



TARRANT COUNTY
FORT WORTH, TEXAS 76196-7752

BROOKE ALLEN
JUDGE, PROBATE COURT NO. 2

100 WEATHERFORD
AREA CODE 817.884.1415

**CHECKLIST FOR ATTORNEYS AD LITEM
FOR UNKNOWN HEIRS IN CREDITOR FILED ADMINISTRATION**

You have been appointed by this Court pursuant to sections 53.104 and 202.009 of the Texas Estates Code (TEC) to represent unknown, missing, or legally disabled heirs in an application for dependent administration filed by a creditor of the estate of the decedent. Please read these Sections so you have an understanding of your duties and responsibilities.

As an Attorney Ad Litem (AAL) appointed to represent unknown heirs in an application for dependent administration filed by a creditor of the estate of the decedent, you should perform at least the following tasks:

1. Contact the applicant's attorney to determine information concerning the decedent's estate or possible heirs that may not have been stated in the application.
2. File an answer on behalf of unknown, missing or legally disabled heirs.
3. Attempt to contact the possible heirs of this estate to inform them of the creditor's application in this matter and to ascertain whether the decedent may have died testate. Inform the court if a will of the decedent is discovered.
4. Instruct possible heirs to obtain an attorney to represent them in this proceeding and refer them to Tarrant County Lawyer Referral Service at 817.336.4101 to obtain names of probate attorneys.
5. Search the internet regarding the real property and drive-by the real property to assess and to determine whether the estate has any equity in the real property, and ascertain whether the estate consists of assets in addition to those listed in the application.
6. The applicant's attorney should notify you with the date of the hearing to appoint the dependent administrator. However, you are not required to attend the hearing unless you have found new assets that should be taken into account when the court sets the bond for, or new information that the court should hear prior to appointing, the dependent administrator. (In this regard, the court is aware of the obvious conflict that exists when a creditor is allowed to designate the attorney whom the court appoints as dependent administrator. You should inform the court if you discover a more egregious conflict.)

7. Remain involved in the proceeding through the determination of heirship and/or until discharged by court order.

AALs are paid a flat fee of \$400.00 which the creditor has deposited into the registry. If you believe you have been appointed on an unusual case in which you should receive more than the flat fee, you must file a motion to be paid hourly and set your motion and obtain court permission.

If you have any questions, please contact Steve Fields, Court Administrator, at 817.884.1049 or sdfields@tarrantcounty.com