



MARY RATHEL
Judge of Probate

Please accept our sincere condolences on the loss of your loved one. We want to do all that we can to make the probate process as simple as possible for you.

Below is some basic information regarding the probate process, website links to required forms, and a list of resources that we hope you will find helpful.

We look forward to assisting you with your loved one's estate. In the meantime, please know that our sympathy is with you and your family during this difficult time. Should you have any questions, please contact our office at 803-283-3379.

DO I NEED TO OPEN AN ESTATE WITH THE PROBATE COURT?

1. **No Will, No Assets**

No probate is required.

2. **Will, No Assets**

3. **Small Estate**

- Did not own any real property, and
- Owned personal property (boat, car, mobile home, jewelry, furniture.) with a total fair market value of **less than \$25,000.**

4. **Regular Estate**

- Decedent owned real property (home, rental property, commercial property, undeveloped land) of **any** value, or
- Decedent owned personal property (boat, car, mobile home, jewelry, furniture.) with a total fair market value of **\$25,000 or more.**

WHEN SHOULD I BEGIN?

Many people are eager to start as soon as possible; others are not emotionally prepared to begin this process. We understand that every family differs and do not set strict requirements as to when you must open the estate.

State law requires that anyone possessing a **valid Will** submit the original to the Probate Court **within 30 days of the decedent's death.**

Any Will held longer than 10 years becomes invalid. Regardless of whether there was a will, no estate can be opened without an attorney more than 10 years after the decedent's death.

Once all required documents are received, a Probate Court Clerk will contact the Applicant to schedule an Opening Estate Appointment or to attend an Opening Estate Workshop.

- If you live out of state or are unable to come in to meet with a Probate Court Clerk, we will assist you by phone, email, and U.S. mail.
- The email address to submit documents to start the Probate Process is as follows. Probate@lancastersc.net. You may mail paperwork to P.O. Box 1809, Lancaster, SC 29721 or drop the paperwork in our drop box in the lobby of the courthouse.
- If you wish to complete estate paperwork without the assistance of our office, you are welcome to do so. You may contact an attorney of your choice for assistance or you may complete the paperwork yourself. Please see below for a list of required items for uncontested cases.

Required Documentation:

1. The Original Will (to be submitted within 30 days of the date of death); If one exists.
2. A copy of the Death Certificate ;
3. A copy of the Obituary and Funeral Program (if available);
4. A copy of the Applicant's photo ID (person submitting documents to open the Estate);
5. A copy of the Funeral Bill - Paid in Full. If you have an agreement for indigent cremation with the Lancaster County Coroner's office you must file a paid in full receipt or proof of contract in good standing.
6. Completed **Probate Court Worksheet** (pages 5-15) to assist with determination if qualifies as a Small Estate or Regular Estate; Please keep pages 1-4 for future references.

HELPFUL CONTACTS

LANCASTER COUNTY PROBATE COURT

Telephone (803) 283-3379

Facsimile: (877) 636-7961

www.mylanastersc.org

Click on **County Departments** and then select **Probate Court**.

Mailing Address: Lancaster County Probate Court Post Office Box 1809 Lancaster, SC 29721	Physical Address: Lancaster County Probate Court 104 North Main Street - 2nd Floor Lancaster, SC 29720
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LEGAL SERVICES TELEPHONE INTAKE SERVICE

1-888-346-5592

www.sclegal.org

Monday through Friday, 1-4 p.m.

Call to determine if you qualify for pro bono or legal services assistance.

SOUTH CAROLINA LAWYER REFERRAL SERVICE

1-800-868-2284

A service of the SC Bar Association.

www.scbar.org

EDMUNDS APPRAISE YOUR CAR

<https://www.edmunds.com/appraisal/>

SALVATION ARMY HOUSEHOLD ITEMS VALUATIONS

<https://satruck.org>

Scroll to **Commonly Donated Items Section** underneath the photograph

Click on icon of Furniture and Appliances.

SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES

www.scdmvonline.com

Lancaster DMV Office:

803- 286-4859

1694 Pageland Highway

Lancaster, SC 29720

SOUTH CAROLINA DEPARTMENT OF REVENUE

Estate Tax Division:

1-803-898-5756

www.sctax.org

(If you are a surviving spouse of a 100% disabled Veteran or have property that is except through SCDOR, contact the SCDOR to make sure you receive the benefits as surviving spouse. This does not include Homestead, contact the Auditor's office concerning your homestead benefits.)

INTERNAL REVENUE SERVICE (IRS)

1-800-829-1040

www.irs.gov

SOCIAL SECURITY ADMINISTRATION

1-800-772-1213

www.ssa.gov

Rock Hill Social Security Office

499 Lakeshore Pkwy

Rock Hill SC 29730

Phone: (800)772-1213

M-F Hours: 9 AM -4 PM

VETERANS AFFAIRS

1-800-827-1000

www.va.gov - Federal Website

Lancaster County Veterans Affairs Office

1033 Meeting Street

Lancaster SC 29720

1-877-636-5278

www.mylancastersc.org - Lancaster County Website

Click on **County Departments** and then select **Veterans Affairs**.

Probate Court Worksheet

DECEDENT'S NAME: _____

DECEDENT'S DATE OF DEATH: _____

YOUR NAME: _____

YOUR ADDRESS: _____

YOUR EMAIL: _____

YOUR DAYTIME TELEPHONE NUMBER: _____

YOUR RELATIONSHIP TO DECEDENT: _____

LIST THE DECEDENT'S RELATIVES:

If none or deceased, so indicate and list date of death if known.

Decedent's spouse; List name, complete mailing address and year of birth:

Decedent's children still living; List name, complete mailing address and year of birth:

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

Child predeceasing decedent: Name

Full Legal Name (children of predeceasing child of decedent)	Year of Birth	Full Address	Relationship to Decedent
_____	_____	_____	_____
_____	_____	_____	_____

Child predeceasing decedent: Name

Full Legal Name (children of predeceasing child of decedent)	Year of Birth	Full Address	Relationship to Decedent
_____	_____	_____	_____
_____	_____	_____	_____

If you answered "NONE" to all of the previous questions about relatives, list the decedent's parents:

Mother: (name) _____ Deceased? _____
(address) _____

Father: (name) _____ Deceased? _____
(address) _____

If you answered "NONE" to all of the questions about relatives and both parents or all persons listed are deceased, please list the name and addresses of the decedent's siblings. If the decedent's siblings are deceased, you will list the names and addresses of the deceased sibling's children. If you have any questions concerning this information, please contact the Probate Court at (803) 283.3379.

List the names, complete mailing addresses and year of birth of any other persons named in the decedent's will along with their relationship to the decedent.

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

Litigation

You must provide the Court with copies of the latest correspondence, court filings, mediation and arbitration concerning the litigation.

Type of Litigation: _____
Name of Attorney: _____
Address _____
City, State, Zip _____
Phone Number _____
Fax Number _____

This form reflects the Inventory and Appraisement (form #350sf) that you will be required to do for a regular estate. Please keep a copy of this form available.

You may photocopy any of the pages in Sections A through I before they are filled out if there are additional assets within the categories to be listed.

SECTION A - REAL ESTATE

For real property to be joint with right of survivorship, the deed must have survivorship language, e.g., “to John Doe and Jane Doe and then to the survivor of the two of them.” A deed to “John Doe and Jane Doe and their heirs and assigns forever” is NOT joint with survivorship and should be listed in Section A below.

Property Located Within Lancaster County, South Carolina

1. Obtain **Property Information** for each property owned by the decedent from the **Lancaster County Tax Assessor Office – online at <http://qpublic.net/sc/lancaster/mylancastersc.org> departments-Assessor or in person Room 213, 803-285-6964**

2. Obtain a **copy of the latest deed** for each property owned by the decedent from the **Lancaster County Register of Deed’s Office – at the website listed above for the Assessor’s office (if deed is available online) or in person Room 203, 803-416-9440; and**

Both offices are located in:

Lancaster County Administration Building
101 N. Main Street
Lancaster, South Carolina 29720

Property Located Outside Lancaster County (In South Carolina or Other States)

1. Obtain a **copy of the latest deed** for each property owned by the decedent that is located in other counties/states from the **Register of Deed’s Office** in that local County jurisdiction; and

2. Obtain a **Property Record Card** for each property owned by the decedent that is located in other counties/states from the **Tax Assessor Office** in that local County jurisdiction.

