FILING FOR THE ADMINISTRATION OF A SMALL ESTATE (SEB) IN THE DISTRICT OF COLUMBIA



(VALUED AT \$40,000 OR LESS)

Office of the Register of Wills, Probate Division 515 5th Street, NW, Third Floor Washington, DC 20001

All attached forms and documents are available through the division's website: http://www.dccourts.gov/internet/public/aud_probate/small.jsf

Probate Division—SMALL ESTATES (SEB)

When a person dies after April 26, 2001, with assets having a gross value of \$40,000.00 or less,* a small estate proceeding may be opened to appoint a personal representative, pay claims, and make distribution of estate assets. More information and the forms required to open a small estate can be found at

http://www.dccourts.gov/internet/public/aud_probate/small.jsf

* If the decedent died between January 1, 1981, and June 30, 1995, the value of the estate cannot exceed \$10,000.00. If the decedent died between July 1, 1995, and April 26, 2001, the value of the estate cannot exceed \$15,000.00.

FILING THE PETITION

The *Petition for Administration of a Small Estate* should be completed prior to seeing a small estate specialist. The small estate specialist will then review the petition to make sure that it complies with the law and will, if necessary, assist with any corrections necessary for its completion. The specialist will also determine whether sufficient documents verifying the assets and/or liabilities have been supplied, whether further information is needed before the Court can act on the petition, and whether publication is required.

After the petition is accepted for filing, the small estate specialist will prepare an order for the judge's signature. In most cases, the order will appoint a personal representative. The order may be a preliminary one, directing publication against creditors or that the personal representative file a *Verification of Assets*, or it may be a final order in which the Court decides who is entitled to receive monies from the estate and what amounts each individual will receive.

Publication is sometimes required in a small estate. Publication may be required if (1) the decedent is survived by adult children and the assets are valued at over \$11,550.00, (2) the decedent is survived by heirs who are not children and the assets are valued at over \$1,515.00, or (3) the decedent owned real estate in another jurisdiction. If publication is required by the Court's order, the Probate Division will send the *Notice of Appointment*, *Notice to Creditors and Notice to Unknown Heirs* form to a newspaper of general circulation selected by the personal representative. The cost of publication is determined by the current rates charged by the publisher. The notice states that the estate is being administered as a small estate, announces the name of the personal representative, and gives creditors and unknown heirs 30 days to file claims against the estate or to object to the appointment of a personal representative. The notice is

published only once. The notice is mailed to all interested persons and to known creditors by registered or certified mail, return receipt requested. The personal representative must make diligent efforts to locate each creditor. After the publication occurs and payment is made, the newspaper will issue a proof of publication, which is filed with the small estate specialist in the Legal Branch of the Probate Division.

ROLE AND DUTIES OF THE PERSONAL REPRESENTATIVE

The personal representative has an important role and is responsible for ensuring that all assets are collected, all debts are paid, and distributions of estate assets are made in accordance with the order of the Court. Very often, the person appointed by the Court is one of the closest living relatives of the decedent. The decedent's assets must be held separately from those of the personal representative, and the personal representative must keep accurate records of all estate expenses and payments.

CLOSING THE ESTATE

A final order signed by the Court will close the estate. The order gives directions to the personal representative concerning the collection of estate property, the payment of debts, and the distribution of the remaining estate assets to heirs or legatees.

COMPENSATION

Persons, including attorneys, appointed to be personal representatives in small estates are not entitled to be paid a commission for acting as personal representatives. Attorneys for personal representatives in small estates can receive up to \$1,000.00 as a priority payment under D.C. Code, sec. 20-906(a)(3) depending on the size of the estate and other priority payments.

AFTER-DISCOVERED ASSETS

If assets are discovered after a Final Order has issued, a petition for administration of a small estate, marked "Re-Open" should be filed.

