

  
Councilmember Charles Allen

  
Councilmember Brooke Pinto

1 A BILL  
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6 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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11 To amend, on an emergency basis, Chapter 3 of Title 20 of the District of Columbia Official  
12 Code to amend the definition of abbreviated probate, to authorize the Register of Wills to  
13 refer proceedings to the Court to determine if one or more personal representatives  
14 should be appointed and the will be admitted to probate, and to strike the reference to will  
15 admission in transfers by affidavit; to amend the Strengthening Probate Amendment Act  
16 of 2024 to clarify that the act applies to estates for whom the decedent died on or after  
17 March 21, 2025; and to allow for notice of request for formal probate, notice from a  
18 foreign personal representative of a decedent who owned any property located in the  
19 District of Columbia, and notice of appointment to interested persons, creditors, and  
20 unknown heirs in a legal periodical or newspaper of general circulation in the District.  
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22 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
23 act may be cited as the “Strengthening Probate Administration Emergency Amendment Act of  
24 2026”.

25 Sec. 2. Chapter 3 of Title 20 of the District of Columbia Official Code is amended as  
26 follows:

27 (a) Section 20-311 is amended to read as follows:

28 “§ 20-311. Nature of proceeding.

29 “(a) An abbreviated probate proceeding is a proceeding for probate of a will or a  
30 determination of a decedent’s intestacy and for the appointment of a personal representative.

31 This proceeding is instituted when an interested person files a petition for an abbreviated probate

32 proceeding with the Court in accordance with the provisions of § 20-304. This proceeding may  
33 be conducted without the prior notice required for formal probate under § 20-323.

34 “(b) The finality of abbreviated probate shall be governed by § 20-331.”.

35 (b) Section 20-312 is amended to read as follows:

36 “§ 20-312. Action on petition.

37 “(a) *General.* — Upon a request for abbreviated probate filed in accordance § 20-304, the  
38 Court or the Register of Wills shall appoint one or more personal representatives, except as  
39 provided in § 20-322. The appointment of a personal representative shall constitute an Order for  
40 unsupervised administration, unless the Order specifically provides for supervised administration  
41 as provided in § 20-402. In no event, however, shall the appointment of a personal representative  
42 be delayed pending the Court’s decision with regard to whether the administration will be  
43 supervised or unsupervised.

44 “(b) *Wills.* — In the case of a petition to admit a will to abbreviated probate, due  
45 execution of the will shall be presumed and the Court or the Register of Wills may admit a will  
46 to probate either: (1) if the will appears to have been duly executed and contains a recital by  
47 attesting witnesses of facts constituting due execution; or (2) upon the verified statement of any  
48 person with personal knowledge of the circumstances of execution, whether or not the person  
49 was in fact an attesting witness, reciting facts showing due execution of the will.

50 “(c) *Additional Proof.* — The Register of Wills may require additional verified proof,  
51 which shall be filed in the proceeding. If the Register of Wills requires additional proof, the

52 matter may be referred to the Court to determine if one or more personal representatives shall be  
53 appointed and whether the will should be admitted to probate.”.

54 (c) Section 20-323(a) is amended by striking the phrase “legal periodical of general  
55 circulation in the District” and inserting the phrase “legal periodical or newspaper of general  
56 circulation in the District” in its place.

57 (d) Section 20-343(a) is amended by striking the phrase “legal periodical of general  
58 circulation in the District” and inserting the phrase “legal periodical or newspaper of general  
59 circulation in the District” in its place.

60 (e) Section 20-361(a)(4) is repealed.

61 (f) Section 20-704(a) is amended by striking the phrase “legal periodical of general  
62 circulation in the District” and inserting the phrase “legal periodical or newspaper of general  
63 circulation in the District” in its place.

64 Sec. 3. Section 7 of the Strengthening Probate Administration Amendment Act of 2024,  
65 effective March 21, 2025 (D.C. Law 25-302; 72 DCR 780), is amended by adding a new  
66 subsection (d) to read as follows:

67 “(d) This act shall apply to estates of decedents who died on or after March 21, 2025.”.

68 Sec. 4. Applicability.

69 This act shall apply as of May 14, 2026.

70 Sec. 5. Fiscal impact statement.

71           The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact  
72 statement required by section 4a of the General Legislative Procedures Act of 1975, approved  
73 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

74           Sec. 6. Effective date.

75           This act shall take effect following approval by the Mayor (or in the event of veto by the  
76 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than  
77 90 days, as provided for emergency acts of the Council of the District of Columbia in section  
78 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
79 D.C. Official Code § 1-204.12(a)).