

DONNY YOUNGBLOOD
Sheriff-Coroner
Public Administrator

SHERIFF'S OFFICE
COUNTY OF KERN



Public Administrator Section
5251 Office Park Drive, Bldg. 300
Bakersfield, California 93309

Public Administrator Mailing
PO Box 2226
Bakersfield, California 93303

Telephone (661) 635-1330
Fax (661) 635-1310

PUBLIC ADMINISTRATOR SECTION

Frequently Asked Questions

How does someone refer a case to the Public Administrator?

You can go online to download the referral form with instructions from:

https://www.kernsheriff.org/Public_Administrator

or you may call the Public Administrator's Office at (661) 635- 1330 for further information.

How does the Public Administrator's Office get involved?

The Public Administrator may be notified by the Coroner's Office, mortuaries, hospitals, care facilities, landlords, Superior Court, or citizens.

What are the primary duties of the Public Administrator?

Some of the Public Administrator's duties and functions include but are not limited to:

- Protect the decedent's property from waste, loss, fraud or theft.
- Make arrangements for the disposition of the decedent's remains.
- Conduct a thorough investigation to discover all assets.
- Ensure that the estate is administered according to the decedent's wishes.
- Pay decedent's bills and taxes.
- Ensure all estate benefits are applied for and received.
- Locate persons entitled to inherit from the estate and ensure that these individuals receive their inheritance.

Who may act as a personal representative/administrator?

In cases where there isn't an executor named in the will the following order of priority is who may act as personal representative/administrator:

1. Surviving spouse or domestic partner
2. Children
3. Grandchildren
4. Other issue
5. Parents
6. Brothers and sisters
7. Issue of brothers and sisters
8. Grandparents
9. Issue of grandparents
10. Children of predeceased spouse or domestic partner
11. Other issue of predeceased spouse or domestic partner
12. Other next of kin
13. Parents of predeceased spouse or domestic partner
14. Issue of parents of predeceased spouse or domestic partner

15. Conservator or guardian
16. Public Administrator
17. Creditors
18. Any other person

What is an estate?

An estate is any asset owned by an individual that may consist of but not limited to cash, personal property, real property, stocks, pensions etc.

How does the Public Administrator sell estate property?

The Public Administrator sells real property through licensed real estate agents, after publishing legal notices and advertising the property. The sales may be subject to confirmation by the Superior Court. The Public Administrator also sells personal property through an online auction website (GovDeals), vendors, or through a private sale to an interested party. All sale notices must be published prior to the sale.



GovDeals[®]
Online Government Surplus Auctions

View Our Surplus:

govdeals.com/kerncountysheriffpublicadministrator

Help desk: 1.800.613.0156 Ext. 1
customerservice@govdeals.com

Who can file a Creditor's Claim against the estate?

Anyone who was owed money by the decedent at the time of death must file a Creditor's Claim against the estate with the court and provide the personal representative a copy as well. Proof of claim must be attached such as receipts.

How much does it cost to probate an estate?

California Probate law allows a statutory fee for the personal representative/administrator of an estate. The Public Administrator is allowed the following fee schedule based on the value of the estate:

- 4% on the first \$100,000.00
- 3% on the next \$100,000.00
- 2% on the next \$800,000.00
- 1% on the next \$9,000,000.00
- ½% of 1% on the next \$15,000,000.00
- Amounts over \$25,000,000.00 to be determined by the court

The Probate Code allows a minimum fee of \$1,000.00 in smaller estates, paid from estate assets only. The law also provides for statutory attorney's fees based on the same fee schedule as that of the administrator. The Court may also allow extraordinary fees to the administrator and his/her attorneys for services such as preparation of tax returns, sale of estate property, and litigation to collect assets or defend actions brought against the estate. The Probate Court must review and approve all requests for fees at the time the administrator presents a final accounting to the Court.

How long does it take to close an estate?

The length of time to close an estate is difficult to estimate. Some estates with only cash assets may be ready to close more quickly than others that may include stocks, financial accounts, real property and personal property. Each estate must be investigated thoroughly, locate heirs, assets marshaled and sold appropriately, then a final accounting/distribution of assets must be approved by the court.

When will I receive my distribution?

The complexity of the estate and the determination of the individuals who are entitled to inherit the estate dictate the length of time an estate administration will take. The length of time for a thorough investigation, appraisals, liquidation of property, taxes, final accounting, and court hearings are all factors that impact the final distribution.

What happens to the money if next of kin is not found?

If no next of kin is located for the decedent, the Public Administrator will escheat the remaining funds to the County Treasurer. If the amount being escheated exceeds \$5,000.00 the Public Administrator will obtain a court order authorizing the escheatment.

Can friends/caretakers/close non-relatives handle final disposition of the decedent?

No, only legal next of kin can handle the final disposition of the decedent.

What is a NOPA?

A NOPA is a Notice of Proposed Action notifying all interested parties of an action being taken pertaining to the estate. Such as a sale of real property, abandonment or destruction of personal property.

Sincerely,

DONNY YOUNGBLOOD
Kern County Sheriff-Coroner -Public Administrator