

# Register of Wills procedure during the COVID-19 situation

Register of Wills staff continues to work and are happy to answer your questions. Please feel free to call 302-744-2330 or email [registrar@co.kent.de.us](mailto:registrar@co.kent.de.us)

If you have any paperwork you wish to submit you should mail it to:

Kent County Levy Court Administrative Complex  
ATTN Register of Wills  
555 Bay Road  
Dover, DE 19901

Or we have a drop off site at the entrance of the Kent County Levy Court Administrative Complex for your convenience as well.

All paperwork dropped off or mailed should include the contact person's name, address, phone number, and email address. Once the paperwork has been received the staff will contact you to explain the next step in the process.

## **Small Estate Affidavit requirements:**

- (1) No petition for the appointment of a personal representative is pending or has been granted;
- (2) Thirty days have elapsed since the death of the decedent;
- (3) The value of the personal estate of the decedent other than property described in § 1901(b) and (c) of this title and other than jointly owned property, does not exceed \$30,000;
- (4) All known debts of the decedent are paid or provided for;
- (5) The surviving spouse's allowance, pursuant to § 2308 of this title, has been paid, provided for, waived or has expired by lapse of time pursuant to § 2308(b) of this title;
- (6) Decedent did not own real estate in Delaware, either solely or as tenants in common; and

**Small Estate Affidavit mail in request forms** are available on the website at:

<http://www.co.kent.de.us/register-of-wills-office/forms.aspx>. Complete the form send in the required documents and payment. As soon as we receive your paperwork we will process your request. **NOTE: YOU MUST WAIT 30 DAYS FROM THE DATE OF DEATH.**

If the estate does **NOT** qualify for a small estate affidavit you will be required to probate the estate.

If you are required to open an estate for probate you will need to mail or drop off the Original Will, certified death certificate along with a copy of a photo ID. We will also need a contact phone number, address and email in order for the staff to contact you to prepare the necessary paperwork.