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Probate Timeline & Directions

Estate Of: _____

Case Number: _____ Date Of Letters: _____

A **Personal Representative**, also referred to as an Executor or Administrator, is the fiduciary put in charge of settling a deceased person's estate. There is a host of duties and responsibilities imposed by the law upon the Personal Representative. It is the Personal Representative's duty/responsibility to ensure that all documents have been filed, fees are paid, and deadlines are met. Failure to do so can and may result in penalties, which may include fees, court appearance, and/or removal of Personal Representative.

Step 1 – Inventory **Due By:** _____

Within three months after the granting of letters (the date the estate is opened), an Inventory Form 600 RW is to be filed with this office. The Inventory is to be completed by the Personal Representative and should reflect all assets owned by the Decedent as of the date they passed away. This document also serves to pass real property in Sussex County, so you should make a copy of the Inventory prior to submitting, as this document also acts as your deed. You'll also need the figures from the last page to complete the Accounting.

The Inventory form should be submitted and approved by the Register of Wills no later than the above date, overdue documents may be charged a late fee. The Inventory must be completed in its entirety before being submitted to the office by 3:30PM of the date listed above and does require you to sign before a Notary. You may **mail the Inventory in** or **drop it off at the front desk in the Register of Wills office**. Documents may not be faxed or e-mailed in for filing. Questions regarding the Inventory can be directed to our Clerk, Lindsay Behney by calling into the office or sending in an e-mail to **lindsay.behney@sussexcountyde.gov**. Extensions for the Inventory may be granted with the appropriate form, see the following page for instructions.

You may have Beneficiary Waivers signed at any time throughout the Estate process, but we ask that you **do not submit them to the office until you have the appointment with the Chief Deputy to close the Estate**. They are a part of the closing process and cannot be filed until the Accounting has been recorded. **Accounting paperwork cannot be mailed into the office with the Inventory**. Please see Step 2 for Accounting Instructions.

Step 2 – Accounting **Earliest Date To Call:** _____ **Deadline:** _____

The next filing requirement with the Register of Wills is the Accounting. An Accounting / Form SC30 begins with the total value of the Decedent’s solely owned personal assets as stated on the Inventory (Total of Probate Assets, Sum of C, D & E) and any additional assets which may have come into the estate since the Inventory was filed. The earliest date to call for an appointment would be 8 months from the date of passing, but you have up to a year from the date the estate was opened. All Claims must be addressed before scheduling an appointment with the Chief Deputy. When you’re ready to file the Accounting, please call the office and ask for the Chief Deputy, Kris Vavala, to schedule your appointment. When you **call for this appointment**, please have the Accounting forms that we’ve provided to you, in front of you. The Chief Deputy is required to review everything with you that you’ll need to have for the appointment. Should you have any questions about the Accounting, you may e-mail her at kristine.vavala@sussexcountyde.gov.

Register of Wills E-mail

If at any time throughout this process you have general questions not specific to an Inventory or the Accounting regarding an Estate on file, you have the option of e-mailing those questions to willsinfo@sussexcountyde.gov, or for quicker assistance, calling the office. Questions regarding legal advice cannot be answered by the Clerks or Deputies, please consult with a licensed Delaware Attorney.

Short Certificates

If you require additional or updated Short Certificates at any time throughout the probate process and after the closing of the estate, you may have them issued if the Estate is in good standing and current on filings. They’re available by stopping into the office to pick them up, or by mail with a completed request form (See **Additional Forms** below) and a self-addressed stamped envelope. The Short Certificates are \$3 per document, and they are valid for 60 days from the time of issuance.

Extension Request

If you require an extension on the due date for the Inventory or Accounting, you may be granted up to an additional 6 months of time from the original due date at the discretion of the Chief Deputy. The form can be found on the website under “Additional Forms”.

Additional Forms

Any forms given to you at your Estate Opening meeting or provided by the Register of Wills can be found on the County’s website. If you require a new Inventory, Accounting, request forms, or Waivers can be printed from: <https://sussexcountyde.gov/register-will-forms>

EIN Number

If your bank requires you to open an Estate Account with an EIN number, please visit: IRS.gov

Claims

If a claim is forwarded on to you from our office, it would need to be addressed by you to close the Estate. If the claim is satisfied, please make sure the claimant sends a satisfaction to our office or if sent directly to you, you forward it on to be office to be filed. If you reject the claim, rejections would need to be received at least 90 days prior to your expected closing date.