

SMALL ESTATE AFFIDAVIT

STATE OF [STATE])) ss. COUNTY OF [COUNTY WHERE THE AFFIDAVIT IS SIGNED])

1. Affiant

I, [AFFIANT NAME], residing at [AFFIANT ADDRESS], being first duly sworn, depose and state:

1. I am over eighteen (18) years of age, of sound mind, and competent to make this Small Estate Affidavit.
2. I am a successor, heir, or person otherwise entitled under the applicable statutes of the State of [STATE] to receive the property of the Decedent identified below by simplified procedure in lieu of formal probate administration.
3. I have personal knowledge of the facts stated herein and, if called as a witness, could testify competently thereto.

2. Purpose

This Affidavit is made under the small-estate / summary administration statutes of the State of [STATE] to collect, receive, transfer, and distribute the Decedent's property without formal probate, for the following purpose: [PURPOSE OF THIS AFFIDAVIT]

3. Decedent

1. [DECEDENT S FULL LEGAL NAME] (the "Decedent"), born , died on at [DECEDENT S PLACE OF DEATH CITY].
2. The Decedent's last residence and domicile at death was [DECEDENT S DOMICILE LAST RESIDENCE ADDRESS].
3. The Decedent died intestate (without a valid will).

4. Estate Composition and Threshold

1. The gross fair-market value of the Decedent's entire estate, wherever located, subject to administration is ****.
2. Said value does not exceed the applicable statutory threshold for small-estate / summary administration under the laws of the State of [STATE].
3. The Decedent's estate consists solely of personal property.

Waiting period. I certify that the statutory waiting period from the Decedent's date of death required under has elapsed as of the date of this Affidavit.

5. Heirs and Successors

The Decedent's known heirs, beneficiaries, and successors, and their respective relationships to the Decedent and addresses, are:

The persons identified above are entitled to the Decedent's property under the applicable law of intestate succession or under the Decedent's will. There are no known disputes regarding their status as heirs or successors.

6. No Pending Administration

1. No petition for the appointment of a personal representative of the Decedent is pending or has been granted in any jurisdiction.
2. No formal probate proceeding has been commenced with respect to the Decedent's estate.
3. No other person has a prior or equal right to the property being claimed by this Affidavit.

7. Debts and Expenses

1. All known debts and liabilities of the Decedent, including reasonable funeral and last-illness expenses, medical bills, and administration costs, have been paid or will be paid from the estate prior to or contemporaneously with distribution to the heirs.
2. I am not aware of any unpaid claim that has been presented or is reasonably anticipated that would exceed the estate assets.

8. Indemnification

I agree to indemnify and hold harmless any person or institution that transfers property, pays funds, or delivers assets in reliance on this Affidavit from and against any and all claims, losses, and expenses (including reasonable attorneys' fees) arising out of such transfer, payment, or delivery.

9. Additional Facts

[NUMBERED FACTS ONE FACT PER PARAGRAPH]

Oath and Penalty of Perjury

I certify under penalty of perjury under the laws of the State of [STATE] that I know the contents of this Affidavit signed by me and that the statements set forth above are true and correct to the best of my knowledge.

Signature of Affiant

Affiant

PRINTED NAME

SIGNATURE

DATE

Notary Jurat

State of [STATE] County of [COUNTY WHERE THE AFFIDAVIT IS SIGNED]

Subscribed and sworn to before me this _____ day of _____, 20, by [AFFIANT NAME], who is personally known to me or who produced _____ as identification.

Notary Public: _____ My commission expires: _____

[NOTARY SEAL]

***Jurat vs. acknowledgment.** This certificate is a **jurat** — the correct notarial certificate for an affidavit. A jurat (i) requires the affiant to appear before the notary, (ii) requires the affiant to sign in the notary's presence (no pre-signing), and (iii) includes administration of an oath or affirmation. An **acknowledgment** (used for deeds, powers of attorney, and contracts) does NOT include an oath and is the wrong certificate for an affidavit. Using an acknowledgment in place of a jurat may cause a court to reject the affidavit as defective.*