



The Supreme Court of Texas

CHIEF JUSTICE
NATHAN L. HECHT

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JUSTICES
PAUL W. GREEN
PHIL JOHNSON
EVA M. GUZMAN
DEBRA H. LEHRMANN
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GENERAL COUNSEL
NINA HESS HSU

ADMINISTRATIVE ASSISTANT
NADINE SCHNEIDER

PUBLIC INFORMATION OFFICER
OSLER McCARTHY

December 18, 2018

Mr. Charles L. "Chip" Babcock
Chair, Supreme Court Advisory Committee
Jackson Walker L.L.P.
cbabcock@jw.com

Re: Referral of Rules Issues

Dear Chip:

The Supreme Court requests the Advisory Committee to study and make recommendations on the following matters.

Eviction Kit Forms. In response to SB 478, passed by the 84th Legislature, the Court established the Landlord-Tenant Forms Task Force to draft forms for use by individuals representing themselves in residential landlord-tenant matters. On November 28, 2018, the Task Force submitted their report and a proposed kit of forms to be used in eviction suits. The report and proposal are attached to this letter.

Will Kit Forms. In response to SB 512, passed by the 84th Legislature, the Court established the Probate Forms Task Force to draft forms for use by individuals representing themselves in certain probate matters. On November 26, 2018, the Task Force submitted their report and a proposed kit of simple will forms. The report and proposal are attached to this letter.

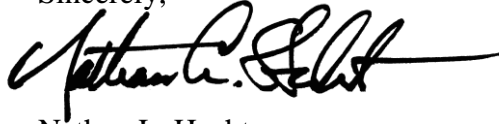
Name Change Forms. Trish McAllister, Executive Director of the Texas Access to Justice Commission, has asked the Court to promulgate two sets of name change forms—one set for an adult name change and one set for an uncontested name change of a child—that are attached to this letter.

Texas Rule of Civil Procedure 116. Rule 116 requires that citation served by publication be published in a newspaper. In the attached letter, Guy Choate and Hon. Sheri Woodfin suggest that notice might be more effective and economical if published on a website accessible to the public.

The Committee has discussed this matter before—on March 25, 2011 and May 13, 2011—but the Court has received further inquiries since then and asks the Committee to consider the matter again.

As always, the Court is grateful for the Committee's counsel and your leadership.

Sincerely,

A handwritten signature in black ink, appearing to read "Nathan L. Hecht", with a long horizontal flourish extending to the right.

Nathan L. Hecht
Chief Justice

Attachments

Supreme Court of Texas Probate Forms Task Force

P.O. Box 12487 • Austin, TX 78711-2487 • Tel: 512-427-1855 • Fax: 512-427-4160

Chair

Hon. Polly Jackson
Spencer

Members

Mr. Carlos Aguiñaga

Ms. Barbara Anderson

Ms. Julie Balovich

Mr. Craig Hopper

Ms. Cathy Horvath

Mr. Jerry Jones

Hon. Steve M. King

Ms. Trish McAllister

Ms. Christy Nisbett

Ms. Arielle Prangner

Supreme Court of Texas Liaison

Hon. Eva M. Guzman

Supreme Court of Texas Staff Representative Osler McCarthy

November 26, 2018

The Supreme Court of Texas
Attn: Mr. Blake Hawthorne
Supreme Court Building
201 West 14th Street, Room 104
Austin, Texas 78701

RE: Report to the Supreme Court of Texas, Misc. Docket No. 16-9003

Dear Justices of the Supreme Court of Texas:

On behalf of the Supreme Court Probate Forms Task Force ("Task Force"), I am providing our written report to the Court summarizing the activities of the Task Force during 2018 as well as a set of four Will forms and instructions.

Background

In response to Senate Bill 512, passed during the 2015 legislative session, the Court entered an order establishing the Probate Forms Task Force on January 21, 2016. See Exhibits A and B.

The members of the Task Force are:

- Hon. Polly Jackson Spencer, Chair, San Antonio
 - Mr. Carlos Aguiñaga, Corpus Christi
 - Ms. Barbara McComas Anderson, Dallas
 - Ms. Julie Balovich, Alpine
 - Mr. Craig Hopper, Austin
 - Ms. Cathy Horvath, Seguin
 - Mr. Jerry Frank Jones, Austin
 - Hon. Steve M. King, Ft. Worth
 - Ms. Trish McAllister, Austin
 - Ms. Christy Nisbett, Austin
 - Ms. Arielle Prangner, Houston

With the exception of Christy Nisbett who has retired, all of us are still actively involved in this process. The Task Force receives staffing and support from the Texas Access to Justice Commission. The Court's liaison is Justice Eva M. Guzman and the Court's Public Information Officer, Osler McCarthy, serves as the Court's staff representative.

Since our first meeting on March 3, 2016, we have met almost monthly to work on this project. It has been an interesting and challenging job for us, but we have enjoyed working on it and getting to know each other better in the process. We are grateful for that opportunity.

Probate Forms Development

We were given a specific charge to create three types of documents:

1. A Small Estate Affidavit under § 205 of the Estates Code;
2. Forms for the probate of a Will as a Muniment of Title under §257 of the Estates Code;
3. Simple Will Forms

We determined that Wills were an area of high need for low-income people and chose to work on them first. We thought it would be a fairly quick process. That has not proven to be true. The initial assignment for the creation of simple Wills forms was to create six forms:

1. Married with No Children Will
2. Married with Adult Children Will
3. Married with Minor Children Will
4. Single with No Children Will
5. Single with Adult Children Will
6. Single with Minor Children Will

Rather early in the process, the committee came to the conclusion that the forms for those with minor or adult children should be combined. As a result, we have prepared and include in Exhibit C with this report four forms as opposed to six:

1. Married with No Children Will
2. Married with Children Will
3. Unmarried with No Children Will
4. Unmarried with Children Will

The process has been much more difficult and time-consuming, I think, than any of us anticipated, and, at various times, we have all become quite frustrated. We are still friends, though. I believe the length of time this has taken and our frustration have been due to two specific factors: our need to write forms in “plain language that is easy to understand by the general public” and our belief that these forms needed to have a long “shelf life” and cover a variety of future contingencies. As directed, these documents are intended to be completed without the assistance of an attorney. This is significantly different from the preparation and execution of a Will prepared and overseen by an attorney.

Our initial work centered on reviewing a set of somewhat similar forms and instructions that came from California. We spent some time discussing the format of those forms. We determined that the forms should provide sufficient space for hand-entered information and directions to allow them to be completed accurately, as well as increase the likelihood that no changes or additions could later be made. This involved discussions about how many spaces we should provide for listing children, about

using boxes for these lists, about requiring signatures or initials for each space, and similar considerations. We were attempting to be certain that our instructions and formatting were understandable at a third grade education level.

We discussed many times the potential for people – the testator or possibly others – to tamper with these forms or add to them after they were signed and notarized. This could possibly invalidate the document and would certainly cause problems at the time of a probate. One member of the committee remains particularly concerned about this problem and expresses that concern regularly. Ultimately, despite these concerns, the committee decided on a format generally in keeping with what we are presenting to you. We recognize that the Court may wish to change the formatting before release to the public.

Our mandate to write these forms in “plain language that is easy to understand by the general public” also contributed to the length of time it has taken us to complete the forms. While all law disciplines have specialized language, we believe that is particularly true in this area of law. A good example is our attempt to write the term “descendants *per stirpes*” in plain language. We debated the wording multiple times as well as where to place our explanation of *per stirpes*. For example, should this be in a separate instruction, or at the end of the form, or included at the point in the Will to which it is pertinent. Similar conversations occurred about the use of many legal and Will-specific terms such as descendant, testator, survivorship, community property, separate property, executor, guardian, personal property, real property, residence, domicile, custodian and the like.

We had discussions about using bolding in the formatting and whether or not we should use the word “italics” to distinguish true parts of the Will itself from instructions embedded in the Will. As I am sure the Court often does with its opinions, we spent time considering the appropriate placement of commas. Additionally, in the usually one month time between meetings, members would reconsider matters thought to be decided and request further discussion with frequently very cogent reasons to make a change.

Several committee members had worked or now work at Legal Aid and provide valuable insight about their clientele. As a result, we have tried to accommodate circumstances that often arise in legal aid cases, such as raising a child who is not their biological or adopted child as their own, or spouses who could not afford to get legally divorced and have lived apart, perhaps with other partners, for many years, or people whose major asset is the home that they share with one or more adult members of their extended family. Our consideration of these factors was based on a desire to provide options for a variety of situations that a person in need of a Will may find themselves.

In that regard, we have incorporated some choices for the user. They have the option to include children not their own as “children” within the definition in the Will. We included choices about how people might wish to leave their property to their spouse, children, neither, or all. We also offered some suggestions about naming Custodians under the Uniform Transfers to Minors Act.

However, we also chose to limit some choices. We allowed them to name only one person to serve as executor at a time, although the law allows otherwise. We declined to include any trust provisions for

certain beneficiaries, believing that situation to be complex and best served by employing an attorney. We also incorporated a self-proved Will affidavit, although that is not required by law.

