

**Section 5 – Court Costs: Determination and Payment**

**5.10 General**

Costs for Probate Courts in Missouri are fully described in §§488.010 through 488.020 RSMo. Cost Deposits required and copy charges are as follows:

**5.10.1 Cost Deposits**

Cost Deposits may include miscellaneous charges (e.g., costs for copies) in addition to the base cost set forth by statute. The required Cost Deposit must accompany the initial application or petition.

**5.10.1(a) Decedents’ Estates**

When application is made for Letters Testamentary or Letters of Administration, the filing fee shall be \$155.50.

Additional fees based on Inventory Value are as follows:

<b>TOTAL ASSETS (Personal and Real Property)</b>	<b>Clerk Fee – Additional Fees based on Inventory Value</b>
\$50,001 - \$100,000	\$50.00
\$100,001 - \$150,000	\$100.00
\$150,001 - \$200,000	\$150.00
\$200,001 - \$250,000	\$200.00
\$250,001 - \$300,000	\$250.00
\$300,001 - \$350,000	\$300.00
\$350,001 - \$400,000	\$350.00
\$400,001 - \$450,000	\$400.00
Over \$450,000	\$450.00

5.10.1(b) Guardianships and Conservatorships

A. Minor – Person Only (Does not include fee for service)  <b>Note:</b> Although a separate case must be filed for each minor, you may submit a single filing fee to cover the cost of all sibling cases filed on the same day. Please include a note to clerk indicating the names of the sibling cases.	\$100.50
B. Minor – Person and Estate or Estate Only (Does not include fee for service)  <b>Note:</b> Although a separate case must be filed for each minor, you may submit a single filing fee to cover the cost of all sibling cases filed on the same day. Please include a note to clerk indicating the names of the sibling cases.	\$100.50
C. Incapacitated – Person Only (Does not include fee for service)	\$115.50
D. Incapacitated and Disabled – Person and Estate or Estate only (Does not include fee for service)	\$115.50
E. Close Conservatorship pursuant to §475.320.	\$35.00
F. Dispense with Conservatorship pursuant to §475.330.	\$55.50

5.10.1(c) Miscellaneous Matters

A. Refusal of Letters	
1. Spouse and Unmarried Minor Child Includes one attested/certified copy of order	\$55.50
2. Creditor Includes one attested/certified copy of order	\$55.50
B. Small Estate Affidavit Includes one certified copy of order	\$55.50
If admitting will at time of filing of Small Estate	\$35.00
C. Dispense with Minor Conservatorship (§ 475.330)	\$55.50
D. Sale of Real Property by non-resident Conservator	\$55.50
E. Determination of Heirship (Does not include fee for service)	\$55.50
F. Petition to Require Administration (Does not include fee for service)	\$55.50
G. Grant of letters in decedent estate where sole purpose of estate is for PR to file final settlement of deceased fiduciary	\$55.50
H. Trusts and Other Civil Filings  For example: Petition for Appointment of Successor Trustee, Petition to Set Aside Irrevocable Trust, Trust Registration, Durable Power of Attorney, Non-Probate Transfer, Transfer to Minor	\$85.50
I. Initial proceeding for letters for person absent for five or more years	\$155.50
J. Grant Letters D/B/N when estate reopened after discharges	\$155.50
K. File Will of Decedent (No other proceedings)	\$0.00

L. Admit Will to Probate (No other proceedings)	\$55.50
M. Each Commission to Prove Will	\$0.00
N. Transmitting original Will to another Court	Certified Mail Cost Only
O. Deposit of Will for Safekeeping (Will deposited during testator's lifetime)	\$3.00

### 5.10.2 Copies

The above deposits do not cover the costs of copies of certificates, which are additional. Copies furnished by the Court are \$0.30 per page. The cost for certification is \$4.00 and the cost for attestation is \$4.00. There will be no charge for copies to any party who has been allowed to proceed in forma pauperis or to any agency of the State of Missouri. The charge for authentication is \$6.00.

References: §§483.550, 483.580, 488.010, 488.020, Missouri Supreme Court Rule 77.03,  
Local Court Rules 5.1 and 7.2

### 5.10.3 When Copies Charged to Estate

Copies may be charged to the estate if the fiduciary or the fiduciary's attorney is requesting the copies. In order to charge to the estate, at the time the request is made, the estate must be open and final court costs must not be calculated yet.

### 5.10.4 Estates Opened Solely for Litigation

An estate opened solely for the purpose of prosecuting or defending a lawsuit, in which there are no assets, is not exempt from the requirement to pay costs. The minimum cost set out in Section 5.10.1(a) will be charged.

See Section 14.80 on lawsuits

Reference: §537.021

### 5.20 Citations/Show Cause Orders

For each citation or show cause order for failure to file bonds, inventories, settlements, or final receipts, or for failure to satisfy auditor's requirements, there will be a charge of \$50.00. If personal service is used, the sheriff's fee of \$36.00 will be added. Certified mail charges will be assessed, if applicable, in the amount of \$10.00 for each notice and copy costs.

### 5.30 Costs Billed, When

The designated clerk will compute the annual costs due and notice of same will be included in the notice to file annual settlement which is mailed out at least 40 days before the settlement is due. When any final settlement is filed, the court auditor will examine the file to determine if costs have been requested and paid. If not, an exception requesting payment of costs will issue.

### 5.40 How to Request an Estimate of Final Costs

#### 5.40.1 Completion of Form and to Whom Submitted

At least two weeks before final settlement is filed, a “Request for Final Court Costs Estimate” form must be electronically filed. Final costs are calculated upon the most recently filed inventory. If the inventory is inaccurate, the cost calculation will not be accurate. It is imperative that the request form be filled out completely, accurately and timely. The clerk will calculate the estimated final costs based upon the information provided and the attorney of record will receive an e-Notification of the completed final court costs estimate. Proper completion of the request form will help avoid the possibility of additional costs after final settlement. Any additional costs will require an amendment to the settlement and proposed distribution.

Reference: Form 10407

#### 5.40.2 Type of Closing

There are several possible types of closings of estates listed on the request form under “CHECK ONE BELOW.” The type of closing planned should be checked by placing an “X” on the appropriate line.

Reference: Form 10407

#### 5.40.3 Copies Necessary at Closing

The number of copies desired of each document should be designated under “COPIES ORDERED AT THIS TIME” indicating the number of pages in each document. The clerk will then send the attorney the completed calculation of costs, and this amount must be paid on or before the date of filing the final settlement.

Reference: Form 10407

**NOTE: All court costs described above are subject to change as the relevant statutes and rules are amended. The attorney is responsible for updating the tables listed above as these amendments occur.**

[END OF SECTION]