

Texas Probate Resource Guide: Understanding the Process After a Loved One Passes



Understanding the Basics

What is Probate in Texas?

Probate is the legal process through which a deceased person's estate is settled. This includes:



Proving the validity of the will (if one exists)



Identifying heirs or beneficiaries



Appointing an executor or administrator



Paying debts and taxes



Distributing remaining assets

Types of Probate in Texas

1

Independent Administration (most common if there's a will):

- Minimal court supervision
- Executor has broad authority to settle the estate

2

Dependent Administration:

- Court oversight of every step
- Often used when there's no will or disputes between heirs

3

Muniment of Title:

- Shortcut probate for estates with no debts (except mortgage)
- Transfers title without formal administration

4

Small Estate Affidavit:

- Used when the estate is valued under \$75,000 (excluding the homestead)
- No will is required

Documents Commonly Needed for Texas Probate



Original Will (if one exists)



Death Certificate



List of Assets & Liabilities



Property Deeds and Titles



Bank Account Info

How Long Does Probate Take in Texas?

Simple estates: 4–6 months

Straightforward cases with clear documentation and no disputes typically move through the system relatively quickly.

Complex or contested estates: 9–24 months or longer

More complicated situations require additional time for resolution and court proceedings.

Delays can occur if:

→ There is no will

→ The will is contested

→ There are numerous or hard-to-locate assets

Tips for Navigating Texas Probate



File quickly: Texas requires wills to be filed within four years of the death



Work with an attorney to help simplify the process and avoid costly mistakes



Keep records of all estate-related actions and expenses



Communicate with heirs early and often to avoid misunderstandings

When You Should Consult a **Probate Attorney**

The estate is large or includes business interests

There is no will or multiple wills

Disputes among heirs or beneficiaries

You're unsure how to handle debts or taxes

You live outside of Texas but are the executor of an estate here

Need Help With **Probate In Texas?**

Whether you're preparing to probate a will or just lost a loved one, our office is here to guide you with compassion and clarity.

👉 Call today to schedule a consultation

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