

SIMPLIFIED PROBATE OPTIONS IN WISCONSIN

Last week I shared a few basics about possible [simplified probate procedures available in Illinois and Minnesota](#) and today we'll wrap up our Midwestern exploration with a look at some simplified probate procedures that may be potentially available for anyone subject to the Wisconsin probate system depending on the circumstances.

Simplified Probate in Wisconsin

Wisconsin statutes provide for some procedures that may make it easier for survivors to transfer property left by a person who has died if the estate is below certain threshold amounts. You may be able to transfer a large amount of property using simplified probate procedures or without any probate court proceedings at all -- by using an affidavit. And that saves time, money, and hassle.

Here are the ways you may potentially skip or speed up probate.

Transfer by Affidavit

Wisconsin, like some other states, has a procedure that allows inheritors to use an affidavit to transfer estate property without more formal [probate](#) procedures or court involvement. The out-of-court affidavit procedure is available in Wisconsin if the estate property owned at death is worth \$50,000. See [Wis. Stat. Ann. § 867.03](#) for more information.

Informal Probate through Summary Settlement or Summary Assignment

If the Transfer by Affidavit procedure is unavailable to a personal representative looking for a simplified probate procedure, then it still may be possible for the personal representative to transfer the estate property through a process known as [Summary Settlement](#). Summary Settlement in Wisconsin is available for either a) estates that are less than \$50,000 in total value (less liabilities) or b) estates that are being transferred solely to a surviving spouse or surviving minor children. In order to use the procedure, the personal representative must file a request with the local probate court. Once the request is granted, the court will permit an interested individual to proceed without appointment of a personal representative and he or she may proceed with the probate process without a great deal of court involvement (though there may be a fair amount of paperwork to keep track of). [Summary Assignment](#) may be available for estates not otherwise qualifying for Summary Settlement. For more information, see [Wis. Stat. Ann. § 867.01](#).

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