SECTION A - REAL ESTATE

You may copy this form and attach additional pages as needed.

- Enter Information for All Properties Owned by the Decedent.
- Owned land that mobile home is situated upon is listed under this section.

Note: Mobile Homes are to be listed under **SECTION F – OTHER ASSETS**.

PROPERTY NUMBER 1:

Name(s) Property Held	
Decedent's Percentage of Ownership	
Location of Property - Street Address, City, State, and Zip Code	
Tax Map Number	
# of Acres or Lot Size	
Number of Houses and Buildings on Each Parcel	
Fair Market Value of Decedent's Interest (see Property Card)	\$

PROPERTY NUMBER 2:

Name(s) Property Held	
Decedent's Percentage of Ownership	
Location of Property - Street Address, City, State, and Zip Code	
Tax Map Number	
# of Acres or Lot Size	
Number of Houses and Buildings on Each Parcel	
Fair Market Value of Decedent's Interest (see Property Card)	\$

SECTION B – STOCKS AND BONDS

You may copy this form and attach additional pages as needed.

- Enter Information of All Stocks and Bonds in Decedent's Name Alone or Owned By Decedent and Someone Who Predeceased Decedent.
- ATTACH Photocopies of All Stocks and Bonds.

STOCK OR BOND NUMBER 1:

Name(s) in Which the Stock or Bond is Held	
Number of Shares	
Fair Market Value	\$

STOCK OR BOND NUMBER 2:

Name(s) in Which the Stock or Bond is Held	
Number of Shares	
Fair Market Value	\$

STOCK OR BOND NUMBER 3:

Name(s) in Which the Stock or Bond is Held	
Number of Shares	
Fair Market Value	\$

STOCK OR BOND NUMBER 4:

Name(s) in Which the Stock or Bond is Held	
Number of Shares	
Fair Market Value	\$

SECTION C - NOTES DUE DECEDENT AND CASH (BANK ACCOUNTS)

You may copy this form and attach additional pages as needed.

List bank account(s), Certificates of Deposit (CDs), etc. in decedent’s name only (or in name of decedent and someone who died before decedent).

Note: Check with each Financial Institution(s) to determine if each account is set up as **Right of Survivorship** or **Paid on Death**.

ACCOUNT NUMBER 1:

Exact Name(s) on Account	
Type of Account	<input type="checkbox"/> Checking <input type="checkbox"/> Savings <input type="checkbox"/> CD Last 2 Digits of Account Number: _____
Bank/Company Name	
Dollar Amount In Account	\$
Value of Decedent’s Interest	

ACCOUNT NUMBER 2:

Exact Name(s) on Account	
Type of Account	<input type="checkbox"/> Checking <input type="checkbox"/> Savings <input type="checkbox"/> CD Last 2 Digits of Account Number: _____
Bank/Company Name	
Dollar Amount In Account	\$
Value of Decedent’s Interest	

ACCOUNT NUMBER 3:

Exact Name(s) on Account	
Type of Account	<input type="checkbox"/> Checking <input type="checkbox"/> Savings <input type="checkbox"/> CD Last 2 Digits of Account Number: _____
Bank/Company Name	
Dollar Amount In Account	\$
Value of Decedent’s Interest	

SECTION C - NOTES DUE DECEDENT AND CASH {BANK ACCOUNTS} (continued)

You may copy this form and attach additional pages as needed.

Paycheck to Decedent OR ESTATE OF Not Cashed or Deposited	List Amount - \$
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From	
Payable To	

Refund Check to Decedent Not Cashed or Deposited	List Amount - \$
From	
Payable To	

Mortgage or Rent Income Payable to Decedent	List Amount - \$
From	
Payable To	

Lynches River Capital Credit due	List Amount - \$
Unclaimed Property (Contact state Treasurer's Offices in which the decedent lived to determine)	List Amount - \$

**SECTION D - INSURANCE ON DECEDENT'S LIFE - PAYABLE TO THE ESTATE
(NO BENEFICIARIES LISTED)**

You may copy this form and attach additional pages as needed.

