

Cause No. _____

In Re: THE ESTATE OF _____,
DECEASED

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IN THE PROBATE COURT
OF
DENTON COUNTY, TEXAS

HEARING REQUEST FORM
UNCONTESTED MUNIMENT OF TITLE

To obtain a setting, complete the appropriate Hearing Request Form and email it to hearingrequest@dentoncounty.com. A hearing will not be set until all boxes have been checked or marked as not applicable. The Probate Staff will review the file to make sure all necessary steps have been completed. If a step has not been completed, you will receive an email from the Probate Staff. Once the Probate Staff has approved the Hearing Request Form, the staff will email you the following docket entry has been made: Hearing Request Form Approved. After the Hearing Request Form has been approved, please contact the Probate Court Coordinator to obtain a setting that is convenient for you.

- 1. A copy of the will was filed with Application. Application includes last three digits of Applicant's and Decedent's SSN and DL, or explains why omitted as required by Texas Estates Code §257.051(a).
- 2. **An Original Death Certificate must be produced to the Court during the Prove up hearing.**
- 3. Citation has been posted.
*****Denton County Clerks' Office REQUIRES a Citation Request Form be completed in order to obtain citations. The Clerks' Citation Request Form is found on the Denton County website at:
<http://dentoncounty.com/departments/county-courts/probate-court.aspx>*****
- 4. Original will was filed within 3 days of the date Application filed.
TRCP §21(f)(12). **(Must be on file at least 10 days prior to hearing.)**

(MARK ONLY IF APPLIES)

- 5. If Will filed after the four-year period for probate, Applicant has complied with Texas Estates Code §258 subchapter B.
- 6. If probating a copy of a will, Applicant has complied with Texas Estates Codes §257.053 and §258.002.
- 7. If Applicant is other than the first named executor in the Will, reason first named executor has not filed Application for Muniment of Title.

- 8. Testimony admitted into evidence must be reduced to writing. Proof of Death and Other Facts have been prepared and filed with the Court. Bring a copy of the Proofs with you the day of Prove-Up in order they can be signed in front of the Judge. Texas Estates Code §256.157. If testimony is by written deposition, it must comply with Texas Estates Code §51.203 and with the Texas Rules of Civil Procedure.

- 9. **All “Proof of Facts” and proposed Orders include a statement concerning a Medicaid status such as: “No Medicaid benefits were received after March 1, 2005”; “Medicaid benefits were received after March 1, 2005 and have been repaid”; or if benefits were received and not repaid, Applicant must file a Medicaid Estate Recovery Program (MERP) certification that decedent’s estate is not subject to a MERP claim.**

BRING A DIGITAL VERSION OF YOUR DOCUMENTS IN WORD FORMAT IN THE EVENT CHANGES NEED TO BE MADE.

As attorney for the Applicant, before submitting this request, I verify by signing below that each of the above-listed items has been completed, that I have complied with all procedural and statutory requirements of the Texas Estates Code Chapter 257, and that this matter is ready to be set on the Probate Court’s uncontested docket. I understand that if an above-listed item has not been completed, this matter will not be set on the Court’s docket until all items on the checklist have been completed and emailed to hearingrequest@dentoncounty.com.

Respectfully Submitted,

Attorney Name:
SBN:
Address:
Phone:
Email: