court authorizing a monthly or annual allowance from guardianship funds for the maintenance and support of the ward, where applicable. *Chaps. 1155, 1156, Estates Code.*
8. Maintain an accurate record of all expenditures and receipts of guardianship funds. *Chaps. 1151, 1163, Estates Code.*
9. Keep all Social Security funds you receive on behalf of the ward separate and apart from guardianship funds, as you will need to account to the Social Security Administration for the use of these funds. *SSA Publication No. 05-10076, Rev. Jan. 2009.*
10. Preserve, protect and insure, if insurable, all non-cash assets of this guardianship. *Chap. 1151, Estates Code.*
11. Obtain a written order of this Court before attempting to sell, lease, transfer or otherwise dispose of any non-cash asset of this guardianship. *Chaps. 1158, 1159, 1160, 1161, & 1162, Estates Code.*
12. File your Final Accounting and Final Report of the Condition, Welfare and Well-Being of the Ward when the guardianship is ready to be closed due to the death of the ward or a judicial finding that the ward has regained competency. **This is a mandatory requirement.** Your attorney should prepare the Final Accounting. *Chap. 1204, Estates Code.*
13. Consult with your attorney on any matter regarding this Estate that you do not understand. **Failure to comply with the mandatory requirements of the Texas Estates Code may result in penalties up to and including revocation of letters of appointment and/or fines up to \$1,000.00.**

(TOKEN), Judge
County Court at Law, Sitting in Matters Probate
(TOKEN) County, Texas

I, **(GUARDIAN NAME)**, the duly appointed Guardian of the Person and Estate, hereby attest that I have read the above and understand its contents.

Date Signature _____
Guardian of the Person and Estate

Cause No. **(CASE #)**
In the Matter of the Guardianship of:
(NAME OF WARD), an Incapacitated Person

COURT INSTRUCTIONS OF THE GUARDIAN OF THE PERSON OF AN INCAPACITATED ADULT

As the duly appointed Guardian of the Person, you are hereby advised by the Court that you must comply with the following statutory requirements:

1. **File your Oath and Bond** within 20 days of appointment. *Secs. 1105.051, 1105.101, Estates Code.*
2. **File your sworn Annual Report of the Guardian of the Person each year, no later than 60 days after the anniversary date of your qualification** (filing of oath and bond). The Annual Report must include facts concerning the Ward's physical welfare, his/her well-being, and his/her progress in education, if applicable. Be sure to include information about medical, dental, and psychiatric care, with names of providers, as well as any activities in which the Ward participates as required by Chap. 1163, Subch. C, Estates Code. **This is a mandatory requirement. Failure to file the Annual Report of the Guardian of the Person may result in an order to show cause, revocation of letters and/or a fine not to exceed \$1,000.00 (Sec. 1163.151, Estates Code).** Your annual reporting period will be from _____ through _____, and will be due on _____, of each year until this guardianship is closed. *Sec. 1163.101, Estates Code.* The **Annual Report of the Person** form is located at <http://www.co.guadalupe.tx.us/ccl/ccl.php>
3. **Keep an accurate accounting** of all Social Security funds you receive and expend on behalf of the Ward as you will need to account to the Social Security Administration for the use of these funds. *SSA Publication No. 05-10076, Rev. Jan. 2009.*
4. **Preserve, protect and insure, if insurable, all non-cash assets** of this Guardianship. *Chap. 1151, Estates Code.*
5. **File your Final Report of the Guardian of the Person** when the Guardianship is ready to be closed due to the death of the ward or a judicial finding that the ward has regained competency. **This is a mandatory requirement.** *Chap. 1204, Estates Code.*
6. Consult with your attorney on any matter regarding this guardianship you do not understand. **Failure to comply with the mandatory requirements of the Texas Estates Code may result in penalties up to and including revocation of letters of appointment and/or fines up to \$1,000.00.**

(TOKEN), Judge
County Court at Law, Sitting in Matters Probate
(TOKEN) County, Texas

I, **(GUARDIAN NAME)**, the duly appointed Guardian of the Person, hereby attest that I have read the above and understand its contents.

Date

Signature _____
Guardian of the Person

Cause No. **(CASE #)**
In the Matter of the Estate of:
(DECEDENT NAME), Deceased

COURT INSTRUCTIONS OF THE INDEPENDENT ADMINISTRATOR OF AN INTESTATE ESTATE

As the duly appointed Independent Administrator of this estate, you are hereby advised by the Court that you must comply with the following statutory requirements:

