

2008 SESSION

INTRODUCED

084513784

HOUSE BILL NO. 280

Offered January 9, 2008

Prefiled January 2, 2008

A *BILL to amend the Code of Virginia by adding a section numbered 64.1-77.1, relating to the unsupervised probate of a decedent's will.*

Patron—Watts

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 64.1-77.1 as follows:

§ 64.1-77.1. *Unsupervised probate.*

A. A decedent's attorney, or any beneficiary to a will, may request that the clerk deem a will admitted to probate and that the court enter a final order or decree of probate of the will without any further court intervention or supervision as to the distribution of assets named in the will if the will requests unsupervised probate or contains words to that effect or all the beneficiaries to the will consent in writing to the unsupervised probate of the will and proof of such written consent is provided to the court.

B. Any such beneficiary may revoke his consent to the unsupervised probate of the will if (i) notice of the revocation is provided, in writing, to all the other beneficiaries of the will within six months of the court order or decree issued pursuant to subsection A, and (ii) written revocation of consent is filed with the court that issued the order or decree pursuant to subsection A and within six months of the date of such order or decree.

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