We believe that it is quite likely these forms will be completed and kept for years before the need for probate arises – hence, my earlier comment about a long shelf life. Many of us have had years of experience with the probating of Wills and have seen innumerable situations in which Wills offered for probate were decades old. With that in mind, we tried to draft these Wills, as any good attorney would, to cover multiple contingencies that might arise after the Wills are signed. This puts the drafting of these forms in a unique position. Other forms, such as divorce forms, are normally completed and used within a short time, and reviewed in a court proceeding with the parties present. Mistakes would be recognized and presumably corrected quickly. In the case of Wills, these documents are likely to be completed, put away for some period of time, and reviewed by a court only after the testator's death, when it is too late to clarify any discrepancies or correct any mistakes.

We spent considerable effort on how to write instructions for the forms. As is obvious, we opted for a set of general instructions for all of the forms, a set of instructions as a cover page for each form, instructions and explanations embedded in each form, and as a separate page of instructions for the notary. We debated where the instructions should be, being mindful that people generally tend to gloss over reading most instructions and move directly to completion of a form. Some instructions we thought should be repeated, e.g., the need to seek advice from an attorney, the need to prepare a new Will rather than making changes on the previously executed document, and the need to execute a new Will if family circumstances change significantly. We discussed how many instructions in how many different places should be printed in **bold** letters, or *shaded* or *italicized* and whether too much of that special formatting might cause people to ignore the instructions altogether.

Finally, we tested these forms with various groups. All of us took the forms to our work places and asked for feedback. We wanted to know if our forms could meet the needs of people in different circumstances and if our instructions were clear enough. The forms were also tested again in two Legal Aid clinics, and we anticipate at least one more testing situation – all, of course, without identifying them as Supreme Court forms or forms created by this task force. We made refinements to the forms based on the feedback from these beta tests.

Next Steps

Members have begun drafting the small estate affidavit and will then turn to the muniment of title.

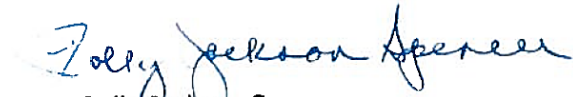
Summary

We are pleased to present these forms to the Court as a product into which much time, thought and effort has gone. We recognize that the forms will be reviewed and likely revised by the Court. We also recognize that no form will be perfect and that they will probably be revised from time to time as the public uses them and provides information about their ease of use and general value.

I believe I speak for all of us when I say we would like to discuss any revisions the Court makes. I know I speak for all of us when I say that it has been an honor for us to be asked to be a part of this important

work and this task force, and would like to thank the Court for its support of this project. We look forward to continuing the work of the Task Force and, as always, are available to the Court at any time.

Very truly yours,



Hon. Polly Jackson Spencer
Chair

AN ACT

relating to the promulgation of certain forms for use in probate matters.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 22, Government Code, is amended by adding Section 22.020 to read as follows:

Sec. 22.020. PROMULGATION OF CERTAIN PROBATE FORMS.

(a) In this section:

(1) "Probate court" has the meaning assigned by Section 22.007, Estates Code.

(2) "Probate matter" has the meaning assigned by Section 22.029, Estates Code.

(b) The supreme court shall, as the court considers appropriate, promulgate:

(1) forms for use by individuals representing themselves in certain probate matters, including forms for use in:

(A) a small estate affidavit proceeding under Chapter 205, Estates Code; and

(B) the probate of a will as a muniment of title under Chapter 257, Estates Code;

(2) a simple will form for:

(A) a married individual with an adult child;

(B) a married individual with a minor child;

(C) a married individual with no children;

1 (D) an unmarried individual with an adult child;
2 (E) an unmarried individual with a minor child;
3 and
4 (F) an unmarried individual with no children; and
5 (3) instructions for the proper use of each form or set
6 of forms.

7 (c) The forms and instructions:

8 (1) must be written in plain language that is easy to
9 understand by the general public;

10 (2) shall be made readily available to the general
11 public in the manner prescribed by the supreme court; and

12 (3) must be translated into the Spanish language as
13 provided by Subsection (d).

14 (d) The Spanish language translation of a form must:

15 (1) state:

16 (A) that the Spanish language translated form is
17 to be used solely for the purpose of assisting in understanding the
18 form and may not be submitted to the probate court; and

19 (B) that the English language version of the form
20 must be submitted to the probate court; or

21 (2) be incorporated into the English language version
22 of the form in a manner that is understandable to both the probate
23 court and members of the general public.

24 (e) Each form and its instructions must clearly and
25 conspicuously state that the form is not a substitute for the advice
26 of an attorney.

27 (f) The clerk of a probate court shall inform members of the

1 general public of the availability of a form promulgated by the
2 supreme court under this section as appropriate and make the form
3 available free of charge.

4 (g) A probate court shall accept a form promulgated by the
5 supreme court under this section unless the form has been completed
6 in a manner that causes a substantive defect that cannot be cured.

7 SECTION 2. This Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 512 passed the Senate on
March 24, 2015, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 512 passed the House on
May 22, 2015, by the following vote: Yeas 138, Nays 2, two
present not voting.

Chief Clerk of the House

Approved:

Date

Governor

IN THE SUPREME COURT OF TEXAS

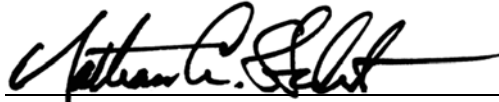
Misc. Docket No. 16-9003

ORDER CREATING PROBATE FORMS TASK FORCE

1. Senate Bill 512, passed in the 2015 legislative session, amends Government Code Section 22.020 to direct the Court to make certain forms for use in probate matters. *See* Acts 2015, 84th Leg., R.S. (S.B. 512) (amending TEX. GOV'T CODE § 22.020).
2. The Court therefore orders the establishment of a Probate Forms Task Force to make recommendations to the Court regarding the forms. The following persons are appointed to serve as members:

Hon. Polly Jackson Spencer	San Antonio	Jerry Jones	Austin
Carlos Aguiñaga	Corpus Christi	Hon. Steve King	Fort Worth
Barbara Anderson	Dallas	Trish McAllister	Austin
Julie Balovich	Alpine	Christy Nisbett	Austin
Craig Hopper	Austin	Arielle Prangner	Houston
Cathy Horvath	Seguin		
3. The Honorable Polly Jackson Spencer is appointed as Chair of the Task Force.
4. The Court's liaison to the Task Force is Justice Eva M. Guzman. The Court's Public Information Officer, Osler McCarthy, will serve as the Court's staff representative to the Task Force.
5. The Task Force should provide a status report to the Court by December 1, 2016.

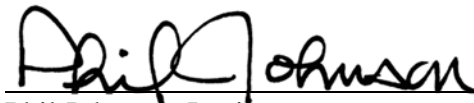
Dated: January 21, 2016.



Nathan L. Hecht, Chief Justice



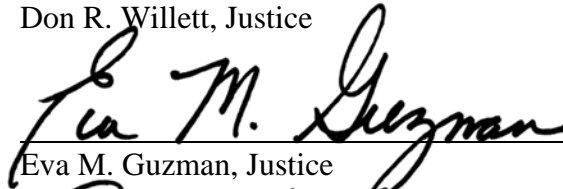
Paul W. Green, Justice



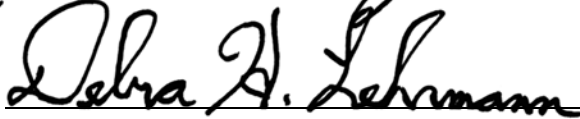
Phil Johnson, Justice




Don R. Willett, Justice



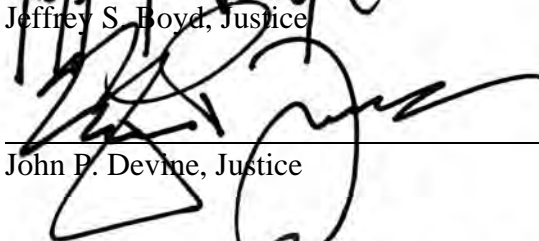
Eva M. Guzman, Justice



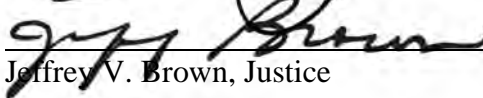
Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



John P. Devine, Justice



Jeffrey V. Brown, Justice

Supreme Court of Texas Approved

Will Form Instructions

It is always best to use an attorney. This Will Kit is not a substitute for legal advice. Wills are complicated. If you have a question about any part of the instructions or Will Form in this Will Kit, it is best to talk to a lawyer.

This Will Kit contains instructions for the Will Form, instructions for the Notary, and the Will Form. The Texas Supreme Court adopted four different Will Forms. Pick the one that fits your needs.

If you want to give something to a person who gets government benefits, like Medicaid or food stamps (SNAP), get advice from an attorney before using any Court-Approved Will Forms. It could affect their benefits.

These instructions will discuss:

- important information about your Will,
- filling out your Will,
- signing your Will,
- what to do after you finish your Will,
- where to get help, and
- helpful words to know.

