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How to Complete Your Texas Self-Proving Will Affidavit

Self-Proving Affidavit (Texas Estates Code Section 251.104)

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR DOCUMENT.

About this form. This is Texas's statutory self-proving affidavit for a written will. It does not change the will. It makes the will "self-proved" so the court can admit it to probate without calling the witnesses.

1. **This is not a will**
   This affidavit is attached to a will that was signed by the testator and two witnesses age 14 or older. It lets the will be probated without witness testimony.
2. **Everyone appears together**
   The testator (the person who made the will) and both attesting witnesses must appear before the notary at the same time. We can bring a notary to a home, hospital, or care facility, and can provide witnesses for an additional fee.
3. **Sign before the notary**
   The testator and witnesses sign this affidavit under oath. The notary must affix an official seal. Bring a current, government-issued photo ID for each person.
4. **Attach it to the will**
   Staple the affidavit to the end of the will. Do not remove the will's staples or separate the pages.

After It's Signed

- Keep the original will and affidavit together in a safe place and tell the executor where they are.
- A self-proved will is treated as if the witnesses had testified in court, which saves time and expense in probate.
- The witnesses may sign this affidavit at the same time as the will or at a later date, as long as all of them appear together before the notary.

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Have questions about this document? To consult with an attorney, contact **Gavrilov & Brooks Law Firm** at **(916) 504-0529** or **www.gavrilovlaw.com**. Main headquarters: 2315 Capitol Avenue, Sacramento, CA 95816.

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SELF-PROVING AFFIDAVIT

(Texas Estates Code Section 251.104)

Before me, the undersigned authority, on this day personally appeared

Testator	Witness	Witness

known to me to be the testator and the witnesses, respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities, and, all of said persons being by me duly sworn, the said testator declared to me and to the said witnesses in my presence that said instrument is his/her will, and that he/she had willingly made and executed it as his/her free act and deed; and the said witnesses, each on his/her oath stated to me, in the presence and hearing of the said testator, that the said testator had declared to them that said instrument is his/her will, and that he/she executed same as such and wanted each of them to sign it as a witness; and upon their oaths each witness stated further that they did sign the same as witnesses in the presence of the said testator and at his/her request; that he/she was at that time eighteen years of age or over (or being under such age, was or had been lawfully married, or was then a member of the armed forces of the United States, or an auxiliary of the armed forces of the United States, or the United States Maritime Service) and was of sound mind; and that each of said witnesses was then at least fourteen years of age.

X _____	X _____	X _____
Testator	Witness	Witness
Printed name	Printed name	Printed name

NOTARY JURAT

STATE OF TEXAS §

COUNTY OF _____ §

Subscribed and sworn to before me by the said testator, and by the said witnesses, on

this day of	month	A.D. (year)

X _____

Notary Public, State of Texas

(Notary seal)

Notary's printed name

Notary ID number	My commission expires

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