

CASE LAW UPDATE



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Talking with deceased family members



Unexpected problem results from long life



Betty Ashley

Making funerals friendlier



Overview

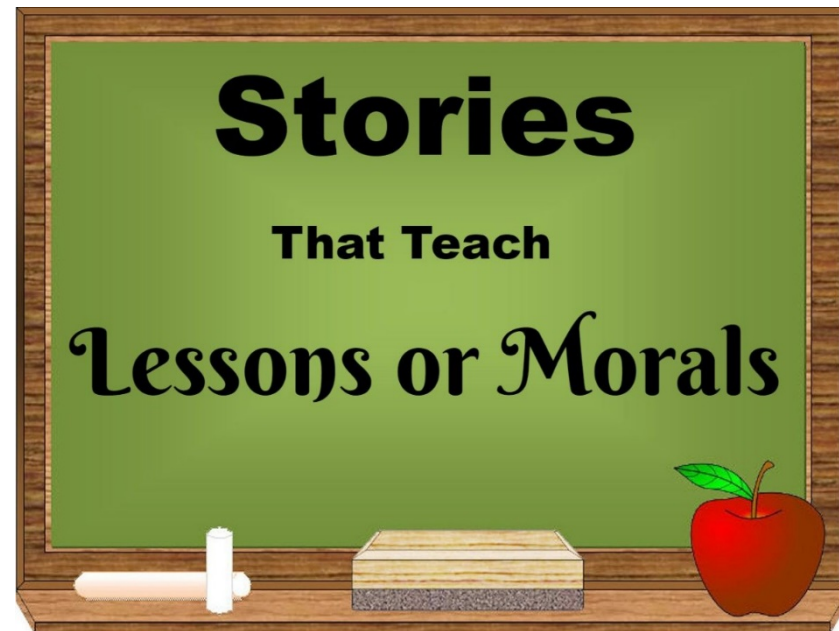
- Texas appellate cases dealing with:

- Intestacy
- Wills
- Estate Administration
- Trusts



Purposes

- Learn the moral (lesson) of each case so we may:
 - Provide better advice to our clients, and
 - Not have trial court actions reversed on appeal.



Intestacy



Bill of Review and Alleged Common Law Spouse

- *Gill v. Vordokas*

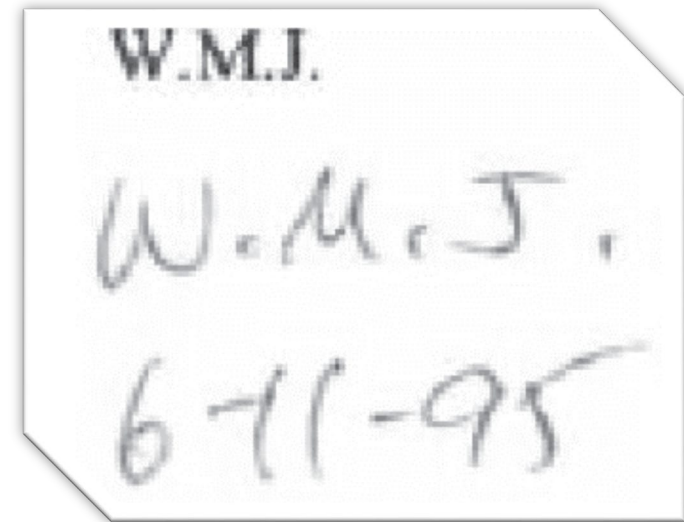


Wills



Will Formalities

- *Jones v. Jones*
- Six of seven pages contained this:



W.M.J.
W.M.J.,
6-11-95

- Last page (page seven) contained this:

IN WITNESS WHEREOF, I WENDELL MARK JONES, hereby publish this as my last Will, signing my
name on this day of , 19 at