Important Information:

- Read everything in this Will Kit – the instructions, notary instructions, and Will – BEFORE filling out the forms. Keep these instructions handy and refer to them as needed.
- Once you have signed the Will, you **MUST** make a new Will if you want to change ANYTHING. Any changes made to the Will after you sign it are not valid.
- **You may need to make a NEW Will if your situation changes,** for example, divorce, marriage, death of a spouse or a child, etc.
- Your new Will does not change the current beneficiary of your pay on death and survivorship bank accounts, Transfer on Death Deeds, Vehicle Transfer on Death, insurance policies, or retirement accounts.
- You may want to ask the person you are choosing to be your Independent Executor if they are willing to serve as Independent Executor.

Filling out the Will:

- Some of the words in the Will are not used in daily life but are in your Will for legal reasons. If you see a word you do not fully understand, read the “Helpful Words to Know” section of these instructions. If you still have questions, contact an attorney.
- Make sure you read these instructions and the specific instruction for the Will you decide to use before you fill out your Will.
- It is best to fill out the form online. If you do not fill it out online, use the same pen (blue or black ink) to complete the entire form.
- Type or print clearly in all blanks. If you do not need to fill in a blank or space, cross it out. This will prevent anyone, even you, from changing your Will after you have signed and dated it.
- Unless the form or instructions say differently, do not add or mark through any words in this Will. Some sections have no blanks to fill in. They are needed for legal reasons. Do not add or delete anything from these sections.
- You may fill the Will out ahead of time. But do not sign the Will until you and the witnesses are all in the same room with a Notary.

Supreme Court of Texas Approved

Will Form Instructions

- Before filling out the Will, you need to get specific information together: full names (first, middle initial, & last) of people and proper names of any organization you want to put into your will; the make, model, and year of any cars; and the property description of any real property.
- Read over the Will when you have finished to make sure everything is correct and the way you want it.
- If you make a mistake while filling in the Will, rip it up, and start over with a new one.

Signing your Will is a legally significant ceremony. You must follow the steps below:

- Once you have filled out the Will, you will need to get two witnesses and a Notary together with you for the signing ceremony.
- Do not use a beneficiary (someone receiving a gift in your Will) to witness your Will.
- Give the notary instructions to the Notary.
- In the signing ceremony, you, the witnesses, and the Notary will watch each other sign the Will, so no one should leave the room until everyone has signed. Do NOT sign the Will until you are with the Notary and witnesses in the same room. Do not sign more than one Will, even if you make copies. Sign in blue ink if possible.

What do you do after you finish your Will?

- Staple it and DO NOT unstaple it.
- Make as many copies of your Will as you want after stapling the original. DO NOT take out the staples to copy.
- Keep your original signed Will in a safe place.
- You should tell the person you have chosen to be your Independent Executor that you have a Will and where the original Will is located. Whether you tell any of your beneficiaries is up to you.
- When you die, the original Will must be probated to have any effect. There is a 4-year deadline from the date of your death to probate the Will.

Need Help?

- It is always best to hire a lawyer. Call the State Bar of Texas Lawyer Referral Information Service at 1-800-252-9690 to get a referral to a lawyer or to a free Legal Aid program if you are unable to afford a lawyer.
- If your income is low, you may be able to talk to a lawyer online by live chat at www.TexasLawHelp.org or post a question online for a lawyer at <https://texas.freelegalanswers.org/>.
- For information on the probate process go to:
 - www.TexasLawHelp.org
 - www.tyla.org/tyla/index.cfm/projects/probate-passport/

Supreme Court of Texas Approved

Will Form Instructions

Helpful Words to Know

Term	What it means
Beneficiary	Anyone you choose to receive property or other items in your Will.
Community Property	All real and personal property acquired during the marriage, except for separate property, which is defined below.
Descendants	The descendants of a person are their children, their grandchildren, their great-grandchildren, and so on.
Estate	<p>Your estate includes all the things you own at the time of your death. Examples are houses, buildings, land, vehicles, money in bank accounts, cash, jewelry, furniture, clothes, and other items in your home.</p> <p>Important Note: Your new Will does not change the current beneficiary of your pay on death and survivorship bank accounts, Transfer on Death Deeds, Vehicle Transfer on Death, or insurance and retirement accounts.</p>
Execute	Execute means sign.
Guardian of the Person	A Guardian of the Person may be needed if you have a child who is under 18 years of age or an adult child who is incapacitated.
Homestead	<p>A home that you own and use as your main residence.</p> <p>If you are married at the time of your death, your spouse will be allowed to stay in your homestead property until your spouse dies, even if you are giving your share of the home to someone other than your spouse.</p>
Independent Executor	<p>The person appointed by the Court who will be in charge of your estate once you die. The person you name has no authority to act as Independent Executor until appointed by the Court.</p> <p>The Independent Executor makes sure your wishes in the Will are followed to the best of their ability. The Independent Executor CAN be a beneficiary (someone receiving a gift in your Will). The Independent Executor is often a surviving spouse, adult child, sibling, or other trusted person.</p>

Supreme Court of Texas Approved

Will Form Instructions

Married	<p>You are married in Texas if you and your partner are both living and have a valid marriage license or declaration of informal marriage from Texas, another state, or another country.</p> <p>You are married even if you are separated.</p> <p>You may also be married under common law if, at the time the marriage was created, you and your partner:</p> <ul style="list-style-type: none"> • were not already married, informally or formally, to anyone else, • were at least 18 years of age, • agreed to be married, • lived in Texas as a married couple, and • told or “held yourselves out” to others that you are married.
Notary	A Notary is a person authorized by the state to swear that the people signing the Will are who they say they are. A Notary will sign and put a seal on your Will. There are separate Notary instructions in this packet.
Personal Property	Personal property includes, but is not limited to, cash and bank accounts, clothing, household furnishings, vehicles, and jewelry.
Real Property	Land and improvements, like a house or mobile home designated as real property. It also includes oil, gas, and other mineral rights.
Separate Property	Personal or real property owned before a marriage or received during marriage by gift or inheritance. It also includes damages awarded during marriage from a personal injury lawsuit, except for damages representing loss of earning capacity.
Survives	A person must be living 30 days after your death to take under this Will.
Testator	The person signing this Will is the Testator. If this is your Will, you are the Testator.
Unmarried	<p>If you are single, widowed, or divorced, you are not married.</p> <p>If you do not have a valid marriage license or declaration of informal marriage or do not meet the requirements for a common law marriage, you are not married.</p> <p>If your spouse is no longer living, you are also not married for purposes of making a Will. You should use one of the “Single, Widowed, or Divorced” Will forms.</p>
Witnesses	<p>The two people who watch you sign your Will. They will sign their names to your Will when you are all in the same room with a Notary.</p> <p>Do not use a beneficiary (someone receiving a gift in your Will) to witness your Will.</p>

WILL FORM

For A Single, Widowed, or Divorced Person With Children

This is the right Will Form if:

- You are single,, widowed, or divorced **and**
- You have one or more children, grandchildren, or people you intend to include in your will as children or grandchildren.

If this is NOT the right Will Form, there are three other Will Forms that may apply to you. Check the other three forms to see if they will work for you.

- *It is always best to use an attorney. This Will Kit is not a substitute for legal advice. Wills are complicated. If you have a question about any part of the instructions or the will in this Will Kit, it is best to talk to an attorney.*
- *Instructions in italics are for your information only. They are not a part of this Will. Read through the separate instructions and notary instructions with this Will Form before you begin filling out the Will.*
- *The person making this Will is called the Testator.*
- *It is best to fill out the form online. If you do not fill it out online, use the same pen to fill out the entire form.*
- *Type or print clearly in all blanks; or if you do not need to fill in a blank or space, cross it out. This will prevent anyone, even you, from changing your Will after you have signed and dated it.*
- *Unless the form or instructions say differently, do not add or mark through any words in this Will. Some sections have no blanks to fill in. They are needed for legal reasons. Do not add or delete anything from these sections.*
- *Someone receiving a gift in your Will should not sign your Will as a witness.*

IMPORTANT: Any changes made to the Will after you sign it are not valid. If you want to change ANYTHING, rip the Will up, and start over with a new one.

WILL

SECTION 1. IDENTIFICATION

Type or print clearly the full names of people in the correct blanks. If possible, list names as they appear on legal documents like a driver's license, state ID, birth certificate, or other official document. Listing these names in 1.2 and 1.3 identifies who will receive your property under Section 2.2 "Everything I Own."

1.1. My name is _____.

First Middle Initial Last Suffix (Jr. Sr., etc.)

I am sometimes also known as _____.

First Middle Initial Last Suffix (Jr. Sr., etc.)

This is my Will. I revoke and cancel any Wills I made before this one.

1.2. I am not married.

1.3. My children are listed in the two charts below. The term "my children" means the people named below as my children (living and deceased) and any children born to or adopted by me after this Will is made.

Even if a person listed below is not my biological or adopted child or grandchild, I intend for them to be included as one of "my children" or grandchildren.

1.3.A. The full names of my **living** children are:

If you do not fill in a space, cross the space out.

