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INFORMAL PROBATE GUIDELINES

NOTE: *This guideline is provided only as a public service and is not meant to be legal advice. The Register in Probate Office cannot give legal advice; please contact an attorney if you have legal questions.*

By statute, probate matters must be closed within 18 months of the initial filing date. This deadline may only be extended by the court through the submission of a Petition for Extension of Time to Close the Estate. Failure to fill out the forms below consistent with the requirements set forth by Wisconsin Statutes and Local Court Rules will result in delays in opening and/or closing out the estate. If you encounter any difficulties regarding the preparation of this paperwork you are strongly encouraged to seek advice from an attorney. The Register in Probate Office can neither tell you what information to put in the form nor fill this form out for you.

TO OPEN AN INFORMAL PROBATE

FIRST STEP: Complete and file originals of each one of the following forms:

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| PR-1801 | Application for Informal Probate |
| PR-1806 | Proof of Heirship |
| PR-1803 | Waiver and Consent |
| PR-1804 | Notice to Creditors (or, if <u>all</u> waivers are not filed, complete PR-1805) |
| PR-1805 | Notice of Interested Persons and Time Limit for Filing Claims* |
| PR-1807 | Consent to Serve |
| PR-1808 | Statement of Informal Administration |
| PR-1810 | Domiciliary Letters |
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| Original | Will and any Codicils (copies of the same must be provided to all interested persons)
<i>**Once the original will is filed with this office you will not get it back. You can request a copy of the original will at the cost of \$1.00 per page. To avoid incurring this fee, please make sure you keep a copy of the original will for your records.</i> |
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Original	Probate Claims Notice (copy must be sent to the WI Dept of Family Services and County Clerk)
Other	Trusts – See Page 3.

*Personal Representative (PR) will be appointed after the hearing date listed on the Notice of Interested Persons and Time Limit for Filing Claims only after the following documents have been filed:

1. Affidavit of Publication received from the newspaper; and
2. Affidavit of Service (form PR-1817) showing proof that the Notice was mailed to all interested persons

Please submit the completed paperwork to the Register in Probate Office for review. If all documents are completed properly, the Register in Probate Office will contact you to set up an appointment for you to come into the office to sign the necessary paperwork to initiate an informal probate proceeding. If the documents are not completed, they will be returned to you unfilled to address any issues that must be addressed before filing

AFTER YOUR APPOINTMENT AS PERSONAL REPRESENTATIVE, COMPLETE AND FILE ORIGINALS OF THE FOLLOWING DOCUMENTS:

SECOND STEP: INVENTORY

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| PR-1811 | Inventory – <u>this document must be filed with the court within 6 months of the date the Application for Informal Administration was filed – no exceptions or extensions will be granted by the court</u> |
| Filing fee | Statutory inventory filing fee of 0.2% of the assets is due <u>with</u> filing of the the inventory (Total Value Subject to Administration x .002) |
| PR-1817 | Affidavit of Service – inventory to all interested persons |

THIRD STEP: FINAL ACCOUNT

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| PR-1814 | Estate Account |
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FOURTH STEP: CLOSING DOCUMENTS

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| PR-1815 | Estate Receipts 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 |
| Other | Closing Certificate for Fiduciaries |

- BOND:** You may be required to file a bond with the court prior to your appointment as Personal Representative; the Court will determine with the bond will be a signature bond (form PR-1809) or a corporate bond on a case by case basis.
- TRUSTS** If the Decedent's Will establishes a trust, please complete the following forms: PR-1930 (Consent to Serve as Trustee) and PR-1829 (Letters of Trust) and file the originals with the Register in Probate office when the estate is opened.
- CLAIMS:** It is the Personal Representative's responsibility to check the court record for any claims filed against the estate. The Court record maybe accessed at www.wicourts.gov and copies of any claim that is filed may be obtained from the Register in Probate Office for a fee of \$1.00 per page.
- CERTIFIED COPIES:** If requested, certified copies are \$3.00 for the certification and \$1.00 for each page copies and compared. If requested through mail, please enclose a self addressed, stamped envelope together with the correct fee.
- FORMS:** All of the forms referenced above can be located on the Wisconsin Circuit Court System Website: www.wicourts.gov. The Register in Probate Office DOES NOT provide forms to the public.
- WISCONSIN TAX FORMS:** A Closing Certificate for Fiduciaries is required before closing the estate. Request the Closing Certificate by completing Schedule CC and any other necessary fiduciary tax return. This document can be obtained from the Wisconsin Department of Revenue website (<https://www.revenue.wi.gov/TaxForms2020/2020-ScheduleCCf.pdf>). Submit Schedule CC and any fiduciary returns together with all requested documents to: Wisconsin Department of Revenue, PO Box 8918, Madison, WI 53708-8918. Filing of the fiduciary, estate tax and income returns is the personal representative's responsibility. You should consult with your accountant, tax preparer, or attorney if you need assistance in preparing these documents.

Please visit the Wisconsin Register in Probate Association website for additional resources to assist you in this process. www.wripa.org.