

## DECEDENTS' ESTATES

CESP	CAEP	Topic/Issue
X	X	Testate - Will Admitted To Probate
X	X	• General
X	X	○ Title to property passes to heir(s) immediately upon death of Decedent, subject to administration of the estate (probate of the will)
	X	○ Deadline to file probate after Decedent's death
X	X	○ Purpose of Probate
	X	• Requirements for Probate
	X	○ Application
	X	○ Order Admitting Will to Probate
	X	○ Letters Testamentary Issued
	X	○ Inventory and Appraisal
X	X	• Types of Probate
X	X	○ Small Estate Affidavit
X	X	○ Independent Administration
X	X	• Execution of Deed by Independent Executor or Executor and Devisees dependent upon circumstances
X	X	○ Power of sale
X	X	○ Sale to pay debts
X	X	○ Status of Probate
X	X	○ Dependent Administration
	X	• Requirements for Sale of a Property:
	X	○ Application to Sell
	X	○ Order to Sell
	X	○ Report of Sale
	X	○ Order Confirming Sale
	X	○ Execution of Deed by Administrator, including the information from the Confirmation
X	X	○ Will admitted to probate as a Muniment of Title
	X	• Requirements
	X	• Authority of Executor to act

## **DECEDENTS' ESTATES**

<b>CESP</b>	<b>CAEP</b>	<b>Topic/Issue</b>
X	X	• Foreign Probate – Will probated in another county or another state
X	X	○ Will probated in another county in Texas
	X	○ Will probated in a state other than Texas or in a foreign country
X	X	<b>Intestate - No Will Or Will Not Admitted To Probate</b>
X	X	• Property passes at death to heirs of Decedent
X	X	• Affidavit containing the facts necessary to determine heirship to be recorded in the county where the property is located
X	X	<b>Federal Estate Taxes</b>
X	X	• A lien for any taxes which may be owed by the estate
X	X	○ Attaches immediately upon death to all property of the estate
X	X	○ No requirement for filing of lien
X	X	○ Statute of limitations