

IN THE CIRCUIT COURT
TWENTY-THIRD JUDICIAL CIRCUIT
HILLSBORO, MO

ADMINISTRATIVE ORDER 10-19-22

ORDER REQUIRING AN ATTORNEY

WHEREAS pursuant to Chapter 473 of the Revised Statutes of Missouri, administration of decedents estates requires strict adherence to deadlines, technical knowledge, and precise reporting;

WHEREAS lawyers are trained to strictly adhere to statutory deadlines, they are trained in the technicality of law, and they have a duty of candor when reporting to courts;

WHEREAS Revised Statutes of Missouri sets forth an approved fee schedule to ensure that beneficiaries of the estate are not overcharged for representation.

IT IS THEREFORE ORDERED THAT:

Attorneys shall be required in any estate as follows:

1. Any estate over \$15,000, whether filed as a “small estate” or “supervised estate” or “unsupervised estate”
2. Any estate where real property is owned in part or whole by the decedent
3. Supervised estates
4. Unsupervised estates

IT IS FURTHER ORDERED THAT:

Any heir or party or interests may file a small estate affidavit without an attorney if the estate is less than \$15,000 and there is NO real property.

Any heir or party or interest may request letters of refusal for a spouse, minor child(ren), or creditors without attorneys.

IT IS SO ORDERED.



BRENDA STACEY, Presiding Judge

October 18, 2022

Date

**IN THE CIRCUIT COURT OF THE TWENTY-THIRD JUDICIAL CIRCUIT OF
MISSOURI AT HILLSBORO, JEFFERSON COUNTY, MISSOURI
PROBATE DIVISION**

PLEASE FILE THE FOLLOWING WITH THE ATTACHED APPLICATION:

- ☐ Filing fee (**see below**)
- ☐ Completed application (**name printed, signed & notarized**)
- ☐ Certified death certificate (with **raised** state seal)
- ☐ Copy of any and all titles, bank statements, insurance policies, stocks, bonds, etc.
- ☐ Copy of paid funeral bill
- ☐ Completed Filing Information Sheet
- ☐ Proof of estimated value on all vehicles, mobile homes, boats, trailers, stocks, etc.
- ☐ Statements from other parties waiving rights/consenting to affiant handling estate (notarized)
- ☐ Redaction Certificate

**SMALL ESTATES MUST BE FILED AT LEAST
30 DAYS AFTER DATE OF DEATH**

**PLEASE BE AWARE THAT BANK INSTITUTIONS MAY REFUSE THE
SMALL ESTATE CERTIFICATE**

**Mail to: Jefferson County Circuit Clerk
 Attention: Probate
 P.O. Box 100
 Hillsboro, MO 63050**

**Make Money Order/Check Payable: Circuit Clerk of Jefferson County
(NOTE: WE CAN NOT ACCEPT OUT OF COUNTY CHECKS)**

Circuit Clerks Office
636-797-5443

Filing Fee for Small Estate:

Under \$15,000.00 without a will	\$ 85.50
Under \$15,000.00 with a will	\$ 120.50

\$15,000.00 and over without a will	\$ 85.50 (plus \$40.00 publication)*
-------------------------------------	--------------------------------------

\$15,000.00 and over with a will	\$ 120.50 (plus \$40.00 publication)*
----------------------------------	---------------------------------------

(Please provide an email address and when the publication is drafted our office will email you and the publication and you can arrange payment directly with the paper) The Reporter or The Countian are the legal papers our office uses.

Filing Fee for Refusal of Letters:	\$ 85.50
---	-----------------

Filing Fee for Admitting Will	\$ 85.50
--------------------------------------	-----------------

Filing Fee for Amended Small Estate/Refusal	\$ 35.00
--	-----------------

**IN THE CIRCUIT COURT OF THE TWENTY-THIRD JUDICIAL CIRCUIT OF
MISSOURI AT HILLSBORO, JEFFERSON COUNTY, MISSOURI
PROBATE DIVISION**

IN THE MATTER OF THE ESTATE OF:

Estate No.