ITEMS NEEDED TO ODEN A SMALL ESTATE (Chooklict)

IEMS NEEDED TO OPEN A SWALL ESTATE (CHECKIST)
Petition for Administration of a Small Estate
Decedent's will (if any) and Certificate of Filing Will
Photo identification with signature from the petitioner(s)
Date and place of death verified by a death certificate
Funeral bill(s) and receipts
Written verification of assets, including, but not limited to:
Real estate (anywhere), including tax assessed value for
the fiscal year in which the decedent died

accounts and securities				
Automobile title (preferable) or registration card and written confirmation of the value of the vehicle. A quote from an on-line source as to trade-in value is acceptable.				
Statement showing value of stocks and/or bonds				
Uncashed checks of the decedent				
Letter from Unclaimed Property (if any) with value stated.				
Letter from insurance company stating value of insurance proceeds/death benefits payable to the estate.				
Letter from nursing home facility stating value of resident funds payable to the estate.				
Notarized affidavit concerning personal effects of value owned solely by the decedent, if any. The affidavit must specifically identify the item(s) and state the value of the item(s) with a total value of everything. (NOTE: Does not include clothing.)				
Names and addresses of heirs-at-law/next of kin and legatees named in will (if any). See Page 2 of the petition for further instructions. Personal Identification Information Form (Form 26) Financial Account Information Form (Form 27) (if necessary) Court Costs: Check or money order payable to "Register of Wills" or cash (please bring exact amount). The cost depends on the value of the assets:				
\$.01 - \$ 499.99 no cost \$ 500.00 - \$ 2,500.00 \$ 15.00 \$ 2,500.01 - \$15,000.00 \$ 50.00 \$15,000.01 - \$25,000.00 \$100.00 \$25,000.01 - \$40,000.00 \$150.00				
Notice of Appointment, Notice to Creditors and Notice to Unknown Heirs (typed) and Publication Costs (if applicable): Check or money order payable to the newspaper company of your choice.				
Statement of Claims (if Notice of Appointment is required)				
For proliminary questions, please call				

For preliminary questions, please call Probate Division, 202-879-9460, extension 4, or use the Probate Division Live Chat, located at

http://www.dccourts.gov/internet/public/aud_probate/small.jsf

FORMS

This packet includes the following forms, which are generally needed to open a small estate case:

- Petition for Administration of Small Estate
- Personal Identification Information Form (Form 26)
- Financial Account Information Form (Form 27)
- Certificate of Filing Will
- Notice of Appointment, Notice to Creditors and Notice to Unknown Heirs
- Statement of Claims
- Renunciation
- Verification of Assets

Other forms that may be filed in a small estate case are available on the Probate Division website at

http://www.dccourts.gov/internet/public/aud_probate/main.jsf

GENERAL INSTRUCTIONS FOR COMPLETING A PETITION FOR ADMINISTRATION OF SMALL ESTATE

Answer the following questions, "yes" or "no."

- 1. Have you filed with the Probate Division a declaration in writing renouncing the right to administer?
- 2. Are you under the age of 18?
- 3. Do you have a mental illness as defined in D.C. Code, sec. 21-501 or are you under conservatorship or guardianship as defined in sec. 21-2011?
- 4. Have you been convicted and not pardoned on the basis of innocence of a felony in the District of Columbia or of an offense in any other jurisdiction which, if committed in the District of Columbia, would be a felony and has the sentence imposed for such conviction either not expired or expired within the past ten years?
- 5. Are you an alien who has not been lawfully admitted for permanent residence?
 - a. If yes, do you have a green card?
- 6. Are you a judge of any court established under the laws of the United States or are you an employee of the Superior Court of the District of Columbia, the District of Columbia Court of Appeals or the District of Columbia Court System?
 - a. If yes, are you the surviving spouse of the decedent or related to the decedent within the third degree?
- 7. Are you a nonresident of the District of Columbia?
 a. If yes, you must file with the Probate Division an irrevocable power of attorney designating the Register of Wills as the person upon whom all notices and process may be served. (See "Power of Attorney", page 4.)

If you answered "yes" to any of these questions except 5a, 6a and 7a, do not complete this petition.

PAGE ONE

On the line which starts "Estate of," enter the name of the decedent as it is signed on any will *and/or* as it is shown on the assets which are the subject of the small estate proceeding.

On the line which starts "_____SEB_____," do not insert anything. The Probate Division will provide the case number.

On the line which starts "Name," insert your name, age, and complete address, including zip code.

