

DECEASED ESTATE ISSUE CHECKLISTS

The following checklists are used by the Probate Division of Greene County and must be complied with before hearings can be set or letters issued.

APPLICATION TO REQUIRE ADMINISTRATION CHECKLIST

- Filing fee in the amount of \$300.00
- Copy of death certificate – eFile as separate document
- Address, date of birth, and Social Security number of all parties
- The Petition needs to comply with the requirements of Sec. 473.020.2

PROBATE OF WILL CHECKLIST

- Filing fee in the amount of \$73.50
- Original will – to be filed after eFiled copy has been submitted
- Application for Probate of Will
- Copy of death certificate – eFile as separate document
- Filing information, including address, date of birth and Social Security number of all parties
- Request that petition be set for hearing if original will is lost
- Testimony of witnesses to will, if not self-proving
- Provide names and addresses of witnesses, if a Commission is required to prove up the will

FULL ESTATE CHECKLIST (INTESTATE)

- Filing fee in the amount of \$300.00
- Filing Information including address, date of birth and Social Security number of all parties
- Application for Letters of Administration
- Copy of death certificate – eFile as separate document
- Corporate surety bond in the minimum amount of \$10,000.00 or in the amount of the personal property
- Complete names, addresses and relationship of all heirs (family tree may be requested)
- Indication as to whether independent or supervised administration is requested
- If independent is requested, need consents from all the heirs and a statement by the proposed Personal Representative and Attorney that the estate can be closed in one year; otherwise, default to supervised
- Renunciations of all persons entitled to act as Personal Representative or request that the application be set for hearing

- A designation of resident agent by a non-resident Personal Representative and acceptance of the designated agent

FULL ESTATE CHECKLIST (TESTATE)

- Filing fee in the amount of \$300.00
- Copy of death certificate – eFile as separate document
- If Personal Representative named in the will is applying and bond is waived in the will, then no bond will be required; if not, a \$10,000.00 minimum corporate surety bond is required
- Filing Information, including address, date of birth and Social Security number of all parties
- Application for Letters Testamentary listing complete names, addresses and relationship of all the heirs and legatees with explanation if names do not match the will, be sure all information on the application matches the data entered for the parties
- Indication as to whether independent or supervised administration is requested
- Consents for independent administration from legatees if not allowed in the will
- A statement from the Personal Representative and Attorney that the estate will be closed in one year, if independent administration is requested
- Refusal to act from named Personal Representative if they are refusing to serve
- Renunciations of personal entitled to act as Personal Representative, or request that the Application for Letters be set for hearing if applicant is not the Personal Representative named in the will
- A designation of resident agent by a non-resident Personal Representative and acceptance of the designated agent
- Application for Probate of Will and eFiled copy of will; file original will with Court after eFiling is submitted
- Testimony of witnesses to will, if not self-proving
- Provide names and addresses of witnesses, if a Commission is required to prove up the will

DETERMINATION OF HEIRSHIP

- Filing fee in the amount of \$300.00
- Filing Information, including address, date of birth, Social Security number of all parties
- Copy of death certificate – eFile as separate document
- Petition with complete names, addresses and relationship of all heirs and complying with requirements of Sec. 473.663.1
- Proposed order for Hearing, Notice of Hearing and Decree of Determination of Heirship

REFUSAL OF LETTERS CHECKLIST

- Filing fee in the amount of \$73.50
- Filing Information, including address, date of birth and Social Security number of all parties
- Copy of death certificate – eFile as separate document
- For Creditor’s Refusal, copy of funeral bill marked paid in full and receipt or cancelled check in the name of the creditor; if assets are greater than creditor’s bill, need a Creditor’s Bond in the amount of the assets
- Copy of bank statement, car title, etc. to document title to assets
- For Spouse’s Refusal greater than \$15,000, may request copy of tax return

AFFIDAVIT FOR COLLECTION OF SMALL ESTATE CHECKLIST

- Filing fee in the amount of \$73.50 without will + \$55.00 publication, if required
- Filing fee in the amount of \$108.50 with will + \$55.00 publication, if required
- Filing Information, including address, date of birth and Social Security number of all parties
- Copy of death certificate – eFile as separate document
- If real estate is involved, need a complete legal description and address of the property and a “drive-by” appraisal; filing of MO HealthNet Release is suggested, but not required
- Bond of Distributee if no will or if bond is not waived in the will
- Signature of the affiant must be notarized
- If a will is being admitted with the Small Estate, eFile a copy with the Small Estate Affidavit and Application to Admit Will, then file the original will with the Court