

Index

ABATEMENT OF GIFTS

Will Requirements, Statutory Succession and Related Topics, this index

ABSENCE

Full intervention probates, absence of personal representative, **22:6**
Nonintervention probates, absence of personal representative, **14:6**

ABUSERS

Wills, inheritance rights, **5:29**

ACCOUNTING

Final Accounting, this index

AGENDA

Preparation and initial activities, **2:6**

ALLOCATION OF ASSETS

Testate full intervention probate (personal representative named in will, insolvent estate), approval, **8:12**
Testate full intervention probate (personal representative not named in will, solvent estate), approval, **9:12**
Wills, abatement of gifts, **5:35**

ALTERNATIVES TO PROBATE

Generally, **1:6 to 1:14**
Beneficiary designations, **1:9**
Care management trusts, **1:11**
Claiming successor, affidavit of, **1:12, 1:18**
Community property agreements, **1:10, 1:16**
Joint tenancy accounts, **1:7, 1:15**
Limited liability company, estate planning using, **1:13**
Living trusts, **1:11**
Payable-on-death accounts, **1:8**
Personal property, **1:17**

ALTERNATIVES TO PROBATE

—Cont'd

Real property transfers, documentation of, **1:14**
Transfer-on-death accounts, **1:8**

ANIMALS

Pet Trusts, this index

ANTILAPSE STATUTE

Wills, **5:22, 5:32**

APPRAISALS

Estate tax, timeliness, **28:10**
Full Intervention Probates, this index
Intestate full intervention probate, **11:9**
Intestate nonintervention probate, **10:9, 31:10**
Nonintervention Probates, this index
Testate full intervention probate (personal representative named in will, insolvent estate), **8:9**
Testate full intervention probate (personal representative not named in will, solvent estate), **9:9**
Testate nonintervention probate (personal representative named in will), **6:9, 30:11**
Testate nonintervention probate (personal representative not named in will), **7:9**

ASSIGNMENTS

Full intervention probates, assignment subject to full intervention, **21:4**

ATTORNEY'S FEES

Full intervention probates, **20:13, 27:4**

BENEFICIARIES

Alternatives to probate, beneficiary designations, **1:9**

PROBATE LAW AND PRACTICE WITH FORMS

BENEFICIARIES—Cont'd

Cases related to probate, identification, **3:5**

BONDS

Full intervention probates, **20:13, 22:16, 27:4**

Nonintervention probates, **14:16**

BORROWING FUNDS

Full intervention probates, sale, lease or exchange of property, **25:10**

Nonintervention probates, sale, lease or exchange of property, **17:10**

CANCELLATION

Full intervention probates, letters of administration with will annexed, **22:15**

Nonintervention probates, letters of administration with will annexed, **14:15**

CAPACITY

Full intervention probates, conflict over capacity, **21:3**

Nonintervention probates, conflict over capacity, **13:3**

Wills, conflict over capacity, **5:27**

CARE MANAGEMENT TRUSTS

Alternatives to probate, **1:11**

CASES RELATED TO PROBATE

Generally, **3:1 to 3:7**

Community property, **3:4**

Heirs and beneficiaries, identification of, **3:5**

Joint tenancies, **3:3**

Trust and Estate Dispute Resolution Act (TEDRA), **3:7**

Wills, **3:2**

CHALLENGES

Nonintervention probates, actions by personal representative and attorney, **13:4**

CHECKLISTS

Full Intervention Probates, this index

Nonintervention Probates, this index

CHILDREN

Wills, rights of omitted child, **5:20**

CLAIMS AGAINST ESTATE

Full Intervention Probates, this index

Nonintervention Probates, this index

COMMUNITY PROPERTY

Cases related to probate, **3:4**

Estate tax, disclaiming half of asset, **28:9**

Full Intervention Probates, this index

Nonintervention Probates, this index

Notice of real property transfer, **1:16**

CONFIRMATION

Full intervention probates, sale of property, **25:8**

Nonintervention probates, sale of property, **17:8**

CONTESTS OF WILLS

Full intervention probates, **22:1**

Nonintervention probates, **14:1**

COPY OF WILL

Full intervention probates, proof, **20:9**

Nonintervention probates, proof, **12:9**

COVER LETTERS

Full Intervention Probates, this index

Intestate full intervention probate, mailout to heirs and declaration of mailing, **11:8**

Intestate nonintervention probate, mailout to heirs and declaration of mailing, **107:8**

Nonintervention Probates, this index

Testate full intervention probate (personal representative named in will, insolvent estate), mailout to heirs and declaration of mailing, **8:8**

Testate full intervention probate (personal representative not named in will, solvent estate), mailout to heirs and declaration of mailing, **9:8**

Testate nonintervention probate (personal representative named in will), mailout to heirs and

INDEX

COVER LETTERS—Cont'd

declaration of mailing, **6:8**

Testate nonintervention probate
(personal representative not
named in will), mailout to heirs
and declaration of mailing, **7:8**

CREDITORS

Intestate Full Intervention Probate,
this index

Intestate Nonintervention Probate,
this index

Testate Full Intervention Probate
(Personal Representative Named
in Will, Insolvent Estate), this
index

Testate Full Intervention Probate
(Personal Representative Not
Named in Will, Solvent Estate),
this index

Testate Nonintervention Probate
(Personal Representative Named
in Will), this index

Testate Nonintervention Probate
(Personal Representative Not
Named in Will), this index

CREDIT SHELTER TRUSTS

Generally, **29:5**

Estate tax, **28:6, 28:14**

DEATH OF PERSONAL REPRESENTATIVE

Full intervention probates, **22:6**

Nonintervention probates, **14:6**

DECLARATIONS

Full Intervention Probates, this index

Intestate Nonintervention Probate,
this index

Nonintervention Probates, this index

Testate Nonintervention Probate
(Personal Representative Named
in Will), this index

Testate nonintervention probate
(personal representative not
named in will), completion of
probate of estate, **7:13**

DEPARTMENT OF REVENUE

Intestate nonintervention probate,
notice, **31:8**

DEPARTMENT OF REVENUE

—**Cont'd**

Testate nonintervention probate
(personal representative named
in will), notice, **30:9**

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Intestate nonintervention probate,
notice, **31:8**

Testate nonintervention probate
(personal representative named
in will), notice, **30:9**

DISCHARGE

Full intervention probates, personal
representative, **27:17**

Nonintervention probates, personal
representative, **19:35**

DISCLAIMERS

Full Intervention Probates, this index

Nonintervention Probates, this index

DISSOLUTION OF MARRIAGE

Wills, automatic invalidation of
bequests, **5:16**

DISTRIBUTION OF ASSETS

Full intervention probates, **27:5,**
27:16

Intestate full intervention probate,
approval of, **11:12**

Nonintervention probates, **19:34**

DIVORCE

Wills, automatic invalidation of
bequests, **5:16**

DOMESTIC PARTNERSHIPS

Generally, **1:20, 1:22**

EDUCATIONAL TRUSTS

Generally, **29:4**

ENCUMBERED PROPERTY

Wills, bequests, **5:19**

ESCHEAT OF PROPERTY

Wills, **5:37**

ESTATE TAX

Generally, **28:1 to 28:16**

Appraisals, timeliness, **28:10**

ESTATE TAX—Cont'd

- Community property asset, disclaiming half of, **28:9**
- Credit shelter trusts, **28:6, 28:14**
- Exclusion amounts, **28:3**
- Gross estate, **28:4**
- Qualified disclaimers, **28:7, 28:8**
- Returns
 - generally, **28:12**
 - full intervention probates, **23:6**
 - nonintervention probates, **15:6**
 - “Shakeout period” for retirement plans, **28:11**
- Special needs trust, funding of, **28:13**
- Taxable estates, **28:2**
- Tax rate, **28:15, 28:16**