Paragraph One. On line one, insert the name of the decedent and state the decedent's domicile, i.e., where he/she paid taxes or voted, the place that he/she considered to be home or otherwise maintained legal residence. Line two – state the complete address of the decedent at the time of death including zip code and where the decedent died.

Paragraph Two. State the reason that you are entitled to be appointed personal representative of the decedent's estate. The D.C. Code sets forth the priority for appointment of a personal representative as follows. If you are not the person with the highest priority in the list below, consult a small estate specialist before proceeding (telephone no. 202-879-9448).

- 1. The personal representative named in the decedent's will (if any)
- 2. The surviving spouse, registered domestic partner, or children of the intestate decedent (that is, the person who died without a will) or the surviving spouse or domestic partner of a testate decedent (meaning, a person who died with a will)
- 3. The residuary legatee in the decedent's will
- 4. The children of the testate decedent
- 5. The grandchildren of the decedent
- 6. The parents of a decedent
- 7. The brothers and sisters of the decedent
- 8. The next of kin of the decedent
- 9. Other relations of the decedent
- 10. The largest creditor of the decedent who applies for administration
- 11. Any other person.

Paragraph Three. State the reason that the small estate should be administered in this Court by checking one of the two boxes provided. If the first box is checked, indicating domicile in the District of Columbia, do not check box 2. When box 2 is checked, state other reasons that the small estate should be administered in this Court.

Paragraph Four. State whether any other probate proceedings have been started in this Court or any other Court. If none, state "not applicable."

Paragraph Five. Your signature on page four of the petition will acknowledge that you have made a diligent search for any property and debts of the decedent, that all property in the District of Columbia does not have a value of more than \$40,000.00, and that the decedent died on or after April 27, 2001.*

*If the decedent died between January 1, 1981, and June 30, 1995, the value of the estate cannot exceed \$10,000.00. If the decedent died between July 1, 1995, and April 26, 2001, the value of the estate cannot exceed 15,000.00.

Paragraph Six. On lines one and two, list the dates of any wills or codicils that you have located. (If none, state "not applicable.") They must be filed with this petition. Your signature, on page four, will acknowledge that to the best of your knowledge they are the decedent's last will and that you know of no later will or codicil. On line three, state how you received the will and codicil if any.

Paragraph Seven. State the reason that any of the information required in this petition has not been supplied. If all information has been supplied, state "not applicable."

PAGE TWO

Check the appropriate boxes to indicate the survivors of the decedent, following the instructions shown on page two of the petition. List of interested persons – Provide the names, complete addresses including zip codes, relationships, and ages (if under 18) of heirs, legatees (if decedent died with a will), including trustees, and all petitioners. If under age 18 or otherwise legally disabled, also list guardians or custodians. Please refer to the example in the instructions.

Witnesses to wills and/or codicils – Provide the names of all witnesses to wills or codicils. (If none, state "not applicable.")

PAGE THREE

Real Property: List any real estate the decedent owned in any jurisdiction, including the District of Columbia, if appropriate. Please use the property description given on your proof of ownership (e.g. property tax bill).

Personal Property: List all other assets the decedent owned. Please list bank accounts separately, even if they are from the same bank. Use a separate sheet of paper, if necessary.

Debts: "Secured" debts are those which the asset is collateral for the debt, such as a car loan. "Unsecured" debts are all other debts. Please use a separate sheet of paper to list all debts, if necessary.

Funeral Expenses: Please state the name of the person who paid the funeral expenses, the amount paid, whether the person wishes to be repaid, and whether there is an unpaid balance. DO NOT list burial expenses.

PAGE FOUR

Line two – Provide the date(s) of the will and any codicils to be admitted to probate.

Line four – State any additional request that you wish the Court to consider.

Declaration of Petitioner – By signing the declaration, you declare and affirm that the contents of the petition are true and correct to the best of your knowledge, information and belief. Provide a telephone number where you can be reached between the hours of 8:30 a.m. and 5:00p.m.

Acceptance and Consent of Each Personal Representative - By signing the acceptance and consent, you accept the duties of the office of personal representative of the estate and consent to personal jurisdiction in any action brought against you as personal representative or arising out of the duties of the office of personal representative.

