

Maryland Small Estate Checklist (2026)

Nine steps from the call to the Register of Wills to distribution

Work through the steps in order. Section numbers refer to the Maryland Estates and Trusts Article unless noted. Full guide: clearlegaltips.com/maryland-small-estate-affidavit/

1. CALL THE REGISTER OF WILLS

- ☐ Called the Register of Wills in the county where the decedent was domiciled, to confirm which forms apply
- ☐ Death certificate, or other proof of death if the certificate is not yet available

2. FILE THE WILL

- ☐ Original will filed promptly with the Register, even if it is not to be offered for probate

3. TEST THE LIMIT

Value for the test (fair market value less debts of record secured by the property): _____

- ☐ \$50,000 or less, or \$100,000 or less if the surviving spouse is the sole legatee or heir (§5-601)

4. FILE THE PETITION

- ☐ Petition RW 1103 (Rev. 10/01/2026) with Schedule B (RW 1137) and supporting documents for each asset value
- ☐ List of Interested Persons (RW 1104); Consent to Appointment (RW 1118) from interested persons with greater priority
- ☐ Appointment of Resident Agent (RW 1106) if the petitioner lives out of state; Notice of Appointment (RW 1109)
- ☐ Bond (RW 1115) or Waiver of Bond (RW 1117) if the estate is \$10,000 or more after expenses and allowances

5. CHECK WHO CAN SERVE

- ☐ Petitioner is at least 18 and a citizen, a permanent resident, or domiciled in the United States and a listed relative (RW 1103 item 1; 2026 Ch. 537 from October 1, 2026)

6. APPOINTMENT AND LETTERS

Date the Letters of Administration were issued: _____

- ☐ Official copies requested, one for each financial account
- ☐ Deadline list from the Register received

7. NOTICE AND DEADLINES

Date the notice was published (once, when property will remain or a will is probated): _____

Publication date + 30 days (objections to the appointment): _____

Publication date + 6 months (objections to the will): _____

Earlier of 6 months after death or 30 days after written notice (claims): _____

- ☐ Proof of publication filed; ask the Register which date applies (Rule 6-209 says within 60 days, §5-604(b)(1) says after 60 days)

8. INFORMATION REPORT

Date of appointment + 3 months: Information Report (RW 1124)
due: _____

9. PAY AND DISTRIBUTE

- ☐ Funeral expenses and family allowances paid
- ☐ Each claim paid, or disallowed with a Notice of Disallowance (RW 1129)
- ☐ Vehicles: original Letters taken to the MVA (a spouse with up to two vehicles may use VR-481, a separate form)
- ☐ Net estate distributed under the will or Maryland intestacy law after the claims period

INSTRUCTIONS FOR USE

Steps checked in October 2026 against Estates and Trusts §§5-601 to 5-607, 5-104 and 5-105, Maryland Rules 6-206, 6-209 and 6-222, the Register of Wills pages, form RW 1103 and the court's tip sheets 87, 89 and 93. This checklist is general information, not legal advice. Laws and forms change; confirm with the Register of Wills in the decedent's county.