

CLERK'S OFFICE OF THE
CIRCUIT COURT OF NORTHUMBERLAND COUNTY, VA.
FIFTEENTH JUDICIAL CIRCUIT
220 Judicial Place
P. O. Box 217
HEATHSVILLE, VIRGINIA 22473

TERMS OF COURT

Fourth Tuesday in January, April, July, October
Deborah T. Bingham, Clerk

804-580-3700

Dear Family,

On behalf of the Northumberland Circuit Court, we extend our heartfelt condolences on the passing of your loved one.

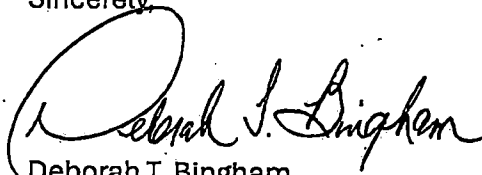
We understand that it is an incredibly difficult time and managing your loved one's estate may feel overwhelming. Our staff is here to assist you in navigating the process of recording a Last Will and Testament and any other steps to move forward. We can answer non-legal questions and provide guidance on preparing estate documents.

To help you expedite the process of gathering the necessary information for our paperwork, we have included a Probate Information worksheet in this envelope. This worksheet outlines the questions we need to start the probate process. We will also need a death certificate with seal. If there is a will, please send us a copy of that as well.

Please feel free to call our office at the number above or email Deborah Bingham (dbingham@vacourts.gov) or Jenny Headley (vheadley@vacourts.gov) to begin the process.

Remember, we are dedicated to serving you and your family. You are not alone in this process and we are committed to providing the support and assistance you need.

Sincerely,



Deborah T. Bingham
Clerk of Circuit Court

THE LISTS BELOW ARE THE ITEMS NEEDED PRIOR TO YOUR APPOINTMENT

IF DECEDENT LEFT NO WILL (ADMINISTRATOR)

- ORIGINAL DEATH CERTIFICATE WITH A SEAL
- COMPLETED PROBATE INFORMATION FORM (ENCLOSED)
- FORM OF PAYMENT FOR RECORDING PROBATE PAPERWORK (CASH, CHECK OR CREDIT/DEBIT CARD – 4% CONVENIENCE FEE OR \$2, WHICHEVER IS GREATER, WILL BE CHARGED FOR CARDS) THIS MUST BE PAID AT THE TIME OF YOUR APPOINTMENT

IF DECEDENT DIED WITH A WILL (EXECUTOR)

- BRING ORIGINAL WILL AND AN ORIGINAL DEATH CERTIFICATE
- PERSON NAMED AS EXECUTOR IN THE WILL SHOULD APPEAR
- COMPLETED PROBATE INFORMATION FORM (ENCLOSED)
- FORM OF PAYMENT FOR RECORDING PROBATE PAPERWORK (CASH, CHECK OR CREDIT/DEBIT CARD – 4% CONVENIENCE FEE OR \$2, WHICHEVER IS GREATER, WILL BE CHARGED FOR CARDS) THIS MUST BE PAID AT THE TIME OF YOUR APPOINTMENT

PLEASE USE THE ATTACHED PROBATE INFORMATION FORM (SECTIONS 8, 9, 10 & 11) TO LIST THE APPROXIMATE DOLLAR VALUE OF THE ASSETS SOLELY OWNED BY THE DECEDENT FOR PERSONAL PROPERTY AND REAL ESTATE LOCATED IN THE STATE OF VIRGINIA AS WELL AS ANY PROPERTY OWNED OUTSIDE OF THE STATE OF VIRGINIA.

