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## INFORMAL PROBATE

EAU CLAIRE COUNTY  
REGISTER IN PROBATE OFFICE  
721 OXFORD AVENUE  
EAU CLAIRE, WI 54703

HOURS:  
MONDAY – FRIDAY  
8:00 AM – 4:30 PM

PHONE: 715-839-4823

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**NOTE:** This guideline is provided only as a public service and is not meant to be legal advice. The Register in Probate office cannot give legal advice; please contact an attorney if you have legal questions.

### **TO OPEN AN INFORMAL PROBATE**

#### **FIRST STEP:**

- eFiling is now available and if you wish to eFile this proceeding; see the eFiling section at the end of this document.
- Complete the forms listed below Once the forms are completed, **call the Register in Probate office to make an appointment to file the documents.** Bring the following completed forms to your appointment for filing: :

PR – 1801	Application for Informal Administration
PR – 1806	Proof of Heirship
PR – 1803	Waiver and Consent
PR – 1804	Notice to Creditors (OR, if waivers are not filed, complete PR-1805)
PR – 1805	Notice Setting Time to Hear Application and Deadline for Filing Claims *
PR – 1807	Consent to Serve
PR – 1808	Statement of Informal Administration
PR – 1810	Domiciliary Letters
Original	Will and any Codicils (copy to be provided to all interested persons)
Original	Probate Claims Notice; copy to WI Dept of Family Services and County Clerk
Other	Trusts – see page 2.

\*Personal Representative (PR) will be appointed after the hearing date listed on the Notice Setting Time to Hear Application and once the following documents are filed: Affidavit of Publication from the newspaper and form PR – 1817 Affidavit of Service showing proof that the Notice was mailed to the interested persons.

**AFTER PR APPOINTMENT:** complete and file the originals of the following:

#### **SECOND STEP: INVENTORY**

PR – 1811	Inventory <b>DUE</b> no later than 4 months after Domiciliary Letters are issued
Filing Fee	Statutory inventory filing fee of <b>0.2%</b> of the assets is due with the inventory
PR – 1817	Affidavit of Service – inventory to interested persons

#### **THIRD STEP: ESTATE ACCOUNT**

PR – 1814	Estate Account w/ attached schedules
PR – 1817	Affidavit of Service– estate account to interested persons
Note	additional property listed is subject to the <b>0.2%</b> filing fee

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### FOURTH STEP: CLOSING DOCUMENTS

PR – 1815 Estate Receipt from heirs/beneficiaries for partial and/or full distributions  
PR – 1815 Estate Receipt from claimants, if claims were filed  
PR – 1816 Personal Representative's Statement to Close Estate

OTHER DOCUMENTS:

Original Affidavit or Proof of Publication from newspaper  
Copy Funeral Receipt marked paid in full  
Original Closing Certificate for Fiduciary from WI Dept of Revenue (see below)

**BOND:** May be required prior to appointment of the PR; determination will be made whether bond will be a signature bond (form PR – 1809) or a corporate bond.

**TRUSTS:** If the decedent's Will establishes a trust, please complete the following forms: PR-1930 Consent to Serve as Trustee and PR-1829 Letters of Trust and file the originals with the Register in Probate office when the estate is opened.

**CLAIMS:** It is the Personal Representative's responsibility to check the court record for any claims filed. The website is: <http://wcca.wicourts.gov/index.xsl>. Copies can be obtained from the Register in Probate office for a fee of \$1.00 per page.

**CLOSE ESTATE:** Estate shall be closed 12 months after the Application is filed pursuant to 10<sup>th</sup> Judicial District benchmarks.

**CERTIFIED COPIES:** If requested, are \$3.00 for the certification and \$1.00 for each page copied and compared. If requested through the mail, please enclose a self-addressed, stamped envelope together with the correct fee.

**ADDITIONAL RESOURCES:** A booklet called "A Personal Representative's Guide to Informal Probate in Wisconsin" is online at [www.wripa.org](http://www.wripa.org)

**FORMS:** additional/duplicate forms can be found at: [www.wicourts.gov](http://www.wicourts.gov)

**EFILING:** eFiling of cases is now available. To register for an eFiling account: [www.wicourts.gov](http://www.wicourts.gov)  
Click **eFile/eCourts** on the tool bar and then click on the **Circuit Court eFiling** on the drop down. Follow the instructions to register for an eFiling account and filing instructions.

**WISCONSIN TAX FORMS:** <http://www.dor.state.wi.us/html/formpub.html>

A Closing Certificate for Fiduciaries is required before closing the estate. Request the Closing Certificate by completing Schedule CC and any other necessary fiduciary tax returns. Submit Schedule CC and any fiduciary returns together with all requested documents to: Wisconsin Department of Revenue, PO Box 8918, Madison, WI 53708-8918. Filing of the fiduciary, estate tax, and income tax returns is the personal representative's responsibility.

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**IRS NOTICE:** The Internal Revenue Service may be a creditor of the decedent and should be promptly notified of the death and any probate proceeding. Form 56 – Notice Concerning Fiduciary Responsibility is included with this guideline or can be found at [www.irs.gov](http://www.irs.gov)