

National Probate Web Site Survey

HALT's Best Practices for Court Web Sites

Each year millions of Americans use the court system to settle the estate of a family member or loved one. Many hire attorneys but a growing number seek to handle probate on their own (pro se), especially when the estate is small or passes directly to a surviving spouse or adult child. In the fall of 2005, HALT surveyed state court Web sites to see if comprehensive and useful online probate resources were posted to help consumers. Our survey revealed that the vast majority of state court Web sites share little or no information about their probate procedures with the public. The following best practices—derived from the survey's top scoring states—highlight specific actions state court administrators can take to improve the content and user-friendliness of their Web sites.

Make sure the Web site—and the probate information on it—is easy to find and use.

- Register Web site's URL with popular search engines
- Make Web site easy to find using straightforward search terms (such as your state's name and the word probate)
- Consolidate all resources relating to probate onto one Web page and provide a clear link to that page from the state court homepage (so that consumers do not have to visit various parts of the Web site to find the resources and forms they need)

Post comprehensive information about settling an estate.

- Include comprehensive, plain-language, online publications on what to do immediately after a death occurs and on how to settle an estate, both formally *and* informally
- Make publications state specific, whenever possible
- Add step-by-step instructions and timelines for administering an estate
- Explain what forms are needed and hyperlink within the publication to those forms
- Provide information about court costs and filing fees
- Include a plain-language glossary of commonly used legal terms
- Clearly state the maximum dollar limit for informal probate in online publications and forms

Include the necessary court forms for settling an estate.

- Include a complete list of all the forms needed to probate an estate for both formal *and* informal probate, including ancillary forms such as those used for notifying creditors, posting death notices, etc.
- Provide clear directions about when and why a person would use a particular form
- Give detailed step-by-step instructions for filling in each form
- Offer forms that can be filled in electronically, saved and printed
- Identify each form with clear and understandable titles
- Organize probate forms in a logical sequence and in one location on the Web site

Include contact information for local courts or clerks that handle probate cases.

- Clearly indicate which court handles probate
- Include the addresses, phone numbers, Web sites, hours of operations, and directions to the local courts that handle probate matters

We congratulate the top scoring jurisdictions (New Hampshire, Connecticut, Vermont, Colorado, Maryland and the District of Columbia) for offering the public a well designed and comprehensive Web site and encourage all states to share information about their probate process in a similar fashion.

Founded in 1978, HALT—An Organization of Americans for Legal Reform is a nonpartisan, nonprofit public interest organization. HALT pursues an aggressive education and advocacy program that challenges the legal establishment to improve access and accountability and reduce costs in the civil justice system.

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