**CASS COUNTY PROBATE FEES**

Probates heard in County Court (Judge Wilbanks) are held in the courtroom on the 2nd floor of the Cass County

Courthouse 100 E Houston St. Linden. Contact the County Clerk to schedule a hearing

Probates heard in County Court at Law (Judge Dowd) are held in the County Court at Law Courtroom, Justice Center 604 Hwy 8 North Linden. Contact the Court Coordinator at 903 756 7515 to schedule a hearing.

**PLEASE PROVIDE COPIES TO BE FILE-MARKED. IF CLERK’S OFFICE MAKES COPIES, $1.00 PER PAGE FEE WILL BE CHARGED**

# APPLICATION FOR PROBATE ( LETTERS TESTAMENTARY, LETTERS OF ADMINSITRATION AND MUNIMENT OF TITLE)

|  |  |
| --- | --- |
| Clerk Local Govt Code 118.052(2)(A)(i) | 40.00 |
| Judge Local Govt Code 118.101(1)and(2) | 4.00 |
| Judicial Education Local Govt Code 118.064(a)(b)(1) | 5.00 |
| Sheriff Local Govt Code 181.131 | 100.00 |
| Legal/Indigent Local Govt Code 133.153(a)(1) | 10.00 |
| Records Mgmt Local Govt Code 118.052(3)(G) | 5.00 |
| Court Security Local Govt Code 291.008(d) | 5.00 |
| Judicial Fund TX Govt Code 51.703(a) | 40.00 |

Judiciary Support Fee Local Govt Code 133.154(a) 42.00

CIGF(court initiated grdship fee) 20.00

Local Govt Code 118.052(2)(E)

|  |  |  |
| --- | --- | --- |
| Appellate Court fee TX Govt Code 22.2061 | | 5.00 |
| Court Records Preservation TX Govt Code 51.708 | | 10.00 |
| State Electronic Fee Fund TX Govt Code 51.851(b) | | 30.00 |
| Judicial Court and Personnel Training Fee |  |
| Tx Govt Code 51.971 |  | \_\_\_\_\_\_\_\_\_ |
| **TOTAL**  if filing a separate Application for Determination of Heirship, add $104 for citation and service  **ADVERSE ACTION(contest, suit)**  **If citation required to be posted add $104** |  | **$321** add $2.00 for each letter issued |
| Clerk Local Govt Code 118.052(2)(C) |  | 40.00 |
| Records Mgmt Local Govt Code 118.052(3)(G) |  | 5.00 |
| Court Security Local Govt Code 291.008(d) |  | 5.00 |
| CIGF Local Govt Code 118.052(2)(E) |  | 20.00 |
| Legal/Indigent Local Govt Code 133.153(a)(1) |  | 10.00 |
| Court Records Preservation TX Govt Code 51.708 | | 10.00 |

State Electronic Fee Fund TX Govt Code 51.851(b) 30.00

Judicial Court and Personnel Training Fee 5.00

TX Govt Code 51.971 \_\_\_\_\_\_\_\_\_\_  **TOTAL $125.00**

# SMALL ESTATE AFFIDAVIT

**No hearing or citation required**

|  |  |
| --- | --- |
| Clerk Local Govt Code 118.052(2)(A)(i) | 40.00 |
| Judge Local Govt Code 118.101(11) | 2.00 |
| Judicial Education Local Govt Code 118.064(a)(b)(1) | 5.00 |
| Legal/Indigent Local Govt Code 133.153(a)(1) | 10.00 |
| Records Mgmt Local Govt Code 118.052(3)(G) | 5.00 |
| Court Security Local Govt Code 291.008(d) | 5.00 |

Judicial Fund TX Govt Code 51.703(a) 40.00

Judiciary Support Local Govt Code 133.154(a) 42.00

CIGF Local Govt Code 118.052(2)(E) 20.00

Court Records Preservation TX Govt Code 51.708 10.00

Appellate Fee TX Govt Code 22.2061 5.00

State Electronic Fee Fund TX Govt Code 51.851(b) 30.00

Judicial Court and Personnel Training Fee 5.00

TX Gov Code 51.971 \_\_\_\_\_\_\_\_\_

**TOTAL $219.00 Add fee (separate check) for certified copy to be filed in OPR ($1.00 per page plus $5 for certification) Add fee for filing cert copy in OPR ($26 first page, $4 each add’l page)**

