

COST OF PROBATE IN CALIFORNIA

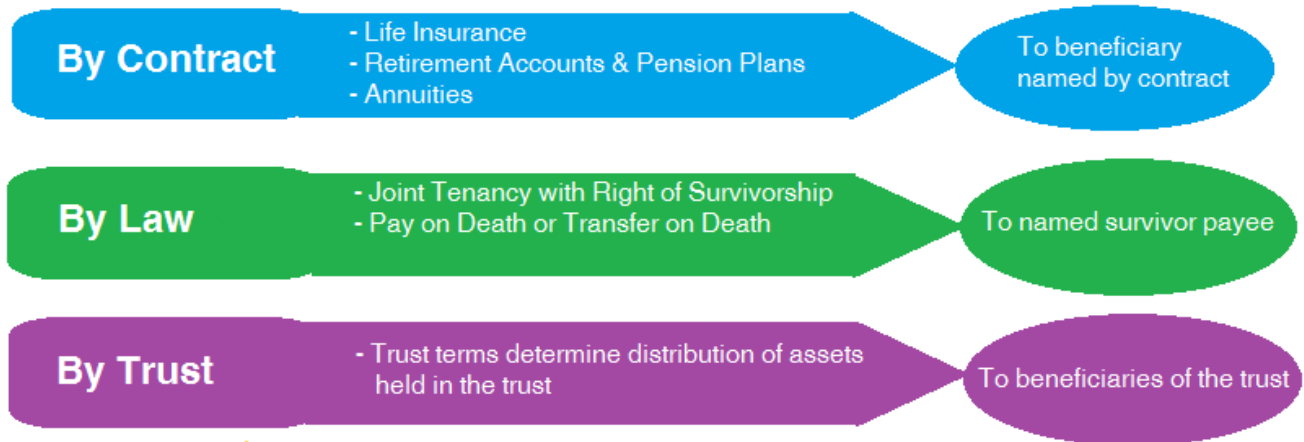
Introduction

Small California estates with assets worth \$150,000 or less may be settled without formal probate proceedings, using relatively simple transfer procedures. However, if the gross estate exceeds this amount and it contains assets which must pass through probate, the estate can expect to incur substantial expenses.

Probate assets are anything owned by a deceased person that has no way of passing to a living beneficiary without a court-supervised probate process. It is possible for some assets to escape probate if they pass to the heirs by way of contract, law, or trust. For everything else, the probate process is required to determine the distribution of assets.

It is important to note that having a **will alone does not avoid probate** as it must still be administered by the courts through probate in order to be validated.

Assets Transferrable without Probate



Itemized Costs of Probate

Basic Court Fees	
Probate petition filing fee	\$435
Filing fee to file the petition for final distribution of the estate assets	\$435

Misc. Fees	
Notice of Probate	\$100 - \$500
Appraiser Fee (0.1% of probate assets)	\$1 fee per \$1000 of assets

Attorney Fees	
Value of Estate	Compensation to Attorney
\$100,000	\$4,000
\$200,000	\$7,000
\$300,000	\$9,000
\$400,000	\$11,000
\$500,000	\$13,000
\$600,000	\$15,000
\$700,000	\$17,000
\$800,000	\$19,000
\$900,000	\$21,000
\$1,000,000	\$23,000
\$1,500,000	\$28,000
\$2,000,000	\$33,000
\$3,000,000	\$43,000
\$4,000,000	\$53,000
\$5,000,000	\$63,000
\$6,000,000	\$73,000
\$7,000,000	\$83,000
\$8,000,000	\$93,000
\$9,000,000	\$103,000
\$10,000,000	\$113,000
\$15,000,000	\$138,000
\$20,000,000	\$163,000

ii

Executor Fees (if not waived)	
Value of Estate	Compensation to Executor
\$100,000	\$4,000
\$200,000	\$7,000
\$300,000	\$9,000
\$400,000	\$11,000
\$500,000	\$13,000
\$600,000	\$15,000
\$700,000	\$17,000
\$800,000	\$19,000
\$900,000	\$21,000
\$1,000,000	\$23,000
\$1,500,000	\$28,000
\$2,000,000	\$33,000
\$3,000,000	\$43,000
\$4,000,000	\$53,000
\$5,000,000	\$63,000
\$6,000,000	\$73,000
\$7,000,000	\$83,000
\$8,000,000	\$93,000
\$9,000,000	\$103,000
\$10,000,000	\$113,000
\$15,000,000	\$138,000
\$20,000,000	\$163,000

* *Basic Court Fees* are determined by the State of California. *Attorney Fees and Executor Fees* as stated represent the maximum permitted by the State of California. *Miscellaneous Fees* are estimates.

ⁱ <https://www.probateandtrustlawyers.com/probate/probate-costs/>

ⁱⁱ https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=PROB§ionNum=10810