



## SMALL ESTATE PROCEEDING

The Small Estate Proceeding allows for the transfer of the Decedent's personal property with a value less than **\$45,000.00**. This cannot be used if the Decedent owns any interest in real property. **The Affidavit for Collection of Personal Property Pursuant to Small Estate Proceeding cannot be filed until 30 days after the Decedent's date of death.** If the Decedent has a Will, you must file the original with the Court along with the Application for Probate (form 300ES).

Mail the following items to the Chester County Probate Court:

- Original Will with Application for Probate (form 300ES – Filing Fee of \$10.00);
- Completed, signed, and **notarized** Affidavit for Collection of Personal Property (Form 420PC);
- Picture ID of the Small Estate Affiant;
- Proof of assets in the Decedent's name - copies of bank statements, refund checks, vehicle titles, letter from unclaimed funds;
- Appropriate filing fees (**payment by check or money order only, please have the check or money order payable to the Chester County Probate Court** – see schedule below);
- Certified copy of the Death Certificate;
- Funeral Home Program or Copy of the Newspaper Obituary
- Itemized Funeral Bill or Statement and proof of payment; and,
- Affidavit of Reimbursement for Funeral Bill (REQUIRES NOTARY PUBLIC).

**\*Please note that if you are filing the Small Estate and you did not pay the funeral expenses for the Decedent, you must have the person who paid the bill complete the Affidavit for Reimbursement\* See attached.**

**Complete mailing addresses are needed for all persons listed on the Affidavit.**

<u>Value of Estate Property</u>	<u>Probate Fees</u>
➤ \$100.00 - \$4,999.99	\$25.00
➤ \$5,000.00 - \$19,999.99	\$45.00
➤ \$20,000.00 - \$45,000.00	\$67.50

**Chester County Probate Court, Post Office Drawer 580, Chester, SC 29706  
803-385-2604**



STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF: CHESTER )  
 )  
 IN THE MATTER OF: )  
 )  
 \_\_\_\_\_ )  
 (Decedent)

IN THE PROBATE COURT

**AFFIDAVIT FOR COLLECTION OF PERSONAL PROPERTY  
 PURSUANT TO SMALL ESTATE PROCEEDING**

CASE NUMBER: \_\_\_\_\_

The undersigned states as follows:

1. Decedent's Information:

Full Name  
 (include all known names): \_\_\_\_\_  
 Date of Birth: \_\_\_\_\_  
 Date of Death: \_\_\_\_\_  
 Age at date of Death: \_\_\_\_\_

2.  Decedent was domiciled in this County at date of death:  
 Address: \_\_\_\_\_ County \_\_\_\_\_ State: South Carolina.  
 Decedent was **not** domiciled in **South Carolina**, but property of Decedent was located in this County  
 at date of death at:  
 Address: \_\_\_\_\_ County \_\_\_\_\_ State: South Carolina.

If the above address is the address of a nursing home, prison, or other residential facility, please give the last  
 address of the Decedent prior to entering a facility: \_\_\_\_\_.

3. More than thirty (30) days have passed since the Decedent's death.
4. No Application or Petition for the appointment of a Personal Representative is pending or has been granted in any  
 jurisdiction.
5. This affidavit is pursuant to SCPC 62-3-1201. The successor(s) named herein is/are entitled to the payment of any  
 sums of money due and owing to the Decedent, and to the delivery of all probate tangible personal property belonging to  
 the Decedent and in the possession of another, and to the delivery of all instruments evidencing a debt, obligation, stock,  
 or chose in action belonging to the Decedent in the following proportions. Names and addresses of the Decedent's  
 successors (Example: heirs or devisees) are:

Name of Successor(s)	Year of Birth	Address	Relationship	Percentage Interest/ Amount

(\*For this purpose, successors include any person(s) who has/have paid reasonable funeral expenses;  
 attach proof of payment.)

6. The value of the entire probate estate wherever located, less liens and encumbrances, does not exceed Twenty-Five Thousand Dollars (\$25,000.00) and does not include any interest in real property as indicated below:

Bank account	\$	Bank Name:	Type of Account:	
Stock	\$	Company Name:	# of shares:	
Unclaimed Property	\$	From:		
Motor Vehicle :	\$	VIN:	YR/MAKE:	MODEL:
Mobile Home:	\$	VIN:	YR/MAKE:	MODEL:
Boat/Motor/Trailer:	\$	VIN:	YR/MAKE:	MODEL:
Life Insurance to estate:	\$	Company Name:		
Other Property (specify):	\$			

LIENS/ENCUMBRANCES against above assets: \$ \_\_\_\_\_

See attached sheet for additional assets/ encumbrances (check if applicable)

**VERIFICATION**

The undersigned, being sworn, states: That the facts set forth in the foregoing statements are true to the best of the undersigned's knowledge, information and belief; and the undersigned hereby submits to the Court's jurisdiction in this matter.

SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

Signature: \_\_\_\_\_  
 Print Name: \_\_\_\_\_  
 Address: \_\_\_\_\_

\_\_\_\_\_  
 Notary Public for South Carolina  
 My Commission Expires: \_\_\_\_\_

Telephone (work) \_\_\_\_\_  
 (Home): \_\_\_\_\_  
 (Cell): \_\_\_\_\_  
 Email: \_\_\_\_\_

Relationship to Decedent/Estate: \_\_\_\_\_

**ORDER FOR PAYMENT OR DELIVERY**

It appears from the foregoing affidavit, the original of which is on file with the Probate Court of this county, that payment or delivery of the property described herein should be made as follows:

IT IS ORDERED THAT

Upon issuance of this Order, this matter is hereby closed.  
 IT IS SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
 TERRI B. ZION, Probate Court Judge

**Note: No person who may act in reliance on this affidavit shall incur any liability to the estate of the Decedent.**