

Maryland Small Estate Worksheet (2026)

Test the \$50,000 limit (\$100,000 if the spouse is the sole legatee or heir), list the secured debts and the creditor dates, and plan the bond and forms for a Maryland small estate

Maryland opens a small estate with a petition to the Register of Wills, not an affidavit. Full guide: clearlegaltips.com/maryland-small-estate-affidavit/

Step 1: The decedent

Decedent's full legal name: _____

Date of death: _____

County where the decedent was domiciled at death (the Register of Wills to call): _____

☐ Original will found, or noted that it cannot be located

Step 2: List the probate property

Include only assets held in the decedent's name alone, or an interest held as a tenant in common. Use the date-of-death value.

Item (house, account, vehicle)	Real or personal	Value at death

TOTAL value of the probate property: _____

Step 3: Subtract debts of record secured by the property

Value for the test is fair market value less debts of record secured by the property, as of the date of death, to the extent insurance benefits are not payable to the lien holder for the secured debt (Estates and Trusts §5-601(d)).

Mortgage or lien	Lender	Amount

TOTAL of secured debts: _____

Value for the test (Step 2 total minus Step 3 total): _____

☐ Result is \$50,000 or less

☐ The surviving spouse is the sole legatee or heir and the result is \$100,000 or less

Step 4: Creditor dates

Date of death: _____

Date of death + 6 months: _____

Date written notice was mailed or delivered to a creditor, + 30 days: _____

Step 5: Bond, allowances and forms

Gross value after funeral expenses and allowances (\$10,000 or more means a bond unless excused): _____

- ☐ Bond of the personal representative (RW 1115), or excused by the will, or Waiver of Bond (RW 1117) signed by all interested persons
- ☐ Family allowances noted: \$10,000 for a spouse or registered domestic partner, \$5,000 for each unmarried child under 18
- ☐ Petition RW 1103 (Rev. 10/01/2026) with Schedule B (RW 1137)
- ☐ List of Interested Persons (RW 1104); Consent (RW 1118) and Resident Agent (RW 1106) if they apply; Notice of Appointment (RW 1109)

Fee quoted by the Register (the Register says a small estate has no required fee): _____

Step 6: Non-probate property (Information Report)

Property with a named beneficiary or joint owner is reported on the Information Report (RW 1124) within three months after appointment. It can be taxed if it passes to someone who is not exempt.

Non-probate item	Who receives it	Value

INSTRUCTIONS FOR USE

Checked in October 2026 against Estates and Trusts §§5-601 to 5-607, Maryland Rules 6-206 and 6-209, the Register of Wills pages, form RW 1103 and tip sheets 87 and 89. General information, not legal advice; confirm with the Register of Wills in the decedent's county.