

States Where Separate Probate Courts Handle Wills and Estates

State	Name	Website	Main Statute	Athy Required	Term	Attempts to Abolish	Wills and Estates	Trusts	Guardianship Property	Guardianship Person	Health Commitments	Other
Alabama	Probate		Individual Title 12 - Courts Ch	Varies	Elected 6 yrs	2009 HB123	https://alison.lx	x	x	x	x	Adoption
Connecticut	Probate	https://wv	Title 45a - Probate	Yes	Elected 4 yrs			x	x	x		Termination of Parental Rights
Georgia	Probate	https://gc	Title 15 Courts Ch 5	Varies	Elected 4 yrs			x	x	x		Marriage and Gun Licences and Natural Resource Misdemeanors
Maine	Probate	https://wv	Title 4: Judiciary Ct	Yes	Elected 4 yrs	2020 HP 478	https://legislat	x	x	x		Adoption
Maryland	Orphans	https://wv	Estates and Trusts T	Varies	Elected 4 yrs			x	x*	x*		* Only for children
Michigan	Probate		Individual MI Comp L § 700.1	Yes	Elected 6 yrs			x	x	x		
New York	Surrogate	https://wv	Surrogate's Court	Yes	Elected 4 yrs			x	x			
New Mexico	Probate	https://nn	Article VI - Judicial No		Elected 4 yrs			x				Contested cases to district court
Rhode Island	Probate		Individual Title 8 - Courts and	Yes	Appointed municipality			x				Name change, adult adoption
South Carolina	Probate	https://wv	§ 23.Probate court No		Elected 4 yrs			x	x	x		Marriage license
Total Number	10		Attorney Required	3								

Notes

Georgia: Probate judges in counties with less than 96,000 population do NOT have to be attorneys
 Maryland: Attorney status required in Baltimore County, Baltimore City and Prince George's County

States Where Courts of General Jurisdiction Handle Wills and Estates

State	Name	Website	Main Statute	Separate Probate Division	Name
Alaska	Superior Co	https://cc	Title 22 Chapter 10		
Arizona	Superior Co	https://wv	Title 12 § 12-122		
Arkansas	Circuit Cour	https://ar	Title 28 Chapter 1		
California	Superior Co	https://se	Probate Code § 7C	Yes	Probate Division
Colorado	District Cour	https://wv	Article 6 Section 9		
Delaware	Court of Ch	https://cc	Article 4 Section 32		
District of Columbia	Superior Co	https://wv	Title 11	Yes	Office of the Audit Master
Florida	Circuit Cour	https://wv	Title V Chapter 26	Yes	Probate Division
Hawaii	Circuit Cour	https://wv	Title 32 603 Circuit Courts		
Idaho	District Cou	https://isc	Title 1 Chapter 1	Yes	Magistrate Division
Illinois	Circuit Cour	https://wv	Chapter 705	Yes	Probate Division
Indiana	Superior Co	https://wv	Title 33 Article 33	Yes	Some counties have probate division and/or probate magistrates
Iowa	District Cou	https://wv	Chapter 633 Section 10		
Kansas	District Cou	https://ks	Chapter 29 Article 2		
Kentucky	District Cou	https://wv	Chapter 24A 120		
Louisiana	District Cou	https://pc	Procedure Art.		
Massachusetts	Superior Co	https://wv	Part III - Courts, Jux	Yes	Department
Minnesota	District Cou	https://wv	Chapter 484		
Mississippi	Chancery C	https://cc	Title 9 Chapter 5		
Missouri	Circuit Cour	https://wv	Title XXXII Chaptle	Yes	Probate Division
Montana	District Cou	https://cc	Title 3 Chapter 5 Part 3		
Nebraska	County Col	https://ne	Chapter 24		
Nevada	District Cou	https://nv	Chapter 136		
New Hampshire	Circuit Cour	https://www.courts.nh.gov/c		Yes	Probate Division
New Jersey	Superior Co	https://lib	Title 3B Section 3B:2-2 - General authority of Superior Court as to probate matters		
North Carolina	Superior Co	https://wv	Chapter 28A Article 2 - Jurisdiction for Probate of Wills		
North Dakota	District Cour	https://wv	Title 30.1		
Ohio	Court of Co	https://17	Title 21	Yes	Probate Division
Oklahoma	District Cou	https://ok	Title 58. Probate Pr	Yes	Probate Division
Oregon	Circuit Cour	https://wv	Volume 3 Chapter 5		Division
Pennsylvania	Court of Co	https://wv	Title 20 Chapter 7		
South Dakota	Circuit Cour	https://wv	Title 16 Chapter 6		
Utah	District Cou	https://wv	Article XXIV Section 9		
Vermont	Superior Co	https://wv	Title 14 Chapter 5	Yes	Probate Division
Virginia	Circuit Cour	https://wv	Title 64.2		
Washington	Superior Co	https://wv	Title 2 Chapter 2.08		
West Virginia	Circuit Cour	https://wv	Chapter 41 Article 5		
Wisconsin	Circuit Cour	https://wv	Chapter 851		
Wyoming	District Cou	https://wv	Title 2 Chapter 2		
Total Number	39			13	

Combination

Texas These states have both types of courts. For example, in Texas counties with smaller populations, probate matters are handled by courts of general jurisdiction, and larger counties have separate probate courts. The opposite is true for Tennessee

Total Number 2

Orphans' Court Judges in Maryland by County

County	Number of Judges	# Atty Judges	Case Heard By	Attorney Required Y/N
Allegany	3	1	Panel	No
Anne Arundel	3	2	Panel	No
Baltimore	3	n/a	Individual	Yes
Baltimore City	3	n/a	Individual	Yes
Calvert	3	2	Panel	No
Caroline	3	0	Panel	No
Carroll	3	1	Panel	No
Cecil	3	0	Panel	No
Charles	3	0	Panel	No
Dorchester	3	0	Panel	No
Frederick	3	1	Panel	No
Garrett	3	1	Panel	No
Harford	Circuit Court	n/a	Judge	Yes
Howard	Circuit Court	n/a	Judge	Yes
Kent	3	0	Panel	No
Montgomery	Circuit Court	n/a	Judge	Yes
Prince George's	3	n/a	Individual	Yes
Queen Anne's	3	0	Panel	No
Somerset	3	0	Panel	No
St. Mary's	3	0	Panel	No
Talbot	3	1	Panel	No
Washington	3	0	Panel	No
Wicomico	3	0	Panel	No
Worcester	3	1	Panel	No
	63	10		