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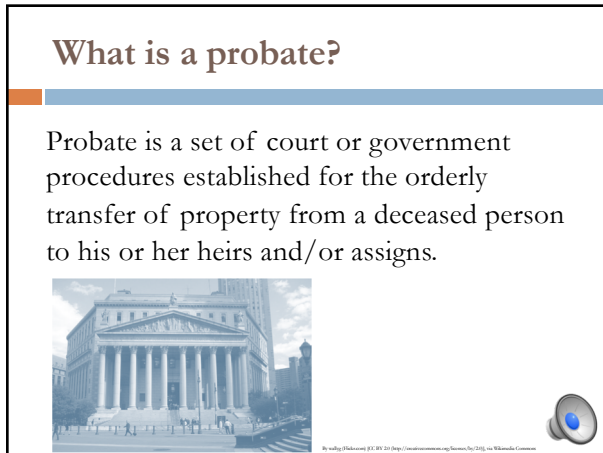
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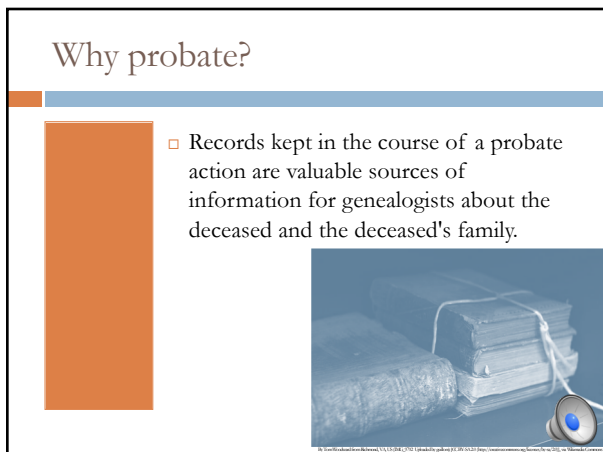
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### Value of Probate Files for Research

- Helps to identify family members
- May give wife's maiden name
- Establishes the relative economic status of the family
- May reveal unknown family relationships
- Only record of the ancestor's death



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### Documents that may be in a probate file

- Wills
- Bonds
- Petitions
- Accountings
- Inventories
- Orders
- Decrees
- Deeds of Distribution



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### Basic Limitation of Probate

No Property – No Probate



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### What is an “Estate?”

- Law must recognize individual property rights
- Individuals must have the right to alienate or transfer property to spouse or others after death
- Everything owned by the deceased at the time of death is in the “Estate”



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### Who are the “Heirs?”

- Those persons **entitled to inherit** the deceased’s property
- Established by the law of the **place where the death occurs**, or
- Established by the law of the **place where the property is located**, or
- Established by the **place where the deceased resided** at the time of death or
- Established by a **will or other testamentary document**



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### Where do I go to learn the language?

- Black’s Law Dictionary



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### What is a will?

- A document created by a person before death that attempts to influence the distribution of that person's property after death



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### Requirements for a will

- Must conform to the legal restrictions in force at the time the will is made
- Must be in writing and witnessed, or
- Must be in the handwriting of the deceased (holographic), or
- May be oral, if witnessed and written down at the time or shortly thereafter



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### Elements of a Will

- Depend on the law of the jurisdiction where the will is made
- Must refer to or list assets
- Must identify beneficiaries
- Must name an executor or personal representative
- Must be signed and witnessed



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Thanks for Watching



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