

Informal Probate

Disclaimer the following information is intended solely as a guideline for those petitioning for informal administration. It is not meant to be legal advice, nor is it legal advice. The following information does not remove from the petitioner, the responsibility to research and comply with all applicable statutory requirements for filing and processing an informal administration. Should you have specific legal questions concerning the filing of an informal administration, the procedures, or legal requirements related to the filing of an informal administration, you may wish to consult with an attorney.

TO OPEN AN INFORMAL PROBATE

The necessary forms for commencing an informal administration can be found by visiting www.wicourts.gov. Once at the site, select "Forms", then from the dropdown menu select "Circuit Court Forms", then "Probate" and finally "Informal Administration".

FIRST STEP: Complete and file the originals of the following:

- PR – 1801** Application for Informal Administration
- PR – 1806** Proof of Heirship
- PR – 1803** Waiver and Consent
- PR – 1804** Notice to Creditors (OR, if waivers are not filed, complete PR-1805)
- PR – 1805** Notice to Interested Persons and Time Limit for Filing Claims*
- PR – 1807** Consent to Serve
- PR – 1808** Statement of Informal Administration
- PR – 1810** Domiciliary Letters
 - Original - Will and any Codicils (copy to be provided to all interested persons)
 - Original - Probate Claims Notice; copy to WI Dept. of Family Services and County Clerk
 - Other - Trusts – see page 2.

*A hearing date and time will be provided to you. After the hearing and upon filing of the Affidavit of Publication from the newspaper and an Affidavit of Mailing (PR-1817) showing proof that the Notice was mailed to the interested persons, Domiciliary Letters will be issued.

SECOND STEP: INVENTORY

- PR – 1811** Inventory – The Inventory along with the statutory file fee of 0.2% of the estate's assets is due no later than six months after the Domiciliary Letters are issued
- PR – 1817** Affidavit of Mailing – inventory to interested persons

THIRD STEP: FINAL ACCOUNT

- PR – 1814** Final Account w/ attached schedules
 - PR – 1817** Affidavit of Mailing – final account to interested persons
- *Note additional property listed is subject to the 0.2% filing fee

FOURTH STEP: CLOSING DOCUMENTS

- PR – 1815** Estate Receipt from heirs/beneficiaries for partial and/or full distributions
- PR – 1815** Estate Receipt from claimants, if claims were filed
- PR – 1816** Personal Representative's Statement to Close Estate

OTHER DOCUMENTS:

Original Affidavit or Proof of Publication from newspaper

Original Closing Certificate for Fiduciaries – You must request the Closing Certificate when filing the Wisconsin Fiduciary Income Tax Return. It is the personal representative's responsibility to file all necessary/required tax documents with the appropriate tax agency.

BOND: May be required prior to appointment of the PR; determination will be made whether bond will be a signature bond (form **PR – 1809**) or a corporate bond.

TRUSTS: If the decedent's Will establishes a trust, please complete and file the following forms:

PR-1930 Consent to Serve as Trustee and

PR-11931 Letters of Trust

CLAIMS: It is the Personal Representative's responsibility to check the court record for any claims filed. Copies of the claims can be obtained from the Register in Probate office for a fee of \$1.00 per page

Estates shall be closed 12 months after the Application is filed. If necessary, an extension may be granted upon filing and review of the appropriate documents.

CERTIFIED COPIES: Certified copies are \$3.00 for the certification and \$1.00 per page copied. If requested through the mail, please enclose a self-addressed, stamped envelope together with the correct fee.

ADDITIONAL RESOURCES: A booklet called "A Personal Representative's Guide to Informal Probate in Wisconsin" is available at www.wicourts.gov.