# GUARDIANSHIP

Clerk Local Govt Code 118.052(2)(A)(i) 40.00

Judge Local Govt Code 118.011(1) and(2) 4.00

Judicial Education Local Govt Code 118.064(a)(b)(1 ) 5.00

Sheriff Local Govt Code 181.131 100.00

Sheriff service of personal citation 100.00

Legal/Indigent Local Govt Code 133.153(a)(1) 10.00

Records Mgmt Local Govt Code 118.052(3)(G) 5.00

Court Security Local Govt Code 291.008(d) 5.00

Judicial Fund TX Govt Code 51.703(a) 40.00

Judiciary Support Fee Local Govt Code 133.154(a) 42.00

CIGF (Local Govt Code 118.052(2)(E) 20.00

Appellate Court fee TX Govt Code 22.2061 5.00

Court Records Preservation TX Govt Code 51.708 10.00

State Electronic Fund TX Govt Code 51.851(b) 30.00

Fee for personal citation Local Govt Code 118.052(3)(A) 4.00

Judicial Court and Personnel Training Fee 5.00

TX Govt Code 51.971

**TOTAL: $425.00**

# INVENTORY AND APPRAISEMENT( applies only if filed after the 90th day after date of oath)

Filing fee Local Govt Code 118.052(B)(i) 25.00

Judge’s Signature Local Govt Code 118.101(11) 2.00

**TOTAL $27.00**

# FINAL ACCOUNT

|  |  |  |
| --- | --- | --- |
| Filing fee Local Govt Code 118.052(B)(iv) | 25.00 | |
| Judge’s signature Local Govt Code 118.101(11) | 2.00 | |
| Citation | 4.00 | |
| Posting fee | 100.00 | |
| **ANNUAL ACCOUNT** | **$131.00** | |
| Filing fee Local Govt Code 118.052(B(iv) |  | 25.00 |
| Judge’s Signature Local Govt Code 118.101(11) |  | 2.00 |
| **TOTAL**    **ANNUAL REPORT** |  | **$27.00** |
| Filing fee Local Govt Code 118.052(B)(vi) |  | 10.00 |
| Judge’s Signature Local Govt Code 118.101(11) |  | 2.00 |
| **TOTAL** |  | **$12.00** |
|  |  |  |

# APPLICATION FOR SALE OF REAL OR PERSONAL PROPERTY

Filing Fee Local Govt Code 118.052(v) 25.00 Judge’s Signature Local Govt Code 118.101(11) 2.00 Citation to be posted Local Govt Code 118.011(3)(A) 4.00

Sheriff Local Govt Code 181.131 100.00

**TOTAL $131.00**

**CLAIM AGAINST ESTATE** Local Govt Code 118.052 (D) **$10.00**

# LETTERS TESTAMENTARY, GUARDIANSHIP, ADMINISTRATION

Local Govt Code 118.052(3)(D) **2.00**

**ISSUANCE OF CITATION** Local Govt Code 118.052(3)(A) **$4.00**

**SERVICE OF CITATION BY SHERIFF IN PERSON** **$ 100.00**

**SERVICE OF CITATION BY SHERIFF POSTING**  $ **100.00**

**SERVICE OF CITATION BY CERTIFIED MAIL $ 75.00**

Local Govt Code 118.052 (F)

**JUDGE’S SIGNATURE (ANY ORDER)** $**2.00** Local Govt Code 118.101(11)

**DOCUMENT WITH MORE THAN 25 PAGES THAT DOES NOT HAVE A PRESCRIBED FEE FILED AFTER ORDER APPROVING INVENTORY SIGNED OR 120 DAYS AFTER INITIAL FILING, IF MORE THAN 25 PAGES, which ever occurs first** Local Govt Code 118.052(B)(vii) **$25.00**