



# SMITH COUNTY PROBATE FILING FEES

Effective September 1, 2017

Type	Statute	Fee
<b>**** ALL FEES MUST BE PAID AT TIME OF FILING ****</b>		
<b>APPLICATIONS FOR PROBATE</b> <i>Letters Testamentary &amp; Muniment of Title (Includes posting &amp; order)</i>	EST §256; §257	<b>\$309</b>
<b>APPLICATION FOR DEPENDENT ADMINISTRATION</b> <i>(includes posting &amp; orders)</i>	EST §301	<b>\$311</b>
<b>APPLICATION FOR INDEPENDENT ADMINISTRATION</b> <i>(testate-having a valid will) (Includes posting &amp; orders)</i>	EST §401	<b>\$309</b>
<b>APPLICATION FOR INDEPENDENT ADMINISTRATION</b> <i>(intestate-not having made a will) Includes fees for orders, posting citation &amp; citation by publication for Determination of Heirship. County Courts require Determination of Heirship to be filed before granting Intestate Independent Administrations</i>	EST §401	<b>\$433</b>
<b>APPLICATION FOR DETERMINATION OF HEIRSHIP</b> <i>(includes orders, posting &amp; citation by publication –required by the Courts)</i>	EST §202	<b>\$391</b>
<b>APPLICATION FOR TEMPORARY ADMINISTRATION</b> <i>(includes posting &amp; orders)</i>	EST §452	<b>\$311</b>
<b>APPLICATION TO PAY EMERGENCY FUNERAL EXPENSES</b> <i>(includes orders)</i>	EST §152	<b>\$254</b>
<b>SMALL ESTATES AFFIDAVIT</b> <i>(includes order)</i>	EST §205	<b>\$254</b>
<b>ANCILLARY PROCEEDINGS</b> <i>(includes order)</i>	EST §501	<b>\$254</b>
<b>COMMUNITY SURVIVOR</b> <i>(includes order)</i>	EST §112	<b>\$269</b>
<b>MOTION TO EXAMINE SAFETY DEPOSIT BOX</b> <i>(includes order)</i>	EST §151	<b>\$254</b>
<b>DEPOSIT WILL FOR SAFEKEEPING</b>	EST §252	<b>\$11</b>
<b>APPLICATION FOR GUARDIANSHIP</b> <i>(includes orders/does not include personal service)</i>	EST §1101	<b>\$313</b>
<b>APPLICATION FOR TEMPORARY GUARDIANSHIP</b> <i>(does not include personal service)</i>	EST §1251	<b>\$315</b>
<b>APPLICATION TO SELL PROPERTY OF MINOR</b> <i>(includes order)</i>	EST §1351	<b>\$269</b>
<b>APPLICATION TO PAY CLAIMS W/O GUARDIANSHIP</b> <i>(includes order)</i>	EST §1355	<b>\$269</b>
<b>APPLICATION FOR CREATION OF MANAGEMENT TRUST</b>	EST §1301	<b>\$254</b>
<b>ISSUANCE OF LETTERS</b> <i>(testamentary, administration, guardianship, cert. of compliance)</i>	EST §306	<b>\$2</b>
<b>PERSONAL SERVICE OF CITATIONS BY SHERIFF OR CERTIFIED MAIL</b>	EST §51	<b>\$80</b>
<b>ADDITIONAL CITATIONS ISSUED</b>	EST §51	<b>\$4</b>
<b>POSTING PROBATE CITATIONS / NOTICES</b>	EST §51	<b>\$40</b>
<b>CONTEST , ADVERSE ACTIONS, OR SUIT IN EXISTING CASE</b>	EST §55; 301.101	<b>\$130</b>
<b>CLAIMS</b>	EST §355	<b>\$10</b>

<b>FILING FEES FOR DOCUMENTS FILED 90 DAYS AFTER THE ORIGINAL APPLICATION WAS FILED</b>	LGC §118.052	
<b>Type</b>	<b>Statute</b>	<b>Fee</b>
<b>INVENTORY, APPRAISEMENT, &amp; LIST OF CLAIMS</b> <i>(includes order)</i>	EST §309.051	<b>\$27</b>
<b>AFFIDAVIT IN LIEU OF INVENTORY</b> <i>(Fee Applies ONLY if Affidavit is late)</i>	EST §309.056	<b>\$25</b>
<b>ANNUAL ACCOUNT</b> <i>(includes order)</i>	EST §1163	<b>\$27</b>
<b>FINAL ACCOUNT</b> <i>(testate independent administration – no order or posting required)</i>	EST §405	<b>\$25</b>
<b>FINAL ACCOUNT</b> <i>(intestate Ind. Adm./Dep. Adm./Guardianship. Includes posting &amp; order)</i>	EST §405; §1204	<b>\$67</b>
<b>ANNUAL OR FINAL REPORT OF GUARDIAN OF THE PERSON</b> <i>((includes order)</i>	EST §1163; §1204	<b>\$12</b>
<b>APPLICATION TO SELL REAL/PERSONAL PROPERTY</b> <i>(includes posting &amp; order)</i>	EST §251; §356	<b>\$67</b>
<b>JURY FEE</b>	GC 51.604	<b>\$40</b>
<b>County Judge's Signature</b> <b>The Courts require all orders to be filed separately from pleadings.</b>	LGC §118.101	<b>\$2</b>
<b>Certified or Exemplified <u>hard copies</u> -\$1 per page + \$5 for certificate</b>	LGC §118.060 & 118.060	<b>\$1 &amp; \$5</b>
<b><u>Hard Copies</u> are \$1 per page</b>	LGC §118.065	<b>\$1</b>
<b>E-Mailed Copies (Certified copies cannot be e-mailed)</b>	0 -15 pages	<b>\$1 ea</b>
	16 + pages	<b>\$15</b>
<b>Probate Records Search</b>	LGC §118.052	<b>\$5</b>