

Indiana Small Estate Worksheet (2026)

Test the estate against the \$100,000 limit and pick the right route under IC 29-1-8-1 and 29-1-8-3

Indiana measures the gross probate estate, wherever located, after subtracting liens, encumbrances and reasonable funeral expenses (IC 29-1-8-1(b)(1)). The limit depends on the date of death, and the personal property affidavit is available 45 days after the death. Use this worksheet before you sign anything. Full guide and sources: clearlegaltips.com/indiana-small-estate-affidavit/

Step 1: Which limit applies?

Date of death	Limit
Before July 1, 2006	\$25,000
July 1, 2006 through June 30, 2022	\$50,000
After June 30, 2022	\$100,000

Date of death: _____

Limit from the table above (\$): _____

Step 2: List the probate assets

The Indiana Code defines the probate estate as property that passes at death under the will or, with no will, under Indiana's intestacy law (IC 29-1-1-3). If you are not sure whether an account or asset passes that way, ask the holder or the county clerk, or talk to an attorney, before you count it or leave it out.

Asset	Held by (bank, broker, BMV)	Value (\$)	Lien or loan on it (\$)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 3: The math

A. Total value of all probate assets (\$): _____

B. Total liens and encumbrances (\$): _____

C. Reasonable funeral expenses (\$): _____

D. Net estate = A minus B minus C (\$): _____

☐ Line D is at or below the limit in Step 1, so the personal property affidavit under IC 29-1-8-1 can be used.

☐ Line D is over the limit. Consider regular Indiana administration instead.

Step 4: Routes for special assets

☐ Car, truck or boat: the BMV can retitle it after 5 days if no personal representative is contemplated, on State Form 18733 signed by the distributees, with a copy of the death certificate.

☐ Bank accounts, brokerage accounts and other personal property: affidavit under IC 29-1-8-1, at least 45 days after the death.

☐ Indiana land: the personal property affidavit does not cover it. IC 29-1-8-3 speaks of a fiduciary, and an affidavit may be recorded with the county recorder. The fiduciary later files a closing statement with the court, with a copy of the recorded affidavit attached.

County where the land sits (recorder's office): _____

For the land route, the value test is different: the gross probate estate, less liens and encumbrances, must not exceed the limit plus the costs and expenses of administration plus reasonable funeral expenses.

Step 5: Distributee list

The affidavit must name each distributee, give the address and state the share each is entitled to (IC 29-1-8-1(b)(4)). The affiant must also state that each one was notified of the plan to present it (IC 29-1-8-1(b)(5)).

Distributee name	Address	Share (%)	Date and method of notice
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

INSTRUCTIONS FOR USE

Figures checked in October 2026 against the 2026 Indiana Code, IC 29-1-8-1 through 29-1-8-4.5 and IC 29-1-1-3. This document is general information, not legal advice. Holders such as banks may ask for more than the statute requires, so confirm what each one needs. Full guide and sources: clearlegaltips.com/indiana-small-estate-affidavit/