

Fairfax Circuit Court Clerk's Office
Probate Division
4110 Chain Bridge Road, Suite 401
Fairfax, VA 22030
703-246-4153

Filing an Appeal of a Probate Clerk's Order

Appeals of a probate clerk's order are filed in the Probate Division of the Circuit Court Clerk's Office. The Probate Division is located in Suite 401, on the fourth floor of the Fairfax County Courthouse.

1. File the appeal in the Probate Division.
 - a. There is no filing fee for filing an appeal.
2. The probate clerk will prepare an order allowing the appeal and directing the appellant to:
 - a. Appear at the next Civil Term Day.
 - b. File a Certificate of Service which notifies all interested parties that the case will appear on the Civil Term Day Docket to set a hearing date regarding the appeal.
3. The clerk's office will send the appellant or appellant's attorney a certified copy of the order, along with a letter of explanation.
4. All documents are filed in the Probate Division and are kept in the fiduciary file unless the court enters an order transferring the matter to a civil action file. If the matter is transferred to a civil action file, the filing fees are waived.
5. Failure to appear for Civil Term Day will result in the matter being referred to the court for further action, which may include the issuance of a Rule to Show Cause for your failure to appear and/or the dismissal of your appeal.
6. The clerk will record the appeal and the order allowing the appeal in the Will Book.
7. The clerk will mail a copy of the appeal and order allowing the appeal to the fiduciary.
8. The clerk will send a copy of the appeal and order allowing the appeal to the Commissioner of Accounts.