



Jerry W. Simoneaux, Jr.

Judge, Harris County Probate Court No. 1
Civil Courthouse, 201 Caroline, Ste. 600
Houston, Texas 77002

Rocket Docket Checklist and Procedure

Updated February 11, 2019

The *Rocket Docket* is for attorneys with limited time or whose clients who may have anxiety about testifying in court. Unlike the traditional docket, very little oral testimony will be taken.

The Rocket Docket is every Tuesday at 1:30 pm and beginning March 5, we will add another one Tuesdays at 8:30 am. Please check our website for the most current times for all dockets.

On the day of the hearing, the proponent of the Will shall be sworn in and the judge or attorney will ask a few simple questions. See the sample script at the end of this paper.

Before setting your hearing, please follow the checklist below. Feel free to call the Court if you have any questions.

- Original Will and Codicils with self-proving affidavit. (no copies of wills, holographic wills, no need to prove up signatures or bring witnesses for any other reasons).
- Independent Administration with no bond set forth in the Will. (no need for bond testimony). Independent Executor *named* and willing to serve or declinations filed and *named* successors willing to serve; or
- Probate as a Muniment of Title *within* 4 years of Decedent's death.
- Citation and posting completed (you may call before the return date, but you must confirm that the hearing date is after the return date).
- Original Will has been filed with the County Clerk *before you call* to request a hearing.
- Applicant is represented by a licensed attorney. *See e.g. Steele v. McDonald, 202 S.W.3d 926 (Tex.App.—Waco 2006).*

If you can check all of the above boxes, your case is eligible for the “Rocket Docket”. Please call 832-927-1401 and state that you have completed the preliminary checklist, request a rocket docket hearing date, and then do the following:

- Email (DO NOT EFILE) proposed *Order and Proof of Death and Other Facts* to Staff Attorney Susie Rowley at RD1@prob.hctx.net for review **before 4:30 pm on the Friday before the hearing**. Include the proposed date of your hearing. **Late emails will result in removal from the requested docket.**

- Once Ms. Rowley has reviewed your documents, she will notify you if your case is confirmed on the “Rocket Docket”. If further information or clarification is required, you will be notified. If she cannot confirm you, please call 832-927-1401 to set your hearing on another docket.

On the day of the hearing, please bring with you:

- Proposed Order
- Proof of Death and Other Facts
- Oath of Executor / Administrator (if the personal representative is present)

Sample Script for the hearing:

1. Identity of the witness. (“State your name...”)
2. Identify the testamentary document(s) (“Do you recognize this as the Last Will and Testament of...”)
3. Confirmation that testimony has been committed to writing (“You have committed your testimony to writing in the Proof of Death and Other Facts, and it is true and correct to the best of your knowledge...”)
4. Ask the Court for what you want. (“We ask that you appoint _____ as Independent Executor to serve w/o bond and waive appraisers.”)