

**Texas Wills,
Trusts, and Estates**

Texas Wills, Trusts, and Estates

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Preface

This book is designed for courses covering intestate succession, wills, estate administration, and trusts. The cases, problems, and questions are drawn extensively from Texas materials and attempt to provide the student with a comprehensive understanding of how decedent's estates are handled in Texas.

When the notation “*read*” is used, the student should immediately read the indicated materials before proceeding. The signal “*see*” indicates that the cited material is highly relevant to the question or statement being made but that, although highly recommended, the source need not be immediately consulted. “*See generally*” indicates background material or material that would be a good place to start researching that particular topic.

All of the cases have been edited, to one extent or another. Omissions are indicated by asterisks and most of the courts' footnotes have been omitted or renumbered without notation.

This book is designed to be used in conjunction with the most recent edition of TEXAS ESTATE PLANNING STATUTES WITH COMMENTARY which is published by AuthorHouse. This book is a compilation of the relevant Texas statutes which are referenced in this book and contains charts which convert Probate Code citations to Estates Code citations. This chart will be especially helpful as cases decided prior to the effective date of the Estates Code, January 1, 2014, cite to the applicable Probate Code provisions which are now recodified in the Estates Code. The book also includes commentary entitled *Statutes in Context* to provide background information, explanations, and citations to key cases.

Every attempt was made to ascertain the correctness of the information contained in this book. However, neither Carolina Academic Press nor the author warrant that this material is without error. Readers should verify all material with the original sources before relying on it. In addition, new cases and legislation make important changes to the law. You may access a list of updates to this work at <http://www.ProfessorBeyer.com>.

If, as you use this book, you have any suggestions, comments, corrections, or criticisms, I would greatly appreciate your sharing them with me. Please contact me via e-mail at gwb@ProfessorBeyer.com.

Gerry W. Beyer
Lubbock, Texas
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Abbreviations

Art. = Texas Revised Civil Statutes.*

Beyer = 9 & 10 GERRY W. BEYER, TEXAS LAW OF WILLS (Texas Practice most recent edition).

Bus. & Com. Code = Texas Business and Commerce Code.*

Civ. Prac. & Rem. Code = Texas Civil Practice and Remedies Code.*

Estates Code = Texas Estates Code.*

Examples & Explanations = GERRY W. BEYER, WILLS, TRUSTS, AND ESTATES: EXAMPLES & EXPLANATIONS (6th ed. 2015).

Fam. Code = Texas Family Code.*

Fin. Code = Texas Finance Code.*

Gov't Code = Texas Government Code.*

Health & Safety Code = Texas Health and Safety Code.*

Ins. Code = Texas Insurance Code.*

Occ. Code = Texas Occupations Code.*

Prob. Code = Texas Probate Code.

Prop. Code = Texas Property Code.*

Trans. Code = Texas Transportation Code.*

U.P.C. = Uniform Probate Code (official 1993 text).

Woodward & Smith = 17 & 18 M.K. WOODWARD & ERNEST E. SMITH, III, PROBATE AND DECEDENTS' ESTATES (Texas Practice 1971 & most recent Supp.).

* Citations are to Codes and Articles as amended through the Regular Session of the 2017 Texas Legislature; all citations should be checked to determine whether the statute has been subsequently amended or repealed.

