

**PROBATE FLOW CHART
With a WILL (Testate)**

Whoever is in possession of the Will shall, within 30 days from notice of death, lodge it with the Clerk of the District Court, or deliver it to the personal representative named in the Will who shall lodge it with the Clerk of the District Court

Review the *Probate Court Guidelines* prior to opening any estate matter

Small Estate Affidavits

Transfer of assets from the estate of a decedent to certain claimants pursuant to an affidavit if:

- Gross value of the estate does not exceed **\$100,000** & the Claimant **IS** the surviving spouse.
- Gross value of the estate does not exceed **\$25,000** & the claimant **IS NOT** the surviving spouse.

[Click here to review NRS](#)

Estates over \$100,000 fall under 1 of 2 possible categories:
General or Summary Administration

General Administration
Over \$300,000

Summary Administration
over \$100,000 but less than \$300,000
[Click Here to Review NRS](#)

Set Aside
Estates Over \$25,000 but Under \$100,000

[Click here to review NRS](#)

30 days after Death; the Heir(s) may file a Petition to Set Aside the Estate without Administration
[Petition should include:](#)

File a Verified Petition for Letters Testamentary and to Admit Will to Probate with the Clerk of the Court

40 Days after Death; those entitled to the estate can use an [Affidavit of Entitlement to Small Estate](#)

No Hearing required

ALL PROBATE MATTERS ARE SUBJECT TO "NOTICE" AND HEARING pursuant to [NRS Chapter 155](#)
A hearing must be scheduled via the Court's website.
[Click here Second Judicial District Court](#) to schedule a hearing.
Once scheduled, a [Notice of Hearing](#) must be completed and served by mail upon all heirs, devisees, and interested parties and to the Medicaid Estate Recovery Unit, 1100 E. William St. Ste. 109 Carson City, NV 89701 more than 10 days prior to hearing.

Review website to determine if attendance is required for hearing.

After hearing, an Order is entered and filed appointing Personal Representative. Letters Testamentary shall be executed by the Personal Representative under oath, then issued and filed by the Clerk of Court in both Summary and General Administrations.
[Click Here to Review NRS](#)

General Administration: Notice to Creditors must be published for 90 days, and must also be served by mail on known creditors. Proof of Service must then be filed.

[NRS Chapters 147, 155](#)

Inventory/Appraisal of Estate must be filed within 120 days, then mailed to the interested parties.

Summary Administration: Notice to Creditors must be published for 60 days, and must also be served by mail on known creditors. Proof of Service must then be filed.

[NRS Chapters 147, 155](#)

When the Estate is ready to be distributed, a Petition for Final Distribution shall be filed. The Petition shall contain the final accounting and how the will direct the estate to be distributed.

A hearing is requested via the Court's website.

[Click here Second Judicial District Court](#) to schedule a hearing.

Once scheduled, a [Notice of Hearing](#) must be completed and served by mail upon all heirs, devisees, and interested parties.

Additional steps may be required. Consult appropriate state and local laws for further information