

What is your address?

Register in Probate
Burnett County Government Center
7410 County Road K, #110
Siren, WI 54872

Phone: 715-349-2147, ext. 2451 or 2453
Fax: 715-349-7659

What is Probate?

Probate is the court-supervised procedure for the transfer of ownership of someone's assets after they die.

If I find a will after someone dies, what do I do with it?

Pursuant to Wisconsin Statute 856.05(1), any person having custody of any will shall, within 30 days after he or she has knowledge of the death of the testator, file the will in the proper court or deliver it to the person named in the will to act as personal representative.

Any person named to act as personal representative shall, within 30 days after he or she has knowledge that he or she is named to act as personal representative, and has knowledge of the death of the testator, file the will in the proper court, unless the will has been otherwise deposited with the court.

What does a Personal Representative do?

The personal representative is the person appointed by the Court to administer the estate.

The Personal Representative is responsible to:

- Collect, inventory and possess all of the decedent's assets and file the inventory with the court.
- Maintain necessary insurance on the property.
- Collect all income and rents from decedent's estate and manage the estate.
- Handle all claims against the estate.
- Pay out of the estate all expenses of administration, taxes, charges and claims.
- Prepare a complete final accounting and file it with the court.
- Distribute the remaining assets to the proper beneficiaries and file receipts with the court.
- Keep all interested parties fully informed of the estate progress and provide them with copies of any paperwork required.
- Obey and perform the probate court's orders.

Do I need a lawyer?

An attorney is not required to probate an estate informally, however, you may seek the advice or services of an attorney at any time.

How do I file a claim?

- Complete the standard court form (PR-1819). Forms available at <http://wicourts.gov> .
- File the completed form, along with the \$3.00 statutory filing fee, with the Register in Probate.
- Provide a copy of the claim to the Personal Representative and the estate attorney.
- There is a time limit for filing claims. You can check the court file in person or review the court record on the internet at <http://wicourts.gov> to find the claims deadline for a particular case.

Are probate records available on the internet?

Yes. Court records are available online at: <http://wicourts.gov>

You can find case numbers, the name of the personal representative, the final date to file claims, and whether any claims have been filed.

How can I get standard court forms?

Standard court forms are required by all Wisconsin Circuit Courts.

To access these forms on the internet, go to: <http://wicourts.gov>

What is a Transfer by Affidavit?

When a decedent leaves property subject to administration in Wisconsin which does not exceed \$50,000 in value, the Transfer by Affidavit (form PR-1831) may be used to transfer the decedent's assets to an heir, trustee of trust created by decedent, or person who was guardian of the decedent at the time of the decedent's death by completing this affidavit and furnishing it to the person who holds the property.

This form is not filed with the Register in Probate. The form and instructions for its use are available at the following link: <http://wicourts.gov> , (at the website, go to Forms > Circuit Court > Probate> Other to get to PR-1831 "Transfer by Affidavit (\$50,000 and Under).")

How do I get Domiciliary Letters?

Domiciliary Letters are issued to the Personal Representative by the Court upon the filing of all required documents with the Register in Probate in an Informal proceeding, or after a hearing before the Circuit Court Judge in a Formal proceeding. Domiciliary Letters give the Personal Representative the authority to act on behalf of the estate of the decedent and to perform all duties required to administer the estate according to statute.

A person nominated as personal representative in a will does not have authority to act as personal representative until appointed by the probate court.

Not all probate proceedings require Domiciliary Letters to release property and accounts.