<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix (Jr. Sr., etc.)</i>
<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>

1.3.B. If I have any children who have **died**, their names and the names of their children, if any, are:

If you do not fill in a space, cross the space out.

Full name of my deceased child →	<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix (Jr., Sr., Etc.)</i>
Full names of all my grandchildren born to or adopted by this deceased child → <i>If none, write none</i>	<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>

Full name of my deceased child →	<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
Full names of all my grandchildren born to or adopted by this deceased child → <i>If none, write none</i>	<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>

Full name of my deceased child →	<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
Full names of all my grandchildren born to or adopted by this deceased child → <i>If none, write none</i>	<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>

Full name of my deceased child →	<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
Full names of all my grandchildren born to or adopted by this deceased child → <i>If none, write none</i>	<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>

Testator: Sign Your Name Here

SECTION 2. GIVING MY PROPERTY

2.1. Everything I Own, Except for Specific Gifts

<p>Choice #1</p> <p><i>All to the surviving children, except for any specific gifts</i></p>	<p>I give everything I own, except for any specific gifts, to my children who survive me.</p> <p>Gifts to my children, except for specific gifts, will be divided into shares as follows:</p> <ol style="list-style-type: none">1. One share will be created for each child of mine who survives me, plus2. One share will be created for each child of mine who has not survived me but who has descendants who survive me. <p>Each surviving child will take one share and the share of each deceased child will be divided among that deceased child's children.</p> <p>_____</p> <p><i>Testator: If you choose this option, sign here</i></p>			
<p>Choice #2</p> <p><i>To people named here</i></p>	<p>I give everything I own, except for any specific gifts, in equal shares to the following person(s) listed below:</p> <p><i>Write the first and last names and middle initial of the person(s).</i></p> <table border="1" data-bbox="522 961 1442 1071"><tr><td> </td></tr><tr><td> </td></tr><tr><td> </td></tr></table> <p>_____</p> <p><i>Testator: If you choose this option, sign here</i></p>			

2.2. Specific Gifts

This section is optional. You can choose to fill in all, some, or none of the three sections listed here. The previous section, Section 2.1 "Everything I Own", will apply to any property not listed here in Section 2.2. If you do not fill in a space, cross the space out. The three sections are:

Section 2.2.A <i>Giving My Home</i>	<i>Use this section to give a specific person or persons your interest in your home. It does not include the items inside the home.</i>
Section 2.2.B. <i>Giving My Personal and Household Items</i>	<i>Use this section to give away your interest in <u>all</u> the items inside your home. This includes household goods, furniture, tools, clothes, and other items. You can use both this section and Section 2.2.C. if you want to give someone a particular item but still give the bulk of your personal and household items to another person.</i>
Section 2.2.C. <i>Giving Specific Items or Property</i>	<i>Use this section to give a person a specific item. Examples include vehicles, boats, jewelry, valuables, <u>particular</u> items in your home, real estate other than your home, or other items.</i>

2.2.A. Giving My Home

*Complete this section **only if** you want to give your interest in your home to one or more specific persons. If you do not complete this section, your home will go to whom you named in Section 2.1 "Everything I Own."*

This section is for your home only, not your personal and household items. You can give your personal and household items in the next section, Section 2.2.B "Giving My Personal and Household Items."

If you do not fill in a space, cross the space out.

I give my interest in my home, subject to mortgages and liens, in equal shares to the following person or persons who survive me. If none of these people survives me, my interest in my home will pass under Section 2.2 "Everything I Own."			
First	Middle Initial	Last	Suffix (Jr. Sr., etc.)
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix

2.2.B. Giving My Personal and Household Items

Complete this section if you want to give all your interest in your personal and household items to one or more people you name to be divided among them. You may also give a specific item to a specific person by using the next section, 2.2.C. "Giving Specific Items or Property."

Section 2.1 "Everything I Own" will apply to any items you do not give under this section or Section 2.2.C. "Giving Specific Items or Property."

If you do not fill in a space, cross the space out.

"Personal and household items" means all household goods, furniture, furnishings, tools, garden equipment, china, silver, works of art, jewelry, clothing, personal effects, and any other similar items of personal property.

Except for any specific gifts I make in Section 2.3.C "Giving Specific Items or Property," I give all of my interest in my personal and household items in equal shares to the following person or persons who survive me. If none of these people survives me, my interest in these items will pass under Section 2.2 "Everything I Own." My interest in these items shall be divided among them as they agree. If they cannot agree, the Executor will decide.			
First	Middle Initial	Last	Suffix (Jr. Sr., etc.)
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix

Testator: Sign Your Name Here

2.2.C. Giving Specific Items or Property

Complete this section if you want to give someone your interest in a specific item or property. Examples include vehicles or boats, particular items in your home, jewelry, valuables, real estate other than your home, or other items.

If you do not fill in a space, cross the space out.

I give my interest in each item listed below to the person named next to the item if that person survives me.

<div>Item(s) to be given:</div> <div>Please describe in detail</div>	<div>Full name of person getting item(s):</div>
	<div>FirstMiddle InitialLastSuffix (Jr. Sr., etc.)</div>
	<div>FirstMiddle InitialLastSuffix</div>
	<div>FirstMiddle InitialLastSuffix</div>
	<div>FirstMiddle InitialLastSuffix</div>
	<div>FirstMiddle InitialLastSuffix</div>
	<div>FirstMiddle InitialLastSuffix</div>
	<div>FirstMiddle InitialLastSuffix</div>

Testator: Sign Your Name Here

SECTION 3. INDEPENDENT EXECUTOR

In this section you choose the person you want to be in charge of your estate after you die. This person must be 18 years old or over and cannot be a convicted felon.

Your choice of Independent Executor must be approved by the Court before he or she can act as Independent Executor. After appointment, the Court generally does not supervise the Independent Executor.

If you use this Will form, you can only have one Independent Executor in charge at a time. It is best to name a second and third choice in case someone you name cannot serve as Independent Executor.

- 3.1.** I name the following persons in the order listed to be appointed as sole Independent Executor of my Will and estate. If a person does not serve or stops serving for any reason, then I name the next listed person.

If you do not fill in a space, cross the space out.

1. Name of First Choice for Independent Executor

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

2. Name of Second Choice for Independent Executor

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

3. Name of Third Choice for Independent Executor

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

- 3.2.** My Independent Executor is not required to post a bond in any jurisdiction.
- 3.3.** Once appointed by the Court, the Independent Executor shall administer and distribute the estate as required by law. The power to administer the estate includes the power to sell real and personal property. The Independent Executor can act without the consent of my beneficiaries.
- 3.4.** No action shall be had in the Probate Court in relation to the settlement of my estate other than the probating and recording of this Will, notice to beneficiaries as required by the Texas Estates Code, and the return of any required inventory, appraisalment, and list of claims owed to my estate.

SECTION 4. CUSTODIAN FOR PERSONS UNDER AGE 21 WHO RECEIVE GIFTS UNDER THIS WILL.

- 4.1.** Any gift to a person under 21 may instead be delivered to a Custodian for that person under the Uniform Transfers to Minor Act of Texas or any other state.
- 4.2.** My Executor may name a Custodian for any beneficiary under age 21.
- 4.3.** My Executor may consider appointing a beneficiary's surviving parent as Custodian but is not required to do so.
- 4.4.** My Executor may name different Custodians for different beneficiaries.
- 4.5.** My Executor may also serve as Custodian.

SECTION 5. GUARDIAN OF THE PERSON OF A MINOR CHILD OR INCAPACITATED ADULT CHILD

Complete this section if you would like to suggest a Guardian for the Person of your child who is under 18 years old or your adult child who is incapacitated. The Court will have to approve your choice.

If you use this Will form, you can only have one Guardian at a time. It is best to name a second and third choice in case someone you name cannot serve as Guardian.

I name the following persons in the order listed to be appointed as Guardian of the Person of any child who needs a Guardian. If a person does not serve or stops serving for any reason, then I name the next listed person.

1. Name of First Choice for Guardian of the Person

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

2. Name of Second Choice for Guardian of the Person

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

3. Name of Third Choice for Guardian of the Person

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

SECTION 6. TEXAS LAW APPLIES AND SURVIVORSHIP

- 6.1.** Texas law shall apply to all matters related to this Will.
- 6.2.** No person shall be considered to have survived me unless that person is living 30 days after my death.

SECTION 7. EXECUTION, ATTESTATION, AND SELF-PROOF OF WILL

DO NOT sign UNTIL the Testator, Witnesses, & Notary are all in the same room.
DO NOT LEAVE until everyone has signed.