***IF THE ESTATE IS OVER \$35,000, THERE IS NO WILL AND QUALIFICATION ON THE ESTATE IS NECESSARY, THE ADMINISTRATOR WILL HAVE TO BE BONDED BY AN INSURANCE COMPANY

***IF THE ESTATE IS OVER \$35,000 AND QUALIFICATION ON THE ESTATE IS NECESSARY, IF THE NAMED EXECUTOR IN THE WILL LIVES OUTSIDE OF VIRGINIA, THEY WILL NEED TO BE BONDED BY AN INSURANCE COMPANY UNLESS QUALIFYING WITH A VIRGINIA RESIDENT

***PLEASE NOTE, THERE ARE SITUATIONS IN WHICH YOU MAY BE ABLE TO USE A SMALL ESTATE AFFIDAVIT OR A REAL ESTATE AFFIDAVIT INSTEAD OF QUALIFICATION ON AN ESTATE

8. List approximate value of personal property assets held in decedent's name alone (include checking/savings accounts, stocks, bonds, investment accounts, vehicles/boats, life insurance payable to estate, etc. that is in decedent's name alone) **Please DO NOT include POD, beneficiary, joint or survivorship assets.** List each separately and value as of date of death.

9. List real estate in Northumberland County: _____

10. Real Estate Elsewhere in Virginia: _____

11. Real Estate decedent owned in any other state: _____

NOTE YOU MUST SUBMIT THE FOLLOWING:

- ORIGINAL WILL AND CODICIL(S).
- DEATH CERTIFICATE OF DECEDENT (CERTIFIED COPY W/RAISED SEAL)
- PICTURE ID OF PERSON WHO IS TO QUALIFY/PROBATE
- PAYMENT (DUE AT TIME OF QUALIFICATION/PROBATE & IS BASED ON VALUE OF ESTATE. CASH, CHECK OR CREDIT CARD PAYMENTS ACCEPTED) PLEASE NOTE THAT CREDIT CARD PAYMENTS ARE SUBJECT TO A CONVENIENCE FEE OF 4% OR \$2, WHICHEVER IS GREATER

Code of Virginia
Title 64.2. Wills, Trusts, and Fiduciaries
Chapter 2. Descent and Distribution

§ 64.2-200. Course of descents generally; right of Commonwealth if no other heir.

A. The real estate of any decedent not effectively disposed of by will descends and passes by intestate succession in the following course:

1. To the surviving spouse of the decedent, unless the decedent is survived by children or their descendants, one or more of whom are not children or their descendants of the surviving spouse, in which case, two-thirds of the estate descends and passes to the decedent's children and their descendants, and one-third of the estate descends and passes to the surviving spouse.

2. If there is no surviving spouse, then the estate descends and passes to the decedent's children and their descendants.

3. If there is none of the foregoing, then to the decedent's parents, or to the surviving parent.

4. If there is none of the foregoing, then to the decedent's siblings, and their descendants.

5. If there is none of the foregoing, then one-half of the estate descends and passes to the kindred of one of the decedent's parents and one-half descends and passes to the kindred of the other of the decedent's parents in the following course:

a. To the decedent's grandparents, or to the surviving grandparent.

b. If there is none of the foregoing, then to the decedent's uncles and aunts, and their descendants.

c. If there is none of the foregoing, then to the decedent's great-grandparents.

d. If there is none of the foregoing, then to the siblings of the decedent's grandparents, and their descendants.

e. And so on, in other cases, without end, passing to the nearest lineal ancestors, and the descendants of such ancestors.

B. If there are no surviving kindred of one of the decedent's parents, the whole estate descends and passes to the surviving kindred of the other of the decedent's parents. If there are no kindred of either parent, the whole estate descends and passes to the kindred of the decedent's most recent spouse, if any, provided that the decedent and the spouse were married at the time of the spouse's death, as if such spouse had died intestate and entitled to the estate.

C. If there is no other heir of a decedent's real estate, such real estate is subject to escheat to the Commonwealth in accordance with Chapter 24 (§ 55.1-2400 et seq.) of Title 55.1.

Code 1950, § 64-1; 1956, c. 109; 1968, c. 656, § 64.1-1; 1977, c. 474; 1982, c. 304; 1985, c. 189; 1990, c. 831; 2012, c. 614; 2020, c. 900.