

**Sumner County Chancery Court  
Clerk & Master's Office  
100 Public Square, Room 400  
Gallatin, TN 37066  
615-451-6036**

**Affidavit Of Small Estate Instructions:**

Decedent must have lived in Sumner County for a minimum of six months.

Total Estate Value must be under \$50,000.00 (Excludes Real Property).  
If there is any real property that needs to be transferred out of Decedent's name, you are not allowed to file a Small Estate.

Original Will must be filed with the Small Estate. The will is not being probated, it has to be filed into Court to support the Affidavit.

There is a 45-day waiting period from the date of death for a Small Estate to be heard before the Court. You may request the waiting period to be waived for good cause. Please submit a typed or handwritten letter outlining the specific needs/reasons for the 45-days to be waived.

All heirs must be listed on the petition. Please include mailing addresses.

Petition must be signed either in front of a Court Clerk or a Notary.

Filing Fee is \$150.50 – No personal checks are accepted. Please pay with Money Order, Cashier's Check, or Business Check, made payable to Sumner County Chancery Court. Credit/Debit Cards are accepted (A fee of \$4 or 4% whichever is greater) will be assessed when using a card. Sumner County Government does not benefit from this fee.

If Affiant(s) lives out of state, a Nonresident Fiduciary must be filed with the State of Tennessee, before Estate can be heard. The Non-resident Certificate must be filed into Court. Copy of application is attached.

**IN THE CHANCERY (PROBATE) COURT FOR SUMNER COUNTY,  
TENNESSEE AT GALLATIN**

DOCKET # \_\_\_\_\_

**IN RE: ESTATE OF** \_\_\_\_\_

**AFFIDAVIT OF SMALL ESTATE  
(under \$50,000.00 Excludes Real Property)**

Your Affiant(s), \_\_\_\_\_, would respectfully show unto the Court as follows:

That the deceased, age \_\_\_\_\_, died on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in \_\_\_\_\_ County, State of Tennessee, and that his/her last residence was in Sumner County at (List full Decedent's address):

\_\_\_\_\_

\_\_\_\_ The decedent left no will

\_\_\_\_ The decedent left a will. Original Will must be filed with the Probate Court Clerk's office. The will is not being probated, it is being filed to support the Affidavit.

The decedent left the following unpaid debts at the time of his/her death:  
Creditor's Name and Address - (If There Are No Debts, Write "None" Below)

_____	Amount \$ _____
_____	Amount \$ _____
_____	Amount \$ _____

(If other debts, attach a separate sheet)

The decedent died owning the following: (List all personal property which includes cash, bank accounts, lock boxes, notes receivable, automobiles, stocks, bonds, life insurance, or household furnishings, etc.) Do not list jointly owned property.

_____	Value (Approximately) \$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

(If other personal property, attach separate sheet)

Total Personal Estate \$ \_\_\_\_\_

List all Heirs.

The following are the names, addresses, relationship, and age of all next of kin of the deceased:

Name	Address	Relationship	Age

Your Affiant(s) is willing to collect and preserve all assets of the Estate, pay all creditors and distribute the remainder in accordance with the terms of the Will or according to the laws of descent and distribution of the State of Tennessee, pursuant to T.C.A. Title 30 Chapter 4.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Name of Affiant(s)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number(s)

**STATE OF TENNESSEE  
COUNTY OF SUMNER**

Personally appeared before me, Chancery Probate Court Clerk/Notary Public, the said \_\_\_\_\_, and after being sworn, deposes and says, subject to the penalty for perjury, that the Affidavit is not false or misleading and that she/he is mindful of all the duties imposed upon her/him.

\_\_\_\_\_  
AFFIANT(S)

SWORN TO AND SUBSCRIBED BEFORE ME, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
CHANCERY PROBATE COURT CLERK OR NOTARY PUBLIC

Commission Expires: \_\_\_\_\_

THIS MATTER IS SET TO BE HEARD ON \_\_\_\_\_ OF \_\_\_\_\_, AT \_\_\_\_\_  
IN THE SUMNER COUNTY CHANCERY COURT, 100 PUBLIC SQUARE, 4th FLOOR CLERK'S OFFICE,  
GALLATIN, TN 37066

State of Tennessee



Department of State  
312 Eighth Avenue North  
6th Floor, William R. Snodgrass Building  
Nashville, TN 37243-0306

AGENT APPOINTMENT BY  
NONRESIDENT FIDUCIARY

For Office Use Only

APPOINTMENT OF TENNESSEE SECRETARY OF STATE AS AGENT FOR  
SERVICE OF PROCESS FOR NONRESIDENT FIDUCIARY  
PURSUANT TO TCA §35-50-107

The undersigned, \_\_\_\_\_, a nonresident person, bank or trust company, wishing to act as a fiduciary in the State of Tennessee in conformity with the laws thereof, hereby appoints the Secretary of State of the State of Tennessee as the undersigned's agent for service of process.

