

probate

n. a general term for the entire process of administration of estates of dead persons, including those with or without wills, with court supervision. The means of "avoiding" probate exist, including creating trusts in which all possessions are handled by a trustee, making lifetime gifts or putting all substantial property in joint tenancy with an automatic right of survivorship in the joint owner. Even if there is a will, probate may not be necessary if the estate is small with no real estate title to be transferred or all of the estate is either jointly owned or community property. Reasons for avoiding probate are the fees set by statute and/or the court (depending on state laws) for attorneys, executors and administrators, the need to publish notices, court hearings, paperwork, the public nature of the proceedings and delays while waiting for creditors to file claims even when the deceased owed no one.

Michael Heavey has many years of probate experience. He will meet with you to discuss the estate and use the best course to help you administer the estate. The size of the estate and the type of property owned are all factors in the type of probate case that needs to be filed.