

What is Probate in California?

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Probate is a term used often in estate planning and estate administration. It is the court process of settling a deceased person's estate. Probate for larger estates can be long and expensive. California has a simplified process for probate for smaller estates. Estates with a total asset value up to \$150,000.00 may be eligible for the simplified probate process.

Not all estates go through probate. With some advanced planning, an individual's assets can be held in a way that property transfers without going through probate. In order to avoid probate, all property must be distributed in other ways. If any property is not distributed, the estate will have to go through probate. An estate may also be probated if there are no guardians designated for minor children whose parents have passed away.

Probate can be Helpful

While generally speaking probate can be long and expensive for loved ones of the decedent, there is one benefit to the probate process. Creditors of the estate are notified of the debtor's death once the probate process begins. Creditors then have a limited amount of time to make a claim against the estate. The personal representative can dispute the claim or pay it. If a creditor misses the window of opportunity to collect on debts, the creditor cannot come back to the estate later for payment. Once the probate process is complete, the beneficiaries of the estate can take their inheritance and rest assured that no one will come looking for payments later.

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About Attorney David Pastor

Experienced California Estate Planning and Probate Attorney David Pastor has helped many people protect loved ones and distribute estate assets. We can protect you and your family's interests in probate and trust administration. Contact us today for personalized help at 925-932-3346.