

## SMALL ESTATE AFFIDAVIT

I, \_\_\_\_\_, on oath state:

1. (a) My post office address is: \_\_\_\_\_;
- (b) My residence address is: \_\_\_\_\_; and
- (c) I understand that, if I am an out-of-state resident, I submit myself to the jurisdiction of Illinois courts for all matters related to the preparation and use of this affidavit. My agent for service of process in Illinois is:

NAME:

ADDRESS:

CITY:

TELEPHONE (IF ANY)

I understand that if no person is named above as my agent for service or, if for any reason service on the named person cannot be effectuated, the clerk of the court of \_\_\_\_\_ (County) (Judicial Circuit) County Illinois is recognized by Illinois law as my agent for service of process.

2. The decedent's name is \_\_\_\_\_;
3. The date of the decedent's death was \_\_\_\_\_, and I have attached a copy of the death certificate hereto.
4. The decedent's place of residence immediately before death was \_\_\_\_\_;
5. No letters of office are now outstanding on the decedent's estate and no petition for letters is contemplated or pending in Illinois or in any other jurisdiction, to my knowledge;
6. The gross value of the decedent's entire personal estate, including the value of all property passing to any party by intestacy or under a will, does not exceed \$100,000.00. (Here, list each asset, e.g. cash, stock, and its fair market value);
7. **EITHER A or B, NOT BOTH**
  - (a) All of the decedent's funeral expenses have been paid.
  - (b) The amount of the decedent's unpaid funeral expenses and the name and post office address of each person entitled thereto are as follows:

Name and Post Office Address:

Amount:

8. There is no known unpaid claimant or contested claim against the decedent, except as stated in paragraph 7.
9. (a) The names and places of residence of any surviving spouse, minor children and adult dependent\* children of the decedent are as follows:

Name and Relationship	Place of Residence	Age of Minor Child
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\*(Note: An adult dependent child is one who is unable to maintain himself and is likely to become a public charge.)

- (b) The award allowable to the surviving spouse of the decedent who was an Illinois resident is \$\_\_\_\_\_ (\$10,000, plus \$5,000.00 multiplied by the number of minor children and adult dependent children who resided with the surviving spouse at the time of the decedent's death. If any such child did not reside with the surviving spouse at the time of the decedent's death, so indicate.)
- (c) If there is no surviving spouse, the award allowable to the minor children and adult dependent children of a decedent who was an Illinois resident is \$\_\_\_\_\_ (\$10,000.000, plus \$5,000.00 multiplied by the number of minor children and adult dependent children), to be divided among them in equal shares.

**10. EITHER A or B NOT BOTH**

- (a) The decedent left no will. The names, places of residence and relationships of the decedent's heirs, and the portion of the estate to which each heir is entitled under the law where decedent died intestate are as follows:
- (b) The decedent left a will, which has been filed with the clerk of an appropriate court. A certified copy of the will on file is attached. To the best of my knowledge and belief the will on file is the decedent's last will and was signed by the decedent and the attesting witnesses as required by law and would be admissible to probate. The names and places of residence of the legatees and the portion of the estate, if any, to which each legatee is entitled are as follows:

Name, Relationship and  
Place of Residence

Age of Minor

Portion of Estate

(c) Affiant is unaware of any dispute or potential conflict as to the heirship or will of the decedent.

11. The property described in paragraph 6 of this affidavit should be distributed as follows:

Name

Specific sum or property to be distributed

The foregoing statement is made under penalties of perjury.\*

Subscribed to and sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Notary Public

\*(Note: A fraudulent statement made under the penalties of perjury is perjury, as defined in Section 32-2 of the Criminal Code of 1961).