



IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

Probate Division

Case Number:

In the Estate of _____, Deceased.

(Date File Stamp)

Application of Surviving Spouse for Refusal of Letters

Applicant, surviving spouse of Decedent, states that Decedent died on _____ residing at _____, survived by Applicant and _____, unmarried minor child(ren), leaving an estate in this state, the value of which, less liens and encumbrances, is not greater in amount than is allowed by the law as exempt property and maintenance of Applicant and Unmarried Minor Child(ren) for one year after the death of Decedent. The estate consists solely of the property as described in Exhibit A.

Unmarried minor child(ren) of Decedent who is(are) not the child(ren) of Applicant is(are) as follows:

Name of Child

Year of Birth

Name/Address of Custodian

Wherefore, Applicant prays the court order that no letters be granted on said estate in the amount of \$_____, unless on the application of creditors or other interested parties, the existence of other or further property is shown.

Applicant swears that the matters set forth above are true and correct to the best knowledge and belief of the Applicant, subject to the penalties of making a false affidavit or declaration.

Date: _____

Signature of Attorney for Applicant

Signature of Applicant

(Name/Bar Number/Address/Telephone)

(Name/Address/Telephone)



IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

| | |
|-----------------------------------|---------------------|
| Probate Division | Case Number: |
| In the Estate of _____, Deceased. | |

(Date File Stamp)

Exhibit A

[illegible]



IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

| | |
|-----------------|----------------|
| Name: | Case Number: |
| Address: | Case Type: |
| | Style of Case: |
| Document Filed: | |

(Date File Stamp)

Redaction Certification

The filer certifies that all documents in this submission for filing with the court comply with all redaction requirements of Rules 19.10, 55.025, or 84.015.

COR 2.02

The responsibility for redacting confidential information rests solely with the counsel, parties, or any other person filing the document. Courts will not review each case document to ensure compliance and will not refuse to accept or file a document on that basis.

On and after the Expanded Remote Access Implementation Date: July 1, 2023

1. All redactions shall be done in a manner that makes it clear that information has been redacted. If necessary to reference the redacted information in a redacted document, filers shall use generic descriptors.
2. When a filer redacts information from a document offered for filing in any court, the filer also must file a confidential redacted information filing sheet that either:
 - has the unredacted version of the document attached; or
 - sets out the information redacted from the document with an explanation referencing where the information was redacted from in the document or the generic descriptors used in the document to reference the redacted information.
3. All filers shall affirmatively certify compliance with the redaction requirements in Rules 19.10, 55.025, and 84.015 when a document is filed. This certification shall be accomplished through an automated process implemented in the electronic filing system for its authorized users or, for filers who are not authorized users of the electronic filing system, by a paper form attached to the document or on the document itself.
4. When a motion is filed alleging a document filed with the court contains insufficiently redacted confidential information, the clerk shall raise the document's security level to a confidential setting. The court shall dispose of the motion within 30 days. If the court determines the document is sufficiently redacted, the clerk shall reset the document's security level to allow for proper public access.

I HAVE READ AND UNDERSTAND THE ABOVE.

Date

Filer's Signature



Confidential Redacted Information Filing Sheet

| | |
|-----------------|---|
| Party Name: | Case Number: |
| Address: | Case Type: |
| | Style of Case: |
| Email Address: | <input type="checkbox"/> The unredacted document is attached to this filing sheet in place of listing the redacted information identifiers below. |
| Filing Date: | |
| Document Filed: | |

(Date File Stamp)

REDACTED INFORMATION:

| Redacted Information Identifier | Redacted Information |
|---------------------------------|----------------------|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

Submitted by: _____ Bar ID (required if attorney): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email Address: _____

Refusal of Letters to Surviving Spouse or Unmarried Minor Child(ren)

General Information Handout

473.090 RSMo.

A Refusal of Letters is one way to transfer ownership of a deceased person's property *without the issuance of "letters" of administration*. There are limits as to the value of the property that can be transferred under this process. Individuals who are unsure whether this is the appropriate way to proceed should contact an attorney of their choosing for advice.

Refusal of Letters to Surviving Spouse or Unmarried Minor Child(ren)

Refusal of Letters to Surviving Spouse/Unmarried Minor Child(ren) is one way to transfer a decedent's property (personal property and/or real estate) to their surviving spouse or unmarried minor children.

Items Typically Needed:

- ☐ \$55.50 Filing Fee (non-refundable)
- ☐ Application for Refusal of Letters to Surviving Spouse/Minor Child
- ☐ Copy of decedent's Death Certificate

If real estate/real property is included within the application, please also provide:

- ☐ Drive-By Appraisal or Letter from a Realtor (on company letterhead and with signature) stating the value of the real estate (if any).

If the total amount of the assets exceeds \$24,000, please also provide:

- ☐ Copy of decedent's Income Tax Return for the last full calendar year preceding death.
- ☐ An affidavit detailing the surviving spouse's monthly expenses.

DOUBLE CHECK YOUR APPLICATION

Make sure that you completed the application in its entirety.

Make sure all blanks are completed.

Make sure description of the property includes the following information.

For example:

- For Vehicles – Include the year, make and model, VIN, balance due on vehicle loan (if any), and the value of the vehicle.
- For Bank Accounts – Include the name of the bank, the last four digits of account number, and the balance (including any interest earned).
- For Stocks, Bonds, Mutual Funds – Include the name of the account, last four digits of the account/certificate number, number of shares, the value per share, and the total value.
- For Checks – Include the check number, date of the check, who the check is from, the amount of the check, and the name of the bank that the check is drawn on.
- For Real Property/Real Estate – Include the legal description of the property and the street address of the property.
- For Items in a Safe Deposit Box – List the contents of the safe deposit box.

Filing the application and paying of the filing fee does not guarantee that the refusal of letters will be granted. The statutory requirements must be met before an order of refusal can be issued. Applications are processed in the order received. Applicants who are not represented by an attorney in this matter will receive their response from the court via ordinary mail.

Probate Department
16th Circuit Court of Jackson County
415 E. 12th Street, 9th Floor
Kansas City, MO 64106
816-881-3755
probate@courts.mo.gov

Probate Department
16th Circuit Court of Jackson County
308 West Kansas, Suite 304
Independence, MO 64050
816-881-3755
probate@courts.mo.gov