Power of Attorney – If you are not a resident of the District of Columbia, you must sign the power of attorney appointing the Register of Wills as the person upon whom all notices and process issued by a competent court in the District of Columbia may be served in relation to all suits or matters pertaining to the estate.

Please review the "Items Needed to Open a Small Estate" checklist for the additional items required as attachments to your petition.

DEFINITIONS

Probate - The legal process of gathering and distributing the property of the estate, paying creditors' claims, and formally transferring the possessions of the deceased to those persons who "inherit" them.

Deceased or decedent - The person who has died.

Estate - The property (both real and personal) held by the decedent in his/her name alone or as tenants in common at the time of death.

Will - A document representing the instructions of the deceased for distribution of the estate.

Legatee - Anyone named in a will who is to receive property.

Heir - A person entitled to share in a decedent's estate where there is no will.

Interested person - Any heir or legatee or creditor with a claim in excess of \$500.00 that has not been barred or discharged.

Intestate - Died without a will.

Creditor - A person who has a claim against the estate.

Personal Representative - The person appointed by the Court to administer (i.e., to be in charge of) an estate.

Asset – Any property owned by the decedent alone. This includes all real property and personal property.

Real property - Any real estate owned by the person who has died, such as a home, vacation cottage, or vacant land.

Personal property - Everything other than real property, such as a car, furniture, jewelry, stocks, and bank accounts.

Register of Wills - The official of the Superior Court of the District of Columbia who assists the judge in overseeing the proper administration of the deceased person's estate.

Tenants in common - Generally, where more than one person owns or holds property and each person has an equal interest and no right of survivorship has been established.

Testate – Died with a will which has been admitted to probate by the Court.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA PROBATE DIVISION

			SEB	
			(Linked toWIL	
Estate o	f			
	Deceased			
	PETITION FO	R ADMINISTRATI	ON OF SMALL ESTATE	
	Name	Age	Address	
		· ———		
	Name	Age	Address	
			lawfully admitted permanent resident thereof resentative pursuant to D.C. Code, sec. 20-30	
1.		, the decedent, a dom	ciliary of	
residing	at			died at
			on	
<i>(</i>	Plac		Date	
	vithout) a will.			
	• •		ive of the decedent's estate under, D.C. Code	esec.
20-303	for the following reasons:			
3.	The court has jurisdiction in this ma	atter, because:		
	\square Decedent died domiciled in the D	District of Columbia		
	☐ Other (please state basis for j	urisdiction):		
4.	There are no other proceedings reg	arding the administrat	ion of the estate except	
5.	Petitioner has made a diligent searc	ch to discover all prope	erty and debts of the decedent. All assets sub	ject
	nistration in the District of Columbia	• •	·	•
			of the decedent and to the best knowledge of	of the
	_		and codicil(s) dated	
		a	companying this petition (is)(are) the decede	ent's
			will and codicil(s), if any, came into petition	
hands ir	n the following manner			
7.	All information required pursuant to	D.C. Code, sec. 20-3	04(a) has been furnished except	