EXCHANGES

- Full Intervention Probates, this index
- Nonintervention Probates, this index

EXEMPLIFIED COPIES

- Full intervention probates, proof of will, **21:7, 21:9**
- Nonintervention probates, proof of will, **13:7, 13:9**

FAMILY AWARDS

- Full Intervention Probates, this index
- Nonintervention Probates, this index

FEE AGREEMENTS

- Preparation and initial activities, **2:13**

FINAL ACCOUNTING

- Intestate full intervention probate, approval of, **11:12**
- Intestate Nonintervention Probate, this index
- Testate full intervention probate (personal representative named in will, insolvent estate), approval, **8:12**
- Testate full intervention probate (personal representative not named in will, solvent estate), approval, **9:12**
- Testate Nonintervention Probate (Personal Representative Named in Will), this index

FINAL ACCOUNTING—Cont'd

- Testate Nonintervention Probate (Personal Representative Not Named in Will), this index

FINAL REPORTS

- Full Intervention Probates, this index

FOREIGN WILLS

- Full intervention probates, proof, **21:7, 21:11**
- Nonintervention probates, proof, **13:7, 13:11**

FULL INTERVENTION PROBATES

- Generally, **1:3, 1:4, 20:1 to 20:15, 21:1 to 21:22, 22:1 to 22:22, 23:1 to 23:15, 24:1 to 24:41, 25:1 to 25:11, 26:1 to 26:30, 27:1 to 27:17**
- Absence of personal representative, **22:6**
- Actions, personal representatives, **22:21**
- Allowance of claims against estate, **26:6**
- Application for letters of administration with will annexed, **22:11**
- Appraisal. Inventory and appraisal, below
- Assignment subject to full intervention, **21:4**
- Attorney's fees, **20:13, 27:4**
- Authority and duties, **20:11**
- Bonds, **20:13, 22:16, 27:4**
- Borrowing funds for sale, lease or exchange of property, **25:10**
- Cancellation of letters of administration with will annexed, **22:15**
- Capacity, conflict over, **21:3**
- Checklists
 - claims against estate, **26:23**
 - closing documents, **27:15**
 - general issues, **20:15**
 - initial activities, **22:22**
 - notice, instructions to personal representative and inventory, **24:41**
 - petition and order, **21:22**

INDEX

FULL INTERVENTION

PROBATES—Cont'd

- Checklists—Cont'd
 - sale, lease or exchange of property, **25:11**
- Citing in bond and attorney's fees, **20:13, 27:4**
- Claims against estate
 - generally, **26:1 to 26:23**
 - additional responsibilities of personal representative, **26:22**
 - allowance or rejection of claims, **26:6**
 - checklist, **26:23**
 - nonprobate assets, **26:4**
 - nonreceipt of probate notice, **26:3**
 - notice to creditors, **26:1**
 - reasonably ascertainable creditor, **26:2**
 - statutes related to probate, **4:18**
 - submission of claims, **26:5**
- Closing documents, generally, **27:1 to 27:17**
- Community property
 - generally, **22:5**
 - disclaimers, **23:3**
- Confirmation of sale of property, **25:8**
- Conflict between will and other legal documents, **21:2**
- Conflict over capacity, **21:3**
- Contests of wills, **22:1**
- Contrasts between types of probates, **12:3, 20:3**
- Copy of will, proving of, **20:9**
- Cover letter to heir
 - intestate probate, **24:31**
 - testate probate, insolvent estate, **24:7**
 - testate probate, solvent estate, **24:19**
- Cover letter to personal representative
 - intestate probate, **24:30**
 - testate probate, insolvent estate, **24:6**
 - testate probate, solvent estate, **24:18**

FULL INTERVENTION

PROBATES—Cont'd

- Death of personal representative, **22:6**
- Declaration of mailing
 - intestate probate, **24:32, 24:35, 24:37**
 - testate probate, insolvent estate, **24:8, 24:11, 24:13**
 - testate probate, solvent estate, **24:20, 24:23, 24:25**
- Declination to act, testate probate, insolvent estate, **21:14**
- Discharge of personal representative, **27:17**
- Disclaimers
 - generally, **23:1 to 23:3**
 - community property assets, **23:3**
 - federal requirements, **23:1**
 - irrevocable disclaimer and receipt, **23:8**
 - Washington state requirements, **23:2**
- Disputes regarding probate, **21:5**
- Distribution of assets, **27:5, 27:16**
- Duties and authority, **20:11**
- Effects of nonintervention and full intervention probates, **12:2, 20:2**
- Estate tax returns, **23:6**
- Exchange of property. Sale, lease or exchange of property, below
- Exemplified copies, proof of will, **21:7, 21:9**
- Family awards
 - generally, **26:24 to 26:30**
 - amount, **26:26**
 - conditions, **26:28**
 - homestead exemption, **26:27**
 - increase or decrease in award, **26:29**
 - petition, **26:25**
 - priority and exceptions, **26:30**
 - statutes related to probate, **4:18**
- Final notice, intestate probate, **27:13**
- Final report
 - testate probate, insolvent estate, **27:7**
 - testate probate, solvent estate, **27:10**

PROBATE LAW AND PRACTICE WITH FORMS

FULL INTERVENTION

PROBATES—Cont'd

Foreign wills, proof of, **21:7, 21:11**
Funding of special needs trusts, **23:7**
Granting of letters, **22:3**
Homestead exemption, family awards, **26:27**
Initial activities, generally, **22:1 to 22:22**
Instructions to personal representative
 Generally, **24:1 et seq.**
 intestate probate, **24:39**
 testate probate, insolvent estate, **24:15**
 testate probate, solvent estate, **24:27**
Intestate Full Intervention Probate, this index
Intestate probate
 generally, **21:19 to 21:21, 24:29 to 24:40**
 claims against the estate, generally, **26:17 to 26:21**
 closing documents, generally, **27:12 to 27:14**
 cover letter to heir, **24:31**
 cover letter to personal representative, **24:30**
 declaration of mailing, **24:32, 24:35, 24:37**
 final notice, **27:13**
 instructions, **24:39**
 inventory and appraisal, **24:40**
 motion and order, closing documents, **27:14**
 notice
 creditors, **24:34, 24:35, 26:18**
 state agencies, **24:36, 24:37**
 oath, **21:21**
 order, **21:20**
 partial rejection of claim, **26:20**
 petition for order, **21:19**
 receipt of probate documents, **24:33**
 rejection of claim, **26:20, 26:21**
 satisfaction of claim, **26:19**
 special notice of proceedings, **24:38**

FULL INTERVENTION

PROBATES—Cont'd

Inventory and appraisal
 generally, **24:1 et seq.**
 life estates, **23:14**
 testate probate, insolvent estate, **24:16**
 testate probate, solvent estate, **24:28**
 timely appraisals, **23:4**
Irrevocable disclaimer and receipt, **23:8**
Jurisdiction, **20:4, 20:5**
Lease of property. Sale, lease or exchange of property, below
Letters of administration with will annexed
 generally, **22:2, 22:9 to 22:15**
 application, **22:11**
 form, **22:14**
 granting of letters, **22:13**
 persons entitled to letters, **22:12**
 revocation and cancellation, **22:15**
Letters testamentary, **22:2, 22:7, 22:8**
Life estates
 generally, **23:10 to 23:15**
 inventory and appraisal, **23:14**
 Medicaid claims, **23:10**
 notice to creditors, **23:15**
 oath, **23:13**
 order, **23:12**
 petition for order, **23:11**
Lost or destroyed will, proof of, **21:7**
Medicaid claims, life estates, **23:10**
Motion and order, closing documents
 intestate probate, **27:14**
 testate probate, insolvent estate, **27:8**
 testate probate, solvent estate, **27:11**
Negotiation, sales by, **25:7**
Notice
 generally, **20:4, 20:8, 24:1 to 24:41**
 appointment, **22:17**
 claims against estate, notice to creditors, **26:1**
 intestate probate, above