Acceptance of Benefits

- *Estate of Johnson*



Interpretation and Construction

- *Prather v. Callon Petroleum Operating Co, Inc.*



Will Contests

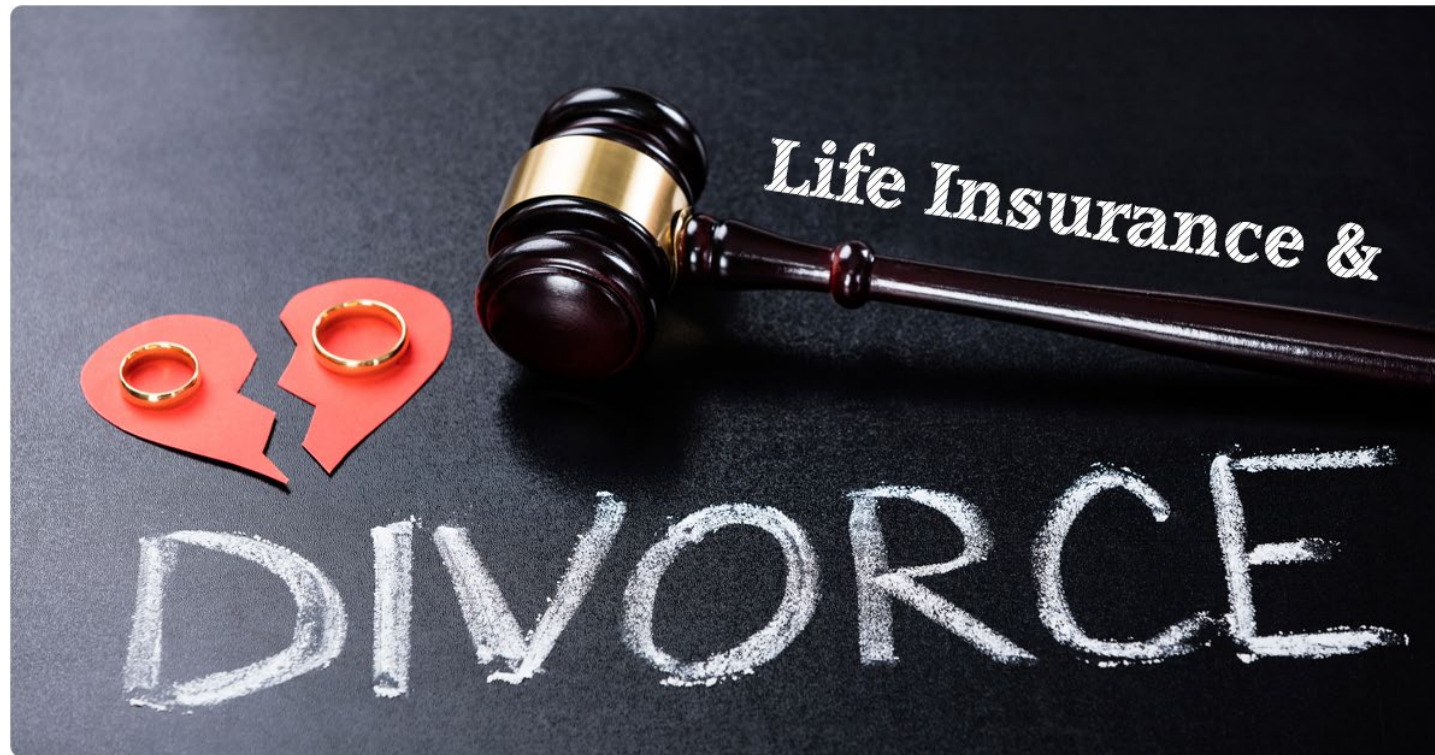


Estate Administration



Jurisdiction – Non-Probate Asset

- *Matter of Estate of Rushing*



Late Probate

- *Marshall v. Estate of Freeman* – Austin 2022
- *Matter of Estate of Masters* – El Paso 2022



