

# Probate: Wills Research Guide

## Overview

This research guide contains information and resources related to drafting wills in Texas. For information of Independent or Dependent probate administration, please see a separate handout. The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

## Statutes & Codes

Texas Statutes Online [www.statutes.capitol.texas.gov](http://www.statutes.capitol.texas.gov)

Texas Estates Code

- Subtitle F: Wills – Chs. 251-258
  - Ch. 251 Fundamental Requirements and Provisions Relating to Wills <https://statutes.capitol.texas.gov/Docs/ES/htm/ES.251.htm>
  - Ch. 256 Probate of Wills Generally <https://statutes.capitol.texas.gov/Docs/ES/htm/ES.256.htm>

## Secondary Resources in Print

**Vernon's Texas Codes Annotated**

- Estates Vol. 2 – Chapters 251-258 Wills

**Texas Transaction Guide KFT 1268.K45**

- Vol. 7, Ch. 42 Complete Wills and Codicils

**Texas Probate Forms & Procedures  
KFT 1344.T4B7**

- Ch. 3 §3:20 Custodian of Will or Documents Must Deliver Them; Form 3-5 Application to Compel Delivery of Will
- Ch. 7 Independent Administration

- Ch. 8 Dependent Administration
- Ch. 9 Muniment of Title
- Ch. 13 Foreign Wills
- Ch. 15 Contested Matters, Section II. Will Contests

**Dorsaneo's Texas Litigation Guide KFT 1730.T4**

- Vol. 24, Ch. 392 – Admitting Wills to Probate
- Vol. 24, Ch. 394 – Will Construction

**Wills Road Map: Practical Considerations in Will Drafting KFT 1344.A95**

**Davenport's Texas Wills and Estate Planning Legal Forms KFT 1344 R8**

**Texas Estate Planning KFT 1340.T49**

- Vol. 1, Ch. 10 Wills

**Plan Your Estate (NOLO) KF 750.Z9 C65**

- Ch. 7 Wills

**Estate Planning Basics (NOLO) KF 750.Z9 C554**

- Ch. 5 Wills

## CLE Materials

**Advanced Estate Planning and Probate KFT 1340.A75S**

- 2016 Ch. 14 Defenses to a Will Contest
- 2016 Ch. 15 Will Reformations and Will Constructions
- 2014 Ch. 1 Morals from the Courthouse: A Study of Recent Texas Cases Impacting the Wills, Probate, and Trust Practice, Section III – Wills

## Online Resources

Will Forms (Texas Judicial Branch)

<https://www.txcourts.gov/forms>

Texas Probate Passport: Wills, Estates, Power of Attorney, and Probate (TexasLawHelp)

<https://texaslawhelp.org/article/texas-probate-passport-wills-estates-power-attorney-and-probate>

Wills & Estates (TexasLawHelp)

<https://texaslawhelp.org/money-debt/wills-estate-planning>

Self-Proving Wills in Texas:

<https://texaslawhelp.org/article/self-proving-wills-in-texas>

Research Guide – Wills (TSLL)

<https://guides.sll.texas.gov/legal-forms/wills-estates>

Article: Handwritten Wills

<https://texaslawhelp.org/article/do-it-yourself-guide-handwritten-wills>

Sample Will for Individual with children who is single, divorced, or widowed (TexasLawHelp)

<https://texaslawhelp.org/form/will-single-widowed-or-divorced-with-children>

Davenport's Texas Wills and Estate Planning Legal Forms <https://davenportpublishing.com/wp-content/uploads/2023/03/TEXASPDF.pdf>

## Legal Assistance

**Legal Lines – Ask Attorneys simple legal questions (free service)**

- Tarrant County LegalLine Sign-up  
<https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up  
<https://www.dallasbar.org/index.cfm?pg=legalline>

**Tarrant County Bar Association Lawyer Referral Service:** 817-336-4101 (\$20 for the first 30 minutes)