



## Houston Probate Lawyer Whitney L. Thompson Discusses the Different Types of Probate in Texas

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Houston probate lawyer Whitney L. Thompson (<https://www.wthompsonlaw.com/houston-probate-attorney/>) releases a new article explaining the different types of probate in Texas. The lawyer explains that probate refers to the legal procedure by which the will of a decedent is authenticated, administered, and properly divided according to the terms laid out by the owner.

?All estate assets must be collected during probate. All assets not subject to probate, such as living trust assets, are exempted. Estate debts are paid out to creditors and the remainder is divided among the heirs. The distribution is made in accordance either with the last will and testament of the decedent or, if no will is available, according to Texas intestacy law,? the Houston probate lawyer says.

According to Texas state law, probate is required when the deceased person owned property in their name alone, or if they had a will but their assets do not pass to their beneficiaries through a trust or other means. The probate process can vary depending on the complexity of the estate and whether the deceased had a

will.

If the deceased had a valid will, the process is known as "testate" probate. The will is presented to the court and a personal representative is appointed to carry out the terms of the will. If the deceased did not have a will, the process is known as "intestate" probate. In this case, the court will determine who will be responsible for settling the estate and how the assets will be distributed.

One of the first steps in the probate process is to gather and inventory the deceased's assets. This includes identifying any real estate, personal property, financial accounts, and other assets. The personal representative is responsible for managing these assets during the probate process.

Next, any debts and expenses must be paid off. This includes funeral costs, medical bills, and any outstanding debts or liabilities. The personal representative is responsible for paying these debts out of the estate's assets.

After debts are paid, the remaining assets are distributed to the beneficiaries according to the terms of the will or state law. This process can take several months to complete, depending on the complexity of the estate.

It is important to note that the probate process can be contested by beneficiaries or other interested parties. This can occur if there are disputes over the validity of the will or if there are concerns about the personal representative's handling of the estate. In these cases, legal action may be necessary to resolve the issue.

In the article, the lawyer says, "Independent administration is the most popular type of probate administration. This process costs less than dependent administration. The administrator doesn't need to appear in court as often and does not usually require a bond. A decedent can request this type of administration in the will, or it may be granted by all beneficiaries."

Lastly, the lawyer emphasizes the importance of having a skilled probate attorney when dealing with matters involving the probate process. Having an experienced estate attorney may be able to help an individual understand their rights and help them prepare for the future of their loved ones.

About The Law Office of Whitney Thompson, PLLC

Attorney Whitney Thompson is an experienced family law attorney who helps clients deal with family law matters such as divorce or legal separation. Attorney Thompson also deals with guardianship, probate, and estate planning matters. As an experienced divorce lawyer, attorney Thompson and her legal team have

helped families have a smoother divorce process and plan for their future more thoroughly. To schedule a consultation, call (281) 214-0173.

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*As a Licensed Attorney, I have spent most of my career helping and representing individuals with Child Support, Divorce, Guardianship, Probate, and Estate Planning challenges.*

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