

TESTATE ESTATE CHECKLIST

ESTATE OF: _____

_____ CHANCERY CAUSE NO: _____

(County)

_____ Complaint to Probate Will, **a copy of the Will must be attached**, UCCR 6.15
Common Form to Probate. 91-7-7 (Probate in common form is prima facie
evidence of a valid Will 91-7-27 and RE *re will of Winding 783 So.2d 707 (Miss
2001)* Solemn Form of Probate: 91-7-19 (This requires a MRCP Rule 81
Summons)

_____ Judgment Admitting Will to Probate and Appointing Executor/Executrix

_____ Oath (signed, dated, and filed *after* Judgment is entered)

_____ Bond (unless waived in the Will)

_____ Letters Testamentary Issued by Clerk

_____ Inventory is still required by Statute *see MCA 91-7-93*

_____ Affidavit of Creditors, send to all known creditors with cover letter and filed after
the Judgment Appointing the Administrator(rix) and *before* publication *see MCA
91-7-145*. Otherwise, your publication is void. *See Ladner 911 So.2d 673*.

_____ Affidavit (*See Rule 4 (c)(4)(D)*)

_____ Notice to Creditors issued by Clerk and sent to newspaper

_____ Complaint for sale of Real/Personal Property w/appraisal (ask Court to set bond if
publication (90 days) has not run or waive bond and deposit funds into Court
Registry. (*See 91-7-205 and Sharpley v Plant 79 Miss 175, 28 So. 799 (1900)*)

_____ First Annual and Final Accounting, must file checks and receipts w/it, Annual
Accounting 91-7-277 attach vouchers and checks 91-7-279 fees and expenses "All
interested parties" must be served with process or waive process.

WARNING:

1. STATE TAXES - a clearance letter from the State Tax Commission may be needed
2. FEDERAL TAXES - a clearance letter from the IRS may be needed
3. MEDICAID LIEN (a letter should be sent to Medicaid at the time you send letters to Creditors)