



Montgomery County Probate Court

Judge David D. Brannon

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Hon. David D. Brannon
Judge

Lynn M. Cooper
Court Administrator

Greetings:

As indicated, the comment period for the first phase of proposed revisions to the Montgomery County Probate Court Local Rules runs from September 21, 2021, through October 21, 2021. A draft of the proposed rules and instructions may be viewed here: [Local Rules 9.2021](#)

Please keep several thoughts in mind as you review the proposed revisions:

First, this is only the first phase of the revisions. This draft focuses on certain probate case types (i.e. estates) and will leave other case types (i.e. guardianships) for the next phase of rules.

Second, because this is a draft, please focus on substance over formatting. You will likely find grammatical errors, which will be corrected before adoption. Your feedback on substance and processes are welcome.

Third, these rule revisions are part of a much larger undertaking. The plan is to improve many standard probate forms, inserting them directly into the final rules for convenience. These rules and forms are the foundation to improving the workflow in our eFiling system once the process is completed. Hopefully, the end result will provide certainty and convenience in all aspects.

As an aside, I have been told probate courts have far too many written rules. That may be true, but I find that unless policies and procedures are written down, you get nothing but uncertainty and inconsistency as a practitioner. That is the opposite of what we are trying to do. I view these rules as an evolving document to be used externally and internally. My expectation is that all Court and Clerk staff will familiarize themselves with all the changes well.

I look forward to your comments on the draft of this first set of rules. I also appreciate the patience from practitioners during the transition. Although most of the changes so far have been internal, I look forward to discussing what we have done and where we plan to go in the near future.

Sincerely,

Judge David Brannon