

Estate Planning Research Guide

Overview

This research guide provides information and resources on estate planning in the state of Texas. Estate planning is “the preparation for the distribution and management of a person’s estate at death through the use of wills, trusts, insurance policies, and other arrangements, esp. to reduce administration costs and transfer-tax liability.” (*Black’s Law Dictionary, 11th ed.*) The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Statutes & Codes

Texas Statutes www.statutes.capitol.texas.gov

- Estates Code
- Property Code

Secondary Resources in Print

Texas Estate Planning KFT 1340.R4

Davis’s Texas Estate Planning Forms KFT 1340.A65 D39

Wills Road Map: Practical Considerations in Will Drafting KFT 1344.A95

Texas Transaction Guide KFT 1268.K45

- Vol. 7, Ch. 40 Estate Planning (*see Vols. 7-9 for multiple estate planning resources*)

The Trustee’s Legal Companion: A Step-by-Step Guide to Administering a Living Trust (NOLO) KF 734.H36

- Appendix A – Texas, p. 357
- Appendix B – Sample Trust, pp. 366-381

Estate Planning Basics (NOLO) KF 750.Z9 C554

- *See Index for Texas specific sections*

Plan Your Estate (NOLO) KF 750.Z9 C65

- *See Index for Texas specific sections*

CLE Materials

21st Annual Building Blocks of Wills, Estates, and Probate Course KFT 1340.S7B8

- Ch. 1.2 – Estate Planning – The Process (229 pgs.)
- Ch. 1.3 – Basic Estate Planning (61 pgs.)
- Ch. 4 – Probate Procedures and Alternatives 2019 (83 pgs.)
- Ch. 5 – The Estate Administration Guide

Advanced Estate Planning and Probate KFT 1340.A75S7

- 2021 Ch. 9: Marital Property Issues in Estate Planning
- 2021 Ch. 16: Texas’s New Rule Against Perpetuities
- 2020 Ch. 22 Selected Estate Planning Strategies for Your Primary (or Vacation) Home
- 2019 Ch. 6: Planning Ideas for the Era of Uncertainty (4 separate articles in 1 chapter)
- 2019 Ch. 9: Bankruptcy for Estate Planners: What You Need to Know, or at Least Be Aware of
- 2019 Ch. 11: Recent Development in Estate Planning
- 2019 Ch. 20: Income Tax Issues in Estate Planning
- 2016 Ch. 17: Estate Planning for the “Terminally Ill” Client a Checklist for the Estate Planning Advisor

- 2016 Ch. 14: Defenses to a Will Contest
- 2016 Ch. 15: Will Reformations and Will Constructions
- 2016 Ch. 20: Practical Difficulties in Estate Planning and Administration with Private Foundations
- 2014 Ch. 1: Morals from the Courthouse: A Study of Recent Texas Cases Impacting the Wills, Probate, and Trust Practice
- 2014 Ch. 6: Estate Planning with Foundations
- 2014 Ch. 18: Portability in the New Age of Estate Planning
- 2014 Ch. 27: The Tedder Case and Its Impact on the Post-Death Administration of the Deceased Spouse's Estate
- 2014 Ch. 29: Estate Planning for Beneficiaries Who May Need Long-Term Care

<https://www.dallasbar.org/index.cfm?pg=legalline>

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)

Advanced Civil Appellate Practice KFT 1755.A75S7

- 2018 Ch. 3: Supreme Court of Texas Update, Section XXV. Probate: Wills, Trusts, Estates, & Guardianships, Subsection A: Guardianships, p. 60.

Online Resources

End of Life Documents (article with links to resources)
<https://assets.recenter.tamu.edu/documents/articles/2044.pdf>

Texas State Law Library – Wills and Directives Research Guide <https://guides.sll.texas.gov/wills-and-directives>

Estate Planning and COVID-19
<https://texaslawhelp.org/article/estate-planning-and-covid-19>

Transfer on Death Deeds (TexasLawHelp.org)
<https://texaslawhelp.org/house-apartment/transfer-on-death-deeds>

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up
<https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up