

California Probate

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Probate is a court process which settles the estate of a deceased person. California has a simplified probate process for estates valued less than \$100,000.00, of which no more than \$20,000 of that value may be Real Property. Many people focus on avoiding probate because probate records are public documents. Another reason to avoid probate is the process can also be long and expensive depending on whether there are complicated issues or whether anyone challenges the will.

Probate can be Helpful

One benefit to the probate process is the deadlines created for all creditors of the estate. Creditors are notified of the debtor's death. Creditors include credit card companies, mortgage companies, car and student loan companies, etc. The creditors are notified of the probate date and they have a limited amount of time to make a claim for payment. If they do not make a claim before the deadline they cannot come after the debtor's estate at any time in the future. The court will often determine how much of the debt must be paid by the estate. This process saves the estate from lingering claims of debt and provides a process for clearing the estate of any outstanding liability before the estate proceeds are given to beneficiaries.

Getting Legal Help

Experienced California Estate Planning Attorney Shannon Howell can help you create the trusts you need to protect your assets and your loved ones. **Contact us today to discuss your individual planning needs at (619)-739-4657.**
