



The Orange County Probate Roadmap

What happens, and when, from first filing to final discharge.

Typical Orange County timeline: 9 to 18 months • Costa Mesa Justice Complex, 3390 Harbor Blvd., Costa Mesa

PHASE ONE • GETTING APPOINTED

1 Before You File

WEEKS 0-6

- Find the original will. Order 8 to 10 certified death certificates.
- Confirm full probate is needed. Smaller estates have simpler routes.
- Secure and insure the home immediately.

Simplified routes: personal property ≤ \$208,850 • home ≤ \$750,000

2 File the Petition

DAY 1

- File the Petition for Probate. You get a case number and hearing date.
- Hearings are currently set about 5 to 6 weeks out.

DE-111 Petition for Probate

3 Notice & Publication

WEEKS 1-5

- Serve notice on all heirs, and publish in a court-approved newspaper.
- File the Proof of Service.
- Clear your Probate Notes, posted 2 to 3 weeks before the hearing.

DE-121 • Remote Hearing Attachment

4 Hearing & Appointment

WEEK 6 (APPROX.)

- The court appoints the Personal Representative.
- Submit the Order and Letters, and post bond if required.
- File your signed Duties and Liabilities.

DE-140 • DE-150 Letters • DE-147 / 147S

PHASE TWO • ADMINISTERING & CLOSING

5 First 90 Days

WITHIN 90 DAYS OF LETTERS

- Notify the Franchise Tax Board, Dept. of Health Care Services, and other agencies.
- Get the estate's IRS Tax ID and file the fiduciary notice.

IRS SS-4 • IRS Form 56

6 Marshal & Notify Creditors

WITHIN 4 MONTHS OF LETTERS

- Take control of every asset, and open the estate account.
- File the Inventory & Appraisal. A probate referee values the real estate.
- Serve Notice to Creditors, and answer each claim within 30 days.

DE-160 / 161 • DE-157 • DE-172 • DE-174

7 Petition to Close

WITHIN 1 YEAR OF LETTERS

- File a Petition for Final Distribution, a Status Report, or a Petition for Termination.
- Missing this is the number one reason estates stall.

Final Accounting • DE-120 Notice of Hearing

8 Distribute & Discharge

AFTER THE ORDER IS GRANTED

- Distribute assets exactly as the order directs.
- File the signed receipts from each beneficiary.
- File the Ex Parte Petition for Discharge, and the case is closed.

DE-295 Petition for Final Discharge

WHERE THE HOUSE FITS IN

The property is usually the estate's biggest asset. How you sell it depends on what your Letters say.

FULL IAEA AUTHORITY

Sell like a normal listing. Serve a Notice of Proposed Action (DE-165) at least 15 days ahead. No objections, no hearing.

LIMITED AUTHORITY

The court must confirm the sale, with an open overbid in the courtroom. Strict pricing and timing rules apply.

EITHER WAY, START EARLY

Vacant OC homes draw HOA fines, code violations and break-ins. Secure it, insure it, get a date-of-death value.