

**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** in the Decedent's name only, **you are not allowed** to file an Affidavit of Small Estate.

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

**All Heirs, Beneficiaries and next of kin must be listed** on the Affidavit with complete mailing addresses. All Heirs, Beneficiaries and next of kin receive notice of your filing.

There is a 45-day waiting period from the date of death for a Small Estate to be heard. You may request the waiting period to be waived for good cause by filing a letter outlining the specific reasons. This is reviewed and determined by the Clerk and Master based on state statute.

You must sign in front of a Court Clerk, a Notary or under Penalty of Perjury.

**Filing Fee is \$150.50** – Pay by Cash, Money Order, Cashier's Check, or Business Check, made payable to Sumner County Chancery Court. Credit/Debit Cards are accepted with a 3% convenience fee assessed. **NO PERSONAL CHECKS**

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

The Clerk and Master will hear the Affidavit of Small Estate by phone due to COVID-19 two (2) weeks from your filing date (45-day waiting period applied.)



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) Relationship to deceased

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number(s) email address

**STATE OF TENNESSEE  
COUNTY OF SUMNER**

I, \_\_\_\_\_, do solemnly swear or affirm that the Affidavit is not false or misleading and I am mindful of all the duties imposed upon me and that I will honestly and faithfully execute the duties of **PERSONAL REPRESENTATIVE OF THE ESTATE OF** \_\_\_\_\_, according to the laws of the state of Tennessee to the best of my knowledge and ability, so help me God; and that all statements in the petition about the representative are true and accurate and that I am not disqualified from serving as the Personal Representative because of having been convicted of any felony or misdemeanor convictions and sentenced to imprisonment in a penitentiary as set forth in T.C.A. § 40-20-115 or otherwise.

<p>_____ <b>Signature</b></p> <p>State of _____</p> <p>County of _____</p> <p>Sworn to and subscribed before me, this _____ day of _____, 20_____.</p> <p>_____ Notary Public / Deputy Clerk</p> <p>My Commission Expires: _____</p>	<p><b>OR</b></p>	<p>I certify under penalty of perjury that the foregoing is true and correct.</p> <p>_____ <b>Signature</b></p>
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**NOTICE OF HEARING**  
**THIS MATTER IS SET TO BE HEARD ON \_\_\_\_\_ OF \_\_\_\_\_, \_\_\_\_\_ AT \_\_\_\_\_ BY THE SUMNER COUNTY CHANCERY COURT, VIA TELEPHONE CONFERENCE.**