

**SMALL ESTATE AFFIDAVIT
PC598**

NOTE: CANNOT USE IF REAL PROPERTY IS PART OF THE ESTATE

This form may be used if assets total value is less than \$15,000 (plus cost of living adjustment)- table below:

Date of Death	Amount
1/1/2018	\$23,000
1/1/2014 – 12/31/17	\$22,000
1/1/2012	\$21,000
1/1/2009	\$20,000
1/1/2008	\$19,000
1/1/2006	\$18,000
1/1/2002	\$17,000
1/2/2001	\$16,000

You must determine whether this exception to Probate statute applies to your situation. This form is provided to you by the Court but the Court cannot direct you as to legal advice regarding the form. This form is NOT filed with the court. You must sign this sworn statement in front of a notary and provide it to the person/business that is holding the property or asset you are trying to transfer or liquidate.

700.3983 Collection of personal property by sworn statement.

(1) After 28 days after a decedent's death, a person indebted to the decedent or having possession of tangible personal property or an instrument evidencing a debt, obligation, stock, or chose in action belonging to the decedent shall pay the indebtedness or deliver the tangible personal property or the instrument to a person claiming to be the decedent's successor upon being presented with the decedent's death certificate and a sworn statement made by or on behalf of the successor stating all of the following:

(a) The estate does not include real property and the value of the entire estate, wherever located, net of liens and encumbrances, does not exceed \$15,000.00, adjusted as provided in section 1210.

(b) Twenty-eight days have elapsed since the decedent's death.

(c) An application or petition for the appointment of a personal representative is not pending or has not been granted in any jurisdiction.

(d) The claiming successor is entitled to payment or delivery of the property.

(e) The name and address of each other person that is entitled to a share of the property and the portion to which each is entitled.

(2) A transfer agent of a security shall change the registered ownership on the books of a corporation from the decedent to the successor or successors upon the presentation of a sworn statement as provided in subsection (1).

(3) The state court administrative office shall develop and make available a standardized form for use as a sworn statement that can be used for the procedure authorized under subsection (1). The form shall include a notice that a false statement may subject the person swearing to the statement to prosecution for perjury.