INDEX

FULL INTERVENTION

PROBATES—Cont'd

- Notice—Cont'd
 - life estates, notice to creditors, **23:15**
 - testate probate, below
- Oath
 - intestate probate, **21:21**
 - life estates, **23:13**
 - testate probate, insolvent estate, **21:15**
 - testate probate, solvent estate, **21:18**
- Objections
 - generally, **22:4**
 - appointment, **22:1**
- Order
 - intestate probate, **21:20**
 - life estates, **23:12**
 - testate probate, insolvent estate, **21:13**
 - testate probate, solvent estate, **21:17**
- Original will, obtaining of, **20:9**
- Partial rejection of claim
 - intestate probate, **26:20**
 - testate probate, insolvent estate, **26:10**
 - testate probate, solvent estate, **26:15**
- Petition and order, generally, **21:1 to 21:22**
- Petition for order
 - intestate probate, **21:19**
 - life estates, **23:11**
 - testate probate, insolvent estate, **21:12**
 - testate probate, solvent estate, **21:16**
- Postmortem planning, generally, **23:1 to 23:15**
- Postponement of authority of personal representative, **21:10**
- Powers and duties of personal representatives, **22:19, 22:20**
- Priority and exceptions, family awards, **26:30**
- Proof of wills, **21:7, 21:8**

FULL INTERVENTION

PROBATES—Cont'd

- Qualifications of personal representative and trustees, **20:10**
- Reasonably ascertainable creditor, claims against estate, **26:2**
- Receipt of probate documents
 - intestate probate, **24:33**
 - testate probate, insolvent estate, **24:9**
 - testate probate, solvent estate, **24:21**
- Rejection of claim
 - generally, **26:6**
 - intestate probate, **26:20, 26:21**
 - testate probate, insolvent estate, **26:10, 26:11**
 - testate probate, solvent estate, **26:15, 26:16**
- Removal of personal representative, **20:14, 22:6**
- Revocation of letters, **22:15, 22:18**
- Sale, lease or exchange of property
 - generally, **25:1 to 25:11**
 - borrowing funds, **25:10**
 - checklists, **25:11**
 - confirmation of sale, **25:8**
 - court approval, requirement of, **25:4**
 - negotiation, sales by, **25:7**
 - nonintervention, compared, **25:3**
 - other property interests, **25:9**
 - private sales, **25:6**
 - public sales, **25:5**
 - restrictions, **25:2**
 - statutes related to probate, **4:17**
- Satisfaction of claim
 - intestate probate, **26:19**
 - testate probate, insolvent estate, **26:9**
 - testate probate, solvent estate, **26:14**
- Special needs trusts
 - funding, **23:7**
 - irrevocable disclaimer and receipt, **23:8**
 - probate court, postmortem establishment by, **23:9**

FULL INTERVENTION

PROBATES—Cont'd

- Special notice of proceedings
 - intestate probate, **24:38**
 - testate probate, insolvent estate, **24:14**
 - testate probate, solvent estate, **24:26**
- Statutes of limitation, **20:4, 20:7**
- Statutes related to probate
 - generally, **4:12 to 4:19, 20:12, 20:13**
 - claims and family awards, **4:18**
 - closing documents, **4:19**
 - initial activities, **4:14**
 - notice, instructions to personal representative and inventory, **4:16**
 - petition and order, **4:13**
 - postmortem planning, **4:15**
 - procedural issues, **4:12**
 - sale, lease or exchange of property, **4:17**
- Submission of claims against estate, **26:5**
- Tax issues for retirement plans, **23:5**
- Testate Full Intervention Probate (Personal Representative Named in Will, Insolvent Estate), this index
- Testate Full Intervention Probate (Personal Representative Not Named in Will, solvent Estate), this index
- Testate probate
 - generally, **24:5 to 24:28**
 - closing documents, generally, **27:6 to 27:11**
 - insolvent estate
 - generally, **21:12 to 21:15, 24:5 to 24:16**
 - claims against estate, generally, **26:7 to 26:11**
 - closing documents, generally, **27:6 to 27:8**
 - cover letter to heir, **24:7**
 - cover letter to personal representative, **24:6**

FULL INTERVENTION

PROBATES—Cont'd

- Testate probate—Cont'd
 - insolvent estate—Cont'd
 - declaration of mailing, **24:8, 24:11, 24:13**
 - declination to act, **21:14**
 - final report, **27:7**
 - instructions, **24:15**
 - inventory and appraisalment, **24:16**
 - motion and order, closing documents, **27:8**
 - notice
 - creditors, **24:10, 24:11, 26:8**
 - state agencies, **24:12, 24:13**
 - oath, **21:15**
 - order, **21:13**
 - partial rejection of claim, **26:10**
 - petition for order, **21:12**
 - receipt of probate documents, **24:9**
 - rejection of claim, **26:10, 26:11**
 - satisfaction of claim, **26:9**
 - special notice of proceedings, **24:14**
- solvent estate
 - generally, **21:16 to 21:18, 24:17 to 24:28**
 - claims against the estate, generally, **26:12 to 26:16**
 - closing documents, generally, **27:9 to 27:11**
 - cover letter to heir, **24:19**
 - cover letter to personal representative, **24:18**
 - declaration of mailing, **24:20, 24:23, 24:25**
 - final report, **27:10**
 - instructions, **24:27**
 - inventory and appraisalment, **24:28**
 - motion and order, closing documents, **27:11**
 - notice
 - creditors, **24:22, 24:23, 26:13**
 - state agencies, **24:24, 24:25**
 - oath, **21:18**
 - order, **21:17**

INDEX

FULL INTERVENTION

PROBATES—Cont'd

- Testate probate—Cont'd
 - solvent estate—Cont'd
 - partial rejection of claim, **26:15**
 - petition for order, **21:16**
 - receipt of probate documents, **24:21**
 - rejection of claim, **26:15, 26:16**
 - satisfaction of claim, **26:14**
 - special notice of proceedings, **24:26**
- Venue, **20:4, 20:6**
- Witness testimony, proof of wills, **21:7**

GAP-FILLERS

- Wills, statutory abatement of gifts, **5:36**

GIFTS

- Will Requirements, Statutory Succession and Related Topics, this index

GROSS ESTATE

- Estate tax, **28:4**

HOMESTEAD EXEMPTION

- Full intervention probates, family awards, **26:27**
- Nonintervention probates, family awards, **18:27**

HOMICIDE

- Wills, inheritance rights of slayers, **5:29**

HOMOSEXUALITY

- Same-sex marriage, **1:21, 1:23, 1:24**

HUSBAND AND WIFE

- Marriage, this index
- Wills, rights of omitted spouse, **5:21**

INCORPORATION BY REFERENCE

- Wills, **5:25**

INITIAL ACTIVITIES

- Preparation and Initial Activities, this index

INSTRUCTIONS TO PERSONAL REPRESENTATIVE

- Full Intervention Probates, this index
- Intestate full intervention probate, **11:6**
- Intestate nonintervention probate, **10:6, 31:9**
- Nonintervention Probates, this index
- Testate full intervention probate (personal representative named in will, insolvent estate), **8:6**
- Testate full intervention probate (personal representative not named in will, solvent estate), **9:6**
- Testate nonintervention probate (personal representative named in will), **6:6, 30:10**
- Testate nonintervention probate (personal representative not named in will), **7:6**

INTENT OF TESTATOR

- Wills, **5:18**

INTERPRETATION

- Will Requirements, Statutory Succession and Related Topics, this index

INTESTATE PROBATES

- Generally, **1:2, 1:4**
- Full Intervention Probates, this index
- Intestate Full Intervention Probate, this index
- Intestate Nonintervention Probate, this index
- Nonintervention Probates, this index

INTESTATE FULL INTERVENTION PROBATE

- Generally, **11:1 to 11:12**
- Approval of payment, creditors' claims, **11:10**
- Cover letters for mailout to heirs and declaration of mailing, **11:8**
- Creditors' claims
 - approval of payment, **11:10**
 - notice to creditors, **11:7**
 - partial or full rejection, **11:11**

