

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 WITHOUT 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**

NAME: _____

- **Home:** _____
- **Cell:** _____
- **Work:** _____

- CONSENT:**
 - o You will need consent from 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.
 - o **Names, Relationship and Addresses for all Heirs:**
 - **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**

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:

- **Without a will:** 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. If 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.

Name of Deceased: **Please write names and addresses on next page**

Heirs/Heirs At Law Follow the Bloodline: Names and addresses

FATHER		MOTHER		<i>If Brother or Sister Deceased then you must go down to the children</i>					
DECEASED		DECEASED		SIBLING		SIBLING		SIBLING	
HUSBAND		WIFE		CHILD		CHILD		CHILD	
<i>Children of Husband Outside Marriage</i>		<i>Children of Marriage</i>		<i>Children of Wife Outside of Marriage</i>					
CHILD		CHILD		CHILD		CHILD		CHILD	
CHILD		CHILD		CHILD		CHILD		CHILD	
CHILD		CHILD		CHILD		CHILD		CHILD	
CHILD		CHILD		CHILD		CHILD		CHILD	
CHILD		CHILD		CHILD		CHILD		CHILD	
CHILD		CHILD		CHILD		CHILD		CHILD	
CHILD		CHILD		CHILD		CHILD		CHILD	

Please see back to list names and address if heir/heir at law. Continue until living heir reached.