		r - (please check appropriate boxes)			
a.	☐ Spouse/Domestic Partner.	\square No Spouse/Domestic Partner. Check appropriate box and go to b.			
b.	☐ Children.	☐ Descendants of predeceased children. If so, stop here; if not, go to c.			
C.	☐ Grandchildren.	$\hfill\square$ Descendants of predeceased grandchildren. If so, stop here; if not, go to d.			
d.	☐ Parents. If so, stop here; if n	ot go to e.			
e.	\square Brothers and/or Sisters.	$\hfill\square$ Descendants of predeceased brothers and/or sisters. If so, stop here; if not, go	to f.		
f.	\square Nieces and/or Nephews.	$\hfill\square$ Descendants of predeceased nieces and/or nephews. If so, stop here; if not, go	to g.		
g.	☐ Uncles and/or Aunts. If so, s	op here; if not, go to h.			
h.	☐ First cousins. If so, stop here; if not, go to i.				
i.	☐ Grandparents. If so, stop her	e; if not, go to j.			
j.	\square Other heirs. If none, go to k.				
k.	☐ Notify Office of the Attorney	General, Chief of the Civil Enforcement Section, 441 4th Street, N.W., Washington, D.	C.		
	20001.				
Represe legally d represer	ntatives if the decedent died testate. I isabled, also list as an interested pers	le names of heirs if decedent died intestate; heirs and legatees, including trustees and all named lefer to D.C. Code, secs. 19-301 through 312 and sec. 20-101(d)(1). If under age of 18 or an aduenthe judicially appointed guardian, conservator or committee for such person. If no judicially appointed guardian, conservator or committee for such person. If no judicially appointed and the power of attorners are such disabled person.	It who i pointed		
Any cred has not	litor of the decedent, including those	or acting personal representative, list all beneficiaries under trust. Refer to D.C. Code, sec. 20-10 rersons whose rights accrue at the time of death, who has timely presented a claim in excess of \$1 sterested person. Petitioner(s) should update list of interested persons or creditors with claims in expressions.	500 tha		
	te, when applicable, grandchil sed parent who was related to	dren and nieces and nephews by family groups, by showing the name of their the decedent	•		
Sam	nple:				
	nple: Petitioner	1234 Hexagon Street, N.W. Son/heir/legatee/petitioner Washington, D.C. 20000			
Joe	•				
Joe	Petitioner	Washington, D.C. 20000			
Joe	Petitioner	Washington, D.C. 20000			
Joe	Petitioner	Washington, D.C. 20000			
Joe	Petitioner	Washington, D.C. 20000			
Joe	Petitioner	Washington, D.C. 20000			

Character, Location and Estimated Value of Property Titled in Decedent's Name

Estimated Value Real Property located in the District of Columbia and other jurisdictions Total \$ _____ Personal Property located in the District of Columbia and other jurisdictions Total \$ _____ Debts, Funeral Expenses, Inheritance, Taxes Debts secured: _____ Total \$ _____ Debt, unsecured: Total \$ _____ Funeral Expenses: Paid by ______(Insert name) Total \$ _____ Total \$ _____

Total \$ _____

If the decedent died prior to April 1, 1987, inheritance taxes only on personal property under control of personal representative

·		ment as personal representative(
		, be admitte	
		, be definite	·
	DECLARA	TION OF PETITIONER	
I do solemnly declare and affi to the best of my knowledge,		aw that the contents of the foregoef.	ing petition are true and correct
Signature of Petitioner	(Tel No.)	Signature of Petitioner	(Tel No.)
Signature of Petitioner	(Tel No.)	Signature of Petitioner	(Tel No.)
	of Columbia against n	, deceased, and consent to as personal representative or a code, sec. 20-501.	
Signature	e of Petitioner	Signatur	e of Petitioner
	_	ER OF ATTORNEY	
To	be executed by each	n Non-Resident Personal Represer	atative
office as the person upon who	m all notices and pro	eby irrevocably appoint the Regist cess issued by a competent court in relation to all suits or matters p	in the District of Columbia may
Signat	ure of Petitioner		Address
Signat	ure of Petitioner		Address

Personal Identification Information (Form 26)

		ADM
		INT/IDD
Estate of		SEB
	decedent/minor/adult ward/custodian	GDN

Name/ Relationship To Case	Address	Telephone Number	Date of Birth	Driver's License	Social Security Number

FILE IN RED (Confidential/Sealed) JACKET

Financial Account Information (Form 27)

		ADM
Catata of	INT/IDD	
Estate ofdecedent/minor/a	adult ward/custodian	SEB
		GDN
	CON	
Name on Account	Name and Address of Bank/Financial Institution	Account Number

This report will be maintained under seal pursuant to SCR-PD 5.1, recorded in a secure Court database, and available only to authorized Court personnel, unless otherwise included in the public record.

