

Fannin County Clerk
Probate Fee Schedule
Updated January 3, 2025

| | |
|--|--------------------------|
| Application for Probate of Will & Issuance of Letters Testamentary (EC §256) | \$360.00 |
| Application for Probate of Will as Muniment of Title (EC §257) | \$360.00 |
| Application for Letters of Administration (EC §301) | \$360.00 |
| Application for Temporary Administration (EC §452) | \$360.00 |
| Small Estate Affidavit (EC §250) | \$360.00 |
| Application to Determine Heirship (No Administration) (EC §202) | \$360.00 |
| Application for Permanent Guardianship (EC §1101) | \$360.00 |
| Application for Temporary Guardianship (EC §1251) | \$360.00 |
| Application for Declaration of Incapacity/Community Property (EC §1353) | \$360.00 |
| Application for Adjudicate Community Property Survivorship Agreement (EC §112) | \$360.00 |
| Application for Probate of Foreign Will, Issuance of Letters (EC §501) | \$360.00 |
| Application for Receivership (EC §1354) | \$360.00 |
| Court Ordered Mental Health Services/Order of Protective Custody (H&SC Chapter 574) | \$360.00 |
| Application for Sale of Property of Minor without Guardianship ((EC §1351) | \$360.00 |
| Application to Invest Funds for Minor (EC §1355) | \$360.00 |
| Application for Emergency Intervention (EC §152) | \$360.00 |
| Application for Receipt & Acceptance of Foreign Guardianship (EC §1253) | \$360.00 |
| Adverse Actions, Contests, Interpleaders, Cross Actions/Applications (EC Chapter 55) | \$360.00 |
| Application to Convert Temporary Administration to Permanent (EC §256, §301) | \$120.00 |
| Application to Convert Temporary Guardianship to Permanent (EC §1101) | \$120.00 |
| Motion to Show Cause – Produce Will (EC §252.202) | \$360.00 |
| Application for Sale of Property (EC Chapter 356, Chapter 1158) | \$25.00 |
| Application for Declaratory Judgment After Probate (EC §405.003) | \$360.00 |
| County Judge Order Fee (LGC §118.101) | \$2.00 |
| Inventory (filed after due date) (EC §309, §1154) | \$25.00 |
| Annual Accounting (EC Chapter 359, Chapter 1163) | \$25.00 |
| Final Accounting (EC §362.003, Chapter 1204) | \$25.00 |
| Annual Report of the Person (Guardianship) (EC §1163.101) | \$10.00 |
| Personal Representative's Bond (EC Chapter 305, Chapter 1105) | \$5.00 |
| Administering Oath to Personal Representative (EC Chapter 305, Chapter 1105) | \$2.00 |
| Creditor's Claim (EC Chapter 355, Chapter 1157) | \$10.00 |
| Issuance of Citation (EC Chapter 51, Chapter 1051) | \$8.00 |
| Service by Sheriff/Constable (EC §51.051, §1051.051) | \$95.00 |
| Service by Certified Mailing – Add current postage & certified mail fees (EC §51.052, §1051.052) | \$95.00 |
| Letters of Appointment (EC §306.004, §1106.001) | \$2.00 |
| Certificate of Compliance (Temporary Guardian, In Lieu of Letters) (EC §1251.101) |\$5.00 + \$1.00/pg. |
| Deposit of Will (EC §252.001) | \$5.00 |
| Private Professional Guardian Registration (EC §1104.301) | \$40.00 |

Fees do not include additional services. Each citation issued is \$8.00. Posting of citation by Sheriff is \$95.00. Each personal Service of citation by Sheriff or Constable is \$95.00. Each personal service of citation by certified mail is \$95.00 plus certified mail fee. Each proposed order is \$2.00. Each Oath administered is \$2.00. If bond is required there is a \$5.00 filing fee.

NOTE: Filer is responsible for requesting necessary additional services and paying appropriate fees, including citation, posting, personal service, orders/decrees, bond fees, etc. Contact the Fannin County Clerk with questions (903)583-7486.