All process in any suit or proceeding against the undersigned may be served upon the Tennessee Secretary of State in any action or proceeding relating to any trust, estate or matter within this State in respect of which the undersigned is acting in a fiduciary capacity.

The undersigned agrees that any process against the undersigned, which is served upon the Tennessee Secretary of State, shall be of the same legal force and validity as if served on the undersigned.

It is understood that this appointment shall continue for as long as any liability shall remain outstanding against the undersigned pertaining to any such matters.

The specific trust, estate or person for which the undersigned has been appointed as fiduciary is:

\_\_\_\_\_  
\_\_\_\_\_

The street address (including zip code) of the undersigned (to which all copies of legal process should be addressed) is:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Executed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(signature)

Filing Fee \$10.00



**Tennessee  
Department of State**

**Division of Business Services**

**Nonresident Fiduciary Appointment  
Services**

**Secretary of State**

Revised 11/2002

**WHAT IS A NONRESIDENT FIDUCIARY?**

- A nonresident fiduciary is a person who does not reside in Tennessee, or a bank or trust company not authorized to do business in Tennessee, that is appointed by will, deed, trust agreement, court order or otherwise to serve as trustee of a corporate or personal trust, personal representative of an estate, guardian, conservator for an incompetent person, guardian for a minor or in any other fiduciary capacity.

- Only certain types of individuals, banks or trust companies may serve as nonresident fiduciaries. Please consult Tennessee Code Annotated, Section 35-50-107 for a complete listing of qualified persons or entities.

**WHAT MUST A NONRESIDENT FIDUCIARY FILE WITH THE  
TENNESSEE SECRETARY OF STATE?**

- A nonresident person, bank or trust company cannot serve in a fiduciary capacity in Tennessee unless and until it has appointed in writing the Tennessee Secretary of State as its agent for service of process. This appointment authorizes the Secretary of State to receive and to forward to the nonresident fiduciary by registered or certified mail all process in any action or proceeding relating to any trust, estate or matter within this State in which the person, bank or trust company is serving as fiduciary.
- The appointment document submitted to the Secretary of State must contain the following items:
  1. The name of the specific trust, estate, or person for which the fiduciary has been appointed;
  2. The name and out-of-state street address (including zip code) of the fiduciary;
  3. A statement clearly designating the Tennessee Secretary of State as agent for service of process;
  4. An original signature of the nonresident person or the representative of the bank or trust company (or a certified copy of the signed appointment document); and
  5. The date the document is signed.
- The appointment document need not be in affidavit form or notarized.
- The appointment document must be accompanied by a filing fee of \$10.00. Please make checks or money orders payable to the Tennessee Secretary of State.
- The appointment document and filing fee should be submitted by mail or in person (no faxes) to the Tennessee Department of State, Division of Business

Services, Nonresident Fiduciary Section (see address and location information below).

- An appointment document received by the Division of Business Services, regardless of the method of delivery, is endorsed upon receipt with a date and time stamp. This date and time become the official filing date and time if the document is accepted for filing.
- An appointment document accepted for filing by the Division of Business Services is microfilmed and information concerning the appointment is entered into the Division's nonresident fiduciary database.
- An appointment document accepted for filing by the Division of Business Services is returned to the submitter. A letter of acknowledgment and a receipt are also provided as documentation of the filing and the receipt of the filing fee.

#### **WHERE CAN I OBTAIN AN APPOINTMENT FORM?**

- Form SS-4512 is available at our website at [www.state.tn.us/sos](http://www.state.tn.us/sos), or can be obtained from the Nonresident Fiduciary Unit upon request. However, the use of this form is not mandatory. Any document that meets the statutory requirements will be accepted for filing.

#### **COUNTER SERVICE**

Customers may obtain nonresident fiduciary services in person during regular business hours (8:00 a.m. until 4:30 p.m. (CST) Monday - Friday). The Division is located on the 6<sup>th</sup> floor of the William R. Snodgrass Tower, 312 Eighth Avenue North, Nashville, TN.

#### **MAILING ADDRESS**

**State of Tennessee  
Department of State  
Division of Business Services  
Nonresident Fiduciary Unit  
312 Eighth Avenue North  
6<sup>th</sup> Floor, Wm. R. Snodgrass Tower  
Nashville, TN 37243**

**TELEPHONE NUMBER**

For other assistance on nonresident fiduciaries, please contact us at:

**(615) 741-0531**

**E-MAIL ADDRESS**

**Business.Services@state.tn.us**

**FAX NUMBER**

**(615) 741-7310**

The Department of State is an equal opportunity, equal access, affirmative action employer. Department of State, Authorization No. 305262, 500 copies, November 2002 This public document was promulgated at a cost of \$.08 per copy.