

Jurisdiction	Name	Statutory Reference	Qualifications	Method of Selection	Court Structure	Mandatory Retirement Age	Jurisdiction
Alabama	Probate Court	Code of Ala. §12-13-1	In 65 jurisdictions, must be at least 18 years old and a registered voter. In 2 jurisdictions (Jefferson and Mobile Counties), must be a member of the bar.	In each of Alabama's 67 counties, a probate judge is elected by political party to a six-year term of office. Two counties elect two judges instead of one.	A single judge presides.	70 years old.	Probate estates, guardianships of the person and property of minors and adults, conservatorships, partition of property, involuntary commitment to mental institutions, adoption, name changes, establishing and operating water management districts, and eminent domain proceedings. A probate judge serves as the county's chief election official. In three counties (Houston, Pickens, and Shelby), judges who are attorneys have additional jurisdiction.
Connecticut	Probate Court	Conn. Gen. Stat. §45a-98	Must be a member of the bar. May practice law on the side but not estates & trusts law.	In each of Connecticut's 54 "probate districts," a probate judge is elected by political party to a four-year term of office.	A single judge presides.	70 years old.	Probate estate, trusts, guardianships of minors, parentage, terminating parental rights, adoption, emancipation of minors, guardianships of adults, involuntary medical treatment, conservatorships, name changes, quarantine and isolation orders for public health emergencies, removal of life support, restoration of firearms rights, gender change, gravesites, cemetery associations, powers of attorney.
Georgia	Probate Court	O.C.G.A. §15-9-30	Must be at least 25 years old and have a high school diploma or an equivalent. In jurisdictions with a population over 90,000 (29 of 159 counties), must be at least 30 years old, admitted to practice law for at least seven years, and be a member of the bar. May not practice law on the side.	In each of Georgia's 159 counties, a probate judge is elected by political party to a four-year term of office.	A single judge presides.	There is no mandatory retirement age for probate judges.	Probate estates, guardianships of minors, marriage licenses, birth and death certificates, certificates of residence, transfers to minors, involuntary hospitalization and outpatient evaluations, and weapons carry licenses.
Maine	Probate Court	4 M.R.S. §251	Must be a member of the bar. May practice law on the side and engage in political activity.	In each of Maine's 16 counties, a probate judge is elected by political party to a four-year term of office.	A single judge presides.	There is no mandatory retirement age for probate judges.	Probate estates, guardianships of the person and property of minors, trusts, adoption, name change. Maine probate courts have been expressly conferred jurisdiction in equity in all probate and trust cases.
Maryland	Orphans' Court	MD. Estates & Trusts Code Ann. §2-101	In 18 jurisdictions, must be at least 18 years old and a registered voter. In 3 jurisdictions, must be at least 18 years old, a registered voter, and a member of the bar. In 3 jurisdictions, must be at least 30 years old, a registered voter, and a member of the bar.	In 21 jurisdictions, judges are elected by political party to a four-year term of office with no term limits. In 3 jurisdictions, the presiding judges are Circuit Court judges who have been scrutinized by a formal Judicial Nominating Commission, nominated, and appointed by the Governor.	In 18 jurisdictions, a three-judge panel, in 3 jurisdictions a single attorney judge presides, and in 3 jurisdictions a Circuit Court judge presides.	In 21 jurisdictions there is no mandatory retirement age. In 3 jurisdictions there is a mandatory retirement at 70 years old.	Probate estates & guardianships of the person and property of minors. Jurisdiction over guardianships of minors is concurrent with the Circuit Court. In 6 jurisdictions, the court may exercise jurisdiction over the person of a minor, however in the remaining 18 jurisdictions the court may only exercise this jurisdiction if a majority of the three-judge panel is comprised of judges who are members of the bar.
Massachusetts	Probate and Family Court	A.L.M. G.L. Ch. 215 §3	Must be a member of the bar in good standing and have at least 10 years of legal experience and training.	Massachusetts has 59 Probate and Family Court justices in each of its 14 counties. Judges must apply and be recommended by a nominating commission, and are then appointed by the governor with the advice and consent of the Executive Council, also known as the Governor's Council. This is a lifetime appointment.	A single judge presides.	70 years old.	Probate estates, trusts, conservatorships, guardianships of minors and adults, name changes, divorce, paternity, child support, child custody, adoption, termination of parental rights, elder abuse, alimony, annulment, and children requiring assistance.
Michigan	Probate Court	M.C.L. §205.210	Must be a member of the bar and have been licensed to practice law for at least 5 years.	In each of Michigan's 83 counties, judges are elected on a non-partisan basis to a 6-year term of office.	A single judge presides.	70 years old. However, a judge who reaches the age of 70 during their term may complete the term.	Probate estates, guardianships of the person and property of minors and adults, conservatorships, determining legal title of assets, civil admission and discharge proceedings for persons requiring mental health or intellectual disability treatment, enforcement of judgments of claims, and civil actions against fiduciaries.
New York	Surrogate's Court	NY CLS SCPA §§201 & 205	Must be a member of the bar and have been licensed to practice law for at least 10 years.	In all but two of New York's 62 counties, a surrogate is elected by political party to a 10-year term of office. In New York and Kings Counties, two surrogates are elected. In New York County, surrogates serve a 14-year term of office.*	A single judge presides.	70 years old.	Probate estates, guardianships of the person and property of minors and adults, custodians, determining legal title, trusts, and adoption.
Rhode Island	Probate Court	R.I. Gen. Laws §§8-9-9	Must be a member of the bar and be engaged in the active practice of law. In some jurisdictions, there are additional requirements related to how long a prospective judge has been in practice.	In each of Rhode Island's 39 municipalities, a probate judge is nominated or appointed by the mayor and confirmed by the city or town council, generally to two-year terms.	A single judge presides.	There is no mandatory retirement age for probate judges.	Probate estates, guardianships of the person and property of minors and adults, trusts, conservatorships, and adoption of adults.
South Carolina	Probate Court	S.C. Code Ann. §§62-1-301 & 302	Must be at least 21 years old and either have a bachelor's degree or have four years of working experience for a probate judge.	In each of South Carolina's 46 counties, a probate judge is elected by political party to a four-year term of office.	A single judge presides.	There is no mandatory retirement age for probate judges, however all other judges must retire at 72 years old. (See South Carolina Code of Laws, Section 9-8-40).	Probate estates, guardianships of the person and property of minors and adults, trusts, conservatorships, involuntary commitments of adults, and marriage licenses. Concurrent jurisdiction with Circuit Courts over powers of attorney.
Vermont	Probate Court	4 V.S.A. §272	Must be a member of the bar.	In each of Vermont's 14 counties, a probate judge is elected by political party to a four-year term of office. However, in most jurisdictions candidates run as independents or on both party tickets.	A single judge presides.	90 years old.	Probate estates, guardianships of the person and property of minors and adults, trusts, conservatorships, adoption, emancipation, name change, powers of attorney and advance directives, determinations of legal title, cemetery lots, vulnerable non-citizen children, determinations of parentage by assisted reproduction, authorizations to perform marriage, appeals of state registrar's decisions regarding amended birth and death certificates,

