

PROBATE CHECKLIST

Affidavit of Entitlement:

For estates under \$20,000 net, and which have no creditors and no real property. There is no waiting period for Notice to Creditors.

This is the Affidavit form currently used by the Las Vegas, Nevada probate court. Note that facts about the particular assets must be filled in.

2. Set Aside Estate:

For estates over \$20,000, but under \$75,000 net, or estates under \$20,000 with creditors and/or real property. There is no waiting period for Notice to Creditors. We have not provided forms since they vary according to individual circumstances.

- A. The following probate documents are required:
 - 1. Petition to Set Aside Estate without Administration;
 - 2. Notice of Hearing;
 - 3. Order Setting Aside Estate;
 - 4. Certificate of Mailing.

- B. Required Information.
 - 1. Name, address and phone number of Petitioner;
 - 2. Petitioner's relationship to decedent; and
 - 3. Name, address and phone number of decedent's spouse, children and other heirs named in Will (or if intestate, persons listed according to statute).

- C. Required Documents.
 - 1. Certified copy of Death Certificate;
 - 2. Original of Will
 - 3. If Real Property: Appraisal or Real Estate comparisons;
 - 4. If Stock or Bonds: Statement from brokerage firm with date of death values;
 - 5. If Bank Accounts: Copies of bank statements;
 - 6. If Cars: Copies of title, (or note VIN, make and model for each car.) Need Kelly Bluebook statement or appraisal;
 - 7. Copies of mortgage statements on real property and copies of car loan papers if car financed.
 - 8. Copies of bills of creditors not paid off yet;
 - 9. Copies of funeral bills and expenses that have been paid;
 - 10. If Time-Share: Must treat on case-by-case basis; and
 - 11. Other:

3. Summary Administration:

For estates over \$75,000, but under \$200,000 net. There is a 60 day Notice to Creditor period. We have not provided forms, since they vary according to individual circumstances.

A. The following probate documents are required:

1. (i) Petition for Probate of Will and Issuance of Letters Testamentary; or
(ii) Petition for Probate of Will and Issuance of Letters of Administration with Will Annexed; or
(iii) Petition for Appointment of Administrator (if intestate, no Will).
2. Letters Testamentary or Letters of Administration.
3. If there is an Administrator (not an executor), nominations may be needed.
4. Disclaimers may be needed if any heir wants to disclaim (step aside for the other heirs to take his or her share).
5. Affidavit of Proof of Will may be needed if the Will is not self-proving (i.e., 2 witnesses sign twice) or holographic (i.e., entirely hand-written by decedent).
6. Notice of Hearing for one of the 3 types of Petitions (a-1-(i), (ii), or (iii)).
7. Certificate of Mailing.
8. Letters Testamentary or Letters of Administration.
9. Notice of Appointment of Executor or Administrator (if intestate).
10. Notice to Creditors (90 days).
11. Proof of Mailing Notice to Creditors.
12. Inventory.

Note: Inventory Information:
 - a. Appraisal of real estate;
 - b. Stocks and bonds: statement from brokerage firm;
 - c. Bank account and money market statements;
 - d. Cars: title slip (or VIN, make, model, Kelly Bluebook statement);
 - e. Mortgage Statement;
 - f. Time-share: treat on case-by-case basis;
 - g. Appraisal for household contents; and
 - h. Other:
13. Petition for Settlement of First and Final Account and Decree of Distribution.
14. Notice of Hearing.
15. Certificate of Mailing.
16. Final Order.
 17. Distributee Receipts.
 18. Executor or Administrator's Deed (if real property)
 19. Decree of Discharge

B. Required Information.

1. Name, address and phone number of Petitioner;
2. Petitioner's relationship to decedent; and
3. Name, address and phone number of decedent's spouse, children and other heirs named in Will (or if intestate, person listed according to statute).

C. Required Documents.

1. Certified copy of Death Certificate;
2. Original of Will;
3. If Real Property: Appraisal;
4. If Stock or Bonds: Statement from brokerage firm with date of death values;
5. If Bank Accounts: Copies of bank statements;
6. If Cars: Copies of title, (or note VIN, make and model for each car). Need Kelly Bluebook statement or appraisal;
7. Copies of mortgage statements on real property and copies of car loan papers if car financed.
8. Copies of bills of creditors not paid off yet;
9. Copies of funeral bills and expenses that have been paid;
10. If Time-Share: Must treat on case-by-case basis; and
11. Other:

4. Full Administration.

For estates over \$200,000 net. 90 day Notice to Creditor period.

A. The following probate documents are required:

1. (i) Petition for Probate of Will and Issuance of Letters Testamentary; or
(ii) Petition for Probate of Will and Issuance of Letters of Administration with Will Annexed; or
(iii) Petition for Appointment of Administrator (if intestate, no Will).
2. Letters Testamentary or Letters of Administration.
3. If there is an Administrator (not an executor), nominations may be needed.
4. Disclaimers may be needed if any heir wants to disclaim (step aside for the other heirs to take his or her share).
5. Affidavit of Proof of Will may be needed if the Will is not self-proving (i.e., 2 witnesses sign twice) or holographic (i.e., entirely hand-written by decedent).
6. Notice of Hearing for one of the 3 types of Petitions (a-1-(i), (ii), or (iii)).
7. Certificate of Mailing.
8. Letters Testamentary or Letters of Administration.
9. Notice of Appointment of Executor or Administrator (if intestate).
10. Notice to Creditors (60 days).
11. Proof of Mailing Notice to Creditors.
12. Inventory.

Note: Inventory Information:
 - a. Appraisal of real estate;
 - b. Stocks and bonds: statement from brokerage firm;
 - c. Bank account and money market statements;
 - d. Cars: title slip (or VIN, make, model, Kelly Bluebook statement);
 - e. Mortgage Statement;
 - f. Copies of unpaid creditor bills;
 - g. Time-share: treat on case-by-case basis;
 - h. Appraisal for household contents; and
 - i. Other:
13. Petition for Settlement of First and Final Account and Decree of Distribution.
14. Notice of Hearing.
15. Certificate of Mailing.
16. Final Order.
17. Distributtee Receipts.
18. Executor or Administrator's Deed (if real property)
19. Decree of Discharge

B. Required Information.

1. Name, address and phone number of Petitioner;
2. Petitioner's relationship to decedent; and
3. Name, address and phone number of decedent's spouse, children and other heirs named in Will (or if intestate, person listed according to statute).

C. Required Documents.

1. Certified copy of Death Certificate;
2. Original of Will;
3. If Real Property: Appraisal or Real Estate comparisons;
4. If Stock or Bonds: Statement from brokerage firm with date of death values;
5. If Bank Accounts: Copies of bank statements;
6. If Cars: Copies of title, (or note VIN, make and model for each car). Need Kelly Bluebook statement or appraisal;
7. Copies of mortgage statements on real property and copies of car loan papers if car financed;
8. Copies of bills of creditors not paid off yet;
9. Copies of funeral bills and expenses that have been paid;
10. If Time-Share: Must treat on case-by-case basis; and
11. Other: