

# SUMMARIZING THE SUCCESSION PROCESS

When someone passes away, we are unable to start the succession until we receive a death certificate.

Once you have received a death certificate, you can contact our office for an appointment. Please bring a completed probate worksheet to your appointment. Filling this out to the best of your ability helps us determine what needs to be done and estimate the costs.

Once we have a meeting, we will discuss the steps in the succession process with you and agree on a fee sheet. You will pay ½ down and we will begin drafting your documents. You will approve these documents and then **COME INTO OUR OFFICE TO SIGN THEM IN FRONT OF A NOTARY**. Please do not sign any documents unless you are in our office, or we have instructed you to have them executed elsewhere.

There are TWO separate filings in the succession. Please note that each step takes 10 days to 2 weeks or longer. **Please do not attempt to sell property unless you have cleared it with us, and we have advised you that you are ready to do so.** Do not sign an agreement to sell property with a deadline as you may not be able to meet the sale deadline.

## **STEP 1:**

Step 1 is the Petition for Probate/Administration. This step recognizes the will as being valid and appoints the executor. If there is no will, it appoints an administrator for the estate. Once the judge signs the order appointing the executor or administrator, the court will issue Letters Testamentary/Letters of Administration.

- Letters Testamentary/Letters of Administration give the Executor/Administrator the power to act on behalf of the estate. If they are considered an Independent Executor/Administrator, they are able to sell property, vehicles, open up an estate account, and more. Once any ownership changes are made, you will notify us so that we can start preparing STEP 2.

## **STEP 2:**

Step 2 is the Petition for Possession. This places the heirs into possession of the items the deceased owned at the time of their passing. When the judge signs the order, the Judgment of Possession is then issued.

- You will supply certified copies of the **JOP** to change the ownership of the estate property, including vehicles (this will need to be done at the Department of Motor Vehicles or Auto Title), financial accounts and other assets, to reflect the change of ownership.
- Any real estate is transferred automatically through the Judgment of Possession. However, you will need to contact the **Parish Tax Assessor's Office (Caddo at (318) 226-6701/ Bossier at (318) 965-2213)** to see if a new homestead exemption needs to be filed and to see that they have updated the notification address for the property involved.

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Signature

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Signature

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Date