

# PROBATE & TITLE

## What is Probate?

The court process by which a Will is proved valid or invalid. The legal process wherein the estate of a decedent is administered.

When a person dies, his or her estate must go through probate, which is a process overseen by a probate court. If the decedent leaves a will directing how his or her property should be distributed after death, the probate court must determine if it should be admitted to probate and given legal effect. If the decedent dies intestate—without leaving a will—the court appoints a Personal Representative to distribute the decedent’s property according to the laws of Descent and Distribution. These laws direct the distribution of assets based on hereditary succession.

*Info gathered from: <http://legal-dictionary.thefreedictionary.com/probate>*

**Because Probates have a unique set of circumstances, closing a transaction involving a Probate may require additional documentation. Title will request some or all of the following documentation during your transaction:**

- Certified copy of notice of proposed action
- Certified copy of Letters
- Certified copy of court orders
- Certified death certificates of pre deceased spouse (if spouse is still on title as Joint tenant)

**If you have a transaction involving a Probate, please contact your California Title representative or Title Officer for more information.**



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