

Cortes Law Firm Explains What Is a Summary Probate in Lawton Oklahoma

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Cortes Law Firm, an estate planning law firm based in Oklahoma City, OK, has recently published a guide on what is a summary probate in Lawton, Oklahoma. A summary probate can be used when the total assets are less than $200,000. It offers the advantage of being completed much faster to the regular probate, which typically takes several months to complete. Thus, the summary probate offers a great alternative for when the estate is small, there is no need to sell real estate property, and all of the family members are in agreement throughout the probate process.

To start the summary probate process, all heirs will need to agree in writing to proceed with the summary probate administration with the filing of the initial Petition for Probate. If there is one heir who disagrees, it is not possible for the probate to proceed as a summary administration. If the heirs begin fighting or are unable to agree on some aspects of the probate proceeding, the probate court will frequently require the conversion of the summary probate to a regular probate proceeding.

It is not possible to sell real estate during a summary probate because in this kind of proceeding, the legal heirs are not specified until the last hearing. The transfer of the title requires that all the parties have to agree in writing, and because the probate court doesn?t determine the legal heirs until the end of the probate process, there is no one to legally sign the real estate deed to transfer the title to the new owner. Thus, the summary probate offers benefits for those special cases where there is no real estate to be sold, the heirs are all in agreement, and when the state is small amounting to less than $200,000.

If the summary probate is not possible, the court will usually convert it to a regular probate proceeding and this will typically take several months or even years to complete. For the regular probate, the lawyer will need to first determine if there is a pour-over will, a last will, or if there is no will at all. Next, the lawyer will draft an initial petition for probate and if the client agrees with the wording of the petition, the law firm will fill the petition with the Comanche County Court Clerk. The court will then schedule the hearing of the petition at a future date and the probate lawyers will have to publish a notice of the hearing in the local newspaper and also mail a copy of the Notice of Hearing to all of the involved parties.

At the initial hearing, the court will need to make four determinations, after which the court will designate the petitioner as the personal representative who will be the one to administer the estate of the deceased. Meanwhile, creditors usually have 60 days after the filing of a Notice to Creditors to file a claim against the estate. And the court will need to approve any claim from creditors before any payment can be processed. A general inventory of the assets of the estate will commonly be required and this list will typically include real estate, personal property, mineral interests, and financial accounts. If all of the parts of the regular probate proceeding don?t encounter any problem, this will typically take four to five months to complete, but frequently, the regular probate would be completed within five to seven months.

Launched in 2013 by Attorney Steve Cortes, Cortes Law Firm provides estate planning and probate services for individuals, business owners, and enterprises in Oklahoma City and neighboring areas. Steve Cortes has been providing estate planning services for a broad range of clients for over 22 years.

Those who are looking for a Lawton probate attorney can check out the Cortes Law Firm website or contact them by phone or email. They are open from 9:00 am to 5:00 pm, from Monday to Friday.

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For more information about Cortes Law Firm, contact the company here:Cortes Law FirmStephen Cortes4052130856info@corteslawfirm.com5801 Broadway Extension Hwy Suite 110Oklahoma City, OK, 73118

Cortes Law Firm

Cortes Law Firm, based in Oklahoma City, guides families through probate, estate administration, and planning. Led by Stephen L. Cortes, the firm is known for clear communication, client focus, and community commitment.

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