NOTICE

November 9, 2026

From: Wise County Court at Law No. 2

Re: Self-Represented Litigants Representation in Court

Court Policy Regarding "Self-Represented Litigants" Applicants

People who represent themselves in court are called "pro se" or "self-represented" litigants. You are not required to have a lawyer to file papers or to participate in a case. You have a right to represent yourself. **However, a pro se may NOT represent others. Under Texas law, only a licensed attorney may represent the interests of third-party individuals or entities, including guardianship wards and probate estates.** *See In re: Guetersloh,* 326 S.W.3d 737 (Tex. App.-Amarillo, 2010) and *Steele v McDonald,* 202 S.W. 3d 926 (Tex. App.-Waco, 2006), and the authorities cited. Therefore, individuals applying for letters testamentary, letters of administration, determinations of heirship, and guardianships of the person or estate MUST be represented by a licensed attorney. The only time a pro se applicant may proceed in court is when truly representing **only** himself or herself. Although an individual may present documents to the Clerk of the Court for filing, the Court will take no action on the documents unless there is an attorney of record in the case.

Only a licensed attorney may represent a third party or entity in a judicial proceeding in the State of Texas. In most probate or guardianship cases, an individual is not truly representing him or herself. He or she is attempting to represent another person or persons such as beneficiaries, heirs or creditors or the estate of another person. Unless the individual is a licensed attorney, this constitutes the unauthorized practice of law and will not be allowed by the Court.

EXCEPTIONS

There are situations when a person may represent themselves. For example, if the individual is:

1. A sole beneficiary in a Muniment of Title action;
2. A non-corporate creditor of a probate or guardianship estate;
3. A non-corporate party in an ancillary civil action; or
4. Other actions at the discretion of the Judge or Associate Judge.

SUBSEQUENT DISCHARGE OF ATTORNEY

In certain cases, an individual may open a probate or guardianship proceeding with the help of an attorney and thereafter discharges that attorney. If this occurs and the representative fails to comply with all the requirements of the Texas Probate Code, that individual may be required to once again employ legal counsel for subsequent hearings related to such non-compliance. It is recommended that a representative NOT discharge the originating or subsequent attorney until such time as the case is closed or all the business of the case has been completed.