

**APPLICATION FOR PROBATE APPOINTMENT  
FREDERICK COUNTY CIRCUIT COURT  
DEBBIE MACKNIGHT-PROBATE CLERK  
540-667-5770 ext. 327**

**dmacknight@vacourts.gov**

**\*\*FEES AND TAXES ARE DUE ON THE DAY OF YOUR APPOINTMENT\*\***

You must return this application to the Probate Division BEFORE setting your appointment, along with the **DEATH CERTIFICATE and ORIGINAL WILL (if applicable)**

**DECEDENT INFORMATION**

Full Name: \_\_\_\_\_

Residential Address at time of death: \_\_\_\_\_

Date of birth: \_\_\_\_\_ Date of death: \_\_\_\_\_

**APPLICANT INFORMATION**

Full Name: \_\_\_\_\_

Address: \_\_\_\_\_

Daytime Telephone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Relationship to the decedent: \_\_\_\_\_

Is there a Will?      Yes: **Continue**                      No: Continue to **EXECUTOR/ADMINISTRATOR** section

**WILL INFORMATION**

Dated: \_\_\_\_\_ # of Pages: \_\_\_\_\_

First Named Executor: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Second Named Executor and/or Co-Executor: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

If a named Executor is unable or unwilling to qualify, they will need to complete a waiver of qualification prior to the appointment. (Available at Clerk's Office)

**EXECUTOR/ADMINISTRATOR**- Have you been convicted of a felony offense of (i) fraud or misrepresentation or (ii) robbery, extortion, burglary, larceny, embezzlement, fraudulent conversion, perjury, bribery, treason, or racketeering? YES \_\_\_\_\_ NO \_\_\_\_\_

**Both Sections on this Page must be completed if there is a Will, if there is no Will just the List of Heirs section.**

**LIST OF HEIRS**

**The heirs at law are not necessarily the beneficiaries of the will. Heirs at law are determined by kinship to the deceased and are set by Virginia law. ([VA code 64.2-200](#))**

Order of Inheritance: **You don't need to list all the heirs # 1-5 just the # that pertains to your family.**

1. Surviving spouse and the children **who are not biological/adopted children of surviving spouse but children of deceased spouse only.** If no surviving spouse, then proceed to # 2
2. All biological/adopted children of deceased, if no surviving spouse or surviving children then list descendants of deceased children, if no living children or descendants of deceased children the proceed to # 3.
3. Parents of deceased, if no living parents, then proceed to # 4.
4. Siblings of deceased and/or descendants of deceased siblings, if no living siblings or their descendants proceed to # 5
5. Nieces/Nephews of deceased and/or descendants of deceased Nieces/Nephew

If any heir is deceased, include his/her name, and indicate (deceased).

<b>NAME</b>	<b>ADDRESS</b>	<b>RELATION</b>	<b>AGE</b>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**BENEFICIARIES NAMED IN WILL**

List all **NAMES** and **ADDRESSES** for persons/organizations listed in the Will to receive a portion of the estate, even if they are listed as an heir.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**REAL ESTATE**

Provide all the addresses and County/City tax assessed value of real estate located in Virginia in the deceased name. **Please indicate if there is a transfer on death deed filed for any Virginia Real Estate.**

1. \_\_\_\_\_ : jointly held YES NO

2. \_\_\_\_\_ : jointly held YES NO

3. \_\_\_\_\_ : jointly held YES NO

**ASSETS OF THE DECEDENT**

**Personal assets in the decedents name only. Do not list accounts and/or policies with “survivorship, “payable on death”, or “beneficiary” named prior to the deceased passing. If you are Power of Attorney on accounts, that power ceases when the person passes, so those accounts would be listed as assets. If you are unsure about any of the above situations, you need to check with institution holding the account to determine if the assets will go through the estate, and if so, they need to be listed below.**

- bank accounts (checking, savings, etc.)
- stocks, bonds, cds
- interests in any businesses
- brokerage firm accounts, life insurance, annuity, or retirement plan payable to estate
- money or assets due deceased person from another estate
- personal contents of home (just estimation, not a detailed list)
- automobiles, boats
- cash monies

**Description/Estimated Value (If you need more space, you can attach additional info)**

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

7. \_\_\_\_\_

8. \_\_\_\_\_

9. \_\_\_\_\_

Total value of Personal assets: \_\_\_\_\_