

Missouri Small Estate Affidavit Checklist (2026)

Nine steps from certified death certificates to distribution under RSMo 473.097

Work through the steps in order. Section numbers refer to the Revised Statutes of Missouri.

Full guide: clearlegaltips.com/missouri-small-estate-affidavit/

1. ORDER DEATH CERTIFICATES

- ☐ Ordered certified copies of the death certificate (Jefferson County asks for one with a raised state seal)

2. IF THERE IS A WILL, PRESENT IT

- ☐ Will presented to the probate division within the 473.050 window (one year after death where no notice of letters has been given)

3. LIST ALL PROPERTY

- ☐ Real estate and personal property listed with values
- ☐ Tenancy-by-the-entirety and joint-tenant property left out of the itemized list (the statute does not say how it counts toward the limit; ask the clerk)

4. SUBTRACT LIENS, DEBT AND ENCUMBRANCES

Estate value after subtraction (must be \$40,000 or less): _____

5. WAIT 30 DAYS

Date of death + 30 days: _____

- ☐ No application for letters or for refusal of letters is pending or granted

6. COMPLETE AND FILE THE AFFIDAVIT

- ☐ Affidavit states the six items in 473.097 and is signed before a notary
- ☐ Itemized property list, plus the names, addresses and relationships of the people entitled to it
- ☐ Bond filed, or the court asked to dispense with it
- ☐ Creditor list attached if the death was less than a year ago and debts bring the estate under \$40,000 (form PR16)

Filing fee paid (Rule 21.01 lists \$35; county totals are higher, so ask the clerk): _____

Court and clerk / county: _____

7. PAY FOR PUBLICATION IF NEEDED

- ☐ Listed property is worth more than \$15,000, so the clerk causes the notice to creditors to be published
- ☐ Publication cost paid or proof of payment given to the clerk

8. RECORD FOR REAL ESTATE

- ☐ Copies of the affidavit and the clerk's certificate obtained from the clerk

County where the copies were recorded with the recorder of deeds /
date: _____

9. COLLECT, PAY DEBTS AND DISTRIBUTE

- ☐ Property collected; bank or holder given a copy of the affidavit and certificate
- ☐ Debts paid; if the property cannot cover them, the shares shrink under 473.620
- ☐ Asked the MO HealthNet Division or a lawyer how estate recovery applies to this estate

County rules check

Each item below is one county's published rule, not a statewide rule. Ask the clerk before you file.

- ☐ Jefferson: attorney order 10-19-22 (over \$15,000 or real property) and the 2025 packet requirements
- ☐ St. Louis County: packets CCPR152-W and CCPR145-W say the affidavit cannot be done without an attorney
- ☐ Jackson: realtor letter or appraisal dated within six months for real property; receipt of paid funeral expenses if the death was under a year ago

INSTRUCTIONS FOR USE

Steps checked in October 2026 against RSMo 473.097, 473.050, 473.620 and 483.580, Court Operating Rule 21.01, form PR16 and the Jefferson, Greene, Jackson and St. Louis County published materials. This checklist is general information, not legal advice. Court procedures and fees vary by county, so confirm local requirements with the clerk. Companion guide:
clearlegaltips.com/missouri-small-estate-affidavit/