

The Texas Probate Process

Estimated Timeline for an Uncontested Estate with a Valid Will

01	02	03	04	05	06	07	08
File Application	Citation Posted	Probate Hearing	Notices Issued	Inventory & Appraisal	Tax Returns	Debts & Claims	Distribute & Close
File Probate Application and original Will with County Clerk.	County Clerk posts citation notifying all interested parties of the proceeding.	Hearing held after posting period, per court's docket. Testimony by executor re: facts of death and Will. Oath by executor upon admission of Will. Letters Testamentary issued after oath filed.	Creditors: Published in newspaper; copy filed with court. Beneficiaries: Notified per Tex. Est. Code §308.002. Affidavit of notice filed with court.	Inventory prepared listing all probate assets with values. Copy provided to beneficiaries by executor.	Form 1040 final income tax return if required. Form 706 estate tax return if estate exceeds exemption. Form 1041 fiduciary income tax return if required.	Classify & Pay valid debts and estate expenses. Sell assets if proceeds are needed to pay debts. Collect all monies or assets belonging to the estate.	Distribute assets to beneficiaries per Will or Texas law. Obtain signed receipts from all beneficiaries. Estate formally closed.

Texas Independent Administration: What This Means for You

Texas law gives executors broad authority to administer the estate with minimal court involvement after the initial hearing. This makes Texas probate faster and less expensive than most states — and means most of the steps above happen outside the courthouse.



Typical Timeline

6–12 months for an uncontested estate with a valid will.



Court Involvement

Minimal after the initial hearing — most steps are handled by the executor independently.



Do You Need an Attorney?

Yes. An experienced probate attorney guides the executor and ensures all deadlines and legal requirements are met.