

CHECKLIST

SUMMARY RELEASE WITHOUT WILL

Initial Filing Fee:

Base Court Costs: \$88.00; an Application for Certificate of Transfer (Real Estate) is an additional \$10.00

Requirements:

Filed in the Probate Court in the County where the decedent resided at time of death.

A Summary Release from Administration may only be used in one of the following situations:

1. (a) The applicant is the surviving spouse and is entitled to 100% of the family allowance [i.e. there are no minor children of the decedent who are not also children of the surviving spouse], (b) the funeral (and burial) expenses have been prepaid or the surviving spouse has paid or is obligated in writing to pay the decedent's funeral expenses, and (c) the value of the decedent's assets do not exceed \$40,000, plus the lesser of \$5,000 and the decedent's funeral expenses paid or owed by the spouse; **OR**
2. The applicant who is not the surviving spouse, has paid, or is obligated in writing to pay, the decedent's funeral (and burial) expenses and the value of the decedent's assets is the lesser of (a) \$5,000 or (b) the amount of decedent's funeral expenses.

E-Filing Process:

When the following documents are accepted by the Court and approved the Entry Granting Summary Release from Administration will be mailed to the Applicant.

Checklist:

Application for Summary Release from Administration (Form 5.10)

(The Application must be signed in the presence of either a Notary Public or a Deputy Clerk of this Court)

Surviving Spouse, Children, Next of Kin, Legatees and Devisees (Form 1.0)

Proposed Entry Granting Summary Release from Administration (Form 5.11)

Funeral Bill – which indicates who paid the funeral expenses or obligated in writing to pay them

Medicaid Recovery Acknowledgment (DCPC Form 7.1A) (Required in every estate without an attorney)

Copies of documentation establishing the value of ALL assets listed on application.

Copy of Marriage Abstract, if filing as the Surviving Spouse

Copy of Picture ID of the applicant

Copy of Death Certificate – with the social security number redacted

Copy of Auto Title (if automobile is being transferred)

If Real Estate is being transferred:

Application for Certificate of Transfer (Form 12.0)

Certificate of Transfer (Form 12.1)

(If property is located in Delaware County, must have approval stamp of the County Engineer's Map Department prior to filing)

Verification of Valuation

Note: For dates of death prior to January 1, 2013, an estate tax Form ET 22 is required.