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.