CLERK'S ALERT - Update

PROBATE CASE REVIEW

Special Notice to Probate Practitioners, KCBA Real Property, Probate & Trust Law Section, and Guardianship and Elder Law Section

The King County Superior Court (KCSC) and the Clerk's Office are embarking on a project to address the 12,000 open, yet inactive, probate cases on record in the Clerk's office. In addition, new measures are being put in place to keep newly filed probate cases active and working toward timely completion.

The KCSC and the Clerk's Office bring your attention to the following:

1. As of June 1, 2018, at the time of filing a new probate case, the Clerk's Office is issuing a message from the Court, in lieu of a case schedule. The notice relays the Court's expectations regarding the proactive management of the case by the parties, i.e., probate cases shall be prosecuted without delay and shall be settled as quickly as possible to comply with RCW 11.48.010. The message also cites RCW 11.28.250 related to the court's ability to intervene in non-intervention cases where there is reason to believe there is wrongful neglect of the estate.

2. A searchable list of 12,000 open estate cases is now posted on the Clerk's website: https://www.kingcounty.gov/courts/clerk/access-records/estate-closure.aspx

    These cases have been inactive (no case activity) for more than a year and may be legitimately still proceeding or may be missing completion documents. Estate cases are completed with the filing of documents such as "Declaration of Completion," (RCW 11.68) "Order Approving Final Accounting and Decree of Distribution," (RCW 11.76) or "Order Closing Estate."   **All practitioners are encouraged to review this list and their probate caseload and enter estate completion documents if appropriate or file a case status statement (pattern form posted on the website), if the case is not complete.**

Thank you for your attention to these cases.