

Cheat Sheet: Using Probate Records for Family History

From Family History Daily

To make the most of this cheat sheet please read our full guide to probate records for genealogy research at familyhistorydaily.com/expert-help/probate-records.

1. Understand What Probate Is

Probate is the legal process that happens after someone dies. The court oversees how property, money, and belongings are distributed—either by a will (testate) or, if there's no will, by law (intestate).

Knowing this helps you understand why probate files exist and why they're often rich with family details.

2. Learn What Probate Records Contain

Probate packets can include wills, inventories, petitions, guardianships, and letters of administration.

Each one offers different clues—wills reveal heirs, inventories show possessions, and guardianship papers identify who raised minor children.

3. Start with the “Who”

Choose one ancestor who owned property or may have had debts. Write down what you already know: full name, approximate death date, and where they lived.

If you're unsure, begin with the county or state you last found them in on the census.

4. Search Major Online Collections

Check the biggest repositories first:

- FamilySearch Catalog – free, global coverage; search by county and state.
- Ancestry.com – large U.S. collection of indexed wills and probate records.
- MyHeritage – includes court and probate materials for multiple countries.
- USGenWeb Project – volunteer-uploaded abstracts and indexes. Start broad, then narrow by county.

5. Expand to Local and State Repositories

If online searches come up short, call or email – or look for online records from– county courthouses, state archives, or local historical societies. Ask about docket books, index volumes, and how far back their records go. Older estates are often transferred from the courthouse to the state archives.

6. Review What You Find

When you locate a record, look for:

- Names and relationships (spouse, children, in-laws).
- Land descriptions and addresses.
- Signatures or witness names.

Each of these can help confirm identities and build new family links.



7. Build a Probate Research Timeline

Create a simple timeline to help organize your research:

- Start with the ancestor's date and place of death.
- Identify whether probate was filed, look for docketed or indexes.
- List every related record: will, inventory, guardian file, etc.
- Place each record on a timeline with date, type, and repository.
- Add collateral names (witnesses, heirs, executors).
- Overlay this timeline with census and land records for context.
- Highlight gaps in time or location; those are clues for more digging.
- Use this timeline to verify family relationships and estate flow.

8. Learn the Legal Language

Probate files use unfamiliar terms. Keep a glossary handy:

- Executor – person named to manage the estate.
- Relict – widow or widower.
- Issue – descendants.
- Escheat – property reverting to the state when there are no heirs.

Understanding these terms prevents misinterpretation. Find more terms in our full guide to probate records at familyhistorydaily.com.



9. Avoid Common Mistakes

- Don't rely only on indexes—read the full file.
- Don't assume everyone named is family.
- Watch for name changes among women and married daughters.
- Check neighboring counties if boundaries shifted.
- Look for additional estate settlements filed later.

10. Analyze, Record, and Reflect

Take detailed notes on each record you examine.

Ask yourself:

- What relationships were proven or clarified?
- What new names or places appeared?
- How does this information fit with what I already know?

Your notes will guide future searches and help verify your family connections.

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