LIFE INSURANCE POLICY:

Company Name	
Policy Number	
Policy Value	\$

SECTION F – OTHER MISCELLANEOUS ASSETS

You may copy this form and attach additional pages as needed.

Attach copies of Titles for all Vehicles, Motorcycles, ATVs, Boats, Jet Skis, and Mobile Homes (if available). Also list Farm Equipment.

VEHICLE NUMBER 1:

Exact Name(s) On Title	
Year/Make/Model	
Vehicle Identification Number (VIN) If Applicable	
Fair Market Value - Refer to Helpful Contacts	\$

VEHICLE NUMBER 2:

Exact Name(s) On Title	
Year/Make/Model	
Vehicle Identification Number (VIN) If Applicable	
Fair Market Value - Refer to Helpful Contacts	\$

VEHICLE NUMBER 3:

Exact Name(s) On Title	
Year/Make/Model	
Vehicle Identification Number(VIN) If Applicable	
Fair Market Value - Refer to Helpful Contacts	\$

Name of Business	
Street Address City, State, and Zip Code	
Type of Ownership Sole Owner / Partnership	
Owner Name(s)	
Fair Market Value	\$

	Total Fair Market Value
HOUSEHOLD ITEMS(Such as Furniture, fixtures, etc)	\$
PERSONAL ITEMS(Clothes, Jewelry, etc)	

SECTION G – TRANSFERS DURING DECEDENT’S LIFETIME PAYABLE TO ESTATE

You may copy this form and attach additional pages as needed.

List any of the following types of transfers that Decedent made during his lifetime:

1. Any trust which will pay benefits to another after Decedent’s death;
2. Bank accounts, U.S. Government or corporate stocks or bonds that were in the name of the Decedent but are Payable on Death (or “P.O.D.”); or
3. Any other transfer which decedent made that was to take effect after death.

Description of Asset	Transferee(s) and/or Beneficiary(ies)	Monetary Value
		\$
		\$
		\$

SECTION H - POWERS OF APPOINTMENT

List here any real or personal property over which Decedent held a Power of Appointment, the power to sell, mortgage, encumber, or otherwise exercise rights of ownership over some asset which the property of another.

- 1. Did Decedent hold a Power of Appointment given by another?
 No Yes - If yes, bring a copy of the document creating the Power.
- 2. Did Decedent hold any of the following titles at the time of death?

Type of Appointment	Fill In Yes or No	For Whom? Name / Relationship
Guardian (Court Appointed)?	<input type="checkbox"/> No <input type="checkbox"/> Yes	
Custodian?	<input type="checkbox"/> No <input type="checkbox"/> Yes	
Conservator?	<input type="checkbox"/> No <input type="checkbox"/> Yes	
Trustee?	<input type="checkbox"/> No <input type="checkbox"/> Yes	
Estate Representative? Also known as Executor or Personal Representative	<input type="checkbox"/> No <input type="checkbox"/> Yes	
Other? (Specify)	<input type="checkbox"/> No <input type="checkbox"/> Yes	
Other? (Specify)	<input type="checkbox"/> No <input type="checkbox"/> Yes	
Other? (Specify)	<input type="checkbox"/> No <input type="checkbox"/> Yes	

SECTION I - ANNUITIES AND RETIREMENT ACCOUNTS PAYABLE TO THE ESTATE

You may copy this form and attach additional pages as needed.

- List any owned Annuities and Retirement Accounts owned by the Decedent and payable to the Estate.

Type of Account	Company Name	Value of Account
Traditional IRA		\$
Roth IRA		\$
401K		\$
Annuity		\$
Other (Specify):		\$

SECTION I - ENCUMBRANCES

You may copy this form and attach additional pages as needed.

Examples of encumbrances are mortgages / other loans on homes, farms, undeveloped land, and vehicles, or liens and judgements against these assets.

Name of Creditor or Lien Holder	Description of Encumbered Asset	Balance Amount Due
		\$
		\$
		\$
		\$