

**TOWN OF EAST GREENWICH**  
**P R O B A T E C O U R T**  
**FILING & FEE INFORMATION**

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This is a court of law. Decrees and judgments are legally binding. Fiduciary duties are defined and regulated by statute. Petitioners, respondents and parties of interest are strongly advised to seek legal representation. Those appearing before the court without representation do so at their own risk and responsibility. No legal advice will be dispensed by the Probate Judge or the various clerks of the court, including how to fill out probate forms.

This Court directs all parties to RI General Law, Section 33 et seq for further information concerning practice and procedure in the probate courts of Rhode Island.

<http://www.sos.ri.gov/divisions/Business-Portal/forms/probate-forms>

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**PETITION FOR PROBATE OF WILL - (No Waiver filed-must be advertised 3 X)**

- WILL (original)
- DEATH CERTIFICATE
- ATTORNEY OF RECORD FORM (if not indicated on decree page)

FILING FEE: If estimated personal estate value is indicated on petition:

1% of value + \$4 surcharge

maximum filing fee= \$1,500 + \$4 surcharge = \$1,504

OR: If unknown estate value:

minimum filing fee: \$ 30 + \$4 surcharge = \$ 34

PLUS: Advertising Pendency fee: \$25

AND Advertising Qualification fee: \$25

EXAMPLES:	<u>Min. fee:</u>	\$ 34	Max. fee:	\$1,504
	Adv/Pend:	25	Adv/Pend:	25
	Adv/Qual:	25	Adv/Qual:	25
	Total due at filing:	<b>\$ 84</b>	Due:	<b>\$1,554</b>

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**PETITION FOR PROBATE OF WILL - (On Waiver; No Pendency Advertising )**

- WILL (original)
- DEATH CERTIFICATE
- ATTORNEY OF RECORD FORM (if not indicated on decree page)
- WAIVER(S) signed by all heirs-at-law

FILING FEE: same as above minus Advertising Pendency fee (\$25)

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**PETITION TO FILE WILL w/ NO ASSETS**

\* Petitioner / Attorney not required to attend hearing

- WILL (original)
- DEATH CERTIFICATE
- ATTORNEY OF RECORD FORM

FILING FEE: **\$34**

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**ADMINISTRATION PETITION - (NO WILL EXISTS)**

- DEATH CERTIFICATE
- ATTORNEY OF RECORD FORM (if not indicated on decree)
- MUST BE ADVERTISED (3) X

FILING FEES THE SAME AS PET/PROBATE WILL

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**PETITION FOR VOLUNTARY INFORMAL EXECUTOR (a/k/a "Small Estate")**

Value of **personal property** owned solely by decedent **must be < \$15,000**

\* Petitioner / Attorney not required to attend hearing

- WILL (original)
- DEATH CERTIFICATE
- ATTORNEY OF RECORD (if necessary)
- PETITION MUST INCLUDE LIST OF PERSONAL PROPERTY IN DETAIL
- AFFIDAVIT OF NOTICE: HEIRS (if petitioner is not the spouse and >1 heir)

FILING FEE: \$ 34

5 (fee: certified copy of approved petition)

Total due at filing: **\$ 39**

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**PETITION FOR VOLUNTARY INFORMAL ADMINISTRATION (No Will exists)**

Value of **personal property** owned solely by decedent **must be < \$15,000**

\* Petitioner / Attorney not required to attend hearing

- DEATH CERTIFICATE
- ATTORNEY OF RECORD (if necessary)
- PETITION MUST INCLUDE LIST OF PERSONAL PROPERTY IN DETAIL
- AFFIDAVIT OF NOTICE: HEIRS (if petitioner is not the spouse and >1 heir)

FILING FEE SAME AS ABOVE: **\$39**

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## **PETITION FOR SALE OR MORTGAGE OF REAL ESTATE**

- PETITION MUST BE ACCOMPANIED BY (2) CURRENT STATEMENTS OF MARKET VALUE FROM LOCAL REAL ESTATE AGENTS/APPRAISERS
- MUST BE ADVERTISED (3) X UNLESS WAIVER (ALL HEIRS) FILED

FILING FEE (Advertising): **\$25**

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## **ACCOUNTS**

- CERTIFICATION OF ACCOUNTING NEEDED, OR CHECKS & STATEMENTS ARE REQUIRED TO BE FILED FOR REVIEW
- MUST BE ADVERTISED (3) X

FILING FEE (Advertising): **\$25**

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## **AFFIDAVIT OF COMPLETE ADMINISTRATION**

\* Petitioner / Attorney not required to attend hearing

- RELEASES OF ALL HEIRS & BENEFICIARIES
- RECEIPTED FUNERAL BILL
- STATEMENT OF "NO TAX DUE" OR RECEIPTED INHERITANCE TAX BILL FROM STATE OF RI/DIV OF TAX
- AFFIDAVIT OF NOTICE TO CREDITORS & RI-EOHHS
- AFFIDAVIT OF NO REAL PROPERTY OR CERTIFICATE of DEVISE or DESCENT  
(*Duly recorded in Land Evidence*)

FILING FEE: **\$34**

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## **GUARDIANSHIP PETITIONS (Attorney representation HIGHLY recommended)**

- DECISION MAKING ASSESSMENT TOOL (D.M.A.T) -Adults
- PETITION MUST INCLUDE NAMES & ADDRESSES OF ALL HEIRS
- ATTORNEY OF RECORD FORM
- MUST BE ADVERTISED (3) X
- APPOINTMENT OF G.A.L. BY COURT USUALLY NECESSARY

FILING FEES SIMILAR TO PET/PROBATE WILL:

1% of value of personal estate of ward + \$4 surcharge to a max. of \$1,500

If unknown: min. filing fee	\$ 34
+ Adv/Pend. Fee	25
+ Adv/Quals.Fee	25
Total due at filing:	<b>\$ 84</b>

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**PETITION FOR CHANGE OF NAME -Adult (Minor ; No Adv. ;see Probate Clerk)**

- COMPLETED PETITION NEATLY PRINTED OR PREFERABLY TYPED
- BIRTH CERTIFICATE ( copy taken; original to be given back to petitioner)
- B.C.I. (to be obtained by petitioner: [www.riag.ri.gov/BCI](http://www.riag.ri.gov/BCI) )
- MUST BE ADVERTISED (3) X

FILING FEE: **\$59** \* PETITIONER TO ATTEND HEARING

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**INVENTORY**

The only filing fee would be the difference between 1% of value of Inventory assets (to a maximum of \$150k), and the initial filing fee paid when estate was opened.

- **INVENTORY ACCEPTED FOR FILING; PROBATE CLERK TO CALCULATE FEES DUE AND NOTIFY ATTORNEY OR PETITIONER**
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**MISCELLANEOUS PETITIONS** FILING FEES USUALLY **\$34**

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**CLAIMS WITHIN TIME** NO FILING FEE

**CLAIMS OUT OF TIME** -(To be Adv. 3 x) FILING FEE **\$59.00**

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**COPIES:**

COPIES OF PROBATE DOCUMENTS (Including Wills) : **\$1.50 per page**

- CERTIFIED COPIES \$1.50 per page + \$3 certification fee
- EXEMPLIFIED COPIES \$1.50 per page + \$9.00 cert/exemplification fee

**CERTIFIED COPY - CERTIFICATE OF APPOINTMENT** (Form PC-3.3) **\$5**

**CERTIFIED COPY OF NAME CHANGE PETITION W/ DECREE** **\$5**

**CERTIFIED COPY OF VOLUNTARY INFORMAL ESTATE APPROVAL** **\$5**