



King County Law Library

HOW TO GET A WILL OUT OF A SAFE DEPOSIT BOX

In King County

These instructions are for informational purposes only and do not constitute legal advice. If you do not understand this information, please contact an attorney.

If your specific situation is beyond the scope of this packet, please contact an attorney.

About this packet:

If someone who has died left their Will in a safe deposit box and the bank will not allow you to open the box to retrieve the Will, then you may request a court order to allow you to open the box to get the Will.

Washington law requires any person who possesses a Will of someone who has died to either:

- deliver the Will to the person named as the Personal Representative (sometimes called the “executor”); or
- file the Will with the Superior Court Clerk in the county the Decedent was a resident of when the Decedent died.

If you are in possession of a Will and are not the Personal Representative, then you must file it with the Superior Court Clerk or deliver it to the Personal Representative within 30 days of learning of the Decedent’s death.

If you are in possession of a Will and are the Personal Representative, then you must file it with the Superior Court Clerk within 40 days of learning of the Decedent’s death.

The instructions and forms in this packet may help with the following:

- Requesting a court order to make a bank open a safe deposit box so that you can retrieve a Will

Forms included in this packet:

- A - Petition for Order to Open Safe Deposit Box and Release Will
- B - Order Directing Bank to Open Safe Deposit Box and Release Will
- C - King County Superior Court Clerk's Coversheet for Probate
- D - King County Superior Court Clerk's Ex Parte Cover Sheet

WARNING

- **DO YOU NEED TO OPEN PROBATE IN THE FUTURE?** If the only action you will take is to file the Will, it must be filed in the county where the Decedent was a resident. If you are going to start probate, then the Will may be filed in any county in Washington.