

TEAMSTERS LEGAL LINE

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WHAT IS PROBATE?

Probate is a court procedure that happens after your death. Your assets are collected, your bills are paid, and any remaining assets are distributed according to the provisions in your will. If you do not have a will, all of your assets are distributed to your heirs according to Minnesota law.

WHY IS PROBATE NECESSARY?

At your death, any assets in your name alone or payable to you or your estate, can only be obtained by the legal authority of your personal representative acting on behalf of your estate. Your heirs cannot sell your property or withdraw your assets without this legal authority.

IS PROBATE COMPLICATED?

Under current law, most probates are established and processed informally, without court supervision or court hearings.

DOES PROBATE TAKE A LONG TIME?

The average probate takes between 4 and 18 months. In most situations, assets can be distributed to heirs during the probate process.

IS PROBATE EXPENSIVE?

Each probate is different and costs depend upon the bills to be paid, the assets to be collected, the tax returns required, and the cooperation of the heirs.

If you need information about wills, trusts, guardianships or probate, your Union provides you with a no-cost, no-obligation opportunity to talk with an experienced attorney.