

## Beginning a Decedent's Estate (Forsyth County)

This has been prepared to assist you in beginning an estate when a decedent was a **resident of Forsyth County**; however, as each estate is unique, additional information may be required. This is a legal procedure governed by the laws of North Carolina, which prohibits the Clerk of Superior Court and his or her employees from acting as your attorney, so it may be in your best interest to retain legal counsel.

Upon the death of an individual, his or her property becomes either probate or non-probate property, and the Clerk of Superior Court has jurisdiction to appoint a fiduciary over the probate property of the decedent. The fiduciary is required by law to use the property to pay the justifiable debts first, and then distribute the remainder to the legal heirs or beneficiaries of the estate.

If you have been told you will need to get a document from the Court regarding assets of a deceased person, your first step is to gather all the necessary information about the deceased person. If the decedent had a Last Will and Testament, you will need to complete an Application for Probate and Letters (Form No. AOC-E-201), and if the decedent did not leave a Last Will and Testament, you will need to complete an Application for Letters of Administration (Form No. AOC-E-202). Our office can provide the above-stated forms or you can go to [nccourts.org](http://nccourts.org) or [ncfcc.us](http://ncfcc.us) to obtain these forms. **If the deceased was a resident in Forsyth County at the time of their passing, please send an email to [Forsyth.Estates@nccourts.org](mailto:Forsyth.Estates@nccourts.org) to receive an automatic response that contains basic information for the most commonly used estate proceedings in Forsyth County. You can also find more information on [www.nccourts.gov](http://www.nccourts.gov). You will then need to contact our office at (336) 779-6304 to schedule an appointment.** We are located in the Hall of Justice (Courthouse) / 200 N. Main St., Winston-Salem, NC 27101 / 2<sup>nd</sup> Floor / Room # 268. Please try to arrive a few minutes early. **If you do not have all your information, we may need to reschedule your appointment.**

1. If the decedent had a Last Will and Testament, please be sure to bring the ORIGINAL. A **copy** of the Will cannot be accepted.
2. Death certificate.
3. The decedent's **social security number**.
4. Latest Bank/Brokerage/Mutual Fund Statements in the name of the deceased, **including any joint accounts**.
5. Copies of signature cards for any joint bank accounts or beneficiary accounts (these can be obtained by the joint owner or beneficiary from the financial institution. (If they will not provide these, ask them to fax the information to **779---6331 ----- Attention: Estates**)
6. Titles or registration cards for vehicles, trailers, mobile homes, etc. titled in decedent's name, **including jointly owned titles**, and the lien amount, if applicable.
7. Sufficient proof to indicate the value for vehicles, trailers, mobile homes, etc. (i.e.: tax value, NADA, Kelley Blue Book, etc.)
8. If decedent owned stocks or bonds, not held in a brokerage account, bring certificates or bonds and the date of death value of each.
9. Bring deeds for any real estate, along with a recent property tax statement to verify tax value. Also bring mortgage balance information, if applicable.
10. If the decedent had a Will, provide the names and addresses of the beneficiaries named in the Will. If there was no Will, you will need to provide the names and addresses of the decedent's next of kin.
11. An itemized funeral bill showing that it has been paid or a current statement that indicates how much is still owed. **Please provide proof if any amount has been paid.**
12. Ability to pay initial Court fee of up to \$150.00 by either **cash, certified funds, credit card or attorney trust or firm check** (Note: a processing fee will be charged for the use of a credit card).

Thank you, in advance, for gathering the requested information.

### County Superior Court Phone Numbers:

Davie County	336.936.3004
Davidson County	336.242.6701
<u>Guilford County</u>	
Greensboro Office	336.412.7550
High Point Office	336.822.6700
Stokes County	336.593.2811
Yadkin County	336.679.8838

**Denise Hines ~ Clerk of Superior Court / Forsyth County**