

The Probate Process...

WHAT TO BRING WITH YOU:

In order to get appointed as Personal Representative of a decedent's estate you will need to bring the following information with you to the Jefferson County Probate Office:

1. You will need to bring a certified copy of the death certificate if the decedent died out of state. If the decedent died in West Virginia, it is not necessary to have the death certificate as long as you have the basic information on the decedent including his/her social security number.
2. The ORIGINAL will and /or codicil, if there is one.
3. The names and mailing addresses of the heirs and would have been heirs. If you are unsure of who might be an heir we will assist upon your arrival tour office.
4. The approximate value of all personal property held SOLELY in the decedents name, excluding real estate.
5. In cases where there is no will, you will need to make arrangements to bring someone other than yourself who owns real estate in Jefferson County, West Virginia to come with you. If this person resides in a county other than Jefferson County, they will need to get a Justification of Surety from their county courthouse. This is to act as surety on your bond. If you are an out-of-state resident, you will need to be bonded through an insurance company. The Probate Office will make these arrangements for you. There is an additional fee for an insurance bond. In some cases when there is a will it may be required to have surety for your bond.

Once this information is provided to the Probate Office, you will need to sign papers to appoint you as Personal Representative. There are some circumstances in which you may not be able to qualify on your first visit. There is a qualification fee which varies. This fee is normally between \$ 50 and \$100 depending on several factors including whether or not you need surety. Be sure to have this with you. Currently, we can only accept cash or check.

THE APPRAISAL PROCESS

Once you are appointed, you will be given an Appraisement Booklet. You have 90 days to complete the booklet and return it to the Probate Office. The filing fee for the Appraisement Booklet is usually \$ 11.00, but can vary.

Once the Appraisement Booklet is filed, there is a publication. There is a 90-day waiting period for creditors or beneficiaries to put claims against the estate.

Once this waiting period is over and all claims are released, you may file the Final Accounting or Waiver of Final Settlement form. The fee for filing this form is usually \$11, but can vary. This is your last step with our office. Once filed, it will go to the County Commission at their next quarterly meeting where they will look it over for final approval.