

List of Common Words in Probate Cases

Administrator: the person (usually the spouse, domestic partner, or close relative) that the court appoints to manage the estate of person who dies without a Will. The administrator is also called the personal representative of the estate.

Beneficiary: a person who inherits when there is a Will.

Decedent: the person who died.

Decedent's Estate: all real and personal property that a person owned at the time of death.

Executor: a person named in a Will and appointed by the court to carry out the dead person's wishes. The executor is also called the personal representative of the estate.

Heir: a person who inherits when there is no Will.

Holographic Will: a Will that is handwritten, dated and signed by the person writing the Will.

Intestate: when someone dies without leaving a Will.

Intestate succession: the order of who inherits property when someone dies without a Will.

Living Trust: a trust set up during the life of a person to distribute money or property to another person or organization.

Personal Property: things like cash, stocks, jewelry, clothing, furniture, or cars.

Personal Representative: the administrator or executor that the court appoints to manage the estate.

Probate: The court process for distributing a dead person's assets, paying debts owed by the dead person, and settling the financial affairs of people when they die.

Real Property: buildings and land.

Successor: anyone who has the legal right to receive property of a person who dies, either under the Will or the Probate Code.

Testate: when someone dies leaving a Will.

Trust: an arrangement where property is given to someone to be held for the benefit of another person.

Will: a legal paper that lists a person's wishes about what will happen to his or her property after death.