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FREE GUIDE

CALIFORNIA HOMEOWNERS

How long does probate take in California?

Inherited homes and probate. Plain English, every fact sourced and dated.

INSIDE

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2. Why do people say 9 to 18 months?
3. What waits are built into the law?
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Questions? Talk with Fadi.
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How long does probate take in California?

From Mr. Cash Offer, with Fadi Haweileh, CA DRE #02002344 · Facts checked November 23, 2026 · Online: mrcashoffers.com/guides/how-long-does-probate-take-california/

QUICK ANSWER

California's Courts say: "The entire process typically takes 9 to 18 months and can sometimes take even longer." That's for formal probate. Small estates can skip it, with waits of 40 days or six months.

Nobody can promise a date for your estate. What we can give you are the waits and deadlines written into the law.

At a glance

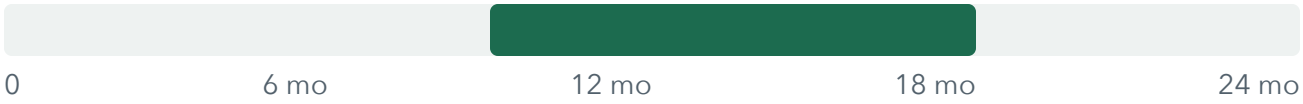
What	Time
Formal probate, per the Courts	9 to 18 months, sometimes longer
First hearing	15 to 30 days after the petition is filed (30 to 45 if the filer asks)
Creditor claims	Later of 4 months after Letters or 60 days after notice
Inventory and appraisal	Within 4 months after Letters
Status report due (not the finish line)	1 year after Letters (18 months with a federal estate tax return)
Small estate affidavit / main-home petition	40 days after the death
Small real property affidavit	Six months after the death

"Letters" is the court paper that gives the executor or administrator legal authority over the estate. Several clocks start the day it's issued.

Why do people say 9 to 18 months?

How long formal probate usually takes

9 to 18 months, per the California Courts, sometimes longer



That's the Courts' own estimate. You'll see other numbers on private websites. We don't use them, because they aren't official.

What waits are built into the law?

The legal clock, from filing to the one-year mark

DAY 0
Petition filed

15 TO 30 DAYS
First hearing
30 to 45 days if the filer asks

AFTER THE HEARING
Letters issued
Most other clocks start here

4 MONTHS AFTER LETTERS
Inventory and appraisal due
Creditor claims: later of 4 months or 60 days after notice

1 YEAR AFTER LETTERS
Ask for final distribution, or file a status report
18 months with a federal estate tax return; not the finish line

Each clock starts at a different point. The hearing is counted from the day the petition is filed. The small-estate waits are counted from the death. The inventory, creditor and closing deadlines are counted from the day Letters are issued.

- **The hearing.** Set for 15 to 30 days after the petition is filed, or 30 to 45 if the filer asks. Notice is also published in a newspaper, starting at least 15 days before.
- **Creditors.** They have until the later of four months after Letters are issued or 60 days after their notice was mailed or delivered.
- **The inventory.** Due within four months after Letters, though the court can allow more time.
- **Selling a house.** If the court gave the representative full authority, a Notice of Proposed Action goes out at least 15 days before the sale. Without it, the court must approve the sale before the house changes hands.

- **One year out.** The representative must ask the court for final distribution, or file a status report, within one year after Letters, or 18 months if a federal estate tax return is required. A status report means the estate isn't done yet; it explains why and estimates how long is left.

Courts usually want a report a year after the representative is appointed.

What can shorten it?

Skipping formal probate, when you qualify. For deaths on or after April 1, 2025:

- Small estate affidavit: $208,850 or less, 40 days after the death (money and personal property, not the house).
- Main-home petition: main California home worth $750,000 or less, 40 days after the death. It's still a court filing (form DE-310), just a shorter one than full probate.
- Small real property affidavit: $69,625 or less in California real estate, six months after the death.
- A surviving spouse may use a spousal property petition.
- Property in a living trust, or in joint tenancy, isn't part of the small-estate count.

Full details are in Probate in California, step by step.

What can stretch it?

The legal minimums add up: notice, the creditor window and the court's schedule. The 18-month closing deadline applies if a federal estate tax return is required. Beyond that, we don't have an official source for what slows a particular estate. A probate attorney can tell you what to expect for yours.

Where does the "six months" idea come from?

People often mix up two waits. Six months is the wait for the small real property affidavit, counted from the death. The creditor period is four months, counted from the day Letters are issued.

What to do this week

1. Find out whether the estate might qualify for a small-estate path.
2. If a will names you as executor, write down the date you learned of the death and that you were named. Plan to file within 30 days of that date, or talk with an attorney before then (see the FAQ below).
3. Ask a probate attorney for a timeline for your estate.
4. Put the dates above on a calendar, each counted from its own starting point: the filing date, the date of death, or the date Letters are issued.

Watch out for

- Counting from the wrong date. The hearing counts from filing, the small-estate waits from the death, and the inventory, creditor and closing deadlines from Letters.
- Relying on private-site averages.
- **Unsolicited offers.** The California Department of Real Estate (DRE) has warned that unsolicited offers to owners are often made "far below market value," and lists promises of "all cash, a quick closing, a hassle-free transaction" among its red flags. A long wait can make a fast offer tempting. Get a professional valuation and have an attorney review any contract first.

Questions people ask

How long do you have to file probate after death?

There's no general deadline to open probate. The law says an interested person may start it "at any time after a decedent's death." The 30 days matter only for a person named as executor in the will. If they don't file within 30 days of learning of the death and that they're named, a court may treat them as having given up the right to serve as executor, unless they show good cause for the delay.

Can I sell the house before probate ends?

Often, yes. How depends on the authority the court gives the representative. See the step-by-step guide.

What if the inventory is late?

The court can allow more time.

Why is it taking longer than a year?

The representative must file a status report explaining why the estate can't close yet and estimating the time needed. Ask the attorney what's holding it up.

Where Mr. Cash Offer fits

Fadi Haweileh is a California real estate salesperson (DRE #02002344) with eXp Realty of Greater Los Angeles, Inc. (DRE #02188471). If you sell to Mr. Cash Offer, the buyer is not your agent and can profit if the house is later resold. If you list with Fadi's team instead, he earns a commission. Either way he's paid. If selling turns out to be the right path, he'll show you a cash offer and what listing would likely net, side by side, and you decide. If it isn't, the steps above still apply. A cash offer is usually below full market value. Before you decide, get a second estimate from an agent who isn't buying.

Start with the first 30 days.

Call Fadi, no pressure: **(909) 731-6884**



Questions about your situation?

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Sources

Checked on November 23, 2026.

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- Probate Code 12201, 13100, 13151, 13200 (same address pattern, change sectionNum)
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This guide explains general California rules. It isn't legal or tax advice.