

The 3 Phases of Informal Probate



PHASE 1: APPOINTMENT

1-30 days

- ◆ Initial probate documents are signed by nominated personal representative and filed with the Court.
- ◆ Waivers and consents are signed by all interested persons OR proper notice is given to them (if there is a Will).
- ◆ Deceased person's Will (if any) is admitted to probate and personal representative is appointed.



PHASE 2: ADMINISTRATION

2-10 months or longer

The Personal Representative:

- ◆ Identifies deceased person's assets and debts.
- ◆ Inventories assets valued as of date of death.
- ◆ Notifies creditors and confirms validity of debts (deadlines for creditors are 3-4 months after filing).
- ◆ Liquidates (sells) some or all assets to pay valid debts.
- ◆ Resolves claims and debts against estate.



PHASE 3: CLOSING

10-18 months or longer

The Personal Representative:

- ◆ Files Final Account with Court showing receipts and disbursements, and assets available for distribution.
- ◆ Files fiduciary income tax returns (if needed).
- ◆ Distributes net estate to beneficiaries according to the Will or state statutes if there is no Will.
- ◆ Files Statement to Close with Court. Estate is closed.



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