Executor Removal

- *Matter of Estate of Collins*



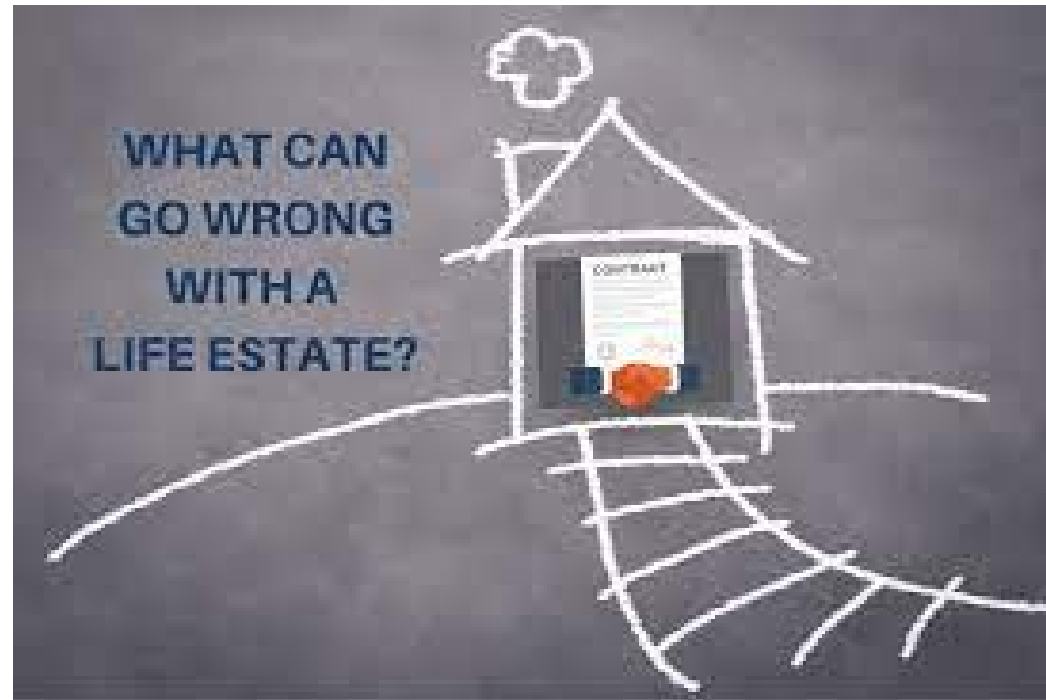
Family Allowance

- *In re Estate of Wetzel*

LOSS OF A
SPOUSE

Claim of Estate

- *Henry v. Brooks*



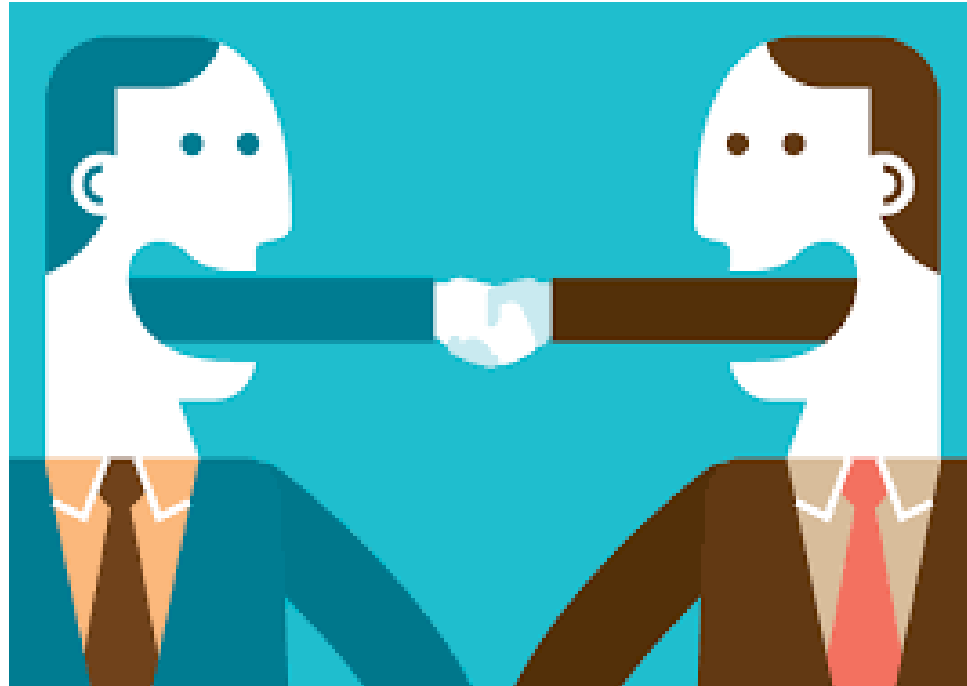
Fraud on the Community

- *Jurgens v. Martin*



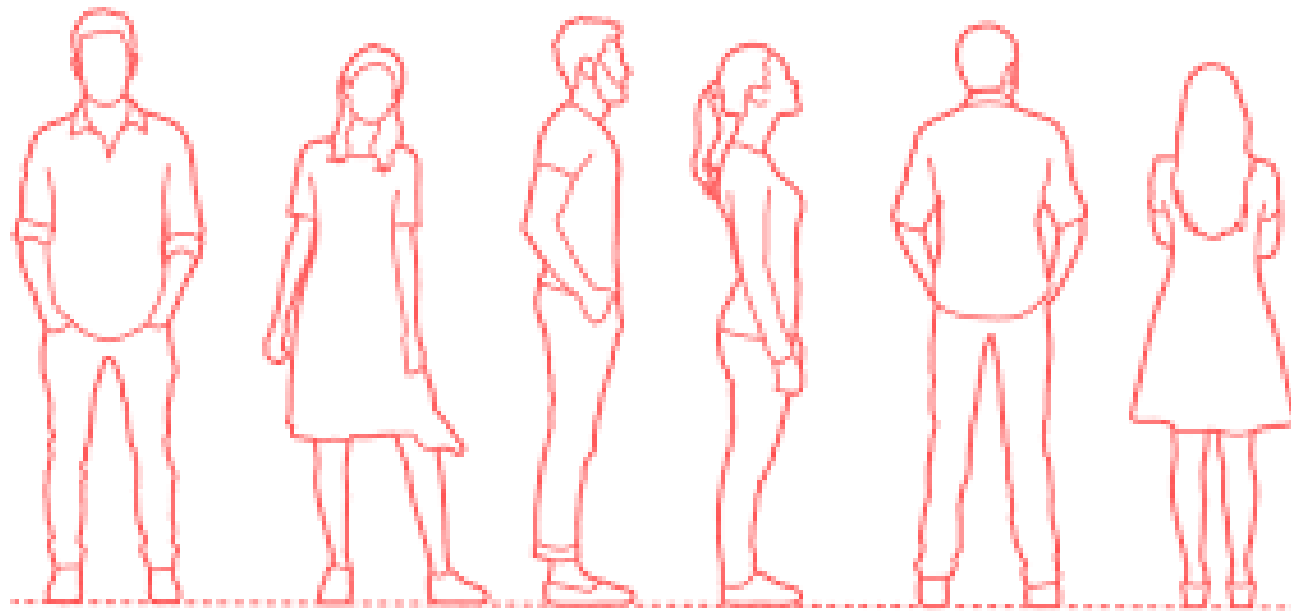
Oral Real Property Sales Contract

- *Estate of Banta*



