



Office of the Fiduciary Supervisor

Raleigh County Clerk

215 Main Street

Beckley, WV 25801

Phone: (304) 252-0161 / Facsimile: (304) 252-0163

Thank you for contacting our office for an appointment to probate an estate. Some may ask what the term “probate” means. Probate is the legal process of administering a person’s estate after their death.

We understand this can be a trying and emotional process and want to assist you as best we can.

- There are many different ways to probate an estate: Testate (with an original Will), Intestate (without a Will), Ancillary (meaning the decedent was not a resident of West Virginia but owned real estate in Raleigh County), or a Small Estate Affidavit.
- **Please answer this questionnaire to the best of your ability to help us determine which process will suit your needs the best.**

Terms you may hear during the Probate process

Legal proceedings often involve terminology that can be overwhelming when you’re already dealing with a lot. A few useful probate terms to know:

Decedent: The deceased person whose estate is going through probate.

Executor or personal representative: The person in charge of carrying out the instructions in the Will.

Administrator: A court-appointed individual, if someone dies without leaving a Will.

Intestate: The person died without making a Will.

Testate: The decedent had an original Will.

Letters of Administration: An official document from a probate court authorizing the executor or administrator access and the right to handle the assets of the decedent.

Notice of probate and notice to creditors: Notice of the death of the decedent, as well as notice to alert potential creditors, both of which the executor or administrator has to submit, in writing, to the heirs (“interested parties”) and creditors.

Small estate affidavit, summary probate and/or summary administration: A process that can allow you to skip or shorten certain aspects of probate (i.e., distribute property without a lengthy court process). The Estate must have assets valued below a certain value to be eligible for this.

Name of Decedent: _____

Date of Death: _____

Complete physical address of the residence of Decedent:

Has an Estate for the Decedent been filed in any other county in West Virginia?

_____ Any other State? _____

• **Did the Decedent have a Last Will and Testament?**

(YES) Do you have possession of the original Will? _____

If not, please explain: _____

Was the Will Holographic (handwritten solely by Decedent)? _____

Does the Will appoint an Executor or Executrix? _____

Does the Will state the Executor or Executrix can serve without bond? _____

Was the Will signed before two individuals as witnesses? _____

Was the Will notarized? _____

***For individuals, churches, charities or trusts named in the Will we ask that you provide the names, relationships and complete mailing address for all (*see attached form*)

(NO) If the Decedent did not have a Last Will and Testament, please provide the name and addresses of all heirs, as well as the relationship to the decedent (*see attached form*). Heirship would be spouse and/or children (if divorced, widowed, or there are children outside of current marriage); if neither of those situations apply, then it would be assumed mother and father or siblings of decedent.

• **Assets**

Real Property:

Did the Decedent own any real estate in Raleigh County? _____

What is the assessed value of the real estate (located on tax ticket)? _____

What is the street address of the real estate? _____

Is the real estate owned with another individual (if yes, with whom)? _____

Did the Decedent own any real estate in another county or another State? _____

What is the assessed value of that real estate? _____

What is the street address of that real estate? _____

Is the real estate owned with another individual? _____

Personal property:

Did the Decedent own any of the following personal property?

Bank Account / Value (at time of death): _____

Vehicles / Value: _____

Other Personal Property (stocks, bonds, cash, certificates of deposit, possible lawsuit settlement, life insurance policy named to the Estate etc.):

I have read, understand, and completed this form to the best of my knowledge.

Signature _____

Print Name _____

Relationship to Decedent _____

- Upon completion of this questionnaire please email this document and all attachments, if any, to **probate@raleighcounty.com** or mail the original to **Probate Department, Raleigh County Clerk's Office, 215 Main Street, Beckley, WV 25801**. Upon receipt of this form our office will review the information and provide an additional packet with specific instructions for proceeding with this Estate.

