



Cause No. _____

COURT INSTRUCTIONS FOR THE INDEPENDENT EXECUTOR/TRIX, OR ADMINISTRATOR/TRIX

You have just been appointed by this Court to a position of great trust and confidence. It is a position that carries with it a considerable amount of responsibility. Your duties are not easy. However, you will find them less difficult if you are careful to follow the advice of your attorney. This is only a supplement and not a substitute for his/her advice. Should this Court ever be of further assistance to you, please do not hesitate to contact my office at 903-536-2331.

As the duly appointed independent Executor/Trix or the Independent Administrator/Trix of this estate, you are hereby advised by the Court that you must do the following:

1. File your oath of office **within 20 days** of appointment;
2. File your bond, if required by the Court;
3. Within **one (1) month** after receiving letters you **shall** publish notice to creditors as required by Estates Code 308.051-308.056;
4. File an Inventory, Appraisalment, and a List of Claims (owed to the Estate) **within 90 days** after taking the Oath; or Under Estate Code Section 309.057 allows the Court to impose a fine of up to \$1,000 for failure to file an inventory (or an affidavit in lieu of inventory) after being cited for failure to do so. (This would apply to independent executors also.) File an affidavit in lieu of inventory stating that all debts, except for secured debts, taxes and administrative expenses are paid and that all beneficiaries have received a verified full and detailed inventory **within 90 days** after taking the Oath (Estates Code 309.051-309.056/ 309.151).

***Important Note:** Within ninety days of your qualification, unless a longer time shall be granted by the Court, file with the Clerk of the Court a verified, full and detailed inventory, appraisalment and list of claims of the estate in one written instrument to be approved by the Court, (Estates Code 309.051-309.151). Your failure to do so within the required period of time may result in your being removed by the Court as the personal representative of the estate (Estates Code 361.051- 361.054).

***Important Note:** Under Estates Code 361.051-361.054, the Court may remove the personal representative on its own motion and without notice.

5. Annual Accounting only on request after 15 months (Estates Code 404.001)
6. Annual Accounting and Distribution only on request after expiration of (2) two years (Estates Code 405.001)
7. When assets have been distributed to the beneficiaries, you may, if you wish, file a Motion and Order to close the estate, attaching receipts from the beneficiaries if all estate business have been completed and six (6) months have elapsed since the estate was opened.
8. Not later than the 60th day after the date the order admitting the will to probate is entered, you are to notify all the beneficiaries named in the will of its admission to probate.
9. Not later than the 90th day after the date of an order admitting a will to probate; you should file a sworn affidavit containing information with regard to the status of the notices you sent to beneficiaries described in number 8 above with the clerk of court.

Hon. Byron Ryder
Leon County Judge, Centerville, Texas

I, the Independent Executor/Trix, or the Independent Administrator/Trix of this estate, hereby attests that **I have read the above and understand its contents.**

Independent Executor/Trix
Administrator/Trix

Date

Additional Line for Co-Executors/Co-Administrators

Attorney