

**KANAWHA COUNTY PROBATE CHECK LIST**

Fiduciary Supervisor's Office  
407 Virginia Street  
Charleston, WV 25301

Telephone: (304) 357-0125

www.kanawha.us

Fax: (304) 357-0426

**PROBATE WITH ORIGINAL WILL**

**Please complete this 3 page form and return it, the required documents and photo identification to the front desk.**

**Thank You**

- DEATH CERTIFICATE:** please check
  - o **Social Security Number is correct.**
  - o **Item 13B** for the decedent's place of residence at the time of death. Indicate **KANAWHA COUNTY.**
  
- FIDUCIARY:**
  - o Bring your **Driver's License** or some other form of identification.
  - o **Daytime Phone Number**
  - o **If more than 1 person being appointed to serve list contact info for both.**

**NAME:** \_\_\_\_\_  
**Home:** \_\_\_\_\_  
**Cell:** \_\_\_\_\_  
**Work:** \_\_\_\_\_

**NAME:** \_\_\_\_\_  
**Home:** \_\_\_\_\_  
**Cell:** \_\_\_\_\_  
**Work:** \_\_\_\_\_

- WITH ORIGINAL WILL:**
  - o **Names, relationship and mailing addresses for all Beneficiaries** listed in the will including churches, charities, trustees of all trust, etc.
  - o **Names of Addresses of Heirs at Law:** Includes those who would have inherited if there was no will. (see page 2 chart)
    - **SPOUSE:** only if there are NO children born outside of the current marriage.
    - **CHILDREN:** of the deceased born of the current marriage and all children born outside of the current marriage.
    - **IF HEIR/BENEFICIARY DECEASED:** List their child/children.
    - **IF NO SPOUSE/NO CHILDREN:** List Mother and Father.
    - **IF NO PARENTS:** List siblings, half siblings, or children of deceased siblings & half siblings.

**PLEASE LIST MAILING ADDRESSES ON NEXT PAGE  
DIAGRAM ON BACK OF PAGE FOR FOLLOWING THE BLOODLINE FOR HEIRS**

- CONSENT:** If there is no Fiduciary listed in the will, you will need consent form the majority of heirs within the first thirty days of death, either by a personal appearance or in writing acknowledged before a Notary Public. On the thirty-first day after death, anyone can be appointed over the estate without consent.
  
- HOLOGRAPHIC (handwritten) WILL:**
  - **Witnesses:** Must have two witnesses who are not related to heir/beneficiary  
Must be brought in who will swear/affirm under oath that they are familiar with the handwriting and signature of the decedent, and the witnesses must bring photo ID.
  
- FIDUCIARY AND RECORDING FEES:**
  - **(\$75.00 - \$300.00)** Must be paid with cash or check made payable to **Kanawha County Fiduciary Fund**. DO NOT fill in the amount it will be determined by the Deputy at the time you are appointed.
  
- BOND INFORMATION:**
  - **If the will does not state that you serve without bond:** Must have a bond.
    - **CORPORATE SURETY BOND: ASSESTS OVER \$10,000.00**
      - **Required if assets in the deceased's name only are OVER \$10,000.00, excluding real estate. Contact a bonding company in the yellow pages under BONDS – SURETY & FIDELITY. The Bondsman MUST come with you/meet you here.**
      - **If Fiduciary is an out of state resident a CORPORATE BOND is required. Contact a bonding company in the yellow pages under BONDS – SURETY & FIDELITY. The Bondsman MUST come with you/meet you here.**
    - **JUSTIFICATION OF SURETY: ASSESTS UNDER \$10,000.00**
      - **Required if assets in the deceased's name only are UNDER \$10,000.00, excluding real estate.**
      - **Cannot bond your self. I you own property jointly the other party can appear with you and bond you.**
      - **Must be someone who owns real estate in West Virginia. Justification of Surety Bond is obtained in the County Clerk's office in the county in which the property is located. (Kanawha, Putnam, Wayne etc.) Then bring document back with you to this office. Both the person being appointed Fiduciary and the bond persons must appear in this office at the time the Fiduciary is appointed with Photo ID.**
  
- DEED AND TAX TICKET:**
  - **For all Real Estate and Mineral Rights owned by the decedent.**