Before me, the undersigned authority, on this day personally appeared the following:

Print
Names
Here

_____, the Testator.
First Middle Initial Last Suffix (Jr. Sr., etc.) The Testator is the person making this Will

_____, the first witness.
First Middle Initial Last Suffix (Jr. Sr., etc.)

_____, the second witness.
First Middle Initial Last Suffix (Jr. Sr., etc.)

1. I, as the Testator, after being duly sworn, declare to the undersigned witnesses and to the undersigned authority:
 - a. This instrument is my Will.
 - b. I willingly make and execute this Will as my free act and deed.
 - c. I execute this Will in the presence of the undersigned witnesses, all of whom are present at the same time.
 - d. I request each of the undersigned witnesses to sign this Will in my presence and in the presence of each other.
 - e. I now sign this Will in the presence of the attesting witnesses and the undersigned authority on

____/____/____.
Month/ Day/ Year

Testator: Sign your name here

2. The undersigned witnesses, after being duly sworn, declare to the testator and to the undersigned authority:
 - a. The testator declared to us that this instrument is the testator's Will.
 - b. The testator requested us to act as witnesses to the testator's Will and signature.
 - c. The testator then signed this Will in our presence, all of us being present at the same time.
 - d. The testator is 18 years of age or over (or being under such age, is or has been lawfully married, or is a member of the armed forces of the United States or of an auxiliary of the armed forces of the United States or of the United States Maritime Service).
 - e. We believe the testator to be of sound mind.
 - f. We are each at least 14 years of age.
 - g. We now sign our names as attesting witnesses in the presence of the testator, each other, and the undersigned authority on ____/____/____.

Month/Day/Year

First witness signs here

Second witness signs here

Subscribed and sworn to before me
by the Testator and the Witnesses,
on ____/____/____.

Notary Public, State of Texas
(Seal)

End of Will

WILL FORM

For A Married Person With Children

This is the right Will Form if:

- You are currently married (formally or common law) **and**
- Your spouse is alive **and**
- You have one or more children, grandchildren, or people you intend to include in your will as children or grandchildren.

If this is NOT the right Will Form, there are three other Will Forms that may apply to you. Check the other three forms to see if they will work for you.

- *It is always best to use an attorney. This Will Kit is not a substitute for legal advice. Wills are complicated. If you have a question about any part of the instructions or the will in this Will Kit, it is best to talk to an attorney.*
- *Instructions in italics are for your information only. They are not a part of this Will. Read through the separate instructions and notary instructions with this Will Form before you begin filling out the Will.*
- *The person making this Will is called the Testator.*
- *It is best to fill out the form online. If you do not fill it out online, use the same pen to fill out the entire form.*
- *Type or print clearly in all blanks; or if you do not need to fill in a blank or space, cross it out. This will prevent anyone, even you, from changing your Will after you have signed and dated it.*
- *Unless the form or instructions say differently, do not add or mark through any words in this Will. Some sections have no blanks to fill in. They are needed for legal reasons. Do not add or delete anything from these sections.*
- *Someone receiving a gift in your Will should not sign your Will as a witness.*

IMPORTANT: Any changes made to the Will after you sign it are not valid. If you want to change ANYTHING, rip the Will up, and start over with a new one.

WILL

SECTION 1. IDENTIFICATION

Type or print clearly the full names of people in the correct blanks. If possible, list names as they appear on legal documents like a driver's license, state ID, birth certificate, or other official document. Listing these names in 1.2 and 1.3 identifies who will receive your property under Section 2.2 "Everything I Own."

1.1. My name is _____.

First Middle Initial Last Suffix (Jr. Sr., etc.)

I am sometimes also known as _____.

First Middle Initial Last Suffix (Jr. Sr., etc.)

This is my Will. I revoke and cancel any Wills I made before this one.

1.2. I am married to _____, who is now living.

First Middle Initial Last Suffix (Jr. Sr., etc.)

This person will be referred to as "my spouse" in this Will.

1.3. My children are listed in the two charts below. The term "my children" means the people named below as my children (living and deceased) and any children born to or adopted by me after this Will is made.

Even if a person listed below is not my biological or adopted child or grandchild, I intend for them to be included as one of "my children" or grandchildren.

1.3.A. The full names of my **living** children are:

If you do not fill in a space, cross the space out.

<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix (Jr. Sr., etc.)</i>
<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>

1.3.B. If I have any children who have **died**, their names and the names of their children, if any, are:

If you do not fill in a space, cross the space out.

Full name of my deceased child →	<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix (Jr., Sr., Etc.)</i>
Full names of all my grandchildren born to or adopted by this deceased child → <i>If none, write none</i>	<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>

Full name of my deceased child →	<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
Full names of all my grandchildren born to or adopted by this deceased child → <i>If none, write none</i>	<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>

Full name of my deceased child →	<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
Full names of all my grandchildren born to or adopted by this deceased child → <i>If none, write none</i>	<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>

Full name of my deceased child →	<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>
Full names of all my grandchildren born to or adopted by this deceased child → <i>If none, write none</i>	<i>First</i>	<i>Middle Initial</i>	<i>Last</i>	<i>Suffix</i>

Testator: Sign Your Name Here

SECTION 2. GIVING MY PROPERTY

2.1 In this Will, I intend to give away my separate property and only my half of community property.

Note: You can only give away your separate property and your half of community property.

2.2. Everything I Own, Except for Specific Gifts

You have two choices under this section: Choice #1 – leave your property to your spouse or Choice #2 – leave your property to your children. Filling out either choice does not stop you from giving specific items to certain people you name. You will do this in Section 2.3 “Specific Gifts.”

*Complete and sign **only one** choice. Cross out the other one.*

If I sign both or neither choice and my spouse survives me, then everything I own, except for any specific gifts, passes under Choice #1.

Choice #1 <i>All to the surviving spouse, except for any specific gifts</i>	I give everything I own to my spouse, if my spouse survives me, except for any specific gifts. If my spouse does not survive me, I give everything I own, except for any specific gifts, to the following person(s) listed below who survive me (for example, “my children” or list specific people by their full name.) <div style="text-align: right;"><hr/><i>Testator: If you choose this option, sign here</i></div>
Choice #2 <i>Nothing to surviving spouse, except for any specific gifts</i>	EVEN IF my spouse survives me, I give everything I own, except for any specific gifts, in equal shares to the following person(s) listed below: <i>Write the first& last name and middle initial of the person(s).</i> <div style="text-align: right;"><hr/><i>Testator: If you choose this option, sign here</i></div>
Choice #3 <i>Nothing to surviving spouse, except for any specific gifts</i>	EVEN IF my spouse survives me, I give everything I own to my children, except for any specific gifts to my spouse or another person. Gifts to my children, except for specific gifts, will be divided into shares as follows: <ol style="list-style-type: none">1. One share will be created for each child of mine who survives me, plus2. One share will be created for each child of mine who has not survived me but who has descendants who survive me. Each surviving child will take one share and the share of each deceased child will be divided among that deceased child’s children. <div style="text-align: right;"><hr/><i>Testator: If you choose this option, sign here</i></div>

2.3. Specific Gifts

This section is optional. You can choose to fill in all, some, or none of the three sections listed here. The previous section, Section 2.2 "Everything I Own", will apply to any property not listed here in Section 2.3. If you do not fill in a space, cross the space out. The three sections are:

Section 2.3.A Giving My Home	Use this section to give a specific person or persons your interest in your home. It does not include the items inside the home.
Section 2.3.B. Giving My Personal and Household Items	Use this section to give away your interest in <u>all</u> the items inside your home. This includes household goods, furniture, tools, clothes, and other items. You can use both this section and Section 2.3.C. if you want to give someone a particular item but still give the bulk of your personal and household items to another person.
Section 2.3.C. Giving Specific Items or Property	Complete this section if you want to give someone your interest in a specific item or property. Examples include vehicles, boats, jewelry, valuables, <u>particular</u> items in your home, real estate other than your home, or other items.

2.3.A. Giving My Home

Complete this section only if you want to give your interest in your home to one or more specific persons. If you do not complete this section, your home will go to whom you named in Section 2.2 "Everything I Own."

This section is for your home only, not your personal and household items. You can give your personal and household items in the next section, Section 2.3.B "Giving My Personal and Household Items."

If you do not fill in a space, cross the space out.

I give my interest in my home, subject to mortgages and liens, in equal shares to the following person or persons who survive me. If none of these people survives me, my interest in my home will pass under Section 2.2 "Everything I Own."			
First	Middle Initial	Last	Suffix (Jr. Sr., etc.)
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix

2.3.B. Giving My Personal and Household Items

Complete this section if you want to give all your interest in your personal and household items to one or more people you name to be divided among them. You may also give a specific item to a specific person by using the next section, 2.3.C. "Giving Specific Items or Property."

Section 2.2 "Everything I Own" will apply to any items you do not give under this section or Section 2.3.C. "Giving Specific Items or Property."

If you do not fill in a space, cross the space out.

"Personal and household items" means all household goods, furniture, furnishings, tools, garden equipment, china, silver, works of art, jewelry, clothing, personal effects, and any other similar items of personal property.

Except for any specific gifts I make in Section 2.3.C "Giving Specific Items or Property," I give all of my interest in my personal and household items in equal shares to the following person or persons who survive me. If none of these people survives me, my interest in these items will pass under Section 2.2 "Everything I Own." My interest in these items shall be divided among them as they agree. If they cannot agree, the Executor will decide.			
First	Middle Initial	Last	Suffix (Jr. Sr., etc.)
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix

Testator: Sign Your Name Here

2.3.C. Giving Specific Items or Property

Complete this section if you want to give someone your interest in a specific item or property. Examples include vehicles or boats, particular items in your home, jewelry, valuables, real estate other than your home, or other items.

