



DENTON COUNTY PROBATE COURT

Judge Bonnie J. Robison

David W. Jahn, Associate Judge

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Denton, Texas 76209-4524

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Additional Requirement for Muniment of Title Cases

If a person receives Medicaid benefits after March 1, 2005, the State's Medicaid Estate Recovery Program (MERP) may have a claim for Medicaid recovery against the person, which would be a debt against the person's estate. Under Texas Probate Code §89A, a will cannot be probated as a Muniment of Title if there are outstanding debts against the estate, other than those secured by liens on real estate.

Therefore, in addition to other Probate Courts in the North Texas area, the Denton County Probate Court has instituted a new guideline for cases involving a will offered for probate as a Muniment of Title.

Effective May 7, 2009, the following information must be:

1. alleged in an Application to Probate a Will as a Muniment of Title,
2. be included in the prove-up testimony, including any written Statement of Proof;
and
3. be included in the Order admitting the Will to Probate as a Muniment of Title.

"Medicaid benefits, if any, received by the Decedent on or after March 1, 2005 have been repaid."

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Investigator
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Asst. Investigator
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Official Reporter
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