**INTESTATE FULL
INTERVENTION PROBATE**

—Cont'd

- Declination to serve as personal representative, **11:3**
- Final accounting and distribution of assets, approval of, **11:12**
- Instructions to personal representative, **11:6**
- Inventory and appraisal, **11:9**
- Mailout to heirs and declaration of mailing, **11:8**
- Notice to creditors, **11:7**
- Oath of personal representative, **11:4**
- Order establishing probate, **11:2**
- Partial or full rejection, creditors' claims, **11:11**
- Petition for order establishing probate, **11:1**
- Special notice of proceedings, **5:5**

**INTESTATE NONINTERVENTION
PROBATE**

- Generally, **10:1 to 10:18, 31:1 to 31:17**
- Approval of payment, creditors' claims, **10:10**
- Closing of estate, motion and order, **10:18, 31:17**
- Completion of probate of estate declaration, **10:13, 31:12**
notice of filing, **10:14, 31:13**
- Cover letters for mailout to heirs and declaration of mailing, **107:8**
- Creditors' claims
 - approval of payment, **10:10**
 - notice to creditors, **10:7, 31:7**
 - partial or full rejection, **10:11**
- Declarations
 - completion of probate of estate, **10:13, 31:12**
 - mailing, **31:6**
- Declination to serve as personal representative, **10:3**
- Department of Revenue and Department of Social and Health Services, notice to, **31:8**
- Final accounting
 - approval, **10:15, 31:14**

**INTESTATE NONINTERVENTION
PROBATE—Cont'd**

- Final accounting—Cont'd
 - notice with intention to distribute assets, **10:12, 31:11**
- Instructions to personal representative, **10:6, 31:9**
- Inventory and appraisal, **10:9, 31:10**
- Mailout to heirs and declaration of mailing, **10:8**
- Notice
 - completion of probate of estate, filing of, **10:14**
 - creditors, notice to, **10:7, 31:7**
 - Department of Revenue and Department of Social and Health Services, notice to, **31:8**
 - final accounting and intention to distribute assets, **10:12, 31:11**
 - waiver of 30 day notice, **10:16, 31:15**
- Oath of personal representative, **10:4, 31:5**
- Order establishing probate, **10:2, 31:4**
- Partial or full rejection, creditors' claims, **10:11**
- Petition for order establishing probate, **10:1, 31:3**
- Practice application, generally, **31:1 to 31:17**
- Receipt of heir, **10:17, 31:16**
- Special notice of proceedings, **10:5**
- Waiver of 30 day notice, **10:16, 31:15**

INTESTATE SUCCESSION

- Will Requirements, Statutory Succession and Related Topics, this index

INVENTORY

- Full Intervention Probates, this index
- Intestate full intervention probate, **11:9**
- Intestate nonintervention probate, **10:9, 31:10**
- Nonintervention Probates, this index

INDEX

INVENTORY—Cont'd

- Testate full intervention probate (personal representative named in will, insolvent estate), **8:9**
- Testate full intervention probate (personal representative not named in will, solvent estate), **9:9**
- Testate nonintervention probate (personal representative named in will), **6:9, 30:11**
- Testate nonintervention probate (personal representative not named in will), **7:9**

JOINT TENANCIES

- Cases related to probate, **3:3**
- Notice of real property transfer, **1:15**

JOINT TENANCY ACCOUNTS

- Alternatives to probate, **1:7, 1:15**

JURISDICTION

- Full intervention probates, **20:4, 20:5**
- Nonintervention probates, **12:4, 12:5**

LEASES

- Full Intervention Probates, this index
- Nonintervention Probates, this index

LETTERS OF ADMINISTRATION

- Full Intervention Probates, this index
- Nonintervention Probates, this index

LETTERS TESTAMENTARY

- Full intervention probates, **22:2, 22:7, 22:8**
- Nonintervention probates, **14:2, 14:7, 14:8**

LIFE ESTATES

- Full Intervention Probates, this index
- Nonintervention Probates, this index

LIMITATION OF ACTIONS

- Statutes of Limitation, this index

LIMITED LIABILITY COMPANIES

- Alternatives to probate, **1:13**

LIVING TRUSTS

- Alternatives to probate, **1:11**

LOST OR DESTROYED WILL

- Full intervention probates, proof, **21:7**
- Nonintervention probates, proof, **13:7**

MARRIAGE

- Same-sex marriage, **1:21, 1:23, 1:24**
- Wills, automatic invalidation of bequests after dissolution of marriage, **5:16**

MEDICAID

- Full intervention probates, life estates, **23:10**
- Nonintervention probates, life estates, **15:10**

MINORS

- Wills, rights of omitted child, **5:20**

MURDER

- Wills, inheritance rights of slayers, **5:29**

NEGOTIATION

- Full intervention probates, sales, **25:7**
- Nonintervention probates, sales, **17:7**

NONINTERVENTION PROBATES

- Generally, **1:3, 1:4, 12:1 to 12:15, 13:1 to 13:22, 14:1 to 14:22, 15:1 to 15:15, 16:1 to 16:41, 17:1 to 17:11, 18:1 to 18:30, 19:1 to 19:35**

- Absence of personal representative, **14:6**

- Actions, personal representatives, **14:21**

- Allowance of claims against estate, **18:6**

- Alternative approaches to closing, **19:3**

- Application for letters of administration with will annexed, **14:11**

- Appraisement. Inventory and appraisement, below

- Approval of closing documents intestate probate, **19:28**

- testate probate, named in will, **19:10**

- testate probate, not named in will, **19:19**

NONINTERVENTION PROBATES

—Cont'd

- Authority and duties, **12:11**
- Bond by personal representative, **14:16**
- Borrowing funds for sale, lease or exchange of property, **17:10**
- Cancellation of letters of administration with will annexed, **14:15**
- Capacity, conflict over, **13:3**
- Challenges to actions by personal representative and attorney, **13:4**
- Checklists
 - claims against estate, **18:23**
 - closing documents, **19:33**
 - general issues, **12:15**
 - initial activities, **14:22**
 - notice, instructions to personal representative and inventory, **16:41**
 - petition and order, **13:22**
 - sale, lease or exchange of property, **17:11**
- Claims against estate
 - generally, **18:1 to 18:23**
 - additional responsibilities of personal representative, **18:22**
 - allowance or rejection of claims, **18:6**
 - checklist, **18:23**
 - intestate probate, below nonprobate assets, **18:4**
 - nonreceipt of probate notice, **18:3**
 - notice to creditors, **18:1**
 - reasonably ascertainable creditor, **18:2**
 - statutes related to probate, **4:10**
 - submission of claims, **18:5**
 - testate probate, below
- Closing documents, generally, **19:1 to 19:35**
- Community property
 - generally, **14:5**
 - disclaimers, **15:3**
- Confirmation of sale of property, **17:8**
- Conflict between will and other legal documents, **13:2**
- Conflict over capacity, **13:3**

NONINTERVENTION PROBATES

—Cont'd

- Contests of wills, **14:1**
- Contrasts between types of probates, **12:3, 20:3**
- Copy of will, proving of, **12:9**
- Cover letter to heir
 - intestate probate, **16:31**
 - testate probate, named in will, **16:7**
 - testate probate, not named in will, **16:19**
- Cover letter to personal representative
 - intestate probate, **16:30**
 - testate probate, named in will, **16:6**
 - testate probate, not named in will, **16:18**
- Death of personal representative, **14:6**
- Declaration of completion
 - generally, **19:4**
 - intestate probate, **19:26**
 - testate probate, named in will, **19:8**
 - testate probate, not named in will, **19:17**
- Declaration of mailing
 - intestate probate, **16:32, 16:35, 16:37**
 - testate probate, named in will, **16:8, 16:11, 16:13**
 - testate probate, not named in will, **16:20, 16:23, 16:25**
- Declination to act, testate probate, named in will, **13:14**
- Discharge of personal representative, **19:35**
- Disclaimers
 - generally, **15:1 to 15:3**
 - community property assets, **15:3**
 - federal requirements, **15:1**
 - irrevocable disclaimer and receipt, **15:8**
 - Washington state requirements, **15:2**
- Disputes regarding probate, **13:5**
- Distribution of assets, **19:34**
- Duties and authority, **12:11**
- Effects of nonintervention and full intervention probates, **12:2, 20:2**

