

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

This has been prepared to assist you in beginning an estate with the Court; however, as each estate is unique, additional information may be required. This is a legal procedure governed by the laws of North Carolina, which prohibit 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 nonprobate 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. Then call us at **(336) 779-6304** to schedule an appointment with an Assistant Qualifications Clerk. ***Other counties may have similar requirements, but we suggest you contact them to verify their procedures – phone numbers are listed below.*** The Forsyth County Superior Court is 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 however, we will reschedule your appointment.**

1. If the decedent had a Will, make sure you bring the **ORIGINAL** Last Will and Testament. (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 bank, credit union, or savings and loan. If they will not provide these, ask them to fax the signature card to **779-6331 – Attention: Estates**)
6. Titles or registration cards for vehicles titled in decedent's name, **including jointly titled vehicles**, and the lien amount, if any.
7. Tax statements to verify the value for vehicles, trailers, etc. **Tax values can be obtained directly by calling the Forsyth County Tax Office or visiting their website.**
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 or a copy of the deed of trust for any real estate, along with a recent property tax statement to verify tax value. Also bring mortgage amount, if any.
10. If the decedent had a Last Will and Testament, please provide the names and addresses of the beneficiaries named in the Will. If there was no Will, you may need the names and addresses of the decedent's next of kin.
11. An itemized funeral bill showing it's been paid or showing how much is still due. **Please provide a receipt if any amount has been paid.**
12. Ability to pay initial Court fee of up to \$150.00 by either cash or personal check.

Thank you for your assistance in gathering the requested information.

Susan Frye – Clerk of Superior Court/ Forsyth County

### 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