

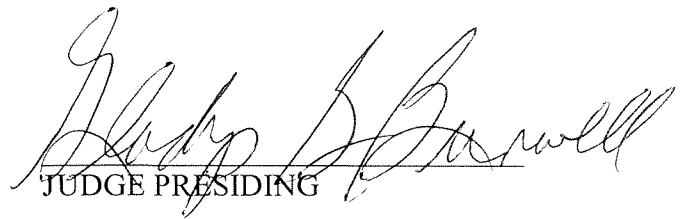
PROBATE COURT OF GALVESTON COUNTY, TEXAS


ADMINISTRATIVE ORDER 2007-02


IT IS ORDERED that the Probate Court of Galveston County hereby adopts the Court Policy regarding *pro se* applicants (Exhibit "A" attached) and ORDERS that Mary Ann Daigle, County Clerk of Galveston County, or her designated deputy clerk, shall deliver a copy of this Court Policy to any individuals filing pleadings *pro se*.

This Order is effective as of the date it is entered.

SIGNED January 31, 2007.


JUDGE PRESIDING

FILED
07 JAN 31 PM 4:19

COUNTY CLERK
GALVESTON COUNTY, TEXAS

A CERTIFIED COPY
Attest: FEB 12 2007
MARY ANN DAIGLE, County Clerk
Galveston County, Texas
By  Deputy

COURT POLICY REGARDING *PRO SE* APPLICANTS

A *pro se* is an individual who has not retained an attorney and appears in court to represent himself and no other person or entity.

Under Texas law, individuals applying for letters testamentary, letters of administration, determinations of heirship, and guardianships of the person or estate must be represented by a licensed attorney. **This rule follows from the requirement that only a licensed attorney may represent the interests of third-party individuals or entities and follows case law that fiduciaries must be represented by an attorney.**

The only proceedings that you can handle as a *pro se* are those in which you truly would be representing **only** yourself. For example, a *pro se* may apply to probate a will as a muniment of title when he or she is the sole beneficiary under the will and there are no debts against the estate other than those secured by liens against real estate. **Whether a muniment of title is the correct probate procedure for a particular situation is a legal decision that is best made by an attorney.** Note that anyone falsely swearing that the estate has no creditors, **including Medicaid estate recovery**, is subject to a perjury charge.

Although the Clerk will accept documents for filing by *pro se* applicants, the Court will take no action on the documents unless there is an attorney of record in that case.

EXHIBIT "A"

A CERTIFIED COPY
Attest: FEB 12 2007
MARY ANN DAIGLE, County Clerk
Galveston County, Texas
By: *[Signature]*