

The Heir Hunter Trap

By [Wesley E. Wright](#) and [Molly Dear Abshire](#), as published in the Houston Chronicle Senior Living Section on November 20, 2013

Sometimes a person passes away and there are no apparent heirs. This situation may involve a person who died without a Will. Or this happens when a person dies with a Will, but the named beneficiaries are deceased or cannot readily be found. Or it happens when an original Will cannot be located, but a copy is discovered and it's determined that the original Will was last known to be in the possession of the testator. In this last case, Texas law presumes that the testator destroyed the Will, so a copy cannot be used to probate the estate.

All of these scenarios leave a period of time in which the decedent's heirs must be located.

Thus, the heir hunter emerges. These individuals, or companies, are usually professional genealogists who are ready to rush into action. How? By monitoring the filing of probate cases where it appears the heirs are unknown or can't be located.

Why is this their business practice? It's about the money. Heir hunters begin by locating heirs, then they solicit the heirs to sign contracts in which the heir agrees to divulge information about their potential inheritance and sign over a sizable percentage of the heir's share to the heir hunter. They may refer the heir to a lawyer, who is waiting to represent the heir in the probate proceedings to insure that the heir hunter gets his fee.

What's the rush? If the heir doesn't sign a contract before being contacted by the estate administrator or by the attorney ad-litem, who is appointed by the court, as is required by law, to represent the unknown heirs and those suffering under disabilities during the course of the estate proceedings, the heir hunter risks losing the opportunity to profit from the heir's bequest.

If you are contacted by an heir hunter claiming that you're a beneficiary, what should you do? Being identified as an heir to a potentially large estate may seem exciting, but don't let the thrill overtake your good judgment and preclude you from conducting due diligence. Slow down! Keep a cool head. Start by considering your family tree. Do some fact checking to determine if you are a potential heir in the estate. You may call the county clerk's office in counties where relatives may have died to find out if an estate has been opened and to learn who is the administrator. Court records can be checked online to see if a relative has passed away.

If you are a potential heir and don't feel comfortable doing your own research or feel like you lack the time or skills, why not hire a genealogist, whom you can pay hourly, to help you? It's prudent to spend a little money and discover the answers a little slower, rather than losing a large percentage of your inheritance to gain the information in a hurry.