INDEX

NONINTERVENTION PROBATES

—Cont'd

- Estate tax returns, **15:6**
- Exchange of property. Sale, lease or exchange of property, below
- Exemplified copies, proof of will, **13:7, 13:9**
- Family awards
 - generally, **18:24 to 18:30**
 - amount, **18:26**
 - conditions, **18:28**
 - homestead exemption, **18:27**
 - increase or decrease in award, **18:29**
 - petition, **18:25**
 - priority and exceptions, **18:30**
 - statutes related to probate, **4:10**
- Final notice
 - intestate probate, **19:25**
 - testate probate, named in will, **19:7**
 - testate probate, not named in will, **19:16**
- Foreign wills, proof of, **13:7, 13:11**
- Funding of special needs trusts, **15:7**
- Granting of letters, **14:3**
- Homestead exemption, family awards, **18:27**
- Initial activities, generally, **14:1 to 14:22**
- Instructions to personal representative
 - generally, **16:1 et seq.**
 - intestate probate, **16:39**
 - testate probate, named in will, **16:15**
 - testate probate, not named in will, **16:27**
- Intestate Nonintervention Probate, this index
- Intestate probate
 - generally, **13:19 to 13:21, 16:29 to 16:40**
 - approval of closing documents, **19:28**
 - claims against the estate, generally, **18:17 to 18:21**
 - closing documents, generally, **19:24 to 19:32**
 - cover letter to heir, **16:31**

NONINTERVENTION PROBATES

—Cont'd

- Intestate probate—Cont'd
 - cover letter to personal representative, **16:30**
 - declaration of completion, **19:26**
 - declaration of mailing, **16:32, 16:35, 16:37**
 - final notice, **19:25**
 - instructions, **16:39**
 - inventory and appraisal, **16:40**
 - letter to heir, closing documents, **19:31**
 - motion and order, closing documents, **19:32**
 - notice
 - creditors, notice to, **16:34, 16:35, 18:18**
 - filing of closing documents, **19:27**
 - state agencies, notice to, **16:36, 16:37**
 - oath, **13:21**
 - order, **13:20**
 - partial rejection of claim, **18:20**
 - petition for order, **13:19**
 - receipt of closing documents, **19:30**
 - receipt of probate documents, **16:33**
 - rejection of claim, **18:20, 18:21**
 - satisfaction of claim, **18:19**
 - special notice of proceedings, **16:38**
 - waiver of closing documents, **19:29**
- Inventory and appraisal
 - generally, **16:1 et seq.**
 - intestate probate, **16:40**
 - life estates, **15:14**
 - testate probate, named in will, **16:16**
 - testate probate, not named in will, **16:28**
 - timely appraisals, **15:4**
- Irrevocable disclaimer and receipt, **15:8**
- Jurisdiction, **12:4, 12:5**

NONINTERVENTION PROBATES

—Cont'd

Lease of property. Sale, lease or exchange of property, below
 Letters of administration with will annexed
 generally, **14:2, 14:9 to 14:15**
 application, **14:11**
 form, **14:14**
 granting of letters, **14:13**
 persons entitled to letters, **14:12**
 revocation and cancellation, **14:15**
 Letters testamentary, **14:2, 14:7, 14:8**
 Letter to heir, closing documents
 intestate probate, **19:31**
 testate probate, named in will, **19:13**
 testate probate, not named in will, **19:22**
 Life estates
 generally, **15:10 to 15:15**
 form, **15:11**
 inventory and appraisal, **15:14**
 Medicaid claims, **15:10**
 notice to creditors, **15:15**
 oath, **15:13**
 order, **15:12**
 Lost or destroyed will, proof of, **13:7**
 Medicaid claims, life estates, **15:10**
 Motion and order, closing documents
 intestate probate, **19:32**
 testate probate, named in will, **19:14**
 testate probate, not named in will, **19:23**
 Negotiation, sales by, **17:7**
 Notice
 generally, **12:4, 12:8, 16:1 et seq.**
 appointment, **14:17**
 claims against estate, notice to creditors, **18:1**
 intestate probate, above
 life estates, notice to creditors, **15:15**
 testate probate, below
 Oath
 intestate probate, **13:21**
 life estates, **15:13**

NONINTERVENTION PROBATES

—Cont'd

Oath—Cont'd
 testate probate, named in will, **13:15**
 testate probate, not named in will, **13:18**
 Objections
 generally, **14:4**
 appointment, **14:1**
 Objectives, **12:13**
 Order
 intestate probate, **13:20**
 life estates, **15:12**
 testate probate, named in will, **13:13**
 testate probate, not named in will, **13:17**
 Original will, obtaining of, **12:9**
 Partial rejection of claim
 intestate probate, **18:20**
 testate probate, named in will, **18:10**
 testate probate, not named in will, **18:15**
 Petition and order, generally, **12:12, 13:1 to 13:22**
 Petition for order
 intestate probate, **13:19**
 testate probate, named in will, **13:12**
 testate probate, not named in will, **13:16**
 Postmortem planning, generally, **15:1 to 15:15**
 Postponement of authority of personal representative, **13:10**
 Powers and duties of personal representatives, **14:19, 14:20**
 Priority and exceptions, family awards, **18:30**
 Proof of wills, **13:7, 13:8**
 Qualifications of personal representative and trustees, **12:10**
 Reasonably ascertainable creditor, claims against estate, **18:2**
 Receipt of closing documents
 intestate probate, **19:30**

INDEX

NONINTERVENTION PROBATES

—Cont'd

- Receipt of closing documents
 - Cont'd
 - testate probate, named in will, **19:12**
 - testate probate, not named in will, **19:21**
- Receipt of probate documents
 - intestate probate, **16:33**
 - testate probate, named in will, **16:9**
 - testate probate, not named in will, **16:21**
- Rejection of claim
 - generally, **18:6**
 - intestate probate, **18:20, 18:21**
 - testate probate, named in will, **18:10, 18:11**
 - testate probate, not named in will, **18:15, 18:16**
- Removal of personal representative, **12:14, 14:6**
- Requirements, **12:13**
- Revocation of letters, **14:15, 14:18**
- Sale, lease or exchange of property
 - generally, **17:1 to 17:11**
 - borrowing funds, **17:10**
 - checklists, **17:11**
 - confirmation of sale, **17:8**
 - court approval, requirement of, **17:4**
 - full intervention, compared, **17:3 et seq.**
 - negotiation, sales by, **17:7**
 - other property interests, **17:9**
 - powers, **17:2**
 - private sales, **17:6**
 - public sales, **17:5**
 - statutes related to probate, **4:9**
- Satisfaction of claim
 - intestate probate, **18:19**
 - testate probate, named in will, **18:9**
 - testate probate, not named in will, **18:14**
- Simplified interim/final accounting, **19:5**
- Special needs trusts
 - funding, **15:7**

