

## **Definitions**

A list of definitions of special words and phrases used in the Probate Division.

Account	The details of the income and expenses of an estate.
Allowances	For the estates of decedent's dying after April 26, 2001, there are three possible allowances to which the decedent's spouse and/or children may be entitled: <ol style="list-style-type: none"><li>(1) a reasonable family allowance not to exceed \$15,000.00 (D.C. Code, secs. 19-101.04 and 101.05),</li><li>(2) the homestead allowance of \$15,000.00 (D.C. Code, sec. 19-101.02), and</li><li>(3) the exempt property allowance of \$10,000 (D.C. Code, sec. 19-101.03).</li></ol>
Appraisal	A formal written determination of the value of a piece of personal or real property, usually as of the date of death of the decedent.
Assets	Items that the decedent owned, including but not limited to money, real property, personal items, and debts owed to the decedent.
Beneficiary	When a decedent had a will, a person or entity entitled to receive part of an estate through a provision made in the will. A person named in a contract to receive a gift, such as the beneficiary of a life insurance contract. (See, also, definition for "heir" and "legatee.")
Claim	A written document filed by a creditor of a decedent seeking payment from an estate.
Codicil	A written document changing some provision in a will that is executed with all the formalities required for the execution of a will.
Creditor	A person or organization owed money by the decedent.
Decedent	The person who died.
Estate	The assets of the decedent or the term referring to the case of a particular decedent (i.e., the estate of John Doe).
Estate administration	The procedure established by the laws in the District of Columbia for identifying the decedent's assets, paying the decedent's debts, and distributing the remaining assets to either the beneficiaries or the heirs.

Heir	A person entitled to inherit assets of a decedent when there is no will. (See, also, definition for “beneficiary” and “legatee.”)
Interested person	This is a legal term defined at D.C. Code, sec. 20-101 and includes any heir or beneficiary of the decedent, a personal representative, and anyone named in a will to be a personal representative. It may also include a creditor who has presented a claim of \$500 or more.
Intestate	Died without a will.
Inventory	A detailed list of all assets owned by the decedent and the value of each.
Legatee	A person or organization who receives an asset under the terms of a will. (See, also, definition for “beneficiary” and “heir.”)
Letters of Administration	The document issued by the Probate Division after the personal representative has been appointed that gives the personal representative the authority to act on behalf of the estate.
Non-probate property/assets	Property or assets that pass to a new owner automatically and are not considered to be property of the decedent’s probate estate.
Personal Representative	A person appointed by a Judge of the Probate Division of the D.C. Superior Court to settle the affairs of someone who has died.
Pleading	Formal legal documents presenting information to the Court and, usually, requesting Court action.
Probate	Legal process through which a personal representative is appointed and the assets of someone who has died are collected and distributed and the decedent’s debts are paid.
Register of Wills	The person in charge of the D.C. Superior Court Probate Division staff. The Register of Wills is responsible for the care and custody of all wills and pleadings and for the administrative processing of all pleadings.

Small estate	When a person dies after April 26, 2001, with assets having a gross value of \$40,000.00 or less, a small estate proceeding may be opened to appoint a personal representative, pay claims, and make distribution of the estate. If the decedent died between January 1, 1981, and June 30, 1995, the value of the small estate cannot exceed \$10,000.00. If the decedent died between July 1, 1995, and April 26, 2001, the value of the estate cannot exceed \$15,000.00.
Supervised Administration	The law requires that the Court supervise the administration of all estates for decedents who died before July 1, 1995. "Supervision" means that the personal representative is required to file inventories and accounts with the Court. (See, also, definition of "unsupervised administration".)
Testate	Died with a will which has been admitted to probate by the Court.
Unsupervised Administration	For decedents who died on or after July 1, 1995, the administration of an estate is generally unsupervised unless a specific request for supervision is made. Although inventories and accounts must be prepared, they are not usually filed with the Court. (See, also, definition of "supervised administration".)
Will	A written and properly executed testamentary writing that gives instructions regarding how the person who signed it wishes his or her assets to be distributed after his or her death. This testamentary writing becomes a will when it is admitted to probate and record by the Court.