PROBATE COURT FEE SCHEDULE DETAILS

ORIGINAL APPLICATIONS* - PROBATE, GUARDIANSHIP AND MENTAL HEALTH

| | | |
|--------------------------------|--------------------------------|-----------------|
| State Consolidated Probate Fee | Local Government Code §133.151 | \$137.00+ |
| Local Consolidated Probate Fee | Local Government Code §135.102 | <u>223.00</u> |
| | | \$360.00 |

Fee does not include additional services. Each citation issued is \$8.00. Posting of citation by Sheriff is \$95.00. Each personal service of citation by sheriff or constable is \$95.00. Each proposed order is \$2. Each oath administered is \$2.00. If bond is required there is a \$5.00 filing fee.

NOTE: Posted citation is required on some applications types and must be added to filing fees shown (use "Optional Services").

NOTE: Citation to unknown heirs by publication is required in every proceeding to declare heirship under Sec. 202.052 EC.

NOTE: A proposed ward in a guardianship proceeding who is 12 years of age or older MUST BE SERVED CITATION by personal service (sheriff/constable only), and additional fees will apply- contact County Clerk for additional information. (Estates Code, §1051.103)

*All initiating applications that cause a new case to be filed, including but not limited to a an application to probate will, application to determine heirship, small estates affidavit, application for guardianship (permanent and temporary), and all initial mental health applications.

SUBSEQUENT ACTIONS* - PROBATE, GUARDIANSHIP AND MENTAL HEALTH**

| | | |
|---------------------------------|--------------------------------|-----------------|
| State Consolidated Probate Fees | Local Government Code §133.151 | \$45.00+ |
| Local Consolidated Probate Fees | Local Government Code §135.102 | <u>75.00♦</u> |
| | | \$120.00 |

Fee does not include additional services. Each citation issued is \$8.00. Posting of citation by Sheriff is \$95.00. Each personal service of citation by sheriff or constable is \$95.00. Each personal service of citation by certified mail is \$95.00. Each proposed order is \$2.00. Each oath administered is \$2.00. If bond is required there is a \$5.00 filing fee.

NOTE: Posted citation is required on some application types and must be added to filing fees shown (use "Optional Services").

** All actions filed other than the original action that opened the case, including but not limited to an adverse action, contest, or suit in probate court (other than claim against an estate), in which the movant or applicant seeks affirmative relief. Note that this does NOT include a application for sale of property filed an active probate or guardianship administration, an annual or final accounting, or annual or final report of the person.

† State Consolidated Probate Fees will be remitted from eFile Texas directly to the State Comptroller and will NOT be deposited with the County.

♦ Local Consolidated Probate Fees will be remitted from eFile Texas directly to the Counties.

OTHER PROBATE COURT ACTIONS (These Fees will be remitted directly to the county):

APPLICATION FOR SALE OF PROPERTY (Chapters 356 & 1158, EC)

| | | |
|--|--|----------------|
| Clerk Recording Fee | Local Government Code § 118.052(2)(B)(v) | \$25.00 |
| Fee does not include additional services. Each citation issued is \$8.00. Posted service of citation by Sheriff is \$95.00. Each personal service of citation by sheriff or constable is \$95.00. Each personal service of citation by certified mail is \$95.00. Each proposed order is \$2.00. | | |

NOTE: Posted citation is required on application for Sale of Property under Secs. 356.102, 356.235, 1158.102 and 1158.202, EC.

COURT FEE SCHEDULE DETAILS

COUNTY JUDGE (ORDERS)

| | | |
|------------------|---------------------------------|--------|
| County Judge Fee | Local Government Code § 118.101 | \$2.00 |
|------------------|---------------------------------|--------|

LATE INVENTORY – FILED AFTER 90 DAYS FROM DATE OF QUALIFICATION OR AFTER EXTENDED DEADLINE (§ 309 & § 1154, EC)

| | | |
|---------------------|--|---------|
| Clerk Recording Fee | Local Government Code § 118.052(2)(B)(i) | \$25.00 |
|---------------------|--|---------|

ANNUAL ACCOUNTING (Chapters 359 & 1163, EC)

| | | |
|---------------------|---------------------------------------|---------|
| Clerk Recording Fee | Local Government Code § 118.052(2)(B) | \$25.00 |
|---------------------|---------------------------------------|---------|

FINAL ACCOUNTING (§362.003 & Chapter 1204, EC)

| | | |
|---------------------|--------------------------------------|---------|
| Clerk Recording Fee | Local Government Code §118.052(2)(B) | \$25.00 |
|---------------------|--------------------------------------|---------|

Fee does not include additional services. Each citation issued is \$8.00. Posting of citation by Sheriff is \$95.00. Each personal service of citation by Sheriff or Constable is \$95.00. Each personal service of by certified mail is \$75.00. Each proposed order is \$2.00.

