BASICS OF THE PROBATE PROCESS

First, a person passes away.

The person named in the will, or an interested person if there is no will, must complete the appropriate paperwork and submit it and the will to the probate court.

The executor secures all valuables, collects the mail, creates a list of everything the deceased person owned, and files it with the court, sending copies to the interested parties.

Lastly, the executor submits paperwork to the court to close the administration.

















Next, the deceased person's loved one must search for the deceased person's last will and testament (if one exists). The court appoints an executor (also called a personal representative) to wind up the deceased person's affairs. The executor may be required to post a bond.

The executor pays the deceased person's bills, files tax returns, pays for the costs of probate, and distributes what is left to family (if no will) or named beneficiaries (if there is a will).

IMPORTANT THINGS TO REMEMBER

Documents filed with the probate court may be available to the public.

The level of probate court oversight varies depending on if it is a supervised or unsupervised probate.