



OFFICE OF THE TREASURER-TAX COLLECTOR
SHARI L. FREIDENRICH, CPA, CCMT, CPFA, ACPFIM



CLAIMING INSTRUCTIONS FOR DECEASED ESTATES FUNDS HELD IN TRUST

Periodically, the County Treasurer receives monies from estates of deceased persons. Monies received by the County Treasurer under Probate Code Section 11850 will be held for at least one year. Thereafter, monies that remain unclaimed are escheated to the State Controller on a semi-annual basis. Monies received by the County Treasurer under Probate Code Section 7663 that remain unclaimed for over three years are escheated to the County.

To claim monies held under Probate Code Section 11850:

1. Obtain a certified court order that satisfies the requirements of Probate Code section 11854 (see below).
2. Complete and sign the Deceased Estates General Claim Form and have it notarized.
3. Provide the certified copy of the order to the Treasurer-Tax Collector prior to the deadline, (if any) to claim.

To claim monies held under Probate Code Section 7663:

1. Obtain original documents (or true copies of originals) which establish documentary proof of the relationship upon which the claim is founded.
2. Complete and sign the Deceased Estates Claim Form (Probate Code 7663) and have it notarized.
3. Send the claim form and required documentation to the Office of the Treasurer before the deadline to claim.

Mail documents to the following address: County of Orange, Attn: Treasurer-Tax Collector, P.O. Box 4515, Santa Ana, CA 92702-4515. Questions? PropertyClaims@octreasurer.gov

California Probate Code Section 11854: Claim for deposited property; petition; contents; hearing; service on Attorney General; property deposited in State Treasury

(a) A person may claim money on deposit in the county treasury by filing a petition with the court that made the order for distribution. The petition shall show the person's claim or right to the property. Unless the petition is filed by the person named in the decree for distribution of a decedent's estate, or the legal representative of the person or the person's estate, the petition shall state the facts required to be stated in a petition for escheated property filed under Section 1355 of the Code of Civil Procedure. On the filing of the petition, the same proceedings shall be had as are required by that section, except that the hearing shall be ex parte unless the court orders otherwise.

(b) If so ordered by the court, a copy of the petition shall be served on the Attorney General. The Attorney General may answer the petition, at the Attorney General's discretion.

(c) If the court is satisfied that the claimant has a right to the property claimed, the court shall make an order establishing the right. On presentation of a certified copy of the order, the county auditor shall draw a warrant on the county treasurer for the amount of money covered by the order.

(d) A claim for money distributed in the estate of a deceased person made after the deposit of the property in the State Treasury is governed by the provisions of Chapter 3 (commencing with Section 1335) of Title 10 of Part 3 of the Code of Civil Procedure.