1. **File your Oath within 20 days after the date of the order** granting Letters of Independent Administration. ***This is a mandatory requirement.*** Sec. 305.052, Estates Code.
2. If ordered by the Court, **file the Bond within 20 days after the date of the order** granting Letters of Independent Administration. ***This is mandatory requirement in those cases where a bond has been ordered by the Court.*** Sec. 305.101, Estates Code.
3. **Publish a Notice to Creditors as follows (these are mandatory requirements):**
 - a. **Notice to general unsecured creditors within 1 month after receiving Letters of Independent Administration.** Notice is given by publishing the notice one time in a newspaper printed in the county where the letters are issued. Publisher's affidavit showing date of publication shall be filed with the clerk. Sec. 308.051, Estates Code.
 - b. **Notice to secured creditors within 2 months after receiving Letters of Independent Administration.** Notice is given by certified or registered mail, return receipt requested, at the creditors' last known address. The Administrator's Affidavit of Notice to Secured Creditors, along with copies of each notice mailed with certified mail return receipt, shall be filed with the clerk. Sec. 308.053, Estates Code.
 - c. Notice to Comptroller of Public Accounts by certified mail if decedent paid or owed taxes administered by the Comptroller. Copy of notice with certified mail return receipt shall be filed with the clerk. Sec. 308.051, Estates Code.
4. **File an Inventory, Appraisal and List of Claims of the Estate within 90 days of qualification** (filing of oath and bond, as applicable) as required in Sec. 309.051 of the Texas Estates Code. ***This is a mandatory requirement. Failure to file an inventory, appraisal and list of claims or an affidavit in lieu of inventory, appraisal and list of claims within 90 days of qualification or any extension granted by the Court may result in an Order to Show Cause and/or revocation of letters and a fine not to exceed \$1,000.00.*** Sec. 309.057, Estates Code.
5. When assets have been distributed to the beneficiaries, you may, if you wish, file a Closing Affidavit or a Motion and Order to Close the Estate, attaching receipts from the beneficiaries, if all estate business has been completed and six months has elapsed since the estate was opened. Chap. 405, Estates Code.
6. Consult with your attorney on any matter regarding this estate you do not understand. ***Failure to comply with the mandatory requirements of the Texas Estates Code may result in penalties up to and including revocation of letters of appointment or other penalties as provided by statute.***

(TOKEN), Judge
County Court at Law, Sitting in Matters Probate
(TOKEN) County, Texas

I, (INDEPENDENT ADMINISTRATOR NAME), the duly appointed Independent Administrator of the above referenced estate, hereby attest that I have read the above and understand its contents.

Date

Signature _____
Independent Administrator

Cause No. **(CASE #)**
In the Matter of the Estate of:
(DECEDENT NAME), Deceased

COURT INSTRUCTIONS OF THE INDEPENDENT ADMINISTRATOR WITH WILL ANNEXED OF AN ESTATE

As the duly appointed Independent Administrator with Will Annexed of this estate, you are hereby advised by the Court that you must comply with the following statutory requirements:

1. **File your Oath within 20 days after the date of the order** granting Letters of Independent Administration with Will Annexed. ***This is a mandatory requirement.*** Sec. 305.052, Estates Code.
2. If ordered by the Court, **file the Bond within 20 days after the date of the order** granting Letters of Independent Administration with Will Annexed. ***This is mandatory requirement in those cases where a bond has been ordered by the Court.*** Sec. 305.101, Estates Code.
3. **Publish a Notice to Creditors as follows (these are mandatory requirements):**
 - a. **Notice to general unsecured creditors is required within 1 month after receiving Letters of Independent Administration with Will Annexed.** Notice is given by publishing the notice one time in a newspaper printed in the county where the letters are issued. Publisher's affidavit showing date of publication shall be filed with the clerk. Sec. 308.051, Estates Code.
 - b. **Notice to secured creditors is required within 2 months after receiving Letters of Independent Administration with Will Annexed.** Notice is given by certified or registered mail, return receipt requested, at the creditors' last known address. The Administrator's Affidavit of Notice to Secured Creditors, along with copies of each notice mailed with certified mail return receipt, shall be filed with the clerk. Sec. 308.053, Estates Code.
 - c. Notice to Comptroller of public accounts by certified mail is required within 5 days of the date of the order appointing Independent Administrator with Will Annexed if the decedent paid or owed taxes administered by the Comptroller. Copy of the notice with the certified mail return receipt shall be filed with the clerk. Sec. 308.051, Estates Code.
4. **Issue notice to the beneficiaries named in the will within 60 days of the date of the order admitting the will to probate.** ***This is a mandatory requirement,*** except where it applies to those beneficiaries who have made an appearance in the probate proceeding before the will is admitted to probate, or who have received a copy of the will and have filed a waiver of notice. Sec. 308.002, Texas Estates Code.
5. **File a Sworn Affidavit or Certificate of Notice within 90 days after the date of the order admitting the will to probate.** See #4 in these instructions; proof of notices issued and waivers of notice must be filed with the clerk. This is a mandatory requirement, even if the administrator is the sole beneficiary and no additional notice is required or necessary; the court cannot waive the filing of the affidavit/certificate. Sec. 308.002, Estates Code.
6. **File an Inventory, Appraisalment and List of Claims of the Estate within 90 days of qualification** (filing of oath and bond, as applicable) as required in Sec. 309.051 of the Texas Estates Code. **This is a mandatory requirement. Failure to file an inventory, appraisalment and list of claims or an affidavit in lieu of inventory, appraisalment and list of claims within 90 days of qualification or any extension granted by the Court may result in an Order to Show Cause and/or revocation of letters and a fine not to exceed \$1,000.00.** Sec. 309.057, Estates Code.
7. When assets have been distributed to the beneficiaries, you may, if you wish, file a Closing Affidavit or a Motion and Order to Close the Estate, attaching receipts from the beneficiaries, if all estate business has been completed and six months has elapsed since the estate was opened. Chap. 405, Estates Code.
8. Consult with your attorney on any matter regarding this estate you do not understand. ***Failure to comply with the mandatory requirements of the Texas Estates Code may result in penalties up to and including revocation of letters of appointment or other penalties as provided by statute.***

