

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

**Procedure for Filing an Exception to a Personal
Representative's Accounting or a Commissioner of
Accounts' Report**

Exceptions to a fiduciary's accounting and/or a Commissioner of Accounts' report 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. The Probate Division is open from 8:00 a.m. – 4:00 p.m., Monday through Friday.

1. File the exception to the fiduciary's accounting or Commissioner of Accounts' report in the Probate Division. There is no filing fee for filing an exception.
2. Enclose a copy of the exception and a self-addressed stamped envelope if you want a file-stamped copy of the exception returned to you.
3. A probate clerk will pull the document in question.
4. Sixteen days after the document was received from the Commissioner of Accounts, the exception, accounting/report and fiduciary file will be forwarded to the Court for review.
 - a. If the accounting/report was admitted to record prior to the filing of the exception, the exception, accounting/report and fiduciary file will be immediately forwarded to the Court for review.
5. The Court will enter an order with instructions on how the movant and/or clerk's office should proceed. There are three possible outcomes:
 - a. The Court confirms the accounting/report. The clerk will be directed to record the document in the Will Book and no further action will be taken.
 - b. The Court orders the clerk to return the document to the Commissioner of Accounts for further review.
 - c. The Court orders the movant to appear at the next Civil Term Day and further orders the movant to 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 exception.
6. The clerk's office will send the movant or movant's attorney a certified copy of the order, along with a letter of explanation.

7. 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.
8. Failure to comply with the Court's order will result in the Court's issuance of a show cause order to the movant as to why the document in question should not be admitted to record, as approved by the Commissioner of Accounts.
9. If the time has passed allowing the filing of an exception, the Court's order will indicate the same and state that no further action is needed.