

PROBATE COURT WORKSHEET

Did the decedent have a will? YES
 NO

I. ALL APPLICANTS/PETITIONERS MUST COMPLETE THIS SECTION.

Full Legal Name of Person applying to be Personal Representative:			
Relationship to the Decedent:			
Address:			
Email address: <i>Please note that we use e-mail as much as possible to reduce postage costs and long-distance charges.</i>			
Phone #	Home		
	Cell		

2. Decedent Information:

Full Legal Name
(including all known names): _____

Date of Birth: _____

Date of Death: _____

Age at date of death: _____

3. It is appropriate to probate this estate in Calhoun County because (choose one):

- Decedent lived in this County at date of death:
Address: _____
- Decedent did not live in **South Carolina**, but property of Decedent was located in Calhoun County at date of death at: Address: _____
- Decedent has a right to take legal action in this County because:

If the above address is the address of a nursing home, prison, or other residential facility, please give the last address of the Decedent prior to entering a facility:

_____.

4(a) Names and addresses of beneficiaries (devisees) named in the Will.
Skip this section and go to section 4(b) if there was no Last Will and Testament.

Full Legal Name (including all known names)	Year of Birth	Full Address	Relationship to Decedent
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(use additional sheet if necessary)

4(b) Names and addresses of intestate heirs (persons who inherit if decedent left no will).

Full Legal Name (including all known names)	Year of Birth	Full Address	Relationship to Decedent
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(use additional sheet if necessary)

4(c) Did all of the above persons survive one hundred and twenty (120) hours since the death of Decedent?

YES NO If no, please explain on page 3.

5. Did Decedent have any change of marital status or the birth or adoption of any children after execution of this Will (if one exists), or has any child of the Decedent been born since his death, or is any birth of a child of the Decedent anticipated? (This includes illegitimate children.)

NO YES If yes, please explain, on page 3.

6. To the best of your knowledge, was the Decedent a patient in a non-private State of South Carolina mental health facility during his/her lifetime?

NO YES If yes, please explain, on page 3.

7. Has a Guardian or Conservator ever been appointed by the Court for this person?

NO YES If yes, please explain on page 3.

8. Has a Personal Representative of the Decedent been appointed prior to this date by a Court in this State or elsewhere?

NO YES If yes, please state details, including name and address of such Personal Representative on page 3.

9. Have you received or are you aware of any Demands for Notice (Form #111PC) of any probate or appointment proceeding concerning the Decedent that may have been filed in this state or elsewhere?

NO YES If yes, please state details, including names and addresses on page 3.

10. Have more than ten (10) years passed since the Decedent's death?

NO YES If yes, please state circumstances authorizing tardy probate on page 3.

11. (a) Did the decedent own real estate? NO YES

If yes, what is the approximate value? _____

(b) Did the decedent own personal property (i.e. car, farm equipment, bank accounts, etc.) NO YES

If yes, what is the total approximate value? _____

12. Have you made a diligent search for a Last Will and Testament of the decedent?

NO YES If yes, please explain on page 3 and then proceed to Section II.

II. IF A WILL EXISTS, PLEASE COMPLETE THIS SECTION, Skip to the next section if there was no will.

1. Regarding the Decedent's Will:

- The original is attached.
- The original is in the Court's possession.
- An exemplified (authenticated) copy of a Will probated in another jurisdiction is attached.
- An exemplified (authenticated) copy of a Will not probated in another jurisdiction is attached.
- The Will is lost, destroyed, or otherwise unavailable, however, a description of its contents is attached.

2. The execution date of the Will was: _____

Codicil(s): _____

3. Does Decedent's Will refer to a Memorandum (List disposing of tangible personal property)?

NO YES If yes, attach hereto.

4. To the best of your knowledge, do you believe the Will listed above is the Decedent's validly executed last Will?

YES NO If no, please explain on page 3.

5. To the best of your knowledge, is any witness to the will an "interested witness" (devisee, spouse of a devisee, or issue of a devisee)?

NO YES If yes, please explain on page 3.

COMPLETE EXPLANATION (S) FOR QUESTIONS IN SECTIONS I and II HERE.
(If more space is required, use additional sheets.)

III. Appointment of Personal Representative

1. If the Applicant/Petitioner is not the proposed Personal Representative(s) above, list name and address of the person you are proposing be appointed:

2. Why are you, or the above named person eligible to be named as Personal Representative?

- named as Primary Personal Representative in Will
- named as Alternate Personal Representative in Will
- nominee of above Primary Personal Representative in Will
- nominee of above Alternate Personal Representative in Will
- surviving spouse of Decedent who is devisee of Decedent or nominee of said spouse
- other devisee of Decedent (describe): _____ or nominee of said devisee
- surviving spouse of Decedent or nominee of said spouse
- other heir of Decedent (describe): _____
- creditor (Forty-five (45) days after death must have passed) or nominee of creditor; written statement of claim, Form 371PC, is attached
- other (describe): _____

3. List below the names of any other persons, if any, having an equal or higher priority of appointment than the proposed Personal Representative:

IV. ALL APPLICANTS/PETITIONERS MUST COMPLETE VERIFICATION.

VERIFICATION

The undersigned, being sworn, states that the facts set forth in the foregoing statement are true to the best of the undersigned's knowledge, information and belief, and hereby submits to the Court's jurisdiction in this matter.

Signature of Applicant/Petitioner: _____	_____
	Date
Signature of Co- Applicant/Co-Petitioner: _____	_____
	Date