

DARREL L. LUX
KENDALL COUNTY JUDGE
COUNTY COURT

To minimize in-person contact, the Kendall County Court will conduct probate matters remotely using the software program Zoom. To schedule a hearing, please email the administrative assistant at sally.peters@co.kendall.tx.us

Dress codes:

Dress code for attorneys, parties and witnesses is unchanged from in-person proceedings.

Participating in the Zoom Virtual Courtroom:

1. For each scheduled court setting, you will receive an email containing a link for joining by Zoom. You will join the virtual courtroom by clicking the link in the email at the scheduled time. Only the attorneys will receive emails from the court. It is incumbent upon the attorneys to forward the setting details to your witnesses and clients and inform them of the setting.
2. When you join the "meeting," you will appear in a virtual waiting room with all other parties, attorneys and witnesses. There may be several cases set on the docket at that time. When your case is called, the court will bring the attorneys and clients into the virtual courtroom, in turn.
3. Each attorney is expected to appear by video, rather than merely by voice. Attorneys must show good cause for failure to appear by video.
4. When you enter the virtual courtroom, your video will automatically be on and your audio muted, until the hearing begins.
5. Only counsel of record, clients, clients' spouses (where specifically permitted by the rules), and witnesses (while testifying) will be permitted in this hearing.

Everyone else must watch the livestream at the County Court's YouTube Channel for live streaming at https://www.youtube.com/channel/UCXdW3_2rSr1dJF9tEUHRZQ

6. You are prohibited from video or audio recording these proceedings in any way. Any violation of these rules is subject to contempt proceedings.

For Uncontested Dockets
Probate of Wills, Heirships, Administrations, and Guardianships

To set your hearing, email the cause number and case name to the administrative assistant at sally.peters@co.kendall.tx.us Each hearing is estimated to take approximately 10-15 minutes.

1. E-file your application documents.
2. For the Probate of Wills: make sure the original Will is delivered to the County Clerk's office. Texas Rules of Civil Procedure Rule 21(f)(12) requires that any original Will must be physically filed in the Clerk's office within three business days after the application is e-filed.
3. You will need to e-file your unsigned proposed hearing documents no later than the Wednesday of the week prior to the hearing.

It is the Court's policy to review before the hearing, the documents for probate prove-up hearings. By reviewing documents in advance, the Court can ensure that hearings go more smoothly.

4. For the Probate of Wills: The decedent's death certificate will need to be emailed to the administrative assistant at sally.peters@co.kendall.tx.us no later than the Wednesday of the week prior to the hearing.
 5. At the beginning of the hearing, testifying parties will be placed under oath.
 6. At the conclusion of the hearing, please follow this required sequence:
 - a) First, sign, execute, and e-file the testimony that has been reduced to writing as appropriate for your case (e.g., Proof of Death and Other Facts, Witness Statements, Proofs of Signature, or Proof by a Subscribing Witness).
 - b) Second, the court clerk will notify the Court as soon as the documents are accepted.
 - c) Third, once the Court has verification that your documents have been accepted, the Judge will sign the judgment/order and a copy will be emailed to counsel.
 - d) **IMPORTANT: Please do not execute the oath until you receive the signed Order Probating Will or Judicial Declaration of Heirs and Order Appointing Administrator or the Order Appointing Guardian.** Once you have the order, then you may execute and file the Oath.
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