ANNUAL REPORT OF THE PERSON (Guardianship) (§ 1163.101, EC)

| | | |
|---------------------|--------------------------------------|---------|
| Clerk Recording Fee | Local Government Code §1180052(2)(B) | \$10.00 |
|---------------------|--------------------------------------|---------|

PERSONAL REPRESENTATIVE'S BOND (Chapters 305 & 1105, EC)

| | | |
|---------------------------------|---------------------------------------|--------|
| Clerk Approving & Recording Fee | Local Government Code § 118.052(2)(B) | \$5.00 |
|---------------------------------|---------------------------------------|--------|

CREDITOR'S CLAIM (Chapters 355 & 1157, EC)

| | | |
|---------------------|------------------------------------|---------|
| Clerk Recording Fee | Local Government Code § 118.052(D) | \$10.00 |
|---------------------|------------------------------------|---------|

ISSUANCE OF CITATION (Chapters 51 & 1051, EC)

| | | |
|-----------------|------------------------------------|--------|
| Citation Issued | Local Government Code § 118.052(3) | \$8.00 |
|-----------------|------------------------------------|--------|

SERVICE BY SHERIFF/CONSTABLE (§ 51.051 & § 1051.051, EC)

| | | |
|-------------------------------|--------------------------------|----------|
| Citation, Subpoena or Summons | Local Government Code §118.131 | \$95.00 |
| All Other Writs | Local Government Code §118.131 | \$150.00 |
| Writ of Execution | Local Government Code §118.131 | \$225.00 |

SERVICE BY CERTIFIED MAIL- CLERK (§ 51.052 & 1051.052, EC)

| | | |
|-------------------|--------------------------------|---------|
| Clerk Service Fee | Local Government Code §118.063 | \$95.00 |
|-------------------|--------------------------------|---------|

LETTERS OF APPOINTMENT (§ 306.004 & § 1106.001, EC)

| | | |
|--------------------|---------------------------------------|--------|
| Clerk Issuance Fee | Local Government Code § 118.052(3)(D) | \$2.00 |
|--------------------|---------------------------------------|--------|

CERTIFICATE OF COMPLIANCE (Temporary Guardianship, In Lieu of Letters) (§ 1251.101, EC)

| | | |
|--------------------------|---------------------------------|-----------|
| Certificate Issuance Fee | Local Government Code § 118.060 | \$5.00 |
| Copy Fees (Order) | Local Government Code § 118.060 | \$1.00/pg |

DEPOSIT OF WILL (§ 252.001, EC)

| | | |
|-----------|---------------------------------------|--------|
| Clerk Fee | Local Government Code § 118.052(3)(E) | \$5.00 |
|-----------|---------------------------------------|--------|

PROBATE COURT FEE SCHEDULE DETAILS

PRIVATE PROFESSIONAL GUARDIAN REGISTRATION (§ 1104.301, EC)

| | | |
|-----------|--|---------|
| Clerk Fee | Local Government Code § 1104.303(b)(2) | \$40.00 |
|-----------|--|---------|

COPY FEES:

Certified Copies:

| | |
|-----------------------------|--------|
| Clerk's certificate | \$5.00 |
| Each page or part of a page | \$1.00 |

Non-Certified Copies:

| | |
|---|--------|
| Printed on paper, each page or part of a page | \$1.00 |
| Paper converted to electronic format, each page or part of a page | \$1.00 |
| Electronic copy of an electronic document: | |
| Each document up to 10 pages in length | \$1.00 |
| Each page or part of a page over 10 pages | \$0.10 |