

Table of Contents

Chapter 1 - Preliminary Matters	1
A. What is Probate and is it Necessary?.....	1
B. Probate versus Non-Probate Assets.....	1
C. Is Probate Administration the Same in Every County?.....	2
D. Are a Lawyer and Accountant Necessary?.....	3
E. Finding the Original Last Will and Testament.....	4
F. Funeral and Burial.....	5
Chapter 2 - Probate Administration Overview	9
Chapter 3 - Opening the Probate Estate	13
A. Who.....	13
B. What and How.....	14
C. Where and When.....	18
D. Bonds.....	19
Chapter 4 - Managing the Probate Estate	21
A. General Duties and Powers of the Personal Representative.....	21
B. Notice Requirements and Deadlines.....	22

Table of Contents

C. Estate Expenses and Personal Representative Compensation.....	23
D. Bank Accounts.....	24
E. Locating and Protecting Property.....	26
F. Inventory and Valuation.....	29
G. Selling Property.....	31
H. Accounting.....	31
I. Taxes.....	33
J. Litigation.....	37
Chapter 5 - Creditor Claims.....	39
A. Procedure.....	39
B. Priority of Claims.....	41
C. Priority of Assets used for Claims.....	44
Chapter 6 - Determining Heirs, Devisees and Their Interests.....	47
Chapter 7 - Distributions.....	53
A. Asset Selection.....	53
B. Distribution Mechanics.....	58
C. Personal Representative Errors and Protection.....	60

Table of Contents

Chapter 8 - Closing the Estate.....63

Chapter 9 - Other Special Circumstances.....67

 A. Collection by Affidavit
 (S.C. Code Ann. §§ 62-3-1201 & -1202).....67

 B. Summary Administrative Procedure.....69

 C. Ancillary Administration.....70

 D. Subsequent Administration.....71

 E. Special Administrators.....71

 F. Administration Under Part 5.....72

Appendices

 Appendix A - Key Terms and Definitions.....73

 Appendix B - Probate Forms List.....77

 Appendix C - Filing Fees
 S.C. Code Ann. § 8-21-770(B).....83

 Appendix D - Helpful Web Resources.....85

Table of Contents
