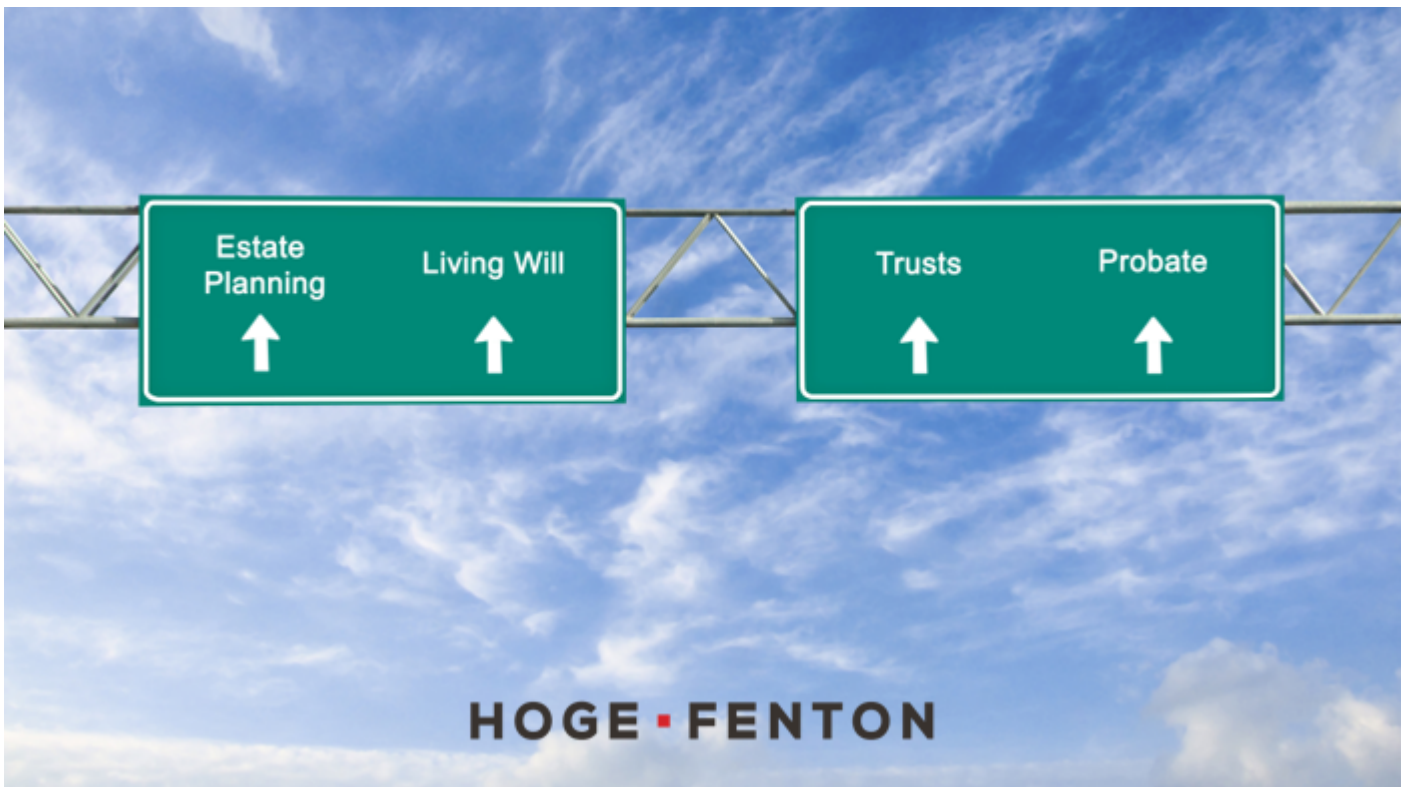


MANAGING THE ASSETS OF FAMILY WHO PASSED DUE TO THE COVID-19 CORONAVIRUS



For many families in California dealing with the loss of a loved one due to the COVID-19 virus, the departed family member has passed without a will, without a trust, and without estate planning. This article provides an outline of what should be done to manage the family member's property and assets.

The California Probate Code is the legal guide for the management and distribution of the decedent's assets. When a person has passed away without a will, the process of management and distribution of the assets is called an "intestate probate".

However, **if the value of the decedent's estate does not exceed \$166,250**, you should be able to distribute the assets without opening a probate. This is done using a "small estate affidavit" (Probate Code section 13100).

If the decedent was married, there is a simpler probate for the surviving spouse to gain full ownership of the couple's community property. This process, known as a "spousal property petition," requires a formal probate with your local county probate court.

Probate proceedings have many rules and complex procedures. Probates are often stalled in court because the rules and procedures are not followed precisely. This results in delays, which can create financial and emotional distress for the decedent's family. A skilled probate attorney navigates the probate proceedings to avoid unnecessary delays and to settle the estate as quickly as possible.

At Hoge Fenton, our probate lawyers have extensive experience administering probate matters from simple single-house estates to complex estates with real property, businesses and investments.

Our probate team has handled inventory, valuation, and distribution of assets such as residential homes, commercial real estate, niche collectables, and business interests. In addition, we are experienced with contested probates which may include a surviving spouse and step-children from the decedent's prior marriage.

Should you need to handle the assets of a recently deceased loved one affected by the COVID-19 pandemic, Hoge Fenton's attorneys have the knowledge and experience to help navigate the post-death legal process with competency, care, and understanding.

Stay safe.



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