DECEASED

**AFFIDAVIT TO ESTABLISH TITLE OF DISTRIBUTEES OF DECEDENT
WHERE TOTAL ESTATE IS LESS THAN \$40,000**

I, _____, a person having
knowledge of the facts hereinafter stated, being of lawful age and residing at
_____ in the county of
_____, State of Missouri, being first duly sworn, depose and say:

1. One _____, who resided at
_____ in
Jefferson County, Missouri, died on _____, domiciled in and a
resident of Jefferson County Missouri.

2. (A) Said decedent left a Last Will and Testament which was duly admitted to
probate by this Court on _____.

OR

(B) Said decedent died intestate.

3. All unpaid debts, claims or demands against the decedent or the estate of
decedent, if any, *have been/will be* paid, except that any liability by the affiant for
payment of unpaid claims or demands shall be limited to the value of the property
received.

4. The following is an itemized description and appraisement of all of the
personal property left by the said decedent, together with the names and addresses of the
persons having custody and possession of the same:

ATTACHED AS EXHIBIT A

5. The following is the legal description of and an appraisal of all real estate left by the decedent:

ATTACHED AS EXHIBIT A

6. The names, addresses and relationship to decedent of the persons entitled to and who will receive the property are:

7. The facts establishing the right to this property as prescribed by Section 473.097 RSMo. are:

8. The total value of decedent's estate, including real and personal property, less liens and encumbrances, does not exceed \$40,000.00.

9. No letters testamentary or of administration have been issued or applied for in said estate, nor has any order refusing letters been made in accordance with Section 473.090 RSMo., nor has application for such been filed.

10. More than thirty days have elapsed since the death of decedent.

11. The distributees have filed a bond in the form and manner prescribed by law.
OR
Distributees request that this Court dispense with the necessity of the filing of
bond.

Affiant

Address

City State Zip

Subscribed and sworn to before me this _____.

Notary Public

Notary Commission Expires:

Attorney

Address

City State Zip

MO Bar Number



IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

Probate Division	Case Number:
In the Estate of _____, Deceased.	

(Date File Stamp)

Exhibit A

[illegible]

IN THE CIRCUIT COURT OF THE 23RD JUDICIAL
CIRCUIT STATE OF MISSOURI, AT HILLSBORO, MO 63050

IN THE MATTER OF THE ESTATE OF:

_____, Estate No.:
Decedent.

MOTION TO WAIVE BOND AND CONSENT OF HEIR

The undersigned, _____,as an heir of the estate of the above
(please legibly print Heir’s name)
named decedent, consents to _____, serving as the
(please legibly print Affiant’s name)
affiant in filing the Affidavit to Establish Title of Distributee TO Property in Estate having less
than \$40,000.00 and hereby move that the Court dispense with filing of a bond by the affiant.

DATE

Heir

Street Address

City State Zip

Subscribed and sworn to before me this _____.

Notary Public

Notary Commission Expires:



Confidential Case Filing Information Sheet – Probate

Filing Date: _____	County/Jefferson: _____
Style of Case: _____ (i.e. In the Estate of; In the Matter of; Petitioner v. Respondent.)	☐ The unredacted document is attached to this filing sheet in place of listing the redacted information identifiers below.
Case Type Code: _____	Case Type Description: _____

Party Type Code: _____ Party Type Description: _____

Name (if a person): (Last) _____ (First) _____ (Middle) _____

Organization (if non-person): _____

Address: _____

City: _____ State: _____ Zip: _____ Contact Telephone Number: _____

Email Address: _____

DOB/DOD: _____ Gender: ☐ Male ☐ Female SSN: _____

Attorney Name (if represented by counsel): _____ Bar ID: _____ Party Type Code: _____

Party Type Code: _____ Party Type Description: _____

Name (if a person): (Last) _____ (First) _____ (Middle) _____

Organization (if non-person): _____

Address: _____

City: _____ State: _____ Zip: _____ Contact Telephone Number: _____

Email Address: _____

DOB/DOD: _____ Gender: ☐ Male ☐ Female SSN: _____

Attorney Name (if represented by counsel): _____ Bar ID: _____ Party Type Code: _____

