



**JOHN F. WARREN  
COUNTY CLERK  
DALLAS COUNTY, TEXAS**

**“MAKE CHECKS PAYABLE TO: JOHN F. WARREN, COUNTY CLERK”**

<b>PROBATE FILING FEES EFFECTIVE: JANUARY 1, 2011</b>	
<b>Applications for Probate of a will: Letters Testamentary, Muniment of Title, Administration with will Annexed.</b>	<b>\$226.00</b>
<b>Applications for Administration:</b> Independent Administration, Dependent Administration, Community Administration or No Administration	<b>\$226.00</b>
Combined Application for Administration and Determination of Heirship: <b>You will receive an additional bill from the Daily Commercial Record for publication (for the heirship proceeding) of your citation. This fee must be paid before the citation will be returned to the Clerk.</b>	<b>\$295.00</b>
Application To Determine Heirship (You will receive a separate bill from the Daily Commercial Record for the publication of your Citation. The bill must be paid before the citation will be returned.)	<b>\$271.00</b>
Application for Letters of Guardianship: <b>If guardianship of the person, add a \$25 Court Investigator’s Service fee. Other than the ward’s or proposed ward’s family member or an attorney: Add \$10 per applicant for access to Criminal History Records. Add an additional \$79 for service upon the proposed ward if being served within Dallas County by a Constable. Add an additional \$4 if proposed ward is being served out of Dallas County by a Constable, Sheriff or by a Private Process Server. A proposed ward 12 years of age of older must be personally served (no exceptions.)</b>	<b>\$226.00</b>
Application for Temporary Guardianship: <b>Add \$10 per applicant for access to Criminal History Records. Add an additional \$79 for service upon the proposed ward if being served within Dallas County by a Constable. Add an additional \$4 if proposed ward is being served out of Dallas County by a Constable, Sheriff or by a Private Process Server. A proposed ward 12 years of age of older must be personally served (no exceptions.)</b>	<b>\$202.00</b>
Original Probate of A Foreign Will In The State: Add additional \$24.00 for posting if letters are needed in this State.	<b>\$202.00</b>
Application for Sale of Real Property (Section 889)	<b>\$202.00</b>

Civil Lawsuit ( <b>Must be ancillary to an estate and have the appointment of a personal representative. Add Additional \$79.00 for personal service by a Constable in Dallas County or \$4.00 for service out of county or by a private process server</b> )	<b>\$202.00</b>
Petition for Declaratory Judgment or Petition in Interpleader (ancillary to an estate)	<b>\$202.00</b>
Application for Adjudication of Right of Survivorship Agreement	<b>\$202.00</b>
Application for Private Professional Guardian	<b>\$202.00</b>
Application for Presumption of Death ( <b>Unless there are assets, file with District Clerk</b> )	<b>\$202.00</b>
Application for Successor Trustee (Ancillary)	<b>\$202.00</b>
Ancillary Probate without Letters	<b>\$202.00</b>
Small Estate Affidavit	<b>\$182.00</b>
Mental Illness Case: citation included ( <b>add \$140.00 with arrest fee</b> )	<b>\$269.00</b>
Motion to Open Safety Deposit Box	<b>\$52.00</b>
Show Cause for Production of Will: <b>Add \$79 for service by Dallas County Constable or \$4 if being served out of Dallas County or by a Private Process Server.</b>	<b>\$52.00</b>
Emergency Intervention	<b>\$52.00</b>
Section 22/Notice of Intention to Take a Deposition/Commission, must provide copy of will (per witness). If copy of will not provided, add \$1 per page.	<b>\$29.00</b>
Will Deposit	<b>\$5.00</b>
Court Ordered Delayed Certificate of Birth/Death ( <b>\$1 per page, plus \$5 for certification per set</b> )	<b>\$1.00</b>

### **CONSTABLE FEES (ADD \$4 ISSUANCE FEE)**

Citations issued by clerk and served by others	<b>\$4.00</b>
Writ of Execution, Garnishment, Writ of Sequestration ( <b>Other Writs not Specifically Listed</b> )	<b>\$140.00</b>
Personal citation (served by Dallas Constable or Sheriff)	<b>\$75.00</b>
Subpoena ( <b>witness fee \$10 cash ~ served by Dallas Constable or Sheriff</b> )	<b>\$75.00</b>
TRO/Injunction	<b>\$75.00</b>
Published Citation/CMRRR by Clerk ( <b>publisher's fee billed separately</b> )	<b>\$65.00</b>
Show Cause Notice/Citation	<b>\$75.00</b>

Writ of Possession ( <b>Writ of Possession without \$20 fee for posting notice: \$140.00</b> )	<b>\$160.00</b>
Adverse Actions	<b>\$65.00</b>
Cross Action, Counter Claims, Intervention, 3 <sup>rd</sup> Party Petition	<b>\$50.00</b>
Jury Fee	<b>\$57.00</b>

