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sussexcountyde.gov

Register of Wills

PROBATE TIMELINE & DIRECTIONS

Estate of:

Case Number:

Date of Letters:

A **Personal Representative**, also referred to as an Executor/Executrix or Administrator/Administratrix, 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 a list of the assets starting the date the decedent passed that have been gathered by the personal representative. This document also serves as a way to pass real property in Sussex County.

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 3:30 PM of the date listed above and does require you to sign before a Notary. You may **mail the Inventory** in or **put it in an envelope and drop it off to the Court Officers in the front of our building**. Questions regarding the Inventory can be directed to our Clerk, Lindsay Behney, by calling the office or sending an email to lindsay.behney@sussexcountyde.gov.

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 Deputy to close the Estate. They're part of the closing process and cannot be filed until the Accounting has been recorded.

Step 2 – Accounting Earliest Date:

Deadline:

The next filing requirement with the Register of Wills is the accounting. An Accounting / Form SC30 begins with the total value of the decedents solely owned personal assets as stated on the inventory (Total of Probate Assets, Sum of B,C + E) and any additional assets that may have come into the estate since the inventory was filed. The earliest date of filing would be 8 months from the date of passing, but you have up to a year from the date the estate was opened. When you're ready to file the accounting, please call the office and ask for the Deputy, Patty Bodenweiser, 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 Deputy is required to review everything with you that you'll need to have for the appointment. The Deputy's appointments run **3-4 weeks out** from the current date, so if you have a date in mind to have your closing appointment, allow for that time when scheduling. Should you have any questions about the Accounting, you may email her at **pbodenweiser@sussexcountyde.gov**.

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 as long as the Estate is in good standing and current on filings. They're available by mail with a completed request form (See **Additional Forms** below) and a self-addressed and stamped envelope. These certificates are \$3 per document and they're only valid for 60 days from the time of issuing.

Extension Request

If you require an extension request 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 to request this additional time can be found on the County's website - **see Additional Forms below**.

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 or Request Forms or Waivers can be printed from: **<https://sussexcountyde.gov/register-will-forms>**

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 emailing 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.