NONINTERVENTION PROBATES

—Cont'd

- Special needs trusts—Cont'd
 - irrevocable disclaimer and receipt, **15:8**
 - probate court, postmortem establishment by, **15:9**
- Special notice of proceedings
 - intestate probate, **16:38**
 - testate probate, named in will, **16:14**
 - testate probate, not named in will, **16:26**
- Statutes of limitation, **12:4, 12:7**
- Statutes related to probate
 - generally, **4:4 to 4:11**
 - claims and family awards, **4:10**
 - closing documents, **4:11**
 - initial activities, **4:6**
 - notice, instructions to personal representative and inventory, **4:8**
 - petition and order, **4:5**
 - postmortem planning, **4:7**
 - procedural issues, **4:4**
 - sale, lease or exchange of property, **4:9**
- Submission of claims against estate, **18:5**
- Tax issues for retirement plans, **15:5**
- Testate Nonintervention Probate (Personal Representative Named in Will), this index
- Testate Nonintervention Probate (Personal Representative Not Named in Will), this index
- Testate probate
 - generally, **16:5 to 16:28**
 - closing documents, generally, **19:6 to 19:23**
 - named in will
 - generally, **13:12 to 13:15, 16:5 to 16:16**
 - approval of closing documents, **19:10**
 - claims against estate, generally, **18:7 to 18:11**
 - closing documents, generally, **19:6 to 19:14**

NONINTERVENTION PROBATES

—Cont'd

Testate probate—Cont'd
 named in will—Cont'd
 cover letter to heir, **16:7**
 cover letter to personal representative, **16:6**
 declaration of completion, **19:8**
 declaration of mailing, **16:8**,
 16:11, 16:13
 declination to act, **13:14**
 final notice, **19:7**
 instructions, **16:15**
 inventory and appraisal, **16:16**
 letter to heir, closing documents, **19:13**
 motion and order, closing documents, **19:14**
 notice
 creditors, notice to, **16:10**,
 16:11, 18:8
 filing of closing documents, **19:9**
 state agencies, notice to, **16:12, 16:13**
 oath, **13:15**
 order, **13:13**
 partial rejection of claim, **18:10**
 petition for order, **13:12**
 receipt of closing documents, **19:12**
 receipt of probate documents, **16:9**
 rejection of claim, **18:10, 18:11**
 satisfaction of claim, **18:9**
 special notice of proceedings, **16:14**
 waiver of closing documents, **19:11**
 not named in will
 generally, **13:16 to 13:18, 16:17 to 16:28**
 approval of closing documents, **19:19**
 claims against the estate, generally, **18:12 to 18:16**
 closing documents, generally, **19:15 to 19:23**

NONINTERVENTION PROBATES

—Cont'd

Testate probate—Cont'd
 not named in will—Cont'd
 cover letter to heir, **16:19**
 cover letter to personal representative, **16:18**
 declaration of completion, **19:17**
 declaration of mailing, **16:20**,
 16:23, 16:25
 final notice, **19:16**
 instructions, **16:27**
 inventory and appraisal, **16:28**
 letter to heir, closing documents, **19:22**
 motion and order, closing documents, **19:23**
 notice of filing of closing documents, **19:18**
 notice to creditors, **16:22, 16:23**,
 18:13
 notice to state agencies, **16:24**,
 16:25
 oath, **13:18**
 order, **13:17**
 partial rejection of claim, **18:15**
 petition for order, **13:16**
 receipt of closing documents, **19:21**
 receipt of probate documents, **16:21**
 rejection of claim, **18:15, 18:16**
 satisfaction of claim, **18:14**
 special notice of proceedings, **16:26**
 waiver of closing documents, **19:20**
 Venue, **12:4, 12:6**
 Waiver of closing documents
 intestate probate, **19:29**
 testate probate, named in will, **19:11**
 testate probate, not named in will, **19:20**
 Witness testimony, proof of wills, **13:7**

INDEX

NOTES

Preparation and initial activities, form for taking, **2:8**

NOTICE

Generally, **1:19**

Community property agreement, real property transfer, **1:16**

Full Intervention Probates, this index

Intestate full intervention probate, notice to creditors, **11:7**

Intestate Nonintervention Probate, this index

Joint tenancy, real property transfer, **1:15**

Nonintervention Probates, this index

Testate full intervention probate (personal representative named in will, insolvent estate), notice to creditors, **8:7**

Testate full intervention probate (personal representative not named in will, solvent estate), notice to creditors, **9:7**

Testate Nonintervention Probate (Personal Representative Named in Will), this index

Testate Nonintervention Probate (Personal Representative Not Named in Will), this index

NUNCUPATIVE WILLS

Generally, **5:8**

OATH OF PERSONAL REPRESENTATIVE

Full Intervention Probates, this index

Intestate full intervention probate, **11:4**

Intestate nonintervention probate, **10:4, 31:5**

Nonintervention Probates, this index

Testate full intervention probate (personal representative named in will, insolvent estate), **8:4**

Testate full intervention probate (personal representative not named in will, solvent estate), **9:4**

Testate nonintervention probate (personal representative named

OATH OF PERSONAL

REPRESENTATIVE—Cont'd

in will), **6:4, 30:6**

Testate nonintervention probate (personal representative not named in will), **7:4**

OBJECTIONS

Full Intervention Probates, this index

Nonintervention Probates, this index

OMITTED CHILDREN

Wills, **5:20**

OMITTED SPOUSES

Wills, **5:21**

ORAL WILLS

Generally, **5:8**

ORDERS

Full Intervention Probates, this index

Nonintervention Probates, this index

PAYABLE-ON-DEATH ACCOUNTS

Alternatives to probate, **1:8**

PERSONAL PROPERTY

Alternatives to probate, **1:17**

Wills, reference to another writing for disposition, **5:26**

PETITIONS

Full Intervention Probates, this index

Intestate full intervention probate, order establishing probate, **11:1**

Intestate nonintervention probate, order establishing probate, **10:1, 31:3**

Nonintervention Probates, this index

Testate full intervention probate (personal representative named in will, insolvent estate), order admitting will to probate, **8:1**

Testate full intervention probate (personal representative not named in will, solvent estate), order admitting will to probate, **9:1**

Testate nonintervention probate (personal representative named in will), order admitting will to

PETITIONS—Cont'd

- probate, **6:1, 30:4**
- Testate nonintervention probate (personal representative not named in will), order admitting will to probate, **7:1**
- Wills, comparison of nonintervention and full intervention probates, **5:48**

PET TRUSTS

- Generally, **29:6 to 29:9**
- Administration, **29:9**
- Alternative approaches to planning, **29:6**
- Importance of pets and service animals to clients and legal planning, **29:7**
- Statutory basis, **29:8**

POSTPONEMENT

- Full intervention probates, authority of personal representative, **21:10**
- Nonintervention probates, authority of personal representative, **13:10**

PREPARATION AND INITIAL ACTIVITIES

- Generally, **2:1 to 2:14**
- Agenda planned, **2:6**
- Estate issues, discussion of, **2:12**
- Family relationship, review of, **2:9**
- Fee agreement, **2:13**
- Initial communication with client, **2:2**
- Initial contact with client, **2:1**
- Initial letter to client, **2:14**
- Initial meeting with clients, generally, **2:6 to 2:13**
- Legal research and preparation, **2:4**
- Notes, form for taking, **2:8**
- Probate procedures and issues, explanation of, **2:11**
- Scope of work, **2:13**
- Screening before initial meeting, **2:2, 2:3**
- Topics, **2:7**
- Will and documents provided, review of, **2:10**

PRIORITY

- Full intervention probates, family awards, **26:30**
- Nonintervention probates, family awards, **18:30**

QUALIFICATIONS

- Nonintervention probates, personal representative and trustees, **12:10**

QUALIFIED DISCLAIMERS

- Estate tax, **28:7, 28:8**

REAL PROPERTY TRANSFERS

- Alternatives to probate, **1:14**

REASONABLY ASCERTAINABLE CREDITOR

- Full intervention probates, claims against estate, **26:2**
- Nonintervention probates, claims against estate, **18:2**

RECEIPT OF CLOSING DOCUMENTS

- Nonintervention Probates, this index

RECEIPT OF HEIR

- Testate nonintervention probate (personal representative named in will), **6:17, 30:17**
- Testate nonintervention probate (personal representative not named in will), **7:17**

