

General FAQ's

Q: Can I use a credit or debit card for payment?

A: Yes, but only in person at the court. Credit or debit cards cannot be used for payment of copies ordered by phone or mail.

Q: Do I need an attorney to handle a probate matter?

A: By law, most probate matters require you to be represented by an attorney – Sections 473.153 (7) and 475.020 RSMo. However, Applications for a Refusal of Letters for a Spouse, for a Creditor or for an Unmarried Minor Child can be filed without an attorney.

Q: How do I find out if any proceedings have been filed in Probate?

A: Proceedings in probate consist of estates for deceased persons, guardianship and/or conservatorship for adults and minors, and wills for deceased persons. They are filed in the Probate Division which is located on the 5th Floor of the Courts Building at 105 South Central, Clayton, Missouri. Our records are open to the public with the exception of confidential matters.

For information about whether any proceedings have been filed in the Probate Division:

1. Probate Case Information is available on Case.Net for cases filed on or after July 12, 2004. [Click here to visit Case.Net](#)
2. For older cases not found on Case.Net (filed prior to July 12, 2004), call our General Information telephone number at 314-615-2629 and press zero (0);
3. Inquire in person at the Probate Division's file counter.

You will need to know the name of the person for which you are requesting information. If this person is deceased, it would be helpful to have an approximate date of death. If you have a number of people that you are looking for, please fax your request with a return fax number to (314) 615-8293. Court staff will retrieve the information you need and fax it back to you.

Q: How do I obtain a certified or authenticated copy of documents in a probate file?

A: You may request a certified or authenticated copy in person at the court, by mail, or by calling our Certified Copy Department at (314) 615-2618. It is recommended that attorneys place their orders through e-filing a memorandum requesting copies and

paying the appropriate fee through casenet. Partial documents cannot be certified or authenticated – it must be the entire document. You will need the following information:

- Estate name and number.
- Document(s) needed.
- Type of copy requesting – certified or authenticated.
- Quantity.
- Requester's name and call back number.

The cost is \$1.00 per page for plain copies. Certified copies are an additional \$1.50 per document. Authenticated copies are an additional \$4.50 per document. Prepayment is required in some instances.

Q: How much does it cost to file a probated matter?

A: Costs for the initial filing a probate matter vary from \$75.50 to \$676.50. A complete schedule of probate deposits and fees can be found on our website Forms and Fees. Click on the Filing Fees link.

Q: Is a death certificate needed on decedent's estates: Does it have to be a certified copy?

A: Filings on all decedent's estates must include a death certificate. It does not need to be a certified copy – a copy is preferred.

Q: Is there a time limit on when a proceeding may be filed in Probate?

A: There are statutory time limits for filing on most probate proceedings. The most common being that a will can be filed at any time, however, a Petition for Probate of Will must be filed within 1 year from the date of death. Further questions on these time limits should be directed to the Issue Department – (314) 615-2616.

Q: Where do I find forms for filing a probate matter?

A: [Forms are available on our website.](#) Click on the Forms link.

(**As stated above, only Applications for a Refusal of Letters for a Spouse, for a Creditor or for an Unmarried Minor Child can be filed without an attorney.)

Q: Where do I get a copy of a will?

A: If the court has any records for the deceased person, you may obtain a copy in person at the court or by calling our Certified Copy Department at 314-615-2618. It is recommended that attorneys place their orders through e-filing a memorandum requesting copies and paying the appropriate fee through casenet. Please allow 48 hours for processing. The cost is \$1.00 per page of the will. For certified or authenticated copies, please see #9 below.