If you do not fill in a space, cross the space out.

I give my interest in each item listed below to the person named next to the item if that person survives me.

<div>Item(s) to be given:</div> <div>Please describe in detail</div>	<div>Full name of person getting item(s):</div>
	<div>FirstMiddle InitialLastSuffix (Jr. Sr., etc.)</div>
	<div>FirstMiddle InitialLastSuffix</div>
	<div>FirstMiddle InitialLastSuffix</div>
	<div>FirstMiddle InitialLastSuffix</div>
	<div>FirstMiddle InitialLastSuffix</div>
	<div>FirstMiddle InitialLastSuffix</div>
	<div>FirstMiddle InitialLastSuffix</div>

Testator: Sign Your Name Here

SECTION 3. INDEPENDENT EXECUTOR

In this section you choose the person you want to be in charge of your estate after you die. This person must be 18 years old or over and cannot be a convicted felon.

Your choice of Independent Executor must be approved by the Court before he or she can act as Independent Executor. After appointment, the Court generally does not supervise the Independent Executor.

If you use this Will form, you can only have one Independent Executor in charge at a time. It is best to name a second and third choice in case someone you name cannot serve as Independent Executor.

- 3.1.** I name the following persons in the order listed to be appointed as sole Independent Executor of my Will and estate. If a person does not serve or stops serving for any reason, then I name the next listed person.

If you do not fill in a space, cross the space out.

1. Name of First Choice for Independent Executor

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

2. Name of Second Choice for Independent Executor

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

3. Name of Third Choice

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

- 3.2.** My Independent Executor is not required to post a bond in any jurisdiction.
- 3.3.** Once appointed by the Court, the Independent Executor shall administer and distribute the estate as required by law. The power to administer the estate includes the power to sell real and personal property. The Independent Executor can act without the consent of my beneficiaries.
- 3.4.** No action shall be had in the Probate Court in relation to the settlement of my estate other than the probating and recording of this Will, notice to beneficiaries as required by the Texas Estates Code, and the return of any required inventory, appraisement, and list of claims owed to my estate.

SECTION 4. CUSTODIAN FOR PERSONS UNDER AGE 21 WHO RECEIVE GIFTS UNDER THIS WILL.

- 4.1.** Any gift to a person under 21 may instead be delivered to a Custodian for that person under the Uniform Transfers to Minor Act of Texas or any other state.
- 4.2.** My Executor may name a Custodian for any beneficiary under age 21.
- 4.3.** My Executor may consider appointing a beneficiary's surviving parent as Custodian but is not required to do so.
- 4.4.** My Executor may name different Custodians for different beneficiaries.
- 4.5.** My Executor may also serve as Custodian.

SECTION 5. GUARDIAN OF THE PERSON OF A MINOR CHILD OR INCAPACITATED ADULT CHILD

Complete this section if you would like to suggest a Guardian for the Person of your child who is under 18 years old or your adult child who is incapacitated. The Court will have to approve your choice.

If you use this Will form, you can only have one Guardian at a time. It is best to name a second and third choice in case someone you name cannot serve as Guardian.

I name the following persons in the order listed to be appointed as Guardian of the Person of any child who needs a Guardian. If a person does not serve or stops serving for any reason, then I name the next listed person.

If you do not fill in a space, cross the space out.

1. Name of First Choice for Guardian of the Person

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

2. Name of Second Choice for Guardian of the Person

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

3. Name of Third Choice for Guardian of the Person

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

SECTION 6. TEXAS LAW APPLIES AND SURVIVORSHIP

- 6.1.** Texas law shall apply to all matters related to this Will.
- 6.2.** No person shall be considered to have survived me unless that person is living 30 days after my death.
- 6.3** My spouse and I have no contract or agreement regarding this Will. I may change this Will at any time without notice to my spouse.

SECTION 7. EXECUTION, ATTESTATION, AND SELF-PROOF OF WILL

DO NOT sign UNTIL the Testator, Witnesses, & Notary are all in the same room.
DO NOT LEAVE until everyone has signed.

Before me, the undersigned authority, on this day personally appeared the following:

**Print
Names
Here**

_____, the Testator.
First Middle Initial Last Suffix (Jr. Sr., etc.) The Testator is the person making this Will

_____, the first witness.
First Middle Initial Last Suffix (Jr. Sr., etc.)

_____, the second witness.
First Middle Initial Last Suffix (Jr. Sr., etc.)

1. I, as the Testator, after being duly sworn, declare to the undersigned witnesses and to the undersigned authority:
 - a. This instrument is my Will.
 - b. I willingly make and execute this Will as my free act and deed.
 - c. I execute this Will in the presence of the undersigned witnesses, all of whom are present at the same time.
 - d. I request each of the undersigned witnesses to sign this Will in my presence and in the presence of each other.
 - e. I now sign this Will in the presence of the attesting witnesses and the undersigned authority on

____/____/____.
Month/ Day/ Year

Testator: Sign your name here

2. The undersigned witnesses, after being duly sworn, declare to the testator and to the undersigned authority:
 - a. The testator declared to us that this instrument is the testator's Will.
 - b. The testator requested us to act as witnesses to the testator's Will and signature.
 - c. The testator then signed this Will in our presence, all of us being present at the same time.
 - d. The testator is 18 years of age or over (or being under such age, is or has been lawfully married, or is a member of the armed forces of the United States or of an auxiliary of the armed forces of the United States or of the United States Maritime Service).
 - e. We believe the testator to be of sound mind.
 - f. We are each at least 14 years of age.
 - g. We now sign our names as attesting witnesses in the presence of the testator, each other, and the undersigned authority on ____/____/____.

Month/Day/Year

First witness signs here

Second witness signs here

Subscribed and sworn to before me
by the Testator and the Witnesses,
on ____/____/____.

Notary Public, State of Texas
(Seal)

End of Will

WILL FORM

For A Single, Widowed, or Divorced Person with No Children

This is the right Will Form if:
<ul style="list-style-type: none">• You are single, widowed, or divorced and• You have NO children, grandchildren, or people you intend to include in your will as children or grandchildren.
If this is NOT the right Will Form , there are three other Will Forms that may apply to you. Check the other three forms to see if they will work for you.

- *It is always best to use an attorney. This Will Kit is not a substitute for legal advice. Wills are complicated. If you have a question about any part of the instructions or the Will in this Will Kit, it is best to talk to an attorney.*
- *Instructions in italics are for your information only. They are not a part of this Will. Read through the separate instructions and notary instructions with this Will Form before you begin filling out the Will.*
- *The person making this Will is called the Testator.*
- *It is best to fill out the form online. If you do not fill it out online, use the same pen to fill out the entire form.*
- *Type or print clearly in all blanks; or if you do not need to fill in a blank or space, cross it out. This will prevent anyone, even you, from changing your Will after you have signed and dated it.*
- *Unless the form or instructions say differently, do not add or mark through any words in this Will. Some sections have no blanks to fill in. They are needed for legal reasons. Do not add or delete anything from these sections.*
- *Someone receiving a gift in your Will should not sign your Will as a witness.*

IMPORTANT: Any changes made to the Will after you sign it are not valid. If you want to change ANYTHING, rip the Will up, and start over with a new one.

WILL

SECTION 1. IDENTIFICATION

Type or print clearly the full names of people in the correct blanks. If possible, list names as they appear on legal documents like a driver's license, state ID, birth certificate, or other official document. Listing these names in 1.2 and 1.3 identifies whom will receive your property under Section 2.2 "Everything I Own."

1.1. My name is _____.
First Middle Initial Last Suffix (Jr. Sr., etc.)

I am sometimes also known as _____.
First Middle Initial Last Suffix (Jr. Sr., etc.)

This is my Will. I revoke and cancel any Wills I made before this one.

1.2. I am not married.

1.3. I have no children.

SECTION 2. GIVING MY PROPERTY

2.1. Everything I Own, Except for Specific Gifts

You **MUST** fill in this box to ensure any remaining property is given to someone.

If you do not fill in a space, cross the space out.

Except for any specific gifts I make in Section 2.2 "Specific Gifts," I give everything I own in equal shares to the person(s) whom survive me and/or the organization(s) that exists at the time of my death as indicated below.

Please write the full name of the person(s) (First, Middle Initial, Last, Suffix)

or organization(s) (full name and location).

2.2. Specific Gifts

Testator: Sign Your Name Here

This section is optional. You can choose to fill in all, some, or none of the three sections listed here. The previous section, Section 2.1 “Everything I Own”, will apply to any property not listed here in Section 2.2. If you do not fill in a space, cross the space out. The three sections are:

Section 2.2.A Giving My Home	Use this section to give a specific person or persons your interest in your home. It does not include the items inside the home.
Section 2.2.B. Giving My Personal and Household Items	Use this section to give away your interest in <u>all</u> the items inside your home. This includes household goods, furniture, tools, clothes, and other items. You can use both this section and Section 2.2.C. if you want to give someone a particular item but still give the bulk of your personal and household items to another person.
Section 2.2.C. Giving Specific Items or Property	Use this section to give a person a specific item. Examples include vehicles, boats, jewelry, valuables, <u>particular</u> items in your home, real estate other than your home, or other items.

