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Working Together Since 1989*

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PRELIMINARY INFORMATION NEEDED TO BEGIN A PROBATE PROCEEDING

Full name of decedent and all names by which they were known: _____

Date of death of decedent: _____

Residence address at time of death: _____

Address at time of death, if different from their residence: _____

Approximate value of personal property of decedent: _____

Approximate value of real property of decedent: _____

Approximate value of annual income from real or personal property: _____

If the decedent died with a will, the date of the will: _____ and provide a copy.

If decedent had a predeceased spouse, what was the name of the spouse and the date of the spouse's death: _____

When their spouse died, did they leave the decedent any real property? _____ Any personal property valued over \$10,000.00? _____

Name, address of surviving spouse, and children (with ages if minor). If passed away without a spouse or children, then include name, address of parents and siblings of decedent:

PRELIMINARY DOCUMENTS NEEDED:

Will, and any codicils (amendments). **Originals**
Death Certificate, **certified copy**.

STANDARD COSTS¹:

\$320.00 (approximately) filing fee to the superior court clerk, incurred upon filing the petition. (Note, the filing fee may increase when the estate is closed due to the value of the estate).

\$150.00 (approximately) for the publication fee, incurred approximately one month after filing the petition.

Probate referee fee, incurred approximately 4 months after filing the petition. The fee is one tenth of one percent of the assets valued by the referee, plus any incurred costs. This is generally a \$100-300 charge.

Attorney's fees, incurred at the close of probate, based upon the value of all assets of the probate estate. The fee is set by the California Probate Code and is 4% of the first \$100,000.00 in assets; 3% of the next \$100,000.00 in assets, 2% of the next \$800,000.00 (or portion thereof) in assets. The percentage fee continues to decrease as the value of the estate rises.

Executor/Administrator fees, incurred at the close of probate. These fees are the same as the attorney's fees.

¹ As of January 1, 2006.