



MIRAMON LAW, INC.  
*estate planning & probate*

### **Small Succession Affidavit**

A small succession, or succession by affidavit, can be done for estates with a gross value less than \$125,000.00 or when a judicial succession has not been opened for more than 20 years after the death of the decedent, regardless of the value of the estate. Only a few estates will qualify for this type of succession. We typically do small successions when there is no will, meaning the heirs are the decedent's intestate heirs. When an heir signs a small succession, he or she accepts both the assets and debts of the succession.

**Information about the Decedent.** For this process, we will need information about the deceased including previous marriages and all children. We will also need information regarding their assets and debts. We will need an original death certificate to file the affidavit.

**Differences from Judicial Succession.** In a small succession, an executor or administrator will not be appointed. All assets and property are transferred through a direct conveyance from the decedent to the heirs. There will not be an estate account needed for the succession.

**Transfer of Property.** Once the Small Succession Affidavit is filed with the Clerk of Court, the heir or heirs will need to present a stamped filed copy to any institutions in which the decedent had any assets. Property includes anything owned by the deceased person including land, houses, bank accounts, and vehicles.

When in doubt, call us! We are here to help.