



DENTON COUNTY PROBATE COURT No. 2
Judge Christopher J. Everett

1450 E. McKinney, Suite 2412
Denton, Texas 76209-4524

Phone 940-349-2140
Fax 940-349-2141

Probate Court No. 2

ZOOM ROCKET DOCKET POLICIES

In an effort to obtain uniformity in alternatives to in Courtroom Hearings during the present Covid19 crisis, the Denton County Probate Court has created the following resources and directives for Attorney participating in hearings from remote locations:

Zoom Rocket Docket will run 2 Tuesdays a month.

- 4 cases per hour starting at 9am and 10am and 11am Afternoon Docket starting at 1:30p, 2:30p and 3:30pm (you will need to login in the hour you are given regardless of whether you are 2nd or 3rd in line for that hour)
 - Policies for Application Seeking Letters of Testamentary
 - Order, Proof of Death, Oath, Appointment of Resident Agent (if applicable – appointment must be sworn to) and Death Certificate all required to be on file 3 days before hearing – if not on file then your setting will be removed from the docket
 - If you have a foreign Will you will need the statute that proves that Will is self-proved otherwise you are not ready to proceed to hearing and will be removed from the docket – remember Wills not self-proved will not be on the rocket docket
 - Only applicable cases on the rocket docket are self-proved wills being probated for letters of testamentary or MOT (does not include 401.002 applications)
 - If you are not logged-in when your case is called then you will need to reschedule with Administrator
 - If any technical issues related to Zoom you will be rescheduled (the intent behind this docket is that attorneys and the Court will be able to process cases in a timely manner – please practice with your client on Zoom – the day of the hearing is not intended to be a practice run)
 - Please be sure that you and your clients names are appropriate and easily discernable as to who you are so the Court does not have to guess as who you are
 - Remind your client this is still a courtroom – no smoking, hats or inappropriate dress will be tolerated
 - Provide to Judge prior to the hearing starting as to whether your client will be signing their documents in open court or if your client will sign before a notary (if signing in open court then your client must have the pleadings in front of them and sign on camera and show the Court the signatures)
 - If signed documents in open court then date all signatures including completing judge's date

- E-file the signed oath and proof through e-file system ~ **DO NOT EMAIL TO ADMINISTRATOR**
 - Order
 - Remove “the allegations contained in the Application are true” from all orders
 - If Applicant was not named in Will as first Executor then order must contain reason why others not serving
 - Your application should also state this as well and if a named executor has predeceased then you will need to file a death certificate or obituary with the application or prior to the hearing
 - Name of Executor’s exact name as named in the Will shall be included in the order if now different or not common name then state John Mark Smith a/k/a Mark Smith
 - Every Order must contain 309 language (inventory) and 308 language (notice)
 - Do not include power of sale language if Will already provides for sale of RP – if you believe language is necessary then be sure you ask for that authority in your prayer in the application otherwise court will not grant said power
 - If your order requires substantial revisions then the Court will advise you to follow these guidelines and resubmit your revised order (also be advised that if the order is delayed in being signed then you will need to make sure your oath is signed on the same day or after the date of the order.
 - Policies for Application for Muniment of Title
 - If Applicant is not a resident of Texas then Court requires a resident agent appointment
 - Order, Proof of Death, Oath of No Debts, Appointment of Resident Agent (if applicable – appointment must be sworn to) and Death Certificate all required to be on file 3 days before hearing – if not on file then your setting will be removed from the docket
 - You may combine the Oath of No Debts with the Proof of Death
 - If Applicant is not the first named Executor then Application must state reason why
 - Applicant cannot proceed without either declination to serve on file from prior named executor or personally serving named executor if declination not signed
 - If Applicant is a co-Executor still need to get declination from other Co-Executor(s) to proceed to hearing
 - Order
 - Remove “the allegations contained in the Application are true” from all orders
 - Do not include in your Order any reference or any personal or real property as the Court is not making any findings related to what the Decedent owned (also do not include in your proofs)
 - Do not include any language regarding the Decedent did not owe any child support as this Court cannot adjudicate as to whether the Decedent did not owe any child support
 - Waiver of 257.103 Affidavit

- Court will not waive the affidavit if multiple beneficiaries or if a trust is named as the beneficiary under the Will
 - If you want the Affidavit waived then all beneficiaries must join the application AND sign the application requesting the waiver of affidavit