<b>MISCELLANEOUS FEES</b>	
Abstract of Judgment	<b>\$2.00</b>
Clerk Administer Oath (per personal representative)	<b>\$2.00</b>
Claim Deposit	<b>\$2.00</b>
For any document containing <b>26</b> pages or more, a filing fee of <b>\$25.00</b> is due after the approval of the Inventory and Appraisal; or on the <b>121st</b> day from the initial filing date, whichever occurs first. <b>(\$25 FEE DOES NOT APPLY TO CIVIL LAWSUITS)</b>	<b>\$25.00</b>
Decree Removing an Executor, Administrator or Guardian	<b>\$1.00</b>
Fiat, Decree, Order <b>(\$25 FEE DOES NOT APPLY TO CIVIL LAWSUITS)</b>	<b>\$2.00</b>
Approving and Recording Bond	<b>\$3.00</b>
Letters (Testamentary, Administration, Guardianship)	<b>\$4.00</b>
Temporary Guardianship Certificate	<b>\$5.00</b>
Copies (per page) Add \$5.00 for certified or exemplified certificates ( <b>*Docket Sheets are not certified</b> )	<b>\$1.00</b>
File Retrieval from Archive	<b>\$2.00</b>
Probate Estate Name Search	<b>\$5.00</b>
Affidavit of Inability to Pay Court Costs: <b>Unless Government assistance is received, all Petitions filed with an Affidavit of Inability to Pay Court Costs will be contested with the District Attorney's Office. Unless ruled indigent, no action will be taken by the court until applicable filing fees is paid.</b>	<b>NO CHARGE</b>
Access to Criminal History Records (per applicant on Guardianship cases including proposed temporary guardian, proposed successor guardian, other than the ward's or proposed ward's family member or an attorney. <b>This fee has not been included with guardianship filing fees.</b>	<b>\$10.00</b>

<b>Pleadings within a probate matter (fee applies on the 91<sup>st</sup> day after the qualification of the Personal Representative; or on the 121st day after the initial filing, whichever occurs first)</b>		<b>Pleadings that require a filing fee (plus \$24 Posting fee)</b>	
Inventory (on the 91 <sup>st</sup> day after qualification of P.R.; \$2 order fee included)	\$27	Final Account (\$2 order and posting fees included) *Note: No posting required on Guardianship of Minors ~ Subtract \$24 posting fee	\$51
Annual Account (\$2 order fee included)	\$27	Application for Sale of Real Property (\$2 order and posting fees included)	\$51
Annual Report on Condition of Ward (\$2 order fee included)	\$12	Application for Sale of Personal Property: Sec. 334 and 813 (\$2 order and posting fees included) *Note: If filing under Sec. 333, posting not required ~ Subtract \$24 posting fee	\$51

<b>PLEADINGS THAT MUST BE SWORN TO BY THE APPLICANT BEFORE FILING</b>	
Final Account	Application for Sale of Real and Personal Property
Annual Account – Report of Compliance	Application to Open Safety Deposit Box
All Applications for Guardianship	Inventory and Appraisement
Application to Determine Heirship	Small Estate Affidavit – Report of Sale
Claims – Waivers – All Affidavits	Application for Emergency Intervention
Application for Appointment of a Successor Executor	Oaths (can be sworn by Clerk for fee of \$2 per personal representative)

**Jury Fee ~ Sec. 51.604 ~ Govt. Code**  
**Facilities Fee ~ Sec. 51.705 ~ Govt. Code**  
**Security Funds ~ 291.007 ~ Loc. Govt. Code**  
**Court Report Fee ~ Sec. 51.601 ~ Govt. Code**  
**Judicial Salary Fee ~ Sec. 51.701 ~ Govt. Code**  
**Law Library ~ Sec. 323.023 ~ Local Govt. Code**  
**Clerk Fees ~ Section 118.052 ~ Local Govt. Code**  
**Indigent Fee ~ Sec. 101.1013 ~ Local Govt. Code**  
**Indigent Legal Services ~ Sec. 51.901 ~ Govt. Code**  
**Mediation Fee ~ Sec. 152.004 ~ Texas CP & R Code**  
**Records Preservation Fee ~ Sec. 51.708 Govt. Code**  
**County Judge Fee ~ Sec. 118.101 ~ Local Govt. Code**  
**Appellant Judicial Fund ~ Sec. 22.2061 ~ Govt. Code**  
**Additional Special Fee ~ Sec. 118.064 Loc Govt. Code**  
**Self – Insurance Fee Per Commissioners Court Order**  
**Records Management ~ Sec. 118.0546 ~ Loc. Govt. Code**  
**Probate Guardianship Fee ~ Sec. 118.067 ~ Local Government Code**  
**Probate Court Investigator’s Fee Per Administrative Order 2010-01**  
**Access to Criminal History Records ~ Texas Probate Code ~ Sec. 698**  
**Issue Document Fee ~ Sec. 118.051/118.059 ~ Texas Local Govt. Code**  
**Continuing Judicial Education Fund ~ Sec. 118.064 ~ Local Govt. Code**  
**Fees of Sheriff and Constable ~ V.T.C.A. ~ Local Govt. Code ~ Paragraph 118.131**

<b>BREAKDOWN OF PROBATE FILING FEES</b>			
Clerk Fee	<b>\$40</b>	Indigent Salary Fee	<b>\$10</b>
Additional Special Fee	<b>\$5</b>	Appellant Fee	<b>\$5</b>
Mediation Fee	<b>\$15</b>	Issue Document Fee	<b>\$4</b>
Law Library	<b>\$15</b>	Facilities Fee	<b>\$15</b>
Court Reporter Fee	<b>\$15</b>	County Judge	<b>\$2</b>
Records Management Fee	<b>\$5</b>	Constable Fee (posting)	<b>\$20</b>
		Probate Guardianship Fee	<b>\$20</b>
Security Funds	<b>\$5</b>	<b>Total Fee</b>	<b>\$226</b>
Judicial Salary Fee	<b>\$40</b>	For cases that do not require posting subtract \$24.00	<b>\$202</b>
Records Preservation Fee	<b>\$10</b>		

**For your convenience, you can access this fee schedule on our website: [www.DallasCounty.org](http://www.DallasCounty.org)**