**SUBSEQUENT ADMINISTRATION –**

**Reopening a closed estate in which a personal representative was previously appointed by this Court and a full probate administration was completed**

**What is Subsequent Administration?**

 When a personal representative is appointed by the Court and a full probate administration ends, the power of the personal representative also ends. If an additional estate asset is located that was not part of the previous administration then the previously appointed personal representative (PR / Fiduciary) must be re-appointed through subsequent administration.

 If the previously appointed personal representative cannot serve again, the Court will need renunciations and/or bond waivers or a fiduciary bond for the newly proposed PR. When there is not consent on who will be the personal representative either by the Will or by Renunciation(s) then you will need to proceed formally with a hearing.

 If any estate beneficiaries are now deceased, those estate(s) may also have to be opened or reopened. The beneficiaries of the first administration do not change when a new asset is found.

**How do I open the estate?**

 The PR needs to complete and submit to the Probate Court, the following typed or written in black ink:

* Application for Subsequent Administration (FORM 334ES) to include a signature in the verification and the qualification sections by the proposed personal representative (attached)
* Provide complete details of the new asset to include any paperwork from unclaimed property or any documentation received from the asset holder in regards to what is needed for the estate to be reopened
* Subsequent administration Fee: $22.50, Check made payable to the Greenville County Treasurer
* Renunciations and/or bond requirements may be necessary, if not previously filed
* Agent of service, if the proposed PR is out of state

 Once you complete all the required documents in black ink and pay the required fees, the assigned Court personnel will research the previously filed estate for any further requirements, and set an appointment to reopen the case.

**What happens after the Court appoints the personal representative?**

* PR will then submit Supplemental Inventory and Appraisement (FORM 350SQA) listing only the new asset(s)
* Additional court cost based on the new inventory estate assets
* If the estate was taxable, there may be additional tax requirement(s) and requirements for an updated tax closing letter
* PR to proceed with administration of new assets and provide copies of the transfers to the Court
* Complete closing requirements within 90 days from reopening of estate, including Application for Settlement/Accounting (FORM 337ES) or waivers (FORM 364ES), beneficiary forms and any other Court documents needed.

Please see SC Code Sections 62-3-203(g) & 62-3-1008 for additional information. You are encouraged to contact an attorney for legal advice should you have any further questions. SC Lawyer Referral Service – 1-800-868-2284

**Note:** Failure to complete the estate in the required amount of time can lead to Court sanctions.

|  |  |  |
| --- | --- | --- |
| STATE OF SOUTH CAROLINA | ) | IN THE PROBATE COURT |
|  | ) |  |
| COUNTY OF GREENVILLE | ) |  |
|  | )) | **APPLICATION/\*PETITION FOR** **SUBSEQUENT ADMINISTRATION** |
| IN THE MATTER OF:  | ) |  |
|  | ) | CASE NUMBER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| (Decedent) | ) |  |

|  |
| --- |
| **\*ONLY COMPLETE THIS SECTION IF FILING PETITION FOR SUBSEQUENT ADMINISTRATION**\*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Petitioner(s) vs.\*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Respondent(s) |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | [ ]  | **INFORMAL** |  | [ ]  | **\*FORMAL** |

The undersigned states as follows:

1. Subsequent administration of the above Estate is needed because:

 [ ]  The following additional property in the above estate has been discovered. A description of the property and its approximate value at the date of Decedent’s death is: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 [ ]  Other reason: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. [ ]  I served as Personal Representative under the previous administration and fiduciary bond requirement:

 [ ]  was waived by Decedent’s Will

 [ ]  was waived pursuant to the filing of Waivers of Bond

 [ ]  was waived by the Court

 [ ]  was required and an appropriate bond is attached

 [ ]  I did not serve as Personal Representative under the previous administration; my priority for this appointment is:

 [ ]  named as Primary Personal Representative in Will

 [ ]  named as Alternate Personal Representative in Will

 [ ]  nominee of Primary Personal Representative in Will

 [ ]  nominee of Alternate Personal Representative in Will

 [ ]  surviving spouse of Decedent who is devisee of Decedent or nominee of said spouse

 [ ]  other devisee of Decedent (describe): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or nominee of said devisee

 [ ]  surviving spouse of Decedent or nominee of said spouse

 [ ]  other heir of Decedent (describe): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or nominee of said heir

 [ ]  creditor (Forty-five (45) days after death must have passed) or nominee of creditor; written statement of claim, FORM 371ES, is attached

 [ ]  other (describe):\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**\*NOTE: IF THIS IS A FORMAL PROCEEDING, IN ADDITION TO A PETITION, YOU MUST ALSO FILE**

**A SUMMONS (FORM SCCA 401PC) AND PAY THE STATUTORY FILING FEE OF $150.00.**

**A HEARING IN THE PROBATE COURT ON THE PETITION MAY BE REQUIRED.**

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62-3-203, 62-3-804, 62-3-1008

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| --- |
|  |

**VERIFICATION**

The undersigned, being sworn, states that the facts set forth in the foregoing statements are true to the best of the undersigned’s knowledge, information and belief; and hereby submits to the Court’s jurisdiction in this matter.

SWORN to before me on this the \_\_\_\_\_ day of Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_ Print Name:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  |  | Address: |  |
|  |  |  |  |
| Notary Public for South Carolina |  |  | Telephone (Work): |  |
| My Commission Expires: |  |  | (Home): |  |
|  |  |  | (Cell): |  |
|  |  |  | Email: |  |
| Relationship to Decedent/Estate: |  |
| **ORDER FOR HEARING**IT IS HEREBY ORDERED that a hearing on this matter be set for:

|  |  |
| --- | --- |
| DATE: |  |
| TIME: |  |
| PLACE: | 301 University Ridge, Suite 1200, Greenville, SC 29601 |

 Pursuant to SCPC 62-1-401, Petitioner is ordered to give notice of this hearing to all interested persons at least twenty (20) days prior to the hearing.

|  |
| --- |
| Executed this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_. |

|  |
| --- |
|  |
| Chadwicke L. Groover, Probate Court Judge |

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\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ORDER FOR SUBSEQUENT ADMINISTRATION**

IT IS HEREBY ORDERED that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ be appointed Personal Representative to administer property not previously administered as indicated in the above application/petition.

[ ]  Bond previously waived

[ ]  Previous bond waivers on file

[ ]  Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |
| --- |
| Executed this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_. |
|  |
| [ ] Chadwicke L. Groover, Probate Court Judge[ ] Caroline M. Horlbeck, Associate Probate Court Judge[ ] Elizabeth P. Wiygul, Associate Probate Court Judge |

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| --- |
|  |

**QUALIFICATION AND STATEMENT OF ACCEPTANCE**

I accept this appointment and agree to perform the duties and discharge the trust of the office of Personal Representative of this estate and to submit to the Court’s jurisdiction in this matter.

|  |  |
| --- | --- |
| Signature: |  |
| Print Name: |  |
| Address: |  |
|  |  |
| Telephone (Work): |  |
| (Home): |  |
| (Cell): |  |
| Email: |  |
|  |  |
| Attorney: |  |
| Address: |  |
|  |  |
| Telephone: |  |
| Email: |  |

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