2.2.A. Giving My Home

Complete this section only if you want to give your interest in your home to one or more specific persons. If you do not complete this section, your home will go to whom you named in Section 2.1 “Everything I Own.”

This section is for your home only, not your personal and household items. You can give your personal and household items in the next section, Section 2.2.B “Giving My Personal and Household Items.”

If you do not fill in a space, cross the space out.

I give my interest in my home, subject to mortgages and liens, in equal shares to the following person or persons whom survive me. If none of these people survives me, my interest in my home will pass under Section 2.1 “Everything I Own.”			
First	Middle Initial	Last	Suffix (Jr. Sr., etc.)
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix

2.2.B. Giving My Personal and Household Items

Testator: Sign Your Name Here

Complete this section if you want to give all your interest in your personal and household items to one or more people you name to be divided among them.

You may also give a specific item to a specific person by using the next section, 2.2.C. "Giving Specific Items or Property."

Section 2.1 "Everything I Own" will apply to any items you do not give under this section or Section 2.2.C. "Giving Specific Items or Property." If you do not fill in a space, cross the space out.

"Personal and household items" means all household goods, furniture, furnishings, tools, garden equipment, china, silver, works of art, jewelry, clothing, personal effects, and any other similar items of personal property.

If you do not fill in a space, cross the space out.

Except for any specific gifts I make in Section 2.2.C "Giving Specific Items or Property," I give all of my interest in my personal and household items in equal shares to the following person or persons whom survive me. If none of these people survives me, my interest in these items will pass under Section 2.1 "Everything I Own." My interest in these items shall be divided among them as they agree. If they cannot agree, the Executor will decide.			
First	Middle Initial	Last	Suffix (Jr. Sr., etc.)
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix

2.3.C. Giving Specific Items or Property

Testator: Sign Your Name Here

Complete this section if you want to give someone your interest in a specific item or property. Examples include vehicles, boats, jewelry, valuables, particular items in your home, real estate other than your home, or other items.

If you do not fill in a space, cross the space out.

I give my interest in each item listed below to the person named next to the item if that person survives me.

<u>Item(s) to be given:</u> <i>Please describe in detail</i>	<u>Full name of person getting item(s):</u>
	<i>First Middle Initial Last Suffix (Jr. Sr., etc.)</i>
	<i>First Middle Initial Last Suffix</i>
	<i>First Middle Initial Last Suffix</i>
	<i>First Middle Initial Last Suffix</i>
	<i>First Middle Initial Last Suffix</i>
	<i>First Middle Initial Last Suffix</i>
	<i>First Middle Initial Last Suffix</i>

SECTION 3. INDEPENDENT EXECUTOR

Testator: Sign Your Name Here

In this section you choose the person you want to be in charge of your estate after you die. This person must be 18 years old or over and cannot be a convicted felon.

Your choice of Independent Executor must be approved by the Court before he or she can act as Independent Executor. After appointment, the Court generally does not supervise the Independent Executor.

If you use this Will form, you can only have one Independent Executor in charge at a time. It is best to name a second and third choice in case someone you name cannot serve as Independent Executor.

- 3.1.** I name the following persons in the order listed to be appointed as sole Independent Executor of my Will and estate. If a person does not serve or stops serving for any reason, then I name the next listed person.

If you do not fill in a space, cross the space out.

1. Name of First Choice for Independent Executor

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

2. Name of Second Choice for Independent Executor

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

3. Name of Third Choice for Independent Executor

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

- 3.2.** My Independent Executor is not required to post a bond in any jurisdiction.
- 3.3.** Once appointed by the Court, the Independent Executor shall administer and distribute the estate as required by law. The power to administer the estate includes the power to sell real and personal property. The Independent Executor can act without the consent of my beneficiaries.
- 3.4.** No action shall be had in the Probate Court in relation to the settlement of my estate other than the probating and recording of this Will, notice to beneficiaries as required by the Texas Estates Code, and the return of any required inventory, appraisalment, and list of claims owed to my estate.

**SECTION 4. CUSTODIAN FOR PERSONS UNDER AGE 21
WHOM RECEIVE GIFTS UNDER THIS WILL.**

- 4.1.** Any gift to a person under 21 may instead be delivered to a Custodian for that person under the Uniform Transfers to Minor Act of Texas or any other state.
- 4.2.** My Executor may name a Custodian for any beneficiary under age 21.
- 4.3.** My Executor may consider appointing a beneficiary's surviving parent as Custodian but is not required to do so.
- 4.4.** My Executor may name different Custodians for different beneficiaries.
- 4.5.** My Executor may also serve as Custodian.

SECTION 5. TEXAS LAW APPLIES AND SURVIVORSHIP

- 5.1.** Texas law shall apply to all matters related to this Will.
- 5.2.** No person shall be considered to have survived me unless that person is living 30 days after my death.

SECTION 6. EXECUTION, ATTESTATION, AND SELF-PROOF OF WILL

DO NOT sign UNTIL the Testator, Witnesses, & Notary are all in the same room.

DO NOT LEAVE until everyone has signed.

Before me, the undersigned authority, on this day personally appeared the following:

**Print
Names
Here**

_____, the Testator.
First Middle Initial Last Suffix (Jr. Sr., etc.) The Testator is the person making this Will

_____, the first witness.
First Middle Initial Last Suffix (Jr. Sr., etc.)

_____, the second witness.
First Middle Initial Last Suffix (Jr. Sr., etc.)

1. I, as the Testator, after being duly sworn, declare to the undersigned witnesses and to the undersigned authority:
 - a. This instrument is my Will.
 - b. I willingly make and execute this Will as my free act and deed.
 - c. I execute this Will in the presence of the undersigned witnesses, all of whom are present at the same time.
 - d. I request each of the undersigned witnesses to sign this Will in my presence and in the presence of each other.
 - e. I now sign this Will in the presence of the attesting witnesses and the undersigned authority on

____/____/____.
Month/ Day/ Year

Testator: Sign your name here

2. The undersigned witnesses, after being duly sworn, declare to the testator and to the undersigned authority:
 - a. The testator declared to us that this instrument is the testator's Will.
 - b. The testator requested us to act as witnesses to the testator's Will and signature.
 - c. The testator then signed this Will in our presence, all of us being present at the same time.
 - d. The testator is 18 years of age or over (or being under such age, is or has been lawfully married, or is a member of the armed forces of the United States or of an auxiliary of the armed forces of the United States or of the United States Maritime Service).
 - e. We believe the testator to be of sound mind.
 - f. We are each at least 14 years of age.
 - g. We now sign our names as attesting witnesses in the presence of the testator, each other, and the undersigned authority

on ____/____/____.
Month/Day/Year

First witness signs here

Second witness signs here

Subscribed and sworn to before me
by the Testator and the Witnesses,
on ____/____/____.

Notary Public, State of Texas
(Seal)

End of Will

WILL FORM

For A Married Person with No Children

This is the right Will Form if:

- You are currently married (formally or common law) **and**
- Your spouse is alive **and**
- You have NO children, grandchildren, or people you intend to include in your will as children or grandchildren.

If this is NOT the right Will Form, there are three other Will Forms that may apply to you. Check the other three forms to see if they will work for you.

- *It is always best to use an attorney. This Will Kit is not a substitute for legal advice. Wills are complicated. If you have a question about any part of the instructions or the will in this Will Kit, it is best to talk to an attorney.*
- *Instructions in italics are for your information only. They are not a part of this Will. Read through the separate instructions and notary instructions with this Will Form before you begin filling out the Will.*
- *The person making this Will is called the Testator.*
- *It is best to fill out the form online. If you do not fill it out online, use the same pen to fill out the entire form.*
- *Type or print clearly in all blanks; or if you do not need to fill in a blank or space, cross it out. This will prevent anyone, even you, from changing your Will after you have signed and dated it.*
- *Unless the form or instructions say differently, do not add or mark through any words in this Will. Some sections have no blanks to fill in. They are needed for legal reasons. Do not add or delete anything from these sections.*
- *Someone receiving a gift in your Will should not sign your Will as a witness.*

IMPORTANT: Any changes made to the Will after you sign it are not valid. If you want to change ANYTHING, rip the Will up, and start over with a new one.

WILL

SECTION 1. IDENTIFICATION

Type or print clearly the full names of people in the correct blanks. If possible, list names as they appear on legal documents like a driver's license, state ID, birth certificate, or other official document. Listing your spouse in 1.2 identifies who will receive your property under Section 2.2 "Everything I Own."

1.1. My name is _____.

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

I am sometimes also known as _____.

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

This is my Will. I revoke and cancel any Wills I made before this one.

1.2. I am married to _____, who is now living.

First

Middle Initial

Last

Suffix (Jr. Sr., etc.)

This person will be referred to as "my spouse" in this Will.

1.3. I have no children.

SECTION 2. GIVING MY PROPERTY

2.1 In this Will, I intend to give away my separate property and only my half of community property.

Note: You can only give away your separate property and your half of community property.

