

FORMAL PROBATE CHECKLIST & TIMELINE

ACTION

TIMEFRAME

FIRST MONTH:
OPEN ESTATE

1. File Petition for Probate; Obtain hearing date
2. File original will and codicils, if any
3. Publish Notice of Petition to Administer Estate
4. Mail Notice of Petition to Administer Estate
5. File proof of publication and proof of mailing Notice of Petition to Administer Estate
6. If required, file proof of will
7. Check calendar notes
8. File Order for Probate (and Probate Bond, if necessary)

1. Anytime after death (no deadline or time limit)
2. Filed with Petition for Probate as separate filing
3. Three times before hearing date; First must be at least 15 days prior to hearing date
4. At least 15 days prior to hearing date
5. As early as possible before hearing date
6. As early as possible before hearing date
7. Two days or more before hearing
8. Time requirements vary from county to county

LETTERS
ISSUED

9. File letters and Duties and Liabilities of Personal Representative form

9. At the same time, or after filing Order for Probate (rules vary by locale)

NEXT 4 - 5 MONTHS:
ADMINISTER ESTATE

10. Apply for Taxpayer Identification Number
11. Open bank account for estate (may need Taxpayer ID Number)
12. Arrange for preparation of income tax returns
13. Prepare Inventory and Appraisal and send to Referee
14. Mail Notice of Administration to creditors; pay debts without requiring formal claims
15. File Approval or Rejection of formal Creditors' Claims
16. File Inventory and Appraisal with court
17. File Change in Ownership Statement with county assessor if Inventory lists real property
18. File federal estate tax return if necessary

10. As early as possible after letters are issued
11. After letters are issued
12. As soon as possible after letters are issued
13. As soon as possible after letters are issued
14. Within four months after letters are issued or within 30 days after first discovering a creditor
15. Anytime before Petition for Final Distribution
16. Within four months after letters are issued
17. When Inventory and Appraisal is filed with court
18. Within nine months of date of death

FINAL MONTH:
CLOSE ESTATE

19. File Petition for Final Distribution
20. Mail Notice of Hearing to Beneficiaries
21. File proof of mailing Notice of Hearing
22. File Order for Final Distribution
23. Transfer assets and obtain receipts
24. File receipts and Petition for Final Discharge

19. From 4 months to 1 year after letters are issued
20. Within 15 days of hearing date on petition
21. As soon as possible before hearing date on petition
22. Time requirements vary from county to county; check with your court
23. Any time after Order for Final Distribution is signed
24. After assets are distributed