Party Type Code: _____ Party Type Description: _____

Name (if a person): (Last) _____ (First) _____ (Middle) _____

Organization (if non-person): _____

Address: _____

City: _____ State: _____ Zip: _____ Contact Telephone Number: _____

Email Address: _____

DOB/DOD: _____ Gender: ☐ Male ☐ Female SSN: _____

Attorney Name (if represented by counsel): _____ Bar ID: _____ Party Type Code: _____

Instructions

✓ Complete this form for all parties known at the time of filing. Provide the most appropriate Case Type and Party Type codes and descriptions. (Found on the Case Types List and Party Types List at www.courts.mo.gov on the Court Forms/Filing Information page.)

✓ If additional space is needed, complete additional Confidential Case Filing Information Sheets.

NOTE: The **full** Social Security Number (SSN) is **required** pursuant to Missouri Supreme Court Operating Rule 4.07 for each party in the case, such as plaintiff, defendant, decedent, or ward/protectee, and is reasonably available. Name and addresses should be listed for all other parties (i.e. heirs, interested parties) on the case and if reasonably available include DOB and social security number. This is a confidential document. This information is needed to open a case in the court's case management system. While cases deemed public under Missouri statutes can be accessed through Case.net, the day and month of birth, SSN, and confidential addresses are NOT provided to the public through Case.net.

Starting July 1, 2023



Remote Public Access

Case.net soon will let people view public court documents from their personal computers, tablets or cell phones. This works only for documents filed on or after July 1, 2023.

So, what does this mean for people filing documents in court?

STOP



To protect privacy, any **confidential information** in an otherwise public document **must be redacted**.

REVIEW



If you are **filing** any document in a court case – even if you are representing yourself! – it is **your job to redact** confidential information. ***The court clerk cannot help.***

REDACT



- On a computer, use a redaction tool or substitute generic labels.
- By hand, use a marker or whiteout product to completely cover the confidential information.
- File an explanatory confidential redaction information sheet.
- Certify you have done any necessary redaction.



These improvements will fundamentally change the way individuals access public court documents, while balancing the need to protect confidential information and ensure the overall security and reliability of our underlying case management system.

~ Missouri's chief justice
28 June 2022



To learn more, visit
www.courts.mo.gov

or scan
this code:





IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

Name:	Case Number:
Address:	Case Type:
	Style of Case:
Document Filed:	

(Date File Stamp)

Redaction Certification

The filer certifies that all documents in this submission for filing with the court comply with all redaction requirements of Rules 19.10, 55.025, or 84.015.

COR 2.02

The responsibility for redacting confidential information rests solely with the counsel, parties, or any other person filing the document. Courts will not review each case document to ensure compliance and will not refuse to accept or file a document on that basis.

On and after the Expanded Remote Access Implementation Date: July 1, 2023

1. All redactions shall be done in a manner that makes it clear that information has been redacted. If necessary to reference the redacted information in a redacted document, filers shall use generic descriptors.
2. When a filer redacts information from a document offered for filing in any court, the filer also must file a confidential redacted information filing sheet that either:
 - has the unredacted version of the document attached; or
 - sets out the information redacted from the document with an explanation referencing where the information was redacted from in the document or the generic descriptors used in the document to reference the redacted information.
3. All filers shall affirmatively certify compliance with the redaction requirements in Rules 19.10, 55.025, and 84.015 when a document is filed. This certification shall be accomplished through an automated process implemented in the electronic filing system for its authorized users or, for filers who are not authorized users of the electronic filing system, by a paper form attached to the document or on the document itself.
4. When a motion is filed alleging a document filed with the court contains insufficiently redacted confidential information, the clerk shall raise the document's security level to a confidential setting. The court shall dispose of the motion within 30 days. If the court determines the document is sufficiently redacted, the clerk shall reset the document's security level to allow for proper public access.

I HAVE READ AND UNDERSTAND THE ABOVE.

Date

Filer's Signature