

ADMINISTRATIVE  
ORDER

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COUNTY COURT AT LAW

NO. 3

SMITH COUNTY, TEXAS

**ADMINISTRATIVE ORDER REQUIRING THE USE OF THE  
COURT'S APPROVED FORM FOR SMALL ESTATE AFFIDAVITS**

On this day, County Court at Law No. 3 finds there is a need for an administrative order regarding the form used when a Small Estate Affidavit is filed with the Smith County Clerk's Office under Texas Estates Code Chapter 205.


The Court finds that many of the Small Estate Affidavits filed in Smith County do not provide all of the information the Code and the Court require. While approval of a Small Estate Affidavit is within the Court's discretion (see Estates Code §205.003), it wastes the resources of both the Court and the applicant(s) for the Court to evaluate incomplete affidavits.

Therefore, the Court has created a Small Estate Affidavit form that – if completely and correctly filled out – includes all information necessary to enable the Court to determine whether the Court should approve a Small Estate Affidavit. This Small Estate Affidavit form, as well as a detailed checklist, is posted on the Court's page on the Smith County website.

It is therefore, ORDERED that the Smith County Court at Law No. 3 will not approve any Small Estate Affidavit filed after April 1, 2023 unless it uses the approved form posted on the Court's website (or any modification of the approved form posted in the future).

SIGNED on March 13, 2023

  
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JUDGE PRESIDING

FILED  
KAREN PHILLIPS  
COUNTY CLERK  
2023 MAR 14 AM 7:58  
SMITH COUNTY TEXAS  
BY  DEPUTY