RECEIPT OF PROBATE DOCUMENTS

- Full Intervention Probates, this index
- Nonintervention Probates, this index

REJECTION OF CLAIM

- Full Intervention Probates, this index
- Intestate full intervention probate, **11:11**
- Intestate nonintervention probate, **10:11**
- Nonintervention Probates, this index
- Testate full intervention probate (personal representative named in will, insolvent estate), **8:11**
- Testate full intervention probate (personal representative not

INDEX

REJECTION OF CLAIM—Cont'd named in will, solvent estate), **9:11**

Testate nonintervention probate
(personal representative named
in will), **6:11**

Testate nonintervention probate
(personal representative not
named in will), **7:11**

REMOVAL

Full intervention probates, personal
representative, **20:14, 22:6**

Nonintervention probates, personal
representative, **12:14, 14:6**

RETURNS

Estate Tax, this index

REVOCATION

Full intervention probates, **22:15,**
22:18

Nonintervention probates, **14:15,**
14:18

Will Requirements, Statutory Succes-
sion and Related Topics, this
index

SALES

Full Intervention Probates, this index
Nonintervention Probates, this index

SAME-SEX MARRIAGE

Generally, **1:21, 1:23, 1:24**

SATISFACTION OF CLAIM

Full Intervention Probates, this index
Nonintervention Probates, this index

SCREENING

Preparation and initial activities, **2:2,**
2:3

SETTLEMENT

Trusts and Estate Dispute Resolution
Act (TEDRA), **5:56**

“SHAKEOUT PERIOD”

Estate tax, retirement plans, **28:11**

SIGNATURES

Wills, signing will for testator, **5:9**

SIMPLIFIED INTERIM/FINAL ACCOUNTING

Nonintervention probates, **19:5**

SLAYERS

Wills, inheritance rights, **5:29**

SPECIAL NEEDS TRUSTS

Generally, **29:3**

Estate tax, **28:13**

Full Intervention Probates, this index

Nonintervention Probates, this index

SPECIAL NOTICE OF PROCEEDINGS

Full Intervention Probates, this index

Intestate full intervention probate, **5:5**

Intestate nonintervention probate,
10:5

Nonintervention Probates, this index

Testate full intervention probate
(personal representative named
in will, insolvent estate), **8:5**

Testate full intervention probate
(personal representative not
named in will, solvent estate),
9:5

Testate nonintervention probate
(personal representative named
in will), **6:5**

Testate nonintervention probate
(personal representative not
named in will), **7:5**

SPOUSES

Husband and Wife, this index

STATUTES OF LIMITATION

Full intervention probates, **20:4, 20:7**

Nonintervention probates, **12:4, 12:7**

STATUTES RELATED TO PROBATE

Generally, **4:1 to 4:19**

Full Intervention Probates, this index

Nonintervention Probates, this index

Trust and Estate Dispute Resolution
Act (TEDRA), **4:3**

Will requirements, statutory succes-
sion and related topics, **4:2**

SUBMISSION

Nonintervention probates, claims
against estate, **18:5**

SUCCESSION

Will Requirements, Statutory Succession and Related Topics, this
index

SURVIVORSHIP

Wills, **5:15, 5:23**

TAXATION

Estate Tax, this index
Full intervention probates, retirement
plans, **23:5**

TESTATE PROBATES

Generally, **1:2, 1:4**
Full Intervention Probates, this index
Nonintervention Probates, this index
Testate Full Intervention Probate
(Personal Representative Named
in Will, Insolvent Estate), this
index
Testate Full Intervention Probate
(Personal Representative Not
Named in Will, solvent Estate),
this index
Testate Nonintervention Probate
(Personal Representative Named
in Will), this index
Testate Nonintervention Probate
(Personal Representative Not
Named in Will), this index

**TESTATE FULL INTERVENTION
PROBATE (PERSONAL
REPRESENTATIVE NAMED
IN WILL, INSOLVENT
ESTATE)**

Generally, **8:1 to 8:12**
Approval of payment of creditors'
claims, **8:10**
Cover letters for mailout to heirs and
declaration of mailing, **8:8**
Creditors' claims
approval of payment, **8:10**
notice to creditors, **8:7**
partial or full rejection, **8:11**
Declination to serve as personal rep-
resentative, **8:3**

TESTATE FULL INTERVENTION

**PROBATE (PERSONAL
REPRESENTATIVE NAMED
IN WILL, INSOLVENT
ESTATE)—Cont'd**

Final accounting and allocation of
assets, approval of, **8:12**
Instructions to personal representa-
tive, **8:6**
Inventory and appraisal, **8:9**
Mailout to heirs and declaration of
mailing, **8:8**
Notice to creditors, **8:7**
Oath of personal representative, **8:4**
Order admitting will to probate, **8:2**
Partial or full rejection of creditors'
claims, **8:11**
Petition for order admitting will to
probate, **8:1**
Special notice of proceedings, **8:5**

**TESTATE FULL INTERVENTION
PROBATE (PERSONAL
REPRESENTATIVE NOT
NAMED IN WILL, SOLVENT
ESTATE)**

Generally, **9:1 to 9:12**
Approval of payment of creditors'
claims, **9:10**
Cover letters for mailout to heirs and
declaration of mailing, **9:8**
Creditors' claims
approval of payment, **9:10**
notice to creditors, **9:7**
partial or full rejection, **9:11**
Declination to serve as personal rep-
resentative, **9:3**
Final accounting and allocation of
assets, approval of, **9:12**
Instructions to personal representa-
tive, **9:6**
Inventory and appraisal, **9:9**
Notice to creditors, **9:7**
Oath of personal representative, **9:4**
Order admitting will to probate, **9:2**
Partial or full rejection of creditors'
claims, **9:11**
Petition for order admitting will to
probate, **9:1**

INDEX

TESTATE FULL INTERVENTION PROBATE (PERSONAL REPRESENTATIVE NOT NAMED IN WILL, SOLVENT ESTATE)—Cont'd

Special notice of proceedings, **9:5**

TESTATE NONINTERVENTION PROBATE (PERSONAL REPRESENTATIVE NAMED IN WILL)

Generally, **6:1 to 6:18, 30:1 to 30:18**

Approval of payment of creditors'
claims, **6:10**

Closing of estate, motion and order,
6:18, 30:18

Completion of probate of estate
declaration, **6:13, 30:13**
notice of filing, **6:14, 30:14**

Cover letters for mailout to heirs and
declaration of mailing, **6:8**

Creditors' claims
approval of payment, **6:10**
partial or full rejection, **6:11**

Declarations
completion of probate of estate,
6:13, 30:13
mailing, **30:7**

Declination to serve as personal rep-
resentative, **6:3**

Department of Revenue and Depart-
ment of Social and Health Ser-
vices, notice to, **30:9**

Final accounting
approval, **6:15, 30:15**
notice with intention to distribute
assets, **6:12, 30:12**

Instructions to personal representa-
tive, **6:6, 30:10**

Inventory and appraisal, **6:9,**
30:11

Mailout to heirs and declaration of
mailing, **6:8**

Notice
completion of probate of estate,
filing of, **6:14**
creditors, notice to, **6:7, 30:8**
Department of Revenue and
Department of Social and

TESTATE NONINTERVENTION PROBATE (PERSONAL REPRESENTATIVE NAMED IN WILL)—Cont'd

Notice—Cont'd

Health Services, notice to,
30:9

final accounting and intention to
distribute assets, **6:12, 30:12**

waiver of 30 day notice, **6:16,**
30:16

Oath of personal representative, **6:4,**
30:6

Order admitting will to probate, **6:2,**
30:5

Partial or full rejection of creditors'
claims, **6:11**

Petition for order admitting will to
probate, **6:1, 30:4**

Practice application, generally, **30:1**
to 30:18

Receipt of heir, **6:17, 30:17**

Special notice of proceedings, **6:5**

Waiver of 30 day notice, **6:16, 30:16**

Will, **30:3**

TESTATE NONINTERVENTION PROBATE (PERSONAL REPRESENTATIVE NOT NAMED IN WILL)

