

# BEXAR COUNTY PROBATE COURT NO. 3

Judge Barbie Scharf-Zeldes  
Bexar County Courthouse  
100 Dolorosa, Ste. 1.20  
San Antonio, Texas 78205



## CHECKLIST FOR APPOINTMENT OF TEMPORARY ADMINISTRATOR

**Procedures:** Due to the emergency nature of a temporary administration, please contact the staff attorney and the court coordinator immediately after e-filing the documents that are set forth below.

**A FIAT is required. Please use the template on the Probate Court 3 website.**

**Please cross through actions that do not apply**

Case Number \_\_\_\_\_ Estate of \_\_\_\_\_

### Checklist for Appointment of Temporary Administrator

- Application must comply with *Texas Estates Code §452.002*:
  - Must be verified.
  - Must include the information required by *Texas Estates Code §§256.052-256.054*, if the decedent died testate; or if decedent died intestate must include information required by *Texas Estates Code §301.052*.
  - Must include an affidavit that:
    - (A) states the names, addresses, and interest of applicant;
    - (B) states the facts showings an immediate necessity for the appointment of a temporary administrator;
    - (C) lists the requested powers and duties of the temporary administrator;
      - Only request the powers necessary to address the emergency.
    - (D) states that the applicant is entitled to letters of temporary administration and is not disqualified by law from serving as a temporary administrator; and
    - (E) describes the property that the applicant believes to be in the decedent's estate.
- If the Applicant resides outside of the State of Texas, the applicant must designate a Resident Agent. *Tex. Est. Code §304.003*.
- E-file Proposed Order establishing a Dependent Temporary Administration (independent administrations will not be granted) with a blank for the bond amount. The Order must comply with *Texas Estates Code §452.003*:
  - Designate the appointing as "temporary administrator" of the decedent's estate;
  - Specify the period of appointment, which may not exceed 180 days unless the appointment is made permanent under *Texas Estates Code §452.008*.
  - Define the powers given to the temporary administrator.

- E-file signed and notarized Proof of Death prior to requesting hearing date.
- E-file blank Oath.
- Email an Original or Copy of the Death Certificate to both staff attorneys and paralegal.
- Attorney has provided their client with the Court Instructions pertaining to their application, as well as any applicable guides. (Forms are located on the PC3 Website).

**Attorney Verification**

*I, \_\_\_\_\_, confirm that all required documents for the hearing I am requesting in Cause No. \_\_\_\_\_ -PC3- \_\_\_\_\_ are correct and have been e-filed and accepted by the Bexar County Probate Clerk's office.*

Signed: \_\_\_\_\_ Date: \_\_\_\_\_