

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY/INDEPENDENCE
PROBATE DIVISION

IN THE MATTER OF

ESTATE NUMBER

Deceased.

TO: _____

In order to complete the processing of your matter, the following information is required, and if it is not received within 30 days of the date of this notice, the case will be dismissed for failure to prosecute without prejudice and at your client's cost pursuant to Rule 72.5.

Due to the volume of new case filings, we will not revisit/review this case until 30 days have elapsed from the date of issuance of this checklist. If you wish to check the status of your case please access case.net, as we do not have staff available to provide this service over the phone.

All requests for extensions of time must be e-filed by proper motion and proposed order.

To avoid future delays, please ensure that all required pleadings are included with your initial case filing. The new estate checklists are available in the Probate Forms section of the Court's website, www.16thcircuit.org if you wish to review these before filing your case.

CHECKLIST

Refusal of Letters (Spouse/Minor/Creditor)

See deficiencies detailed below.

- ☐ Filing fee in the amount of \$ _____ must be paid.
- ☐ Insufficient filing fee has been received. Please pay additional fees in the amount of \$ ____.
- ☐ Application does not include the verified statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing same, subject to the penalties of making a false affidavit or declaration, pursuant to §472.080 RSMo. Please file an amended application, with all appropriate appendices.
- ☐ Application as filed does not include sufficient description of the assets as required by §473.090 RSMo. Application does not include one or more of the following: account number, certificate number, policy number, serial number, VIN number, value of asset. Please file an amended application, correcting the deficiencies.
- ☐ Application does not include the legal description and/or street address of the real property. Please file an amended application, including any appendices.
- ☐ The value of the real estate listed in the application does not match the value indicated in the appraisal/realtor letter. If the appraisal/realtor letter indicates a range of values, the highest value

should be indicated on the application. Please file an amended application, with all appropriate appendices.

- ☐ Corporate surety bond in the amount of \$ _____ must be filed.
- ☐ A drive-by appraisal or letter from a realtor having knowledge of the value of the real estate is required.
- ☐ A copy of the paid funeral bill was not submitted. (Only needed for refusal of creditor)
- ☐ A copy of the decedent's death certificate was not submitted.
- ☐ Other - May include:

*Application does not list the full name and residential address of the decedent. Please file an amended application, with all appropriate appendices.*Application does not list the decedent's date of death. Please file an amended application, with all appropriate appendices.*Application/Affidavit does not list the full name, date of birth and address of each surviving unmarried minor child together with the name and address of the child's surviving parent, his legal guardian and conservator, if any, and the name and address of the person(s) with whom he/she resides. Please file an amended application, with all appropriate appendices.

*Application does not indicate whether or not there are any unmarried minor children. Please file an amended application, with all appropriate appendices.

*Application does not list the full name and address of the surviving spouse, if any. Please file an amended application, with all appropriate appendices.

Small Estate Affidavit

See deficiencies detailed below.

- ☐ Filing fee in the amount of \$ _____ must be paid.
- ☐ Insufficient filing fee has been received. Please pay additional fees in the amount of \$ _____.
- ☐ The Small Estate Affidavit does not include the verified statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing same, subject to the penalties of making a false affidavit or declaration, pursuant to §472.080 RSMo. Please file an amended affidavit, with all appropriate appendices.
- ☐ The signature of the affiant was not notarized. Please file an amended affidavit, with all appropriate appendices.
- ☐ The affidavit as filed fails to provide sufficient description of the assets. Application does not include one or more of the following: account number, certificate number, policy number, serial number, VIN number, value of asset. Please file an amended affidavit, correcting the deficiencies.
- ☐ The value of the real estate listed in the small estate affidavit does not match the value indicated in the appraisal/realtor letter. If the appraisal/realtor letter indicates a range of values, the highest value should be indicated on the small estate affidavit. Please file an amended affidavit, with all appropriate appendices.
- ☐ A copy of the paid funeral bill was not submitted. (Needed if less than 1 year from date of death)
- ☐ A drive-by appraisal or letter from a realtor having knowledge of the value of the real estate is required.
- ☐ Distribution under the small estate affidavit is to the persons named in the last will and testament. The will has not been presented for probate. Please take necessary steps.

- ☐ The small estate affidavit indicates that no will has been admitted. However, Appendix B does not appear to correctly list the heirs at law. Please refer to §473.017 RSMo and §474.010 RSMo. Please file an amended affidavit, with all appropriate appendices.
- ☐ Corporate surety bond of distributee in the amount of \$ _____ must be filed.
- ☐ The signatures of the distributees, to waive bond, have not been notarized.
- ☐ Other –

Will

- ☐ The original will (physical paper document) has not yet been delivered to the Probate Department. Please forward the original to the Court.
- ☐ Will of decedent has not been presented for probate. If you wish to present the will to be admitted to probate, please file the statement as to death and presentment.
- ☐ The date of death is missing from the statement as to death and presentment.
- ☐ The date of death listed on the statement as to death and presentment differs from the date of death listed on the death certificate.
- ☐ Will is not self-proving pursuant to §474.337 RSMo. Please take the necessary steps to have the will admitted.
- ☐ Provide testimony of _____ witnesses.
- ☐ Commission(s) to prove will issued _____, have not been returned.
- ☐ Other – May include:
- * Filed more than one year after the date of death of the decedent. Please resolve.
 - * Lost Will – File a petition to admit the lost will that clearly identifies all interested parties and their whereabouts. If the whereabouts of any parties are unknown, please file an appropriate pleading which fully complies with Civil Rule 54.12(c).

IMPORTANT UPDATE

Significant changes were made to the probate code that went into effect 8/28/18. Please review the Court's website for a summary of the changes and new forms that have been added.

For information relating to frequently asked questions, filing fees, forms, eFiling information, probate contacts, and the Probate Procedures Manual, please visit www.16thcircuit.org/probate and select from the links located on the right hand side of the web page.

Date

Clerk