

1 H.461

2 Introduced by Representatives Donahue of Northfield and Grad of Moretown

3 Referred to Committee on

4 Date:

5 Subject: Decedents' estates; administration and settlement; small estates

6 Statement of purpose: This bill proposes to broaden the range of estates which
7 can qualify for treatment as small estates by permitting the probate court to
8 hold small estate proceedings for a decedent who dies with surviving parents
9 but without a surviving spouse or child.

10 An act relating to small estates

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 14 V.S.A. § 1902 is amended to read:

13 § 1902. LETTERS OF ADMINISTRATION, SMALL ESTATES, NOTICE

14 (a) Upon receiving and filing such petition, the judge of probate may make
15 such investigation of the circumstances of the case and the facts set forth in the
16 petition, as he or she deems proper and necessary. ~~If from the petition and the~~
17 ~~investigation it shall appear to the satisfaction of the court that the deceased~~
18 ~~left a surviving spouse, or children of any age, or both, that the deceased died~~
19 ~~seized of no real estate, and that the personal estate of such deceased, appraised~~

1 ~~at its true cash value as of the date of death, amounts to not more than the sum~~
2 ~~of \$10,000.00, the~~

3 (b) The court may thereupon grant administration of the estate to the
4 petitioner or some other suitable person forthwith without further notice, and
5 may issue letters of administration to the administrator without requiring
6 further bonds, if from the petition and the investigation it appears to the
7 satisfaction of the court that:

8 (1)(A) the deceased left a surviving spouse or children of any age, or
9 both; or

10 (B) the deceased left a surviving parent or parents but no spouse or
11 child;

12 (2) the deceased died seized of no real estate; and

13 (3) the personal estate of the deceased, appraised at its true cash value as
14 of the date of death, amounts to not more than the sum of \$10,000.00.