
GUIDELINE FOR INFORMAL PROBATE

BURNETT COUNTY
REGISTER IN PROBATE
7410 COUNTY ROAD K, #110
SIREN, WI 54872

HOURS:
MONDAY – FRIDAY
8:30 AM – 4:30 PM

PHONE: 715-349-2147, ext. 2451

Email: jackie.baasch@wicourts.gov

NOTE: This guideline is provided only as a public service and is not meant to be legal advice. The Register in Probate office cannot give legal advice; please contact an attorney if you have legal questions.

If you are commencing an informal probate without an attorney, you must:

- Review the following information carefully.
- Complete all forms required to start the informal probate listed below.

All forms are available on-line and can be found at: www.wicourts.gov.

- Fill the forms in online as a Word document and then print them; or
- Print the forms and complete by hand, using black ink.
- **You can also eFile your probate file! Check it out at:**
www.wicourts.gov/ecourts/efilecircuit

****Please call the Register in Probate Office at 715.349-2147, ext. 2451, to set up an appointment if you are bringing your forms in to the office to file them instead of e-filing or mailing them.***

You may seek the advice of an attorney at any time during the probate process.

TO START AN INFORMAL PROBATE: complete and file the originals of the following:

PR-1801	Application for Informal Administration
PR-1806	Proof of Heirship
PR-1803	Waiver and Consent (from all interested persons)
PR-1804	Notice to Creditors (when waiver and consents are filed; OR, if waivers are not filed, complete PR-1805)*
PR-1805	Notice Setting Time to Hear Application and Deadline for Filing Claims (used <u>only</u> if you do not obtain waiver and consents from all interested persons) See * below
PR-1807	Consent to Serve
PR-1808	Proposed Statement of Informal Administration
PR-1810	Proposed Domiciliary Letters
Original	Will and any Codicils (copy to be provided to all interested persons)
Other	Trusts – see page 3.

**If a hearing on notice is required, the Personal Representative will be appointed after the hearing once the following documents are filed:*

- Affidavit of Publication from the newspaper, and
- Form PR-1817 Affidavit of Service showing proof that the Notice was mailed to all interested persons.
- Bond, if required. A personal representative who lives out-of-state will require a bond. Other circumstances may exist that a bond will be required. Determination will be made by the Probate Court whether bond will be a signature bond (Form PR-1809) or a surety or corporate bond.

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**IMPORTANT: If there is no Will, and you do not obtain Waiver and Consents from all interested persons before filing your application, you CANNOT go forward with informal administration. See Sec. 865.02(1)(b)1, Wis. Stats. You must proceed with an attorney and a formal administration.*

AFTER THE PERSONAL REPRESENTATIVE IS APPOINTED: complete the following steps:

SECOND STEP: INVENTORY

PR-1811	Inventory DUE no later than 4 months after Domiciliary Letters are issued
Filing Fee	Statutory inventory filing fee of 0.2% of the inventoried assets is due when the inventory is filed
PR-1817	Affidavit of Service – to show Inventory has been provided to interested persons
Original	Affidavit or Proof of Publication from the newspaper (if not already filed)
Original	Probate Claims Notice and proof of mailing showing copy was mailed to WI Dept. of Family Services and the County Clerk (if decedent did or may have received services through the State and/or County)

THIRD STEP: FINAL ACCOUNT

PR-1814	Estate Account w/ attached schedules
PR-1817	Affidavit of Service to show Estate Account has been provided to interested persons
Note	Any additional property listed in Schedule A of the Estate Account is subject to an additional 0.2% filing fee

FINAL STEP: CLOSING DOCUMENTS

The estate shall be closed within 12 months of filing the Application pursuant to 10th Judicial District benchmarks.

Original	Closing Certificate for Fiduciaries *see "Wisconsin Tax Section" below
PR-1815	Estate Receipt from heirs/beneficiaries for partial and/or full distributions
PR-1815	Estate Receipt from claimants, if claims were filed
PR-1816	Statement of Personal Representative to Close Estate

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ADDITIONAL INFORMATION FOR INFORMAL PROBATES

TRUSTS: If the decedent's Will establishes a testamentary trust, please complete the following forms: PR-1930 Consent to Serve as Trustee and PR-1931 Letters of Trust and file the originals with the Register in Probate office when the estate is opened.

CLAIMS: It is the Personal Representative's responsibility to check the court record for any claims filed. The website is: <http://wcca.wicourts.gov/index.xsl>. Copies can be obtained from the Register in Probate office for a fee of \$1.00 per page. The personal representative must resolve all claims filed against the estate before the estate can be closed.

CERTIFIED COPIES: You may need certified copies of the Domiciliary Letters or other documents during the course of administration. The fee is \$4.00 for the certification and one page. Additional pages will add \$1.00 per page. If requested through the mail, please enclose a self-addressed, stamped envelope together with the correct fee. The appropriate fee for all certified copies must be paid before they will be provided.

ADDITIONAL RESOURCES: A booklet called "A Personal Representative's Guide to Informal Probate in Wisconsin" is available online at www.wripa.org. This is an excellent guide and it is recommended the personal representative use this resource. Print or save it to your desktop for easy access.

TAX MATTERS: Filing of fiduciary, estate tax, and income tax returns is the personal representative's responsibility. The personal representative may seek the assistance of a tax preparer or accountant if necessary.

A Closing Certificate for Fiduciaries is required before closing the estate. Request the Closing Certificate by completing Schedule CC and any other necessary fiduciary tax returns (Wisconsin Form 2). Submit Schedule CC along with Form 2 together with all requested documents to: Wisconsin Department of Revenue, PO Box 8918, Madison WI 53708-8918. **WISCONSIN TAX FORMS ARE FOUND AT:** <http://www.dor.state.wi.us/html/formpub.html>

IRS NOTICE: The Internal Revenue Service may be a creditor of the decedent and should be promptly notified of the death and any probate proceeding. Form 56 - Notice Concerning Fiduciary Responsibility is included with this guideline or can be found at www.irs.gov.