Generally, **7:1 to 7:18**

Approval of payment of creditors'
claims, **7:10**

Closing of estate, motion and order,
7:18

Completion of probate of estate
declaration, **7:13**
notice of filing, **7:14**

Cover letters for mailout to heirs and
declaration of mailing, **7:8**

Creditors' claims
approval of payment, **7:10**
partial or full rejection, **7:11**

Declaration of completion of probate
of estate, **7:13**

Declination to serve as personal rep-
resentative, **7:3**

Final accounting
approval, **7:15**

TESTATE NONINTERVENTION

PROBATE (PERSONAL REPRESENTATIVE NOT NAMED IN WILL)—Cont'd

Final accounting—Cont'd
notice with intention to distribute assets, **7:12**

Instructions to personal representative, **7:6**

Inventory and appraisal, **7:9**

Mailout to heirs and declaration of mailing, **7:8**

Notice

completion of probate of estate, filing of, **7:14**

creditors, notice to, **7:7**

final accounting and intention to distribute assets, **7:12**

waiver of 30 day notice, **7:16**

Oath of personal representative, **7:4**

Order admitting will to probate, **7:2**

Partial or full rejection of creditors' claims, **7:11**

Petition for order admitting will to probate, **7:1**

Receipt of heir, **7:17**

Special notice of proceedings, **7:5**

Waiver of 30 day notice, **7:16**

TRANSFER-ON-DEATH ACCOUNTS

Alternatives to probate, **1:8**

TRUST ADMINISTRATION

Generally, **29:1 to 29:9**

Credit Shelter Trusts, this index

Educational trusts, **29:4**

Pet Trusts, this index

Special Needs Trusts, this index

TRUST AND ESTATE DISPUTE RESOLUTION ACT (TEDRA)

Generally, **4:3**

Cases related to probate, **3:7**

Will Requirements, Statutory Succession and Related Topics, this index

VENUE

Full intervention probates, **20:4, 20:6**

Nonintervention probates, **12:4, 12:6**

WAIVER

Intestate nonintervention probate, 30 day notice, **10:16, 31:15**

Nonintervention Probates, this index

Testate nonintervention probate (personal representative named in will), 30 day notice, **6:16, 30:16**

Testate nonintervention probate (personal representative not named in will), 30 day notice, **7:16**

WIFE AND HUSBAND

Husband and Wife, this index

WILL REQUIREMENTS, STATUTORY SUCCESSION AND RELATED TOPICS

Generally, **5:1 to 5:58**

Abusers, inheritance rights of, **5:29**

Administration of estate, **5:42**

Agreement to convey, revocation of will, **5:12**

Allocation of assets to debts or liabilities, abatement of gifts, **5:35**

Antilapse statute, **5:22, 5:32**

Capacity, conflict over, **5:27**

Cases related to probate, **3:2**

Closing of probate, **5:45, 5:51**

Combined separate and community property, abatement of gifts, **5:34**

Conflict between will and other legal documents, **5:28**

Conflict over capacity, **5:27**

Creation of will, **5:6**

Dissolution of marriage, automatic invalidation of bequests after, **5:16**

Encumbered property, bequests of, **5:19**

Escheat of property, **5:37**

Gap-fillers, statutory abatement of gifts, **5:36**

Gifts, abatement of

generally, **5:33 to 5:36**

allocation of assets to debts or liabilities, **5:35**

INDEX

WILL REQUIREMENTS, STATUTORY SUCCESSION AND RELATED TOPICS

—Cont'd

- Gifts, abatement of—Cont'd
 - combined separate and community property, gifts from, **5:34**
 - gap-fillers, statutory abatement procedures as, **5:36**
- Incorporation by reference of another writing, **5:25**
- Initial probate activities, comparison of nonintervention and full intervention probates, **5:49**
- Intent of testator, essential nature of, **5:18**
- Interim probate activities, **5:44, 5:50**
- Interpretation of will
 - generally, **5:14 to 5:26, 5:39**
 - antilapse statute, **5:22**
 - dissolution of marriage, automatic invalidation of bequests after, **5:16**
 - encumbered property, bequests of, **5:19**
 - incorporation by reference of another writing, **5:25**
 - intent of testator, essential nature of, **5:18**
 - nonprobate assets, distribution through will, **5:17**
 - omitted child, rights of, **5:20**
 - omitted spouse, rights of, **5:21**
 - personal property, reference to another writing for disposition of, **5:26**
 - reference to another writing, **5:25, 5:26**
 - survivorship, bequests conditioned on, **5:23**
 - survivorship requirements, **5:15**
 - witness with interest in estate, effect of, **5:24**
- Intestate succession, **5:30, 5:31**
- Introductory procedural issues, comparison of nonintervention and full intervention probates, **5:47**
- Lost or Destroyed Will, this index

WILL REQUIREMENTS, STATUTORY SUCCESSION AND RELATED TOPICS

—Cont'd

- Management of probate, **5:43**
- Naming of personal representatives and trustees, **5:40**
- Nonintervention and full intervention probates, compared, **5:46 to 5:51**
- Nonprobate assets, distribution through will, **5:17**
- Nuncupative wills, **5:8**
- Omitted child, rights of, **5:20**
- Omitted spouse, rights of, **5:21**
- Opening of probate, **5:41**
- Oral wills, **5:8**
- Personal property, reference to another writing for disposition of, **5:26**
- Petition and order requirements, comparison of nonintervention and full intervention probates, **5:48**
- Preparation and initial activities, **2:10**
- Probate analysis
 - generally, **5:38 to 5:51**
 - administration of estate, **5:42**
 - closing of probate, advanced planning for, **5:45**
 - closing procedures, comparison of nonintervention and full intervention probates, **5:51**
 - criteria, **5:38**
 - initial probate activities, comparison of nonintervention and full intervention probates, **5:49**
 - interim probate activities, **5:44, 5:50**
 - interpretation of will, **5:39**
 - introductory procedural issues, comparison of nonintervention and full intervention probates, **5:47**
 - management of probate, **5:43**
 - naming of personal representatives and trustees, **5:40**

**WILL REQUIREMENTS,
STATUTORY SUCCESSION
AND RELATED TOPICS
—Cont'd**

Probate analysis—Cont'd
nonintervention and full interven-
tion probates, compared, **5:46
to 5:51**
opening of probate, **5:41**
petition and order requirements,
comparison of noninterven-
tion and full intervention
probates, **5:48**
Probate litigation, **5:57, 5:58**
Reference to another writing, **5:25,
5:26**
Revocation of will
generally, **5:10 to 5:13**
agreement to convey, effect of,
5:12
requirements, **5:11**
subsequent action, effect on prior
will, **5:13**
Safeguarding intent of the testator/
testatrix or trustor, Trusts and
Estate Dispute Resolution Act
(TEDRA), **5:53**
Settlement, Trusts and Estate Dispute
Resolution Act (TEDRA), **5:56**
Signing will for testator, **5:9**
Slayers, inheritance rights of, **5:29**
Statutes related to probate, **4:2**

**WILL REQUIREMENTS,
STATUTORY SUCCESSION
AND RELATED TOPICS
—Cont'd**

Statutory descent and distribution,
5:30, 5:31
Subsequent action, effect on prior
will, **5:13**
Survivorship, **5:15, 5:23**
Testate nonintervention probate
(personal representative named
in will), **30:3**
Trust, detailed wording for, **5:5**
Trust and Estate Dispute Resolution
Act (TEDRA)
generally, **5:3, 5:52 to 5:56**
definitions, **5:55**
purposes of statutes, **5:54**
safeguarding intent of the testator/
testatrix or trustor, **5:53**
settlement, nature of, **5:56**
Valid will, **5:7**
Witness with interest in estate, effect
of, **5:24**

WITNESSES

Full intervention probates, proof of
wills, **21:7**
Nonintervention probates, proof of
wills, **13:7**
Wills, effect of witness with interest
in estate, **5:24**