

Small Estate Affidavit Checklist

The nine steps that work in nearly every state, with lines for your own dates and totals

Use this with the state-by-state table at clearlegaltips.com/small-estate-affidavit-limits-by-state/. The order below fits most states. Your state may add a court filing, extra witnesses or a required form, so read your row in the table before you start.

Before you start

- ☐ Order several certified death certificates (each bank and agency keeps one)
- ☐ List every asset and how it is titled (sole name, joint, beneficiary, trust)
- ☐ Separate probate assets (sole name, no beneficiary) from everything else

Check eligibility

State where the person lived at death: _____

That state's limit (from the table): _____

Total value of probate assets (\$, less liens if your state measures that way): _____

- ☐ Total is at or under the limit
- ☐ Real estate rule checked (excluded, included, or separate procedure)
- ☐ Nobody has applied for a personal representative in any state

Wait, sign and present

Date of death: _____

Earliest date the affidavit can be used in your state: _____

- ☐ Waiting period has passed
- ☐ Official state form or the statute's required statements completed
- ☐ Affidavit signed and sworn the way your state's form asks (notary or witnesses, where required)
- ☐ Filed with the court office first, if your state requires filing
- ☐ Certified copies presented to each bank, broker or agency

After you collect

- ☐ Debts and funeral costs paid or provided for
- ☐ Property handed to the people legally entitled to it
- ☐ Records kept: copies of the affidavit, receipts and distribution list

INSTRUCTIONS FOR USE

This checklist is general information, not legal advice. Rules differ by state and change over time, so confirm details with the probate court or a licensed attorney. Full guide, state table and sources: clearlegaltips.com/small-estate-affidavit-limits-by-state/