2.2. Everything I Own, Except for Specific Gifts

You have two choices under this section: Choice #1 – leave your property to your spouse or Choice #2 – leave your property to person(s) and/or organization(s) other than your spouse. Filling out either choice does not stop you from giving specific items to certain people you name. You will do this in Section 2.3 "Specific Gifts."

Complete and sign **only one** choice. Cross out the other one.

If I sign both or neither choice and my spouse survives me, then everything I own, except for any specific gifts, passes under Choice #1.

Choice #1 All to the surviving spouse, except for any specific gifts	I give everything I own to my spouse, if my spouse survives me, except for any specific gifts. If my spouse does not survive me, I give everything I own to the following persons who survive me and/or organizations, except for any specific gifts. _____ <i>Testator: If you choose this option, sign here</i>
Choice #2 Nothing to surviving spouse, except for any specific gifts	EVEN IF my spouse survives me, I give everything I own, except for any specific gifts, in equal shares to the following person(s) and/or organization(s) listed below: Write the first & last names and middle initial of the person(s) and/or full name & location of organization(s). _____ _____ _____ _____ <i>Testator: If you choose this option, sign here</i>

2.3. Specific Gifts

This section is optional. You can choose to fill in all, some, or none of the three sections listed here. The previous section, Section 2.2 "Everything I Own", will apply to any property not listed here in Section 2.3. If you do not fill in a space, cross the space out. The three sections are:

Section 2.3.A Giving My Home	Use this section to give a specific person or persons your interest in your home. It does not include the items inside the home.
Section 2.3.B. Giving My Personal and Household Items	Use this section to give away your interest in <u>all</u> the items inside your home. This includes household goods, furniture, tools, clothes, and other items. You can use both this section and Section 2.3.C. if you want to give someone a particular item but still give the bulk of your personal and household items to another person.
Section 2.3.C. Giving Specific Items or Property	Use this section to give a person a specific item. Examples include vehicles, boats, jewelry, valuables, <u>particular</u> items in your home, real estate other than your home, or other items.

2.3.A. Giving My Home

Complete this section only if you want to give your interest in your home to one or more specific persons. If you do not complete this section, your home will go to whom you named in Section 2.2 "Everything I Own."

This section is for your home only, not your personal and household items. You can give your personal and household items in the next section, Section 2.3.B "Giving My Personal and Household Items."

If you do not fill in a space, cross the space out.

I give my interest in my home, subject to mortgages and liens, in equal shares to the following person or persons who survive me. If none of these people survives me, my interest in my home will pass under Section 2.2 "Everything I Own."			
First	Middle Initial	Last	Suffix (Jr. Sr., etc.)
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix

2.3.B. Giving My Personal and Household Items

Complete this section if you want to give all your interest in your personal and household items to one or more people you name to be divided among them.

You may also give a specific item to a specific person by using the next section, 2.3.C. "Giving Specific Items or Property."

Section 2.2 "Everything I Own" will apply to any items you do not give under this section or Section 2.3.C. "Giving Specific Items or Property." If you do not fill in a space, cross the space out.

"Personal and household items" means all household goods, furniture, furnishings, tools, garden equipment, china, silver, works of art, jewelry, clothing, personal effects, and any other similar items of personal property.

Except for any specific gifts I make in Section 2.3.C "Giving Specific Items or Property," I give all of my interest in my personal and household items in equal shares to the following person or persons who survive me. If none of these people survives me, my interest in these items will pass under Section 2.2 "Everything I Own." My interest in these items shall be divided among them as they agree. If they cannot agree, the Executor will decide.			
First	Middle Initial	Last	Suffix (Jr. Sr., etc.)
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix
First	Middle Initial	Last	Suffix

Testator: Sign Your Name Here

2.3.C. Giving Specific Items or Property

Complete this section if you want to give someone your interest in a specific item or property. Examples include vehicles, boats, jewelry, valuables, particular items in your home, real estate other than your home, or other items.

If you do not fill in a space, cross the space out.

I give my interest in each item listed below to the person named next to the item if that person survives me.

<div>Item(s) to be given:</div> <div>Please describe in detail</div>	<div>Full name of person getting item(s):</div>
	<div>FirstMiddle InitialLastSuffix (Jr. Sr., etc.)</div>
	<div>FirstMiddle InitialLastSuffix</div>
	<div>FirstMiddle InitialLastSuffix</div>
	<div>FirstMiddle InitialLastSuffix</div>
	<div>FirstMiddle InitialLastSuffix</div>
	<div>FirstMiddle InitialLastSuffix</div>
	<div>FirstMiddle InitialLastSuffix</div>

Testator: Sign Your Name Here

SECTION 3. INDEPENDENT EXECUTOR

In this section you choose the person you want to be in charge of your estate after you die. This person must be 18 years old or over and cannot be a convicted felon.

Your choice of Independent Executor must be approved by the Court before he or she can act as Independent Executor. After appointment, the Court generally does not supervise the Independent Executor.

If you use this Will form, you can only have one Independent Executor in charge at a time. It is best to name a second and third choice in case someone you name cannot serve as Independent Executor.

If you do not fill in a space, cross the space out.

- 3.1.** I name the following persons in the order listed to be appointed as sole Independent Executor of my Will and estate. If a person does not serve or stops serving for any reason, then I name the next listed person.

1. Name of First Choice for Independent Executor

First

Middle

Last

Suffix (Jr. Sr., etc.)

2. Name of Second Choice for Independent Executor

First

Middle

Last

Suffix (Jr. Sr., etc.)

3. Name of Third Choice for Independent Executor

First

Middle

Last

Suffix (Jr. Sr., etc.)

- 3.2.** My Independent Executor is not required to post a bond in any jurisdiction.
- 3.3.** Once appointed by the Court, the Independent Executor shall administer and distribute the estate as required by law. The power to administer the estate includes the power to sell real and personal property. The Independent Executor can act without the consent of my beneficiaries.
- 3.4.** No action shall be had in the Probate Court in relation to the settlement of my estate other than the probating and recording of this Will, notice to beneficiaries as required by the Texas Estates Code, and the return of any required inventory, appraisalment, and list of claims owed to my estate.

SECTION 4. CUSTODIAN FOR PERSONS UNDER AGE 21 WHO RECEIVE GIFTS UNDER THIS WILL.

- 4.1.** Any gift to a person under 21 may instead be delivered to a Custodian for that person under the Uniform Transfers to Minor Act of Texas or any other state.
- 4.2.** My Executor may name a Custodian for any beneficiary under age 21.
- 4.3.** My Executor may consider appointing a beneficiary's surviving as Custodian but is not required to do so.
- 4.4.** My Executor may name different Custodians for different beneficiaries.
- 4.5.** My Executor may also serve as Custodian.

SECTION 5. TEXAS LAW APPLIES AND SURVIVORSHIP

- 5.1.** Texas law shall apply to all matters related to this Will.
- 5.2.** No person shall be considered to have survived me unless that person is living 30 days after my death.
- 5.3.** My spouse and I have no contract or agreement regarding this Will. I may change this Will at any time without notice to my spouse.

SECTION 6. EXECUTION, ATTESTATION, AND SELF-PROOF OF WILL

DO NOT sign UNTIL the Testator, Witnesses, & Notary are all in the same room.

DO NOT LEAVE until everyone has signed.

Before me, the undersigned authority, on this day personally appeared the following:

**Print
Names
Here**

_____, the Testator.
First Middle Initial Last Suffix (Jr. Sr., etc.) The Testator is the person making this Will

_____, the first witness.
First Middle Initial Last Suffix (Jr. Sr., etc.)

_____, the second witness.
First Middle Initial Last Suffix (Jr. Sr., etc.)

1. I, as the Testator, after being duly sworn, declare to the undersigned witnesses and to the undersigned authority:
 - a. This instrument is my Will.
 - b. I willingly make and execute this Will as my free act and deed.
 - c. I execute this Will in the presence of the undersigned witnesses, all of whom are present at the same time.
 - d. I request each of the undersigned witnesses to sign this Will in my presence and in the presence of each other.
 - e. I now sign this Will in the presence of the attesting witnesses and the undersigned authority on

____/____/____.
Month/ Day/ Year

Testator: Sign your name here

2. The undersigned witnesses, after being duly sworn, declare to the testator and to the undersigned authority:
 - a. The testator declared to us that this instrument is the testator's Will.
 - b. The testator requested us to act as witnesses to the testator's Will and signature.
 - c. The testator then signed this Will in our presence, all of us being present at the same time.
 - d. The testator is 18 years of age or over (or being under such age, is or has been lawfully married, or is a member of the armed forces of the United States or of an auxiliary of the armed forces of the United States or of the United States Maritime Service).
 - e. We believe the testator to be of sound mind.
 - f. We are each at least 14 years of age.
 - g. We now sign our names as attesting witnesses in the presence of the testator, each other, and the undersigned authority

on ____/____/____.
Month/Day/Year

First witness signs here

Second witness signs here

Subscribed and sworn to before me
by the Testator and the Witnesses,
on ____/____/____.

Notary Public, State of Texas
(Seal)