CERTIFICATE OF FILING WILL ,, on thisday of, 20, hereby submit for filing the following paper-writing(s) purporting to be the Last Willer and Testament and/or Codicil(s) of
CERTIFICATE OF FILING WILL ,, on thisday of, 20, hereby submit for filing the following paper-writing(s) purporting to be the Last Will and Testament and/or Codicil(s) of
,, on thisday of, 20, hereby submit for filing the following paper-writing(s) purporting to be the Last Will and Testament and/or Codicil(s) of
20, hereby submit for filing the following paper-writing(s) purporting to be the Last Will and Testament and/or Codicil(s) of
(insert all name(s) of decedent as reflected in the will(s) and/or codicil(s))
(insert all name(s) of decedent as reflected in the will(s) and/or codicil(s))
vho died on or about theday of,20, domiciled in the
District of Columbia.
Date of document(s):
Unusual attributes (if any):
Name of nominated personal representative:
Address of nominated personal representative (if known):
he same (was) (were) received from
Case No:ADM/SEB is open or is being opened.
No estate is open.
Name:
(signature) Address:
Telephone Number:
FOR OFFICE USE ONLY
Reviewed by
(signature) Comments:

	SEB
Name of Decede	ent
Notice of Appointment, Notice to Creditor	rs and Notice to Unknown Heirs
	, whose
address(es) (is/are)	
(was/were) appointed Personal Representative(s) of the	estate of
who	died on
(with/without) a Will. All unknown heirs and heirs whose	whereabouts are unknown shall enter their
appearance in this proceeding. Objections to such appoin	tment (or to the probate of decedent's Will)
shall be filed With the Register of Wills, D.C., 515 5th Str.	eet, N.W., 3rd Floor, Washington, D.C. 20001,
on or before Cla	aims against the decedent shall be presented
to the undersigned with a copy to the Register of Wills or	to the Register of Wills with a copy to the
undersigned, on or before	, or be forever barred. Persons believed to
be heirs or legatees of the decedent who do not receive a	copy of this notice by mail within 25 days of
its publication shall so inform the Register of Wills, includ	ing name, address and relationship.
Date of first publication:	
Name of newspaper and/or periodical:	
Traine of Horropaper anaron portoatoan	
·	
	- CM/III
	Register of Wills Clerk of the Probate Division
Signature of Petitioner/Attorney	
Address & Phone Number	Clerk
Additional additional	

		SEB
Estate of		
Estate of		
Deceased	_	
S	TATEMENT OF CLAIMS	
The Notice of Appointment, Not	tice to Creditors and Notice	to Unknown Heirs has been duly
published in the	as shown by t	he attached Affidavit of Publication;
the time for filing claims has expired; $\ensuremath{\text{fu}}$	uneral expenses in the amo	unt of \$
have been paid; and all creditors now $\ensuremath{\mathbf{k}}$	known to the undersigned, i	ncluding contingent and disputed
claims are as follows:		
Name of Creditor	Nature of Claim	<u>Amount</u>
realise of or curtor	<u>natare or orann</u>	<u> </u>
l de este marte de elemente de efficie	d	
I do solemnly declare and affirr document are true and correct to the b		
	-	
		Personal Representative(s)

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA PROBATE DIVISION

	SEB
Estate of	
Deceased	
RI	ENUNCIATION
I,	, being a competent adult,
	·
for Letters of Administration, and being	aware of the fact that according to D.C. Code, sec.
20-303, I have priority to serve as pers	onal representative of the instant estate in that I am
the (rel	ationship to decedent such as heir, legatee, personal
	presentative nominated in the will) of the deceased,
·	he personal representative of this estate.
Tiereby remoundering right to serve as the	the personal representative of this estate.
	Date
	Signature
	Address
	<u> </u>
	Telephone Number

		SEB
Estate of		
	Deceased	
		ICATION OF ASSETS
T I D		en required by Preliminary Order)
ne Pe estate are as		above-listed estate hereby verifies that the assets of the
	Accet	Value
	Asset	Value
		<u> </u>
		\$
		\$
		·
		\$
		\$
		\$
		Φ
		\$
		Total value of assets: \$
I do solemnly	declare and affirm under p	alty of law that the contents of the foregoing document a
true and corre	ect to the best of my knowle	ge, information, and belief.
		Signature of personal representative

CERTIFICATE OF SERVICE

I hereby certify that on the day of _	, 20, a copy of th	е
foregoing Verification of Assets was served by fire	st class mail, postage prepaid, on the following: (list	
names and addresses of interested persons)		
<u> </u>		
	Signature	