



## **LINCOLN COUNTY REGISTER IN PROBATE & JUVENILE COURT**

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### **SUMMARY SETTLEMENT GUIDELINES**

**NOTE:** This guideline is provided only as a public service and is not meant to be legal advice. The Register in Probate office cannot give legal advice; please contact an attorney if you have legal questions.

#### **TO OPEN A SUMMARY SETTLEMENT:**

Complete and file the originals of the following:

PR – 1835	Petition for Summary Settlement
PR – 1806	Proof of Heirship
PR – 1846	Waiver and Consent
PR – 1836	Order and Notice for Hearing on Petition for Summary Settlement
Original	Will and any Codicils
Original	Probate Claims Notice

- **A statutory filing fee** is due when the petition is filed. The fee is .2% of the assets or a minimum of \$20.00 if the assets are under \$10,000.00. See sec. 814.66, Wis. Stats.

#### **AFTER ESTATE IS OPENED AND THE FILING FEE IS PAID:**

1. Deliver Notice to Creditors or Order for Hearing and Notice to newspaper for publication.
2. Mail the Order for Hearing and Notice to all interested persons.
3. Mail a copy of Probate Claims Notice to the County Clerk and by certified mail to the Department of Health and Family Services.

#### **AFTER NOTICE IS PUBLISHED, FILE THE FOLLOWING:**

PR – 1817	Affidavit of Service –Order for Hearing
Original	Proof of Publication from the newspaper

#### **TO PREPARE FOR THE HEARING:**

In preparation for the hearing, complete the following and file them with the Register in Probate prior to the scheduled date and time of your hearing:

PR – 1837	Order on Petition for Summary Settlement
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If you have requested to be appointed as the Special Administrator, you will also need to complete the following forms and file them with the Register in Probate prior to the scheduled date and time of your hearing:

PR - 1807      Consent to Serve  
PR - 1853      Letters of Special Administration

**TO CLOSE THE ESTATE:**

Obtain the following receipts and file them with the Register in Probate:

PR – 1815      Estate Receipt from all heirs/beneficiaries for full distributions  
PR – 1815      Estate Receipt from claimants, if claims were filed

AND

Prepare the following and file them with the Register in Probate:

PR – 1814      Estate Account  
PR – 1854      Petition for Discharge of Special Administrator  
PR – 1855      Order Discharging Special Administrator

**FORMS:** additional/duplicate forms can be found at: [www.wicourts.gov](http://www.wicourts.gov)

- **A Bond may be required** by the Court before Letters of Special Administration can be issued.
- **Certified copies of the Letters of Special Administration** can be obtained from the Register in Probate office. If requested, the statutory fees are \$3.00 for each certification and \$1.00 for each page copied and compared. If requested through the mail, please enclose a self-addressed, stamped envelope together with the correct fee.

**All of the forms referenced in this *Guideline* can be found on the Wisconsin Court System Website: [www.wicourts.gov](http://www.wicourts.gov) The Register in Probate DOES NOT provide forms to the public.**