

Georgia No-Administration Petition Checklist (GPCSF 9)

Seven steps from checking for a will to the recorded order, under O.C.G.A. 53-2-40

Work through these steps in order. Section numbers refer to the Official Code of Georgia Annotated. Full guide and sources: clearlegaltips.com/georgia-small-estate-affidavit/

1. CONFIRM THE PETITION FITS (53-2-40(a))

- ☐ The person died without a will (intestate).
- ☐ No personal representative has been appointed in Georgia.

County where the decedent lived (file here; if not a Georgia resident, the county where Georgia real estate is located): _____

2. LIST THE HEIRS

- ☐ Listed every heir with name, age or majority status, address and relationship (GPCSF 9 paragraph 3).
- ☐ Added facts that rule out other heirs of the same or closer degree (GPCSF 9 paragraph 4; 53-2-1).

Heir / relationship / age or over 18: _____

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Heir who has died since the decedent, with the name of their personal representative (53-2-40(c)): _____

3. DESCRIBE THE PROPERTY

- ☐ Personal property listed with account numbers, vehicle ID numbers and similar identifiers (paragraph 5).
- ☐ Real property listed with full legal description and street address (paragraph 6).

Real estate located in county or counties: _____

4. DEBTS (paragraph 7)

- ☐ Estate owes no debts, or
- ☐ Only a security deed: holder consented in writing or will be served, or
- ☐ Only creditors who consented in writing, or
- ☐ Creditors who have not consented are listed with full addresses and will be served.

Creditor / address / consented (Y/N): _____

Creditor / address / consented (Y/N): _____

5. HEIRS' AGREEMENT (53-2-40(b))

- ☐ Every heir agreed to the same division in one written agreement.

- ☐ Original signatures of all heirs, attested to by a probate court clerk or a notary public.
- ☐ Agreement attached to the petition; the legal description is specific enough to pass title (GPCSF 9 instruction 6).
- ☐ Any heir not able to act alone is represented by a guardian; asked the clerk whether a guardian ad litem is needed.

6. FILE

- ☐ Filed GPCSF 9 with the probate court, with the signed agreement.

Filing fee paid (ask the clerk what it is): _____

Estate number and date filed: _____

- ☐ Asked the clerk who prepares and delivers any citation or notice (GPCSF 9 instruction 11).

7. AFTER THE ORDER

Date the order was entered: _____

- ☐ If the estate owned real estate, confirmed the court filed a certified copy of the order in the deed records of each Georgia county where the person owned land, within 30 days (53-2-40(d)).
- ☐ Kept a certified copy of the order and transferred property as the heirs agreed.

INSTRUCTIONS FOR USE

Steps checked in October 2026 against O.C.G.A. 53-2-1, 53-2-40 and 53-2-41 and the Council of Probate Court Judges' recommended form GPCSF 9 (effective 7/2021). This checklist is general information, not legal advice; court procedures and fees vary by county. Confirm details with the probate court clerk and consult a licensed Georgia attorney about your situation. Companion guide: clearlegaltips.com/georgia-small-estate-affidavit/