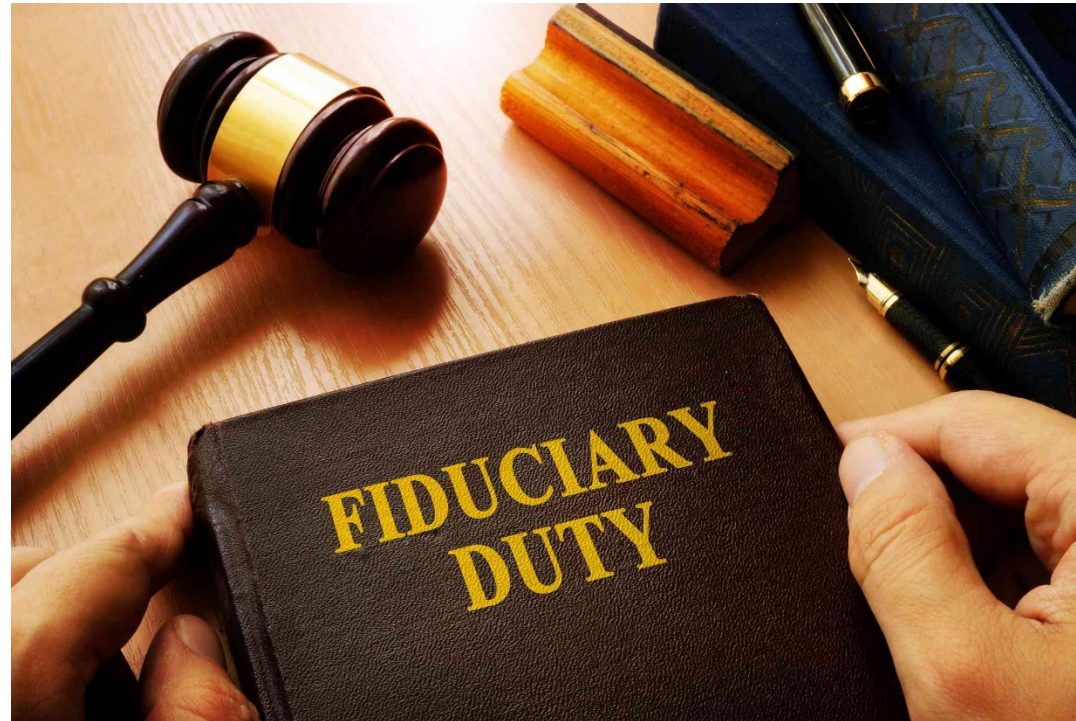
Standing

- *Berry v. Berry*



Breach of Fiduciary Duty -- Limitations

- *Berry v. Berry*



Breach of Duty – Necessary Parties

- *Matter of Trust A and Trust C*



Modification

- *Matter of Troy S. Poe Trust*



Guardian Ad Litem Fees

- *Boyce v. Eberstein*



Questions?



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