(TOKEN), Judge
County Court at Law, Sitting in Matters Probate
(TOKEN) County, Texas

I, (INDEPENDENT ADMINISTRATOR NAME), the duly appointed Independent Administrator with Will Annexed of the above referenced estate, hereby attest that I have read the above and understand its contents.

Date

Signature _____
Independent Administrator with Will Annexed

Cause No. **(CASE #)**
In the Matter of the Estate of:
(DECEDENT NAME), Deceased

COURT INSTRUCTIONS FOR THE INDEPENDENT EXECUTOR OF AN ESTATE

As the duly appointed Independent Executor of this estate, you are hereby advised by the Court that you must comply with the following statutory requirements:

1. **File your Oath within 20 days after the date of the order** granting letters testamentary. ***This is a mandatory requirement.*** Sec. 305.052, Estates Code.
2. If ordered by the Court, **file the Bond within 20 days after the date of the order** granting letters testamentary. ***This is mandatory requirement in those cases where a bond has been ordered by the Court.*** Sec. 305.101, Estates Code.
3. **Publish a Notice to Creditors as follows (these are mandatory requirements):**
 - a. **Notice to general unsecured creditors within 1 month after receiving Letters Testamentary.** Notice is given by publishing the notice one time in a newspaper printed in the county where the letters are issued. Publisher's affidavit showing date of publication shall be filed with the clerk. Sec. 308.051, Estates Code.
 - b. **Notice to secured creditors within 2 months after receiving Letters Testamentary.** Notice is given by certified or registered mail, return receipt requested, at the creditors' last known address. The Executor's Affidavit of Notice to Secured Creditors, along with copies of each notice mailed with certified mail return receipt, shall be filed with the clerk. Sec. 308.053, Estates Code.
 - c. Notice to Comptroller of Public Accounts by certified mail if decedent paid or owed taxes administered by the Comptroller. Copy of notice with certified mail return receipt shall be filed with the clerk. Sec. 308.051, Estates Code.
4. **Issue Notice to Beneficiaries** named in the will within 60 days of the date the Court's order was signed admitting the will to probate. ***This is a mandatory requirement,*** except where it applies to those beneficiaries who have made an appearance in the probate proceeding before the will is admitted to probate, or who have received a copy of the will and have filed a waiver of notice. Sec. 308.002, Estates Code.
5. **File a Sworn Affidavit or Certificate of Notice within 90 days after date of order admitting will to probate.** See #4 in these instructions; proof of notice and filing waivers of notice must be filed with the clerk. ***This is a mandatory requirement,*** even if the administrator is the sole beneficiary and no additional notice is required or necessary; the court cannot waive the filing of the affidavit/certificate. Sec. 308.004, Estates Code.
6. **File an Inventory, Appraisal and List of Claims of the Estate within 90 days of qualification** (filing of oath and bond, as applicable) as required by Sec. 309.051 of the Texas Estates Code. ***This is a mandatory requirement. Failure to file an inventory, appraisal and list of claims or an affidavit in lieu of inventory, appraisal and list of claims within 90 days of qualification or any extension granted by the Court may result in an Order to Show Cause and/or revocation of letters and a fine not to exceed \$1,000.00.*** Sec. 309.057, Estates Code.
7. When assets have been distributed to the beneficiaries, you may, if you wish, file a Closing Affidavit or a Motion and Order to Close the Estate, attaching receipts from the beneficiaries, if all estate business has been completed and six months have elapsed since the estate was opened. Chap. 405, Estates Code.
8. Consult with your attorney on any matter regarding this estate you do not understand. ***Failure to comply with the mandatory requirements of the Texas Estates Code may result in penalties up to and including revocation of letters of appointment or other penalties as provided by statute.***

(TOKEN), Judge
County Court, Sitting in Matters Probate
(TOKEN) County, Texas

I, (EXECUTOR NAME), the duly appointed Independent Executor of the above referenced estate, hereby attest that I have read the above and understand its contents.

Date

Signature _____
Independent Executor