



# WISE COUNTY COURT-AT-LAW NOS. 1 AND 2

## **County Court-at-Law No. 1**

**Melton D. Cude, Judge**

Wise County Courthouse

Physical Address: 101 North Trinity

Mailing Address: P. O. Box 901

Decatur, Texas 76234

Phone: 940-627-5005

## **County Court-at-Law No. 2**

**Stephen J. Wren, Judge**

Wise County Courthouse Annex

Physical Address: 1007 13<sup>th</sup> Street, Suite 115

Mailing Address: P. O. Box 250

Bridgeport, Texas 76426

Phone: 940-683-0268

### **ADDITIONAL REQUIREMENTS 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. 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. (Texas Estates Code 257.001/ Texas Probate Code §89A)

Therefore, in addition to other Probate Courts in the North Texas area, the Wise County Court-at-Law Nos. 1 and 2 have instituted a new guideline for cases involving a will offered for probate as a Muniment of Title.

Effective November 1, 2011, one of the following statement, as applicable 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 Will to Probate as a Muniment of Title.

**"No Medicaid benefits were ever received by Decedent on or after March 1, 2005."**

**OR**

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

The Texas Department of Aging and Disability Service (DADS) manages MERP. If there is uncertainty as to whether Medicaid benefits were paid, DADS has forms which can be completed in order to verify whether a MERP claim is pending against Decedent's Estate.