

For Heirship Determinations:

The following documents must be in the Court file prior to setting a hearing:

- ___ The sworn heirship application.
- ___ The posted Notice of Application for Letters of Independent/Dependent Administration and the posted return of file.
- ___ The return of the Citation by Publication:
 - ___ Publisher's Affidavit.
 - ___ JBCC's Affidavit (***new* effective July 1, 2020**)
- ___ (For the Court's purposes only) Background for Applicant if seeking administration
- ___ The Motion to Appoint Attorney ad Litem.
- ___ Order appointing an Attorney ad Litem.
- ___ The Report of the Attorney ad Litem.
- ___ Consents to Independent Administration, if applicable.
 - ___ Bond waived?
 - ___ Right to sell property?
- ___ If any party is entitled to service, then proof of service or waiver of service. See Tex. Estates Code §§ 202.051, 202.052 and 202.056.
 - ___ Green card(s)?
 - ___ If not picked up, proof of mailing and refusal?
- ___ The Affidavit of Service of Citation in compliance with Tex. Estates code § 202.057.

One the day of the trial, you need to add the following:

- ___ Please be sure your witnesses are present to testify
 - ___ If any witness cannot testify in person, the witness may testify by deposition on written questions pursuant to Tex. Estates Code § 51.203
 - ___ The witnesses testimony should be reduced to writing to be signed after the hearing
- ___ An Original or Copy of the Death Certificate.
- ___ Judgment declaring heirship (this should be in document separate from the Order)
- ___ Order establishing Independent Administration or Order Establishing Dependent Administration, with bond, if there are minors or depositing the minor's share in the registry of the court. Please be prepared to establish the bond amount that is necessary for the estate and please check to see if the proposed administrator can be bonded for that amount.
- ___ Proof of death
- ___ Oath
- ___ A pink sheet for the Ad Litem's fees and expenses, if over \$500 you must include an attorney's billing affidavit, itemized time keeping, and pink sheet