

BLOUNT COUNTY PROBATE INFORMATION

The Clerks in the Clerk and Master's Office cannot tell you if you should or should not probate an estate. This is a legal question and if you have any legal questions, please consult with an attorney. If you have decided to probate an estate without the help of an attorney, you will need to comply with the following.

1. If the Decedent died without a Last Will and Testament, contact Stephen Ogle, Clerk & Master, at 865-273-5500 who will determine if you need to see an attorney. If the Deceased owned real estate, title vests immediately in the heirs as set forth in section 31-2-103 of the Tennessee Code Annotated. No deed is required. If you have questions, ask an attorney.
2. Must have the **original** Last Will and Testament to present to the Clerk. In most cases, if the Deceased owned real property, the Will transfers title. No deed is required. If you have questions, ask an attorney.
3. Must have an original death certificate and the decedent must have been a resident of Blount County at the time of death.
4. All Personal Representatives (administrators or executors) named in the Last Will and Testament must be present and show picture identification and have the name and full mailing address of all named beneficiaries.
5. At this time, no in person appointments are being scheduled. For more information regarding Probate procedures in Blount County, call our office at **865-273-5500**

Standard Probate:

- The filing fee is \$372.00 (Cash, Cashier's Check or Money Order) made payable to the Blount County Clerk and Master.
- Bring the original Will, original death certificate, photo ID, names/addresses of all beneficiaries and fill out the attached information sheet.
- For legal questions, contact an Attorney who practices Probate, Wills, Estates, and or Elder Law. Clerks cannot answer legal questions or provide legal advice.

OR

Small Estate Affidavit:

- The filing fee is \$111.00 (Cash, Cashier's Check or Money Order) made payable to the Blount County Clerk and Master. No Letters Administration or Testamentary are issued.
- A small estate is personal property (no real estate) with a value of \$50,000.00 or less and cannot be initiated until after 45 days from the date of death.
- Bring a list of all decedent's debts (name of creditor, address, amount owed), a list of all assets in the decedent's name only (automobiles, bank accounts, etc), and the name/address of all beneficiaries/heirs.

HEIRS DEFINED

T.C.A. § 31-2-104
("Issue" means children)

1. SPOUSE (if no issue)
2. SPOUSE & CHILDREN (if issue)
Spouse gets child's share but not less than 1/3
Issue of same degree take equally; remote degree by representation

IF NO SPOUSE OR ISSUE

3. PARENT(S)

IF NO PARENT(S)

4. SIBLINGS & THEIR ISSUE
Deceased sibling's issue take by representation

IF NO SPOUSE, NO ISSUE, NO PARENT, NO SIBLINGS

5. GRANDPARENT(S) & THEIR ISSUE
(1/2 to Paternal side, 1/2 to Maternal side or all to one side if no grandparent or their issue on other side.)

*GO NO FURTHER UP THE LINE THAN GRANDPARENTS.
OTHER ISSUE OF GREAT GRANDPARENTS DO NOT TAKE.*

Blount County Probate Information Sheet

(Please Print Legibly)

Decedent's Name: _____

Address and City: _____

County of Residence: _____ County of Death: _____

Date of Death: _____ Age at Death: _____

Was Decedent enrolled in TENNCARE? Yes No Unknown (Circle One)

Did Decedent leave a Last Will and Testament? Yes No (Circle One)

Date Will was Signed: _____

Name of Witnesses to Will: 1. _____

2. _____

Does the Will state that Bond is waived? Yes or No (Circle One)

Does the Will state that Inventory is waived? Yes or No (Circle One)

Does the Will state that Accounting is waived? Yes or No (Circle One)

Please enter the Personal Representative(s) information below:

1. Name: _____ Phone No.: _____

Full Mailing Address: _____

County of Residence: _____

Relationship to Decedent: _____

2. Name: _____ Phone No.: _____

Full Mailing Address: _____

County of Residence: _____

Relationship to Decedent: _____

List Name and FULL Mailing Address of each Will Beneficiary:

1. Name: _____ Date of Birth _____

Address: _____

Relationship to Decedent: _____

2. Name: _____ Date of Birth _____

Address: _____

Relationship to Decedent: _____

3. Name: _____ Date of Birth _____

Address: _____

Relationship to Decedent: _____

4. Name: _____ Date of Birth _____

Address: _____

Relationship to Decedent: _____

List Name and FULL Mailing Address of each of the deceased person's closest relatives, whether they are listed in the will or not:

5. Name: _____ Date of Birth _____
Address: _____
Relationship to Decedent: _____

6. Name: _____ Date of Birth _____
Address: _____
Relationship to Decedent: _____

7. Name: _____ Date of Birth _____
Address: _____
Relationship to Decedent: _____

8. Name: _____ Date of Birth _____
Address: _____
Relationship to Decedent: _____

PLEASE READ AND SIGN:

The Clerks in the Clerk and Master's Office are not attorneys. If you have any legal questions, please consult an attorney.

This information sheet was filled out by:

Signature: _____

Print Name: _____

Date: _____