

Types of Cases – Probate Cases

Probate cases involve cases wherein the party at issue cannot represent his or her own interests in a court case, either because the party is a minor child, is incompetent, incapacitated or no longer alive. The [Alaska Rules of Probate Procedure](#) cover a broad range of legal actions. Below are some of the most commonly filed actions.

Alcohol and Drug Commitment. An action to ask the court to commit a person for the treatment of alcohol or drug abuse against his or her will.

Approval of Minor Settlement. A conservatorship action filed to ask the court to approve a settlement of pending or potential lawsuits involving monetary awards to minor children. Court approval of the settlement is required because the minor has no legal power to sign a release or approve the settlement. [Probate Rule 17\(g\)](#) and [Civil Rule 90.2](#). A request for approval of a minor settlement may be filed as a general civil action under [Civil Rule 90.2](#).

Conservatorship. An action to ask the court to declare an individual unable to take care of legal and/or financial matters and to appoint another individual, known as a conservator, to do so.

Court Authorization of Emergency Life-saving Medical Services. An action that is filed to ask the court to authorize emergency life-saving services for an incapacitated person under specific circumstances.

Estate. A legal proceeding to determine the disposition of all the property (real and personal) and debt that a person owns at death.

Guardianship. An action to ask the court to declare that an individual lacks the ability to provide or arrange for the essential requirements for his or her physical health and to appoint another individual, known as a guardian, to make decisions about housing, medical care, legal issues, and services for the individual.

Involuntary Mental Commitment. An action to ask the court to involuntarily commit a person to a mental health care facility because the person is believed to be mentally ill and as a result of the mental illness, is gravely disabled or likely to cause serious harm to self or others.

Trust Registration. An action to register a [trust](#) with the court.

Voluntary Admission of Minor to Mental Health Care Facility. An action in which the court, upon notification from a treatment facility of the voluntary commitment of a minor to a mental health care facility, appoints a [guardian ad litem](#) (GAL) to monitor the best interests of the minor. If the GAL finds that placement in the facility is not appropriate, the GAL may request the court to appoint an attorney to represent the minor.

Will Deposit. A “will deposit” case is created when a person deposits his or her will with the court for safekeeping.

