

A new WV law can make it easier for families to handle the estate of a loved one who dies. The new Small Estate Administration process is an option for estates with less than \$100,000 in real estate and less than \$50,000 in personal property (including money, vehicles, and other assets). The new process allows an authorized successor, like a surviving spouse or adult child, to get a certificate of small estate administration from the county clerk. This certificate enables the authorized successor to have legal access to assets in the deceased person's name. It gives them the opportunity to do a simpler process to settle the estate, and doesn't require submitting all the paperwork to the clerk that the full probate requires.

Authorized successors using the new process still have duties to pay the debts of the estate and distribute the assets to the legal heirs, but the process is not overseen by the clerk's office. The certificate is good for 6 months and can be extended.

There is also an even simpler process created under the new law for an individual asset worth \$5,000 or less, like a small bank account or a car or a tax refund. The holder of a small asset in the deceased person's name can release the asset to the surviving spouse or other heir with just a completed affidavit.

If you are age 60+ and have questions about these new estate administration options, or have other legal questions, you can talk to a lawyer for free at West Virginia Senior Legal Aid, 1-800-229-5068.