

COURT INSTRUCTIONS FOR THE TEMPORARY ADMINISTRATOR OF AN ESTATE**Compliance Hearings****Check the Smith County Judicial Records website for your date and time.**

<https://odysseyva.smith-county.com/PublicAccess/default.aspx>

Compliance hearings are automatically set by the Court on all cases. You will not receive any notices. If all required documents are filed before the hearing date, the matter will be removed from the docket. However, if you have not filed all required documents, you must appear at the compliance hearing to explain why you have not done so.

As the duly appointed Temporary Administrator of this estate, you are hereby advised by the Court that you must comply with the following statutory requirements:

1. **File your Oath within 20 days after the date of the order appointing you as the Temporary Administrator** of this estate. *This is a mandatory requirement. Sec. 305.052, Estates Code.*
2. **File your Bond not later than the third (3rd) day after the date of the Order appointing you as the Temporary Administrator** of this estate. *This is a mandatory requirement when bond has been set by the Court. Sec. 452.004, Estates Code.*
3. **Send notice by certified mail, return receipt requested, of your appointment as Temporary Administrator of this estate to all of the decedent's known heirs. This is a mandatory requirement.** The notice must include the following statements:
 - a. An heir or other interested person may request a hearing to contest the appointment not later than the 15th day after the date the letters of temporary administration are issued;
 - b. If no contest is made during the period specified by the notice, the appointment continues for the period specified in the order appointing a temporary administrator; and
 - c. The Court may make the appointment permanent.

Copies of each notice with the certified mail return receipt must be filed with the clerk. *Sec. 452.006, Estates Code.*

4. A temporary administrator may exercise only the rights and powers specifically expressed in the Court's order appointing the temporary administrator, or those expressed in subsequent orders of the Court. *Sec. 452.101, Estates Code.*
5. Place all estate funds in insured accounts in the name of the estate; allow for interest bearing accounts when practical. *Chap. 351, Estates Code.*
6. Obtain a written order of this Court authorizing ANY expenditure of estate funds before any such expenditure is made. *Chap. 351, Estates Code.*
7. Maintain an accurate record of all expenditures and receipts of estate funds. *Chap. 351, Estates Code.*
8. Preserve, protect and insure, if insurable, all non-cash assets of this estate. *Chap. 351, Estates Code.*
9. Obtain a written Order of this Court before attempting to sell, lease, transfer or otherwise dispose of any non-cash assets of this estate. *Chap. 356, 357, 358, & 360, Estates Code.*
10. At the expiration of the temporary appointment as provided in the Court's order, **you must file with the clerk a sworn list of all estate property that has come into your possession as temporary administrator, a return of all sales made by you as temporary administrator, and a full exhibit and account of all your acts as temporary administrator. This is a mandatory requirement.** *Sec. 452.151, Estates Code.*
11. Consult with your attorney on any matter regarding this estate you do not understand. *Failure to comply with the mandatory requirements of the Texas Estates Code may result in penalties up to and including revocation of letters of appointment or other penalties as provided by statute.*

Clay White, Judge

County Court at Law No. 3, Smith County, Texas

I, the duly appointed Temporary Administrator of the above referenced estate, hereby attest that I have read the above and understand its contents.

Administrator

Attorney

Date