Notes:

11 states provide jurisdiction over probate with specialized probate courts.

39 states and the District of Columbia provide jurisdiction over probate with courts of general jurisdiction.

Four of these 39 states use courts of general jurisdiction have carve-outs for specific counties or geographic areas: Colorado (Denver only), Indiana (St. Joseph County only), Missouri (Green, Jackson, & St. Louis Counties only), and Texas (urban areas only).

Sources:

"National Probate Court Standards," published by the National College of Probate Judges. See page 54 of the Task Force Report, Task Force to Study the Maryland Orphans' Courts, December 13, 2021. (<https://msa.maryland.gov/megafile/msa/speccol/sc5300/sc5338/000113/025500/025553/20220322e.pdf>)

* "Judicial Selection Methods in the State of New York," published by the Council on Judicial Administration, New York City Bar, March 2014. (<https://www2.nycbar.org/pdf/report/uploads/20072672-GuidetoJudicialSelectionMethodsInNewYork.pdf>).

Alaska	Superior Court
Arizona	Superior Court
Arkansas	Circuit Court
California	Superior Court
Colorado	District Court
Delaware	Chancery Court
District of Columbia	Superior Court
Florida	Circuit Court
Hawaii	Circuit Court
Idaho	District Court
Illinois	Circuit Court
Indiana	Superior Court
Iowa	District Court
Kansas	District Court
Kentucky	District Court
Louisiana	District Court
Minnesota	District Court
Mississippi	Chancery Court
Missouri	District Court
Montana	District Court
Nebraska	County Court
Nevada	District Court
New Hampshire	Circuit Court
New Jersey	Superior Court
New Mexico	District Court*
North Carolina	Superior Court

North Dakota	District Court
Ohio	Court of Common Pleas
Oklahoma	District Court
Oregon	Circuit Court
Pennsylvania	Court of Common Pleas
South Dakota	Circuit Court
Tennessee	Chancery Court
Texas	County Court
Utah	District Court
Virginia	Circuit Court
Washington	Superior Court
West Virginia	Circuit Court
Wisconsin	Circuit Court
Wyoming	District Court

* In New Mexico, each of its 33 counties has an elected part-time probate judge who is not required to be a member of the bar. However, small estates (up to \$50,000) do not require formal probate proceedings, and the probate court only presides over probate estates with no controversy. All contested estates are overseen and adjudicated by District Court judges.