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OPENING & CLOSING PROBATE FOR A PERSON WITH A WILL

In Clark County

These instructions are for informational purposes only and do not constitute legal advice. If you do not understand this information, please contact an attorney.

If your specific situation is beyond the scope of this packet, please contact an attorney.

About this packet:

Probate is the legal process for distributing a person's property after they have died.

The person who died is called the "Decedent". The things that the Decedent owned are called the "Estate". The person who becomes responsible for managing the Decedent's estate is called the "Personal Representative" (sometimes this person is called an "Executor" in a Will). The legal document that makes a person the Personal Representative is called either "Letters Testamentary" or "Letters of Administration With Will Annexed".

The probate process is a court case used to gather the assets of a person who has died, settle their debts, and distribute the assets to their heirs. There are two types of probate. If the Decedent died with a Will, the probate is called "testate probate." If the Decedent died without a Will, the probate is called "intestate probate."

The instructions and forms in this packet are for a basic testate probate. They may help with the following things:

- Open a probate case when there is agreement of the heirs
- Request that the Court allow you take charge of the estate
- Request that the Court issue Letters Testamentary or Letters of Administration With Will Annexed
- Close a probate case when there is agreement of the heirs

To help decide if using the testate probate process is right for your situation, review [Title 11 of the Revised Code of Washington](#) for information regarding probate, or contact an attorney.

If, after reviewing the Revised Code of Washington and/or consulting an attorney, you believe the testate probate process is right for you, this packet can assist with starting and ending the process.

Forms included in this packet:

- A - Declaration of Witness to Decedent's Will
- B - Declination to Act as Personal Representative
- C - Declination, Designation, & Waiver by Surviving Spouse or Domestic Partner
- D - Consent to Grant of Nonintervention Powers; Waiver of Bond & Notice of Hearing
- E - Oath of Personal Representative

F - Petition for Probate of Will, Letters Testamentary, & Nonintervention Powers
G - Order Admitting Will to Probate, Granting Letters Testamentary, & Nonintervention Powers
H - Letters Testamentary
I - Petition for Probate of Will, Letters of Administration With Will Annexed, & Nonintervention Powers
J - Order Admitting Will to Probate, Granting Letters of Administration With Will Annexed, & Nonintervention Powers
K - Letters of Administration With Will Annexed

- L - Notice of Appointment and Pendency of Probate

- M - Certificate of Mailing Notice of Appointment and Pendency of Probate

- N - Notice of Appointment and Pendency of Probate for DSHS

- O - Certificate of Mailing Notice of Appointment and Pendency of Probate for DSHS

- P - Notice of Appointment and Pendency of Probate for Dep't of Revenue

- Q - Certificate of Mailing Notice of Appointment and Pendency of Probate for Dep't of Revenue