

Probate: General Information

Court Documents:

- ✓ Must have judge or county clerk signature, case, file, docket or estate number.
- ✓ We will accept documents without a seal if all of the other information is present (i.e. case number, judge, clerk signature, etc.).
- ✓ Recorded/Filed stamp by court is considered a seal.

Will and Testament:

- ✓ Does not have to be recorded by county to be approved for contact authorization.
- ✓ Probate is necessary to provide legal authority to transact on the property.

Affidavits:

- ✓ Option for when there is not a Last Will and Testament.
- ✓ Do not go through the court probate process.
- ✓ Must have a notary seal and signature (if raised seal, please highlight).
- ✓ Must be recorded.

Small Estate Affidavit:

- ✓ If estate information doesn't match, and there is not a Last Will and Testament, an Authorization of Heirship is needed (must be notarized and recorded).
- ✓ If there is a Last Will and Testament, it will have to be recorded by the court or will have to through the court's probate process.

Deeds (Remainderman):

- ✓ Must be signed by the borrower.
- ✓ Must be recorded prior to the borrower's death.
- ✓ Notary seal and signature is needed.
- ✓ "Notarized Acknowledgement Statement" has to state the borrower appeared during notarization.
- ✓ Legal capacity with a Deed is always Executor.

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