

Instructions for Probate without Will

Whatcom County Superior Court
311 Grand Ave., Suite 301
Bellingham, WA 98225
(360) 778-5560

Go To These Websites: <https://www.wa-probate.com/>
OR <https://www.kingcountyprobates.com/>

These websites are maintained by other individuals — please change any heading to County of **Whatcom**
All documents must be downloaded, filled out, and printed single sided. Individually staple all documents!

******If you do not live in Washington state, refer to RCW 11.36.010(6) regarding Resident Agents before proceeding******

Minimum Documents Required:

- Case Information Cover Sheet (included in this packet)
- Death Certificate
- Petition for Letters of Administration
 - For Whatcom County it is **required** that your Petition be Notarized. We have provided a notary page for the Petition within this packet.
- Oath of Named Personal Representative
 - Also required to be Notarized
- Notice of Appointment of Personal Representative
- Order Granting Letters of Administration

All documents must have your name, address, and phone number in the footer and be signed prior to filing.

Money:

- \$240.00 cash, debit or credit for filing (there is a service fee for debit and credit cards)
- \$5.00 for every Letters of Administration or Form K needed

Notary:

- *We do not provide notary services.*

Additional information:

Please bring all documents to the Superior Court Clerk's Office, 3rd Floor, Suite 301, on a Monday, Wednesday or Friday at 8:30 a.m. The Clerk will confirm that you have the required documents and signatures, take your payment and assign you a case number. The Clerk will then walk you and your file to the Commissioner. Be sure you are on time to the Clerk's office to allow time for this process. **Ex parte ends at 9:00 a.m. sharp.**

If your Order is signed at ex parte, it will be brought to the Clerk's office shortly after 9:00. You may request a Clerk issue Letters at that time. They are \$5 each. You may request as many Letters as you need and stop by the Clerk's office for additional Letters as long as Probate is still open.

If you cannot make it to ex parte you may come in whenever the Clerk's Office is open and pay a \$30 fee for us to present the order for you. Typical timeline for responses for this service is within 24 hours. After which you may come in to request letters if your order was signed/approved.

**PROBATE and MENTAL HEALTH
WHATCOM COUNTY SUPERIOR COURT
Case Information Cover Sheet (CICS)**

Case Number _____ Case Title _____

Attorney Name _____ Bar Membership Number _____

Please check one category that best describes this case for indexing purposes. Accurate case indexing not only saves time in docketing new cases, but helps in forecasting needed judicial resources. Cause of action definitions are listed on the back of this form. Thank you for your cooperation.

- ABS Absentee
- ALT Alcohol/Drug Treatment
- DSC Disclaimer
- EST Estate
- FNW Foreign Will
- GDE Guardianship of the Estate
- GDN Guardianship
- GDP Guardianship of the Person
- GE Guardian/Estate
- LGD Limited Guardianship
- LGE Limited Guardianship of the Estate
- LGP Limited Guardianship of the Person
- MGD Minor Guardianship
- MI Mental Illness
- MIJ Mental Illness - Juvenile
- MIO Mental Illness - Other Venue
- MIF Mental Illness - Family Petition
- MSC 4 Miscellaneous - Probate
- MST 4 Minor Settlement - Probate
- NNC Non-Probate Notice to Creditor
- SWR Sealed Will Repository
- TDR Trust/Estate Dispute Resolution
- TRS Trust
- WLL Will Only

IF YOU CANNOT DETERMINE THE APPROPRIATE CATEGORY, PLEASE DESCRIBE THE CAUSE OF ACTION BELOW.

Please Note: Public information in court files and pleadings may be posted on a public Web site.

PROBATE/GUARDIANSHIP

Absentee--Petition to determine the location of absent owner of real or personal property.

Disclaimer--Recording a written instrument disclaiming an interest by beneficiaries.

Estate--Petition seeking court settlement of a deceased person's property.

Foreign Will--Filing of a will for probate that has been proved in another state, territory, or foreign country.

Guardianship--Petition to appoint a guardian over a person and estate to manage the affairs of an incompetent or non-resident person.

Guardianship/Estate--Petition seeking court settlement for the property of a deceased person who was the ward of a guardian.

Guardianship of the Estate – Petition to appoint a guardian over the estate to manage the affairs of an incompetent or non-resident person.

Guardianship of the Person – Petition to appoint a guardian over a person to manage the affairs of an incompetent or non-resident person.

Limited Guardianship--Petition to appoint a limited guardian with only partial responsibility for the ward's person and property, where the ward is not fully incompetent.

Limited Guardianship of the Estate--Petition to appoint a limited guardian with only partial responsibility for the person's property, where the ward is not fully incompetent.

Limited Guardianship of the Person--Petition to appoint a limited guardian with only partial responsibility for the person, where the ward is not fully incompetent.

Minor Guardianship--Petition is based solely on the underage status of the Ward/Minor.

Minor Settlements--Petition for a court decision that an award to a minor is appropriate when letters of guardianship are required (e.g., net settlement value is greater than \$25,000).

Non-Probate Notice to Creditors--The filing of a non-probate notice to creditors in a case in which no probate action is expected (e.g., an estate with a living trust which does not require probate, providing the heirs with an opportunity to start the time period for creditor filing of claims).

Sealed Will Repository – Filing a will under seal before a testator's death, as authorized by RCW 11.12.265.

Trust/Estate Dispute Resolution – The filing of a dispute in any estate, guardianship, or trust.

Trust-- A case filed, by order, separately from a guardianship or probate case.

Will Only--Filing a will when no further action shall be taken.

MENTAL ILLNESS

Alcohol/Drug Treatment--Petition for involuntary treatment for one who is incapacitated by alcohol or drugs.

Mental Illness--Adult--Petition for involuntary treatment for an adult who is incapacitated by mental illness.

Mental Illness--Juvenile--Petition for involuntary treatment for a juvenile who is incapacitated by mental illness.

Mental Illness--Other Venue--Petition to modify or revoke a Less Restrictive Alternative originally issued in another county.

Mental Illness-Family Petition--Petition for review of a DMHP decision to not detain a person for evaluation and treatment involuntary treatment under the Involuntary Treatment Act. Petition filed by family member, guardian